Regular City Council Meeting
Agenda
Marina Event Center - 190 E. 13th Street, Riviera Beach, FL 33404
January 17, 2024
Council meeting shall begin at 6:30 PM or immediately after the Community Redevelopment Agency (CRA) meeting.

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
Debrah Hall-McCullon, CMC, FCRM, Acting 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.

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, November 1, 2023**
Debrah Hall-McCullon, Acting City Clerk, (561) 845-4090

Staff recommends approval of the Minutes of the Regular City Council Meeting Minutes held on Wednesday, November 1, 2023.
Cover Page
November 1 2023 Regular City Council Meeting Minutes.pdf

1.b **Minutes of the Regular City Council Meeting held on Wednesday, November 29, 2023**

Debrah Hall-McCullon, Acting City Clerk, (561) 845-4090

Staff recommends approval of the Minutes of the Regular City Council Meeting Minutes held on Wednesday, November 29, 2023.
Cover Page
November 29 2023 Reguloar City Council Meeting Minutes.pdf

1.c **Minutes of the Regular City Council Meeting held on Wednesday, October 4, 2023**

Debrah Hall-McCullon, Acting City Clerk, (561) 845-4090

Staff recommends approval of the Minutes of the Regular City Council Meeting held on Wednesday, October 4, 2023.
Cover Page
October 4 2023 Regular City Council Meeting Minutes.pdf

1.d **Minutes of the Regular City Council Meeting held on Wednesday, September 6, 2023**

Debrah Hall-McCullon, Acting City Clerk, (561) 845-4090

Staff recommends approval of the Minutes of the Regular City Council Meeting Minutes held on Wednesday, September 6, 2023.
Cover Page
September 6 2023 Regular City Council Meeting Minutes.pdf

1.e **Minutes of the City Council Budget Workshop held on Tuesday, August 22, 2023**

Debrah Hall-McCullon, Acting City Clerk, (561) 845-4090

Staff recommends approval of the Minutes of the City Council Budget Workshop held on Tuesday, August 22, 2023.
Cover Page
Augusts 22 2023 City of Riviera Beach Budget Workshop Minutes.pdf

2. Board Appointments

2.a **Board Appointment to General Employees' Pension Board**

Jacqueline Bartley, Human Resources Director, (561) 840-4880

Staff recommends the appointment of Ms. Scott to the Board as the Mayor's appointee.
Cover Page
Pension Board Application for Appointment (002).pdf

2.b **Planning & Zoning Board Appointments**

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

Staff recommends the following actions:
1) Reappoint Mr. William A Wyly as a Planning & Zoning Board member in the position of Alternate for district 3.
2) Reappoint Mrs. Rena Burges as a Planning & Zoning Board member in the

position of board member for District 1.
3) Reappoint Mr. Anthony Brown as a Planning & Zoning Board member in the position of alternate for District 1.
4) Reappoint Mr. James Gallon as a Planning & Zoning Board member in the position of alternate for District 3.
5) Reappoint Mrs. Margaret Shepherd to the Planning & Zoning Board in the position of board member for District 2.
6) Appoint Mr. Bruce Guyton to the Planning & Zoning Board in the position of board member for District 5 (at large).
Cover Page
Guyton- Signed PZB Application.pdf
Guyton Resume_v4.pdf
Board Reappointments January '24.docx

3. Resolutions on Consent

3.a **Resolution Number 006-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue; authorizing the City Manager to issue work orders to Temple Inc. for implementation of the City's Public Safety Signal Pre-emption System in an amount not to exceed $250,000; authorizing the Director of Finance to establish Project 24020 – Signal Pre-emption System funded by unencumbered Fire Impact Fees and to make payment from same; and providing an effective date.**

John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer, (561) 845-4104

It is Staff recommendation for Fire Station 89 to relocate to Fire Station 88 as soon as operational available following the implementation of pre-emption lighting via Work order to Temple Inc.
Cover Page
Resolution 006-24 - FS89 relocation Preemption 12-06-2023 RMS.doc
Riviera Beach Fire Department Lease Notification Final.pdf
Rivera Beach Glance APL R8 12-11-23.pdf
APL - Original - State Contract Contract Document.pdf

3.b **Resolution Number 007-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing utilization of vendors listed in Exhibit A for furniture, fixtures and equipment in an amount not to exceed $100,000 in support of the relocation of Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue ; authorizing the Director of Finance to make payment from Project 24014; and providing an effective date.**

John M. Curd, Fire Chief, Terrence N. Bailey P.E. City Engineer, (561) 845-4104

It is Staff recommendation for Fire Station 89 to relocate to Fire Station 88 as soon as operational available following the implementation of pre-emption lighting via Workorders to vendors listed in Exhibit A.
Cover Page
Riviera Beach Fire Department Lease Notification Final.pdf
Resolution 007-24 - FS89 relocation Furnitue 12-06-2023 RMS.doc

3.c **Resolution Number 004-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Authorizing the Mayor, City Manager or designee to execute documents necessary to grant the Department of Transportation, State of Florida, an easement or easements for the purpose of construction and perpetual maintenance of a Mast Arm signal along Blue Heron Boulevard for Fire Station 88; and providing an effective date.**

John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer, (561) 845-4104

It is Staff recommendation for approval of Resolution No.004-24, authorizing the execution and recording of FDOT perpetual easement.
Cover Page
DOT Resolution 004-24.docx
897.1 Perpetual Easement.pdf
Res 029-23 FDOT Agreement signed.pdf

3.d **Resolution Number 008-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 86 at 5010 North Ocean to Temp Fire Station 86 at 1211 Island Road; authorizing the City Manager to execute a multi-year lease at 1211 Island Road with anticipated cost in an amount not to exceed $275,000; authorizing the Director of Finance to from account 10112102-544000, Rentals and Leases; and providing an effective date**

John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer, (561) 845-4104

It is Staff recommendation for Fire Station 86 to relocate to 1211 Island Road as soon as operational available following the planned improvements to the building and site.
Cover Page
Temp 86 Fire Stateion Lease 12-6-2023v1.pdf
Resolution_008-24_-_Temp_FS86_Lease__1-17-24.doc

3.e **Resolution Number 009-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 86 at 5010 North Ocean to Temp Fire Station 86 at 1211 Island Road; authorizing the City Manager to issue work orders to REG Architects for Station Design for implementation of the City's Fire Station 86 relocation in an amount not to exceed $65,000; authorizing the Director of Finance to make payment from Project 24014 – Municipal Facilities; and providing an effective date.**

John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer, (561) 845-4104

It is Staff recommendation for Fire Station 86 to issue a work order to REG Architects to design the planned improvements to the building and site.
Cover Page
Resolution_009-24_-_FS86_Design__1-17-24.doc
REG - Temp FS86 design proposal.pdf

3.f **Resolution Number 10-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, awarding the Firefighter Medical Physicals Contract to Life Extension Clinics, Inc. d/b/a Life Scan Wellness Centers of Tampa, Florida; authorizing the Mayor and City Clerk to Execute a three-year agreement with Life Wellness Centers for same; further authorizing the Finance Director to make payment for same from Account Number 10121102-531000 in an amount not to exceed $150,000.00; and providing for an effective date.**

John M. Curd, Fire Chief, (561) 845-4104

Staff recommends approval of Resolution Number 10-24 to schedule employee physicals.
Cover Page
Life Scan Documentation .pdf
FD Resolution Number 10-24 Firefighter Physicals.docx

3.g **Resolution Number 15-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving the agreement with the Palm Beach County Supervisor of Elections Office (PBCSOE) to provide 2024 municipal election related services; authorizing the Mayor and City Clerk to execute said agreement; and providing an effective date.**
Debrah Hall-McCullon, Acting City Clerk, (561) 845-4090

Staff recommends approval of Resolution15-24 for the agreement with the Palm Beach County Supervisor of Elections Office.
Cover Page
PBCSOE Vote Processing Equipment Use and Elections Services Agreement.pdf

Resolution 15-24 - Vote Processing Equipment Use and Elections Services Agreement.pdf

3.h **Amateur Athletic Events 2024**

Valerie Grimsley, Parks and Recreation Interim Director, (561) 707-8345

Staff recommends a Motion to approve to Resolution Number 16-24
Cover Page
road closure memo.pdf
amatuer athletic events 2024 resolution.pdf

END OF CONSENT AGENDA

4. Unfinished Business

5. Petitions and Communications for Filing

6. Awards and Presentations

7. Public Hearings

8. Ordinances on Second and Final Reading

8.a **Ordinance Number 4251: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 31 Zoning of the Land Development Code of the City of Riviera Beach at Article V. Section 31-1 Definitions; Section 31-281 to update Purpose of the Office & Professional Zoning District (OP); Section 31-282(b) Special Exception uses to update allowed uses; Providing for Conflicts, Severability, an Effective date and other purposes.**

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

Staff recommends a Motion to approve Ordinance Number 4251.
Cover Page
Ordinance 4251-Professional Office OP Zoning District.pdf
Proposed Text Language.pdf
PZB_Staff_Report-OP_District_Code_Revision.pdf
Combined Submittal Materials-OP.pdf
Proof of Newspaper Ad
Riviera Beach business impact estimate Ordinance 4251.pdf
Proof of Advertisment- OP ZTA Advertisement.pdf

8.b **Ordinance Number 4243: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the Land**

Development Code, Chapter 31, zoning, Sections 31-1, 31-61, 31-141, 31-161, 31-187, 31-192, 31-197, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, and 31-536; creating sections 31-560, 31-561, 31-562, and 31-563; amending the definition of family; amending the definition of the terms multiple family dwelling and duplex dwelling; adding definitions for the terms assisted living facility, community residence, hospital, nursing home, recovery community, recovery residence, specialty medical facility, and specialty hospital; providing for severability, repeal of laws in conflict, codification, and for an effective date.

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

Staff recommends a motion to approve Ordinance 4243.
Cover Page
Ordinance 4243 Community Residences 11.29.23.docx
PZB Staff Report To Council-Community Residences & Medical Uses 8.24.23.docx
Sober Homes Map 3.pdf
Lake Worth Beach-FARR levels of housing letter-MR. Waters -PDF Signed.pdf
Proof of Advertisment.jpg
Riviera Beach business-impact-estimate-Community Residences Ordinance.pdf
Proof of Advertisement

8.c **Ordinance Number 4245: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, creating City Code of Ordinances Chapter 32, Art in Public Places, providing for purpose, conflicts, severability and codification; and providing for an effective date.**

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

Staff recommends a Motion to approve Ordinance Number 4245.
Cover Page
AIPP_Ordinance_4245- Second Reading.docx
Comparison of Florida Municipal Public Art Program NEW2.pdf
Reference Ordinances: Port st Lucie . tiered.docx
Reference Ordinances: West Palm Beach PUBLIC_ART.docx
Reference Ordinances: Palm Beach Gardens_Art_in_public_places_requirements..docx
Reference Ordinances: Boynton Beach-fl-1.pdf
Riviera Beach business-impact-estimate- Ordinance 4245.docx
Riviera Beach Business Impact Estimate-Ordinance 4245 Art in Public Places.docx
RE_ 9667000 AIPP Advertisement.pdf

8.d **Ordinance Number 4252: An Ordinance Of The City Council Of The City Of Riviera Beach, Palm Beach County, Florida, amending Chapter 22 of the**

City's Code Of Ordinances entitled "Buildings And Building Regulations", Article II, "Building And Technical Codes", Section 22-31 "Building Code Adopted", by adopting by reference a new administrative code entitled "Riviera Beach Amendments To The Florida Building Code 8th Edition (2023)" ; Providing For Conflicts, Severability and Codification; and providing for an Effective Date.

Clarence Sirmons, Director of Development Services, AICP
Michael Grimm, Building Official, CBO, CFM, (561) 845-4062

Staff recommends a Motion to approve Ordinance Number 4252.
Cover Page
Ordinance RB Amendments to FBC 2023.doc
RB Chapter 1 FBC 8th Edition 2023 cleaned version.docx
RB Chapter 1 FBC 8th Edition 2023 highlighted.docx
Riviera Beach Business Impact Estimate-Ordinance 4252 Building and Building Regulations.docx
Proof of Advertisement

8.e **Ordinance Number 4253: An Ordinance of The City Council of The City of Riviera Beach, Palm Beach County Florida, amending Chapter 22, of the Code of Ordinances entitled "Buildings and Building Regulations", Article II, Entitled "Building and Technical Codes", by updating and revising Section 22-33, entitled "Schedule of Permit Fees"; providing for Severability; Codification and Conflicts; and providing an Effective Date.**

Clarence Sirmons, Director of Development Services, AICP
Michael Grimm, Building Official, CBO, CFM, (561) 845-4062

Staff recommends a Motion to approve Ordinance Number 4253.
Cover Page
Ordinance_4253_Building_Code_Fee_Update.docx
Riviera Beach Business Impact Estimate-Ordinance 4253 Building and Building Regulations.docx
Proof of Advertisement Permit Fees Advertisement.pdf

9. Ordinances on First Reading

9.a **Ordinance Number 4246: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 10, "Licenses," Article VIII, "Mobile Vendors," Sections 10-262 through 10-268 of the City's Code of Ordinances to provide for regulations regarding mobile vendors dispensing food and other items; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date.**

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

Staff recommends a Motion to approve Ordinance Number 4246
Cover Page
Ordinance_4246_Amending_Mobile Vending Code (003) (002).doc
Strikethrough-Underline- ARTICLE_VIII.___Draft 2
MOBILE_VENDORS.docx
Riviera Beach business-impact-estimate- Ordinance 4246.docx

9.b **Ordinance Number 4257: An Ordinance of he City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 31 - Zoning (The Land Development Code) of the City of Riviera Beach at Article V. Division 7 – RM-15 Zoning District (Multiple Family Dwelling District) Section 31-197 (b) Special Exception Uses; approving a text amendment application to permit townhouse reviews as a special exception in the RM-15 Zoning District (Multiple Family Dwelling District); providing for conflicts, severability, an effective date and other purposes.**

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

Staff recommends a Motion to approve Ordinance Number 4257.
Cover Page
Ordinance 4257 RM-15 Text Amendemnt.docx
RM-15 ZoningText Amendment Staff Report to City Council.docx
Combined Submittal Materials- RM-15 text Amendment
Riviera Beach business-impact-estimate-Ordinance 4257 - TOWNHOMES AS SPECIAL EXCEPTION IN RM-15.docx
Proof of Advertisement RM 15 TA Advertisement.pdf

9.c **Ordinance Number 4256: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving a Small-Scale Future Land Use (FLU) Map Amendment to the City of Riviera Beach's Comprehensive Plan, approving Application (LU-23-0004) from Foundcare Inc. (Applicant) located at 3501 Broadway (Property Control Numbers 56-43-42-28-30-001-0010 and 56-43-42-28-00-001-0160); on approximately +/- 2.52 acres (+/- 109,967 square feet) requesting a Land Use Plan Amendment to change a future land use designation from the Single-Family Residential: up to 6 dwelling units per acre (sf) to a land use designation of Downtown Mixed Use (DMU); and 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 Ordinance Number 4256.
Cover Page
Ordinance 4256 - Foundcare Land Use Change.docx

Foundcare Staff Report to City Council.docx
D. Uniform land use application. Foundcare.pdf
D2. Consent.Foundcare.PDF
E. Project Narrative. Foundcare.pdf
F. Warranty Deed. Foundcare.pdf
G. LEGAL DESCRIPTION. FOUNDCARE.pdf
I. Survey. Foundcare.pdf
J. Plat. Foundcare.pdf
K. Site Plan. Foundcare.pdf
Riviera Beach business-impact-estimate-Ordinance 4256 - FOUNDCARE FLU MAP AMENDMENT.docx
Proof of Advertisement
Affidavit of Sign Posting and Mailer Notice

9.d **Ordinance Number 4255: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving an Application (ZA-23-0007) from Foundcare Inc. (Applicant); requesting a Zoning Map Amendment from a Downtown Residential District Zoning Designation (DR) and a Single-Family Dwelling Zoning District RS-6 to rezone the western portion of the subject property to a Downtown General (DG) zoning designation located at 3501 Broadway (Property Control Numbers 56-43-42-28-30-001-0010 and 56-43-42-28-00-001-0160); and 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 Ordinance Number 4255.
Cover Page
Ordinance 4255 Foundcare Zoning Map Amendment.docx
Foundcare Staff Report to City Council.docx
D. Uniform land use application. Foundcare.pdf
G. LEGAL DESCRIPTION. FOUNDCARE.pdf
I. Survey. Foundcare.pdf
J. Plat. Foundcare.pdf
K. Site Plan. Foundcare.pdf
D2. Consent.Foundcare.PDF
E. Project Narrative. Foundcare.pdf
F. Warranty Deed. Foundcare.pdf
Riviera Beach business-impact-estimate-Ordinance 4255 - FOUNDCARE ZONING MAP AMENDMENT.docx
Proof of Newspaper Advertisements- Foundcare
Affidavit of Sign Posting & Mailer Notice

9.e **Ordinance Number 4254: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving a request from Foundcare Inc. (Applicant); requesting Abandonment (AB-23-0002) of the**

following right-of-way segment: the +/- 30 foot by +/- 232.09 foot street right of way (35th Street) approximately +/- 6960.32 square feet in area that bisects the property located at 3501 Broadway in Riviera Beach (right of way dedication of 35th Street and along Avenue E); in Riviera Beach Florida ("Attachment A"); 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 Ordinance Number 4254.
Cover Page
Ordinance 4254- Foundcare Abandonment Amendment.docx
Foundcare Staff Report to City Council.docx
I. Survey. Foundcare.pdf
J. Plat. Foundcare.pdf
K. Site Plan. Foundcare.pdf
K. Sketch Legal N 35th Street Abandonment_v1 (3).pdf
U. Traffic Concurrency Letter. Foundcare.pdf
U. Traffic Study.pdf
D. Agent Authorization.pdf
E. Affidavit re Abandonment w 35th street row.pdf
G. LEGAL DESCRIPTION. FOUNDCARE.pdf
Riviera Beach business-impact-estimate-Ordinance 4254 - FOUNDCARE ABANDONMENT.docx
Proof of Advertisement- Foundcare .pdf
Affidavit of Sign Posting & Mailer Notice

9.f **Ordinance Number 4250: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 19, "Traffic and Motor Vehicles" to include new parking requirements throughout the City and at the City's Marina and Public Beach Parking Areas, and removing provisions which are no longer utilized; providing for conflicts, severability, codification, and an effective date.**

Valerie Grimsley, Assistant to the City Manager, (561) 812-6598

Staff recommends City Council approval of Ordinance Number 4250 on First Reading.
Cover Page
Riviera Beach business-impact-estimate Ordinance 4250 Parking 1.9.2024.pdf
Cover_Page Ordinance No. 4250 Parking 1.9, 2024.pdf
Ordinance - Parking revised 1.9.2024 Standard Format Final.pdf
Ordinance - Parking revised 1.9.2024 CLEAN easy-reading format.pdf
Ordinance - Parking revised 1.9.2024 Standard Format Final (1).pdf
CRB Parking Ordinance presentation 1.9.2024.pdf
Parking_Management_Agreement.pdf

Resolution 3-24.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 11-24: Liability Insurance Renewal 2023-24**

Steve Shields, Risk Manager, (561) 840-4879

Staff recommends that the City Council approves the renewal of the liability insurance through Arthur J. Gallagher Risk Management Services, LLC, Resolution Number 11-24.
Cover Page
Resolution 11-24.pdf
Liability Insurance Renewal Letter_Res No_11-24.pdf

11.b **Resolution Number 14-24: A Resolution Of The City Council Of The City Of Riviera Beach, Palm Beach County, Florida, establishing a schedule of building permit, review and other related fees and charges pursuant to Chapter 22, Building And Building Regulations, Article II, Building And Technical Codes, Section 22-33 Schedule Of Permit Fees, of The City Of Riviera Beach Code Of Ordinances and Ch. 163, Florida Statutes, to be effective on February 1, 2024.**

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

Staff recommends a Motion to approve Resolution Number 14-24.
Cover Page
Resolution_14-24-_Schedule_of_Permit_Fees.docx

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.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Debrah Hall-McCullon, Acting City Clerk

Through: Jonanthan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Minutes of the Regular City Council Meeting held on Wednesday, November 1, 2023**

Date: January 17, 2024

CC: General Public

Background:
Attached are the Minutes of the Regular City Council Meeting held on November 1, 2023.

City Goals:
The City-wide Goal is to Accelerate Operational Excellence

Fiscal/Budget Impact:
N/A

Recommendation:
Staff recommends approval of the Minutes of the Regular City Council Meeting Minutes held on Wednesday, November 1, 2023.

Attachments:
1. November 1 2023 Regular City Council Meeting Minutes.pdf

CITY OF RIVIERA BEACH
REGULAR CITY COUNCIL MEETING
November 1, 2023
6:00 p.m.

PRESENT AT MEETING[1]:

MAYOR RONNIE FELDER .....MAYOR FELDER

CHAIRPERSON DOUGLAS A. LAWSON- .....CHAIRPERSON LAWSON
DISTRICT 5.....

CHAIR PRO TEM SHIRLY D. LANIER.....CHAIR PRO TEM LANIER
DISTRICT 3

COUNCILPERSON TRADRICK MCCOY .....COUNCILPERSON MCCOY
DISTRICT 1

COUNCILPERSON KaSHAMBA.....COUNCILPERSON MILLER-
MILLER-ANDERSON – DISTRICT 2

COUNCILPERSON JULIA A. BOTEL- .....COUNCILPERSON BOTEL
DISTRICT 4

CITY MANAGER JONATHAN EVANS .....CITY MANAGER EVANS

INTERIM CITY CLERK TAWANNA D. KING.....INTERIM CITY CLERK KING

CITY ATTORNEY DAWN S. WYNN.....CITY ATTORNEY WYNN

TRANSCRIBED BY:

Legal Transcription On Call
(561) 856-0957

[1] List of City Employees, Public Speakers and Others on Page 87

[Before meeting chatter and discussions]

[Gavel]

CALL TO ORDER

Chairperson Lawson: I'd like to call to order the Regular City Council meeting. The date is November 1st. The time is 6:09 p.m.

ROLL CALL

Chairperson Lawson: Roll call, Madam Clerk.

Interim City Clerk King: Mayor Ronnie Felder?

Mayor Felder: Here.

Interim City Clerk King: Chairperson Douglas Lawson?

Chairperson Lawson: Here.

Interim City Clerk King: Chair Pro Tem Shirley Lanier?

Chair Pro Tem Lanier: Here.

Interim City Clerk King: Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

Interim City Clerk King: Councilperson KaShamba Miller-Anderson?

Councilperson Miller-Anderson: Present.

Interim City Clerk King: Councilperson Julia Botel?

Councilperson Botel: Here.

Interim City Clerk King: Jonathan Evans, City.., Cit Manager?

City Manager Evans: Present.

Interim City Clerk King: Tawanna King, City Clerk is present. Dawn Wynn, City Attorney?

City Attorney Wynn: Here.

Interim City Clerk King: You have a quorum, Mr. Chair.

Chairperson Lawson: Thank you, Madam Clerk.

INVOCATION

PLEDGE OF ALLEGIANCE

Chairperson Lawson: We'd like to have a moment of silence, followed by the Pledge of Allegiance. The Pledge of Allegiance will be led by Ms. Aliyah Melivn. If you can, come to the front.

She's a student at New Horizon and she's gonna be leading us in the Pledge of Allegiance. So, if everyone can please rise.

[Chuckles]

Chairperson Lawson: Ms. Aliyah is a member of Sincere 2000's family. It's a mental health organization and she's the youngest of the bunch. The entire family are children that are business owners and entrepreneurs.

And, in the future, she looks forward to bring a actor or a doctor.

Welcome, Ms. Aliyah Melvin.

[Applause]

Ms. A. Melvin: I pledge allegiance…,

All: …to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible and liberty and justice for all.

Unk. Audience: Good job.

Chairperson Lawson: Everybody give it up for Ms. Aliyah.

[Applause]

AGENDA APPROVAL

ADDITIONS, DELETIONS, SUBSTITUTIONS

Chairperson Lawson: Do we have any additions, deletions, or substitutions?

Chair Pro Tem Lanier: Yeah.

Chair, I wanted to.., I guess I can pull 3c and 3d after we get to the Consent Agenda.

But, I did want to add a discussion Item for the City and the Riviera Beach Housing Authority partnership, as a discussion.

Chairperson Lawson: Board, do we wanna add that to the end of the Agenda?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Given the length of our Agenda this evening, I don't think we have sufficient time to devote. And this is an extremely important topic for us. I want to see a thorough examination of the proposal that we received… Actually, I saw it today for the first time.

It was sent to us on Monday. It went to my spam folder. I saw it today for the first time. I haven't had enough time to review that. It's so important. I think we need a workshop on this topic so that we can look at all of the potential ways in which we can develop that site.

I do think, and I pledge, as long as I have anything to say about it [chuckle], there will be a Judge Rodgers Center there, at that site. But, I think we need to have several hours' worth of conversation that includes members of the CRA and CDC Staff so that they can.., they're not here this evening. And the people from the Housing Authority.

We need to wor'.., I agree. We need to work with the Housing Authority. They are our Housing Authority. They represent Riviera Beach. We need to include them. But tonight is just not the night to do it.

I think that we need to.., as soon as possible, and perhaps not waiting until the new year, perhaps in the next month, month and a half, we can have that workshop so that we can examine the best way to develop this property.

So, I would.., I would prefer, from me anyway, to wait until we can have that thorough conversation of this important topic.

Chairperson Lawson: Council Member Miller-Anderson? Councilman McCoy?

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Go ahead.

Councilperson Miller-Anderson: Well, I, I concur with Dr. Botel.,

We do have a very, very long Agenda tonight. And, it is an important issue. So, I would be in favor of placing it on a future Agenda.

Chairperson Lawson: Councilman McCoy?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Go ahead.

Councilperson McCoy: Thank you.

I would love to hear from them. In fact, I'm nto sure what the CDC has to do with this. This has absolutely nothing to do with the Riviera Beach CDC. Nor does it have anything to do with the CRA.

In fact, we were caught by surprise by a presentation that was provided by the CRA relative to this. So, no better time than the present. Additionally, I, I, I think it's important because there's nto been time that there's nto been controversy that we've had this many participants in our meeting.

Now, I will like to preface my support in this that I'm okay with a presentation. And, I think we need to resolve this, Ms. Wynn and Ms. Smith and Mr. Evans, that I brought this up before.

Florida statutes requires bodies to provide public a reasonable opportunity to be heard before a proposition or a proposal before any Board or Committee. Every presentation doesn't necessarily dignify, you know, fifty people standing up to give a public comment on it.

I'm okay with it but if we're gonna try to entertain public comments, that's nto gonna be able to work. But, I'm.., I definitely would love to hear that presentation.

Chairperson Lawson: Thank you, Councilman.

I would be supportive of hearing the presentation tonight so that we can add it to the Agenda.

Do.., Attorney Wynn, do we wanna vote to go ahead and move forward with that since this is a consensus of three Members that would like to hear it?

City Attorney Wynn: Yes.

I do think you need a vote, Mr. Chair.

Chairperson Lawson: Pro Temp…

City Attorney Wynn: Also, you, you should clarify how you're going to hear it. I did hear Ms. Lanier say she wanted it as a discussion Item. And, on discussion items, we typically don't have public comment.

And so, I don't know if cards were put in for this Item? But, again, that also can change with a vote of the.., of the Council.,

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: If the Board would be so inclined to consider possibly moving this under presentations, especially if there's a situation where the Board is hearing the presentation, that allows for the Item to be heard earlier versus waiting 'til the end of the meeting, which is probably gonna go into the late hours.

And so, if it is the Board's desire to be inclined to hear the presentation, it would be Staff's recommendation that you consider placing that Item maybe before item 6d, under your presentations for the purposes of allowing for the persons here to share with the Board what they are contemplating.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: To the…

Councilperson Botel: I'm sorry.

Chairperson Lawson: Go ahead.

Councilperson Botel: I'm…

Chairperson Lawson: Go ahead.

Councilperson Botel: I'm fine… I'm fine with hearing a presentation.

My concern would be if we were being asked to vote on something tonight or make a decision based.., based on the short amount of time we have. And, if it were to be an Item that people would come up to the mic for three minutes [chuckles] a piece.

Our Agenda is just too big tonight. But I'd be happy to hear the presentation.

Chairperson Lawson: And, and I agree.

I believe Pro Temp Lanier, she did just request to have a discussion about the Housing Authority. So, I'm, I'm nto sure if an action item or any discussion about making a mtoion or vote will be taking place or if that's the intent, no discussion is…

Councilperson Botel: Presentation.

Chairperson Lawson: …intended.

Councilperson Botel: Presentation.

Chairperson Lawson: Presentation, I'm okay with that but we do have a lot of business of the City, Mr. Evans, too get through. It is a lengthy Agenda.

Colleagues, I actually would prefer to have it at the end of the Agenda. But, if we wanna see at 6e, I'm okay with that as well.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Btoel, go ahead.

Councilperson Botel: I think there are a number of people here in the audience that would be grateful if [chuckle] we did it earlier in the evening. I see a number of Alpha members here. I see.., so, I, I think [stammer] in deference to the folks who have come out tonight for that Agenda Item, nto that it was an Agenda Item but if we could j'.., but just maybe we could limit the presentation to, like, ten minutes or?

You know, because our Agenda tonight is just so long. If we…

Chairperson Lawson: Thank you.

Councilperson Botel: …could limit the presentation.

Chairperson Lawson: And…

Councilperson Botel: [Inaudible].

Chairperson Lawson: …tha'.., thank you, Councilwoman Btoel.

I, I love the engagement and I would actually love for them to sit through the whole meeting.

But…

Councilperson Botel: [Chuckle]. I would too but it's…,

Chairperson Lawson: [Stammer].

Councilperson Botel: …we know it's gonna be late.

Chairperson Lawson: Madam Pro Temp, where would you like to see this?

Chair Pro Tem Lanier: Yeah.

We can put it under presentations and we can just listen to that presentation from the Housing Authority.

Chairperson Lawson: Can we have a mtoion?

Chair Pro Tem Lanier: Mtoion to add partnership with the [stammer] Riviera Beach Housing Authority as Item 6d.

Councilperson Botel: Second.

Chairperson Lawson: 6e.

We have a mtoion made, properly seconded.

Madam Clerk.

Interim City Clerk King: Councilperson Btoel?

Councilperson Botel: Yes.

TSS: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: No.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, [stammer] 4-1 with Councilperson Miller-Anderson dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

Any additional deletions, additions, or substitutions?

Interim City Clerk King: Yes, sir.

Chairperson Lawson: Please.

Interim City Clerk King: Just for clarification, 12b and 12c are discussion Items. It.., on there, it lists that we're asking for a mtoion but it's just simply a discussion.

Item 1a, which are the Minutes, those will be amended to reflect that Ms. Lanier attended virtual.

1b will be amended to reflect that both Ms. Lanier and Ms. Miller-Anderson attended virtually.

Item 1c will be deleted.

Also, 6c will be deleted.

And then, we adding 6e as a discussion with the Housing Authority.

Chairperson Lawson: Sorry.

6c was deleted?

Interim City Clerk King: 6c, yes.

Chairperson Lawson: You're amending Minutes…

Interim City Clerk King: No, I'm sorry. 6d.

No, no, no, no. No. No.

Councilperson McCoy: Start over…

Interim City Clerk King: I had it…

Councilperson McCoy: …[stammer].

Interim City Clerk King: …correct. 6c.

Councilperson McCoy: Mr. Chair?

Can… Mr. Chair?

Chairperson Lawson: Madam Clerk, if you can start from the beginning and go a little slower so the Board…

Interim City Clerk King: Okay.

Chairperson Lawson: …can follow up, please.

Thank you.

Interim City Clerk King: 12b as in boy, on the Agenda it says that we're asking for a mtoion for approval. It's just a discussion Item.

12c as in Charlie, same thing. It says that we're asking for a mtoion but it's just a discussion Item.

Item 1a as in apple, it will be.., the Minutes will be amended to reflect that Ms. Lanier was virtual attendance.

1b as in boy, will be amended to reflect that both Ms. Lanier and Ms. Miller-Anderson was virtual.

We're deleting Item 1c. There needs to be more revisions made.

Item 6c is being deleted.

And we're adding 6e. So, there will be no presentation by Palm Tran.

Chairperson Lawson: Thank you, Madam Clerk.

Board?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I wanted to [chuckle].., I had no clue that we were gonna get a half dozen additions and substitutions but I am definitely interested in having a discussion on [pause] RFQ-1070, the public private partnership for City Hall.

And I specifically wanna do that. And I think it's very important that we do it at the top of our Regular Agenda. So, I would ask for the support of the Board to have a discussion on the RFP for City Hall.

Chairperson Lawson: Board?

Chair Pro Tem Lanier: Can… Because, it seems like Item 11a is in relation to that. Might we have it during that Item? Our discussion?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Coiuncilman McCoy, go ahead.

Councilperson McCoy: That is exactly why I asked for it to go there. However, my discussion does relate to.., have some CBRE components in it but I wanna speak to specifically the solicitation and how we arrived at CBRE.

So, while I certainly wanna have that discussion, I think if we take it at the same exact time, I think the discussion may lend us to more specifics that's nto involving CBRE. But, however we wanna do it, I just wanna make sure that it's clear that there are some concerns that I think…

In fact, we need to have a conversation because we've never been a part of the termination of the RFQ for the City Hall discussion. And, that seems to be contrary to the.., to the Board document.

And we received something late yesterday and it's, Members, as you guys all remember, we haven't met in a month and this is the only time that we can talk about it. So I would hope that we don't take this to another meeting because of the importance of City Hall and getting some clarification on a few things.

Chairperson Lawson: Councilman McCoy, can we hear that after we get through our Ordinances, before we get to 11a? Because, I believe that, based on germanity, I would wanna keep them separate.

So, if we could hear it as Item 10, right after the Ordinance, that would be where I, I'd like to put. If it's okay.

Councilperson McCoy: [Stammer] actually, I said 10a.

Chairperson Lawson: Oh, you did 10a?

Councilperson McCoy: 10a.

Chairperson Lawson: Okay…

Councilperson McCoy: So.

Chairperson Lawson: …sir.

Councilperson McCoy: Yeah.

Chairperson Lawson: I would support that.

Pro Tempo Lanier, Dr. Btoel?

Chair Pro Tem Lanier: Yeah.

I'm fine with that.

Chairperson Lawson: Okay.

No objections to the addition? 10a, Madam Clerk. Discussion about RFQ… I don't have the number in front of me. I'm sorry.

Councilperson McCoy: RFQ-1070.

Chairperson Lawson: Thank you.

Councilperson McCoy: Dash 23 dash one.

Interim City Clerk King: I'm gonna repeat that. You said RFQ-10 dash?

Councilperson McCoy: RFQ 1070… 1-0-7-0 hyphen 23 hyphen 1.

Interim City Clerk King: Thank you.

Chairperson Lawson: Any additional additions, deletions, or substitutions?

[Pause]

DISCLOSURES

Chairperson Lawson: Disclosures by the Board, Mayor, or Council?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Btoel…

Councilperson Botel: I…

Chairperson Lawson: …go ahead.

Councilperson Botel: …I've had conversations with representatives from the Military Trail project. I, I can't see the number. Where is it? The… Let me find it here.

Chairperson Lawson: It's the Ordinance? 9a?

Councilperson Botel: I'm looking.

Chairperson Lawson: 9b, 9c.

Councilperson Botel: Yeah.

Thank you.

Chairperson Lawson: Thank you.

Mayor.

Mayor Felder: Mr. Chair?

Chairperson Lawson: Please.

Mayor Felder: No disclosures but I know that I talked to you earlier about Palm Tran. Is there any members from Palm Tran here today?

Councilperson McCoy: Yes.

Chairperson Lawson: There's members?

Councilperson McCoy: Miller [stammer]…

Mayor Felder: Oh, Miller-Anderson.

Councilperson Miller-Anderson: [Inaudible].

Chairperson Lawson: Oh.

Mayor Felder: I know was giving a presentation, right?

Chairperson Lawson: We, we deleted it right before, I believe.

Mayor Felder: Did we get in touch with them? Nobody's here to…

Chairperson Lawson: Did someone speak to…

Mr. Evans?

City Manager Evans: Mr. Chair, yes.

We, we spoke with Palm Tran to…

Mayor Felder: Okay.

City Manager Evans: …reschedule their presentation because of the duration of the Agenda.

Mayor Felder: Alright.

Thank you.

Chairperson Lawson: Mayor, thank you.

Councilman McCoy?

[Inaudible comment]

Chairperson Lawson: Disclosures? No?

Councilperson McCoy: Oh, yes.

Chairperson Lawson: Yes.

Councilperson McCoy: I did speak to representative of Celeste on the quasi-judicial matter which is the [pause]… Actually, we don't have a quasi-judicial matter tonight.

Do we, Ms. Wynn? We have Zoning, Future Land Use…

City Attorney Wynn: Right.

They're all legislative.

Councilperson McCoy: Yeah.

So… Yeah. No disclosures, Mr. Chair.

Chairperson Lawson: Thank you.

Any additional disclosures?

[Pause]

Chairperson Lawson: Mr. Sirmons?

ADOPTION OF AGENDA

Chairperson Lawson: Mtoion to adopt the Agenda?

Councilperson Botel: So moved.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Madam Clerk.

Interim City Clerk King: Councilperson Btoel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

TSs: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

CONSENT AGENDA

Chairperson Lawson: Consent Agenda.

Chairperson Lawson: ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN IN ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS SA 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.

1. ITEM NO. 1

MINUTES

1a. ITEM NO. 1A

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, AUGUST 16, 2023

TAWANNA KING, CITY CLERK, (561) 845-4090

1b. ITEM NO. 1B

MINUTES OF SPECIAL CITY COUNCIL MEETING MINUTES HELD ON WEDNESDAY, SEPTEMBER 13, 2023.

TAWANNA KING, CITY CLERK, (561) 845-4090

1c. ITEM NO. 1C

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, SEPTEMBER 20, 2023.

TAWANNA KING, CITY CLERK, (561) 845-4090 STAF

1d. ITEM NO. 1D

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, SEPTEMBER 20, 2023.

TAWANNA KING, CITY CLERK, (561) 845-4090

2. ITEM NO. 2

BOARD APPOINTMENTS

2a. ITEM NO. 2A

APPOINTMENT OF ONE (1) ALTERNATE LIBRARY ADVISORY BOARD MEMBER

ADAM D. BRODY, LIBRARY DIRECTOR, (561) 845-4196

3. ITEM NO. 3

RESOLUTIONS ON CONSENT

3a. ITEM NO. 3A

RESOLUTION NUMBER 147-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING GRANT FUNDS FROM THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM (BVP), BUDGET PERIOD AUGUST 30, 2023 – AUGUST 31, 2025; AUTHORIZING THE REQUIRED CASH MATCH TOTALING $10,816.50, FROM FISCAL YEAR 2024 OPERATING SUPPLIES, NUMBER 10120105-552000; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP THE BUDGET IN FUND 213; AND PROVIDING AN EFFECTIVE DATE.

MICHAEL COLEMAN, CHIEF OF POLICE, (561) 845-4128

3b. <u>ITEM NO. 3B</u>

RESOLUTION NUMBER 149-23: A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND AMEND THE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR THE STAFFING OF EMERGENCY SHELTERS BY EMERGENCY MEDICAL STAFF; AND PROVIDING AN EFFECTIVE DATE.

JOHN M. CURD, FIRE CHIEF, (561) 845-4104

Chairperson Lawson: Anyone wanna pull an Item from Consent?

Chair Pro Tem Lanier: Yes.

3c and 3b.

Chairperson Lawson: 3c. 3b.

Do we have any public comments, Madam Clerk?

T: No, sir.

We don't have any public comment cards on.., on the Consent Agenda. And the acceptance of public comment cards for the Consent Agenda is now closed.

Chairperson Lawson: Anyone else wanna pull any additional Items?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Madam.., Dr. Btoel, go ahead.

Councilperson Botel: Just a request.

Would it be possible for us to consider 3c and 3d after the presentations on the Agenda so that the people who are here for presentations can get that taken care of?

Chairperson Lawson: I'm fine with that.

Pro Temp?

Chair Pro Tem Lanier: I'm fine with that.

Councilperson Botel: Thank you.

I see somebody in costume. It's gotta be hot back there.

Chairperson Lawson: So, we're gonna move…

[Chuckles]

Chairperson Lawson: …3c and 3d immediately following our presentations.

Councilperson Botel: Thank you.

Chairperson Lawson: After we approve Consent.

Additional discussion?

[Pause]

Chairperson Lawson: Madam Clerk?

Interim City Clerk King: Councilperson Bot'… Hold on.

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Btoel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

END OF CONSENT AGENDA

4. ITEM NO. 4

UNFINISHED BUSINESS

5. ITEM NO. 5

PETITIONS AND COMMUNICATIONS FOR FILING

6. ITEM NO. 6

AWARDS AND PRESENTATIONS

Chairperson Lawson: We're gonna go straight into awards and presentations. We'll do 6a, 6b, 6d, 6e, and then come back to the Items on Consent.

6a. ITEM NO. 6A

Interim City Clerk King: Item 6a, Mr. Chair.

Interim City Clerk King: PROCLAMATION HONORING NOVEMBER 12TH, THRU NOVEMBER 18TH, 2023, AS NURSE PRACTITIONER WEEK IN THE CITY OF RIVIERA BEACH.

SHIRLEY LANIER, COUNCILWOMEN, DISTRICT THREE, (561) 845-4095

Interim City Clerk King: And this will be presented by Ms. Shirley Lanier, Councilwoman District 3.

Chair Pro Tem Lanier: Thank you. I'm going to read a Proclamation for our nurses and nurse practitioners here in Palm Beach County, and to recognize their efforts in terms of servicing this county and also serving the City of Riviera Beach.

We have representatives from the Nurse Practitioner Counsel of Palm Beach County, and the Black Nurse Practitioners of Palm Beach County.

WHEREAS, nurse practitioners play a critical role as trusted providers of healthcare for patients in our si'.., in our state. Nurse practitioners work to expand healthcare access in underserved communities, promote health equity and care.

And, patients depend on the more than 355,000 licensed nurse practitioners in the United States and 21,000 in Florida, to diagnose, manage, and treat their chronic and acute health care conditions; and

WHEREAS, nurse practitioners provide high quality and primary acute and specialty healthcare services while emphasizing health promotion, disease prevention, health education and counseling, guiding patients to make smarter health and lifestyle choices every day; and

WHEREAS, the confidence that patients have in nurse practitioner delivered healthcare is evidenced by the more than one billion visits made annually to nurse practitioners across the county; and

WHEREAS, for more than five decades of research demonstrates the high quality of care provided by nurse practitioners; and

WHEREAS, better utilization of nurse practitioners through modernized state laws and improved policies create better health with more accessible, efficient, cost effective, and a higher quality healthcare system; and

WHEREAS, more than half the nation, including twenty-six states, the District of Columbia, Guam, and Northern Marina Islands, has adopted full practice authority legislation offering patients full and direct access to the outstanding care provided by nurse practitioners; and

WHEREAS, leading governmental and policy entities, including the National Academy of Medicine, National Council of State Board Nursing, the National Governors Associations, and

the Federal Trade Commission have taken notice of the benefits providing full and direct access to nurse practitioner delivered care; and

WHEREAS, nurse practitioners serve as the primary care provider of choice for many of Riviera Beach residents and play a pivotal role in the health and welfare of our communities; and

WHEREAS, the City of Riviera Beach is proud to recognize and honor the service of nurse practitioners to our state.

BE IT RESOLVED THEREFORE, the Mayor of Riviera Beach hereby declares November 12th through November 18, 2023 as National Nurse Practitioners Week in recognition of the countless contributions nurse practitioners have made over the past half century and will continue to make on behalf of the health and wellbeing in our state.

I have hereunto set my hand and caused the official seal of the City of Riviera Beach to be affixed on this 1st day of November, 2023.

Thank you.

And I can have a representative from the Nurse Practitioner Council of Palm Beach County and a representative from the Black Nurse Practitioners of Palm Beach County. I do have the Black Nurse Practitioner of Palm Beach County's [stammer]… I have them.., I have the founder here as well and I would like for her to come up too.

[Applause]

Dr. J. Wellington: Thank you everyone. My name is Dr. Judy-Ann Wellington and I am a nurse practitioner here in Palm beach County. And, I am one of the founders of Black Nurse Practitioners, along with Avis Brown.

The reason why I reached out to Avis and decided to start an [stammer] organization with Black Nurse Practitioners is as a new nurse practitioner back in 2017, I needed guidance and I didn't know where to go.,

So, I reached out to Avis, which was a seasoned nurse practitioner for several years prior to myself. And, I said, 'Hey, we need something that us can relate to and we can have nurse practitioners after us, have somewhere to go to get guidance.

So, that's the reason why we started out in 2018 with ten of us, and now we're over two hundred strong and growing.

[Applause]

Ms. J. Kuretski: Thank you so much for this honor. We greatly appreciate it. My name is Jennifer Kuretski. I serve as President of the Nurse Practitioner Council of Palm Beach County.

And, likewise, we know our communities need enhanced access to care. And they need really great care. And so, our organizations here in Palm Beach County work to make sure that we're providing those opportunities for new nurses to go.., become nurse practitioners.

But also, to make sure that once nurse practitioners are out there, that our hearts remain in nursing and that's serving all populations. And our passion is obviously here in Palm Beach County..

So again, thank you so, so much. We're really grateful for this.

[Applause]

Ms. A. Pagan: Okay. Good evening. My name is Allison Pagan. I am a nurse practitioner. I'm also the President of the [stammer] Black Nurse Practitioners of Palm Beach County.

As you met Judy-Ann and Avis, who are the founders and co-founders of this organization, I started with them on the Advisory Board. Once I un'.., I understood the mission of this great organization, I knew I had to be a part of it. And, having been.., being a part of it, I have now become.., been volunt-told to become the Presidentt.

But, it is greatly an honor for me because I do believe in this organization, I do believe in our purpose. I do believe in the, the continued struggles, nto only for nurse practitioners to [stammer] be able to deliver care but to be able to deliver care to populations, communities that are nto being served and do nto look at the faces of the providers and see the similarities, and be able to share in the cultures.

So, we are here to continue that legacy. We're here to bring it out more, to bring it forth. We have a lot of plans for 2024 doing more in our community and just, just being that staple for, for all of us, for all the communities.

And I thank you so much to the Council for.., the Mayor for this, this Proclamation. Thank you.

[Applause]

Chairperson Lawson: Thank you.

[Pause]

Chairperson Lawson: Thank you so much ladies. The City is honored to support our nurse practitioners, the community, and continue to support and advocate. So, as a [stammer].., as a recognition from councilwoman, Pro Temp Lanier, our Honorable Mayor, and the entire Board, we thank you for your service and we thank you for continue to support with the City of Riviera Beach.

So, thank you.

Madam Clerk.

6b. <u>ITEM NO. 6B</u>

Interim City Clerk King: Yes.

6b is…

Interim City Clerk King: PROCLAMATION HONORING THE 90TH ANNIVERSARY OF PALM BEACH STATE COLLEGE.

DR. JULIA BOTEL, COUNCILWOMEN, DISTRICT FOUR, (561) 845-4095

Interim City Clerk King: By Dr. Julia Btoel, Councilwoman, District 4.

Councilperson Botel: Thank you.

So, I'm gonna read the Proclamation from the Office of the Mayor, City of Riviera Beach, Palm Beach County, Florida, honoring the 90th anniversary of Palm Beach State College.

WHEREAS, Palm Beach State College was founded in 1933 as Florida's first public two year college and has con tenuously served the educational needs of Palm Beach County residents for ninety years first as a junior college then as a community college, and today, as a state college. [Oo sound]. He's scary. It's Halloween.., nto even Halloween anymore. [Chuckles]

Councilperson Botel: Sorry. Sorry.

WHEREAS, Palm Beach State College, since opening its doors on November 14, 1933, as Palm Beach Junior College, has grown from forty-one local students in three classrooms, to forty thousand students from a hundred and fifty-one countries and territories, studying on five campuses located in Boca Raton, Belle Glades, Lake Worth, Loxahatchee Groves, and Palm Beach Gardens, and online; and

WHEREAS, Palm Beach State College established during the Great Depression when there was no institute of higher learning in Palm Beach County, is now an economic engine pumping $1.1 billion into the county's economy each year; and

WHEREAS, Palm Beach Junior College merged with Roosevelt Junior College in 1965, which was established in 1958 to serve African American students; and

WHEREAS, Palm Beach State College has been integral to the remarkable growth and prosperity of Palm Beach County, our graduates, community and business leaders for generations, and impacted every industry and continue to do so today; and

WHEREAS, Palm Beach State College, one of the top producers of the associate degree graduates in the United States also offers baccalaureate degrees, professional certificates, career training and corporate and continuing education; and

WHEREAS, with more than a hundred and thirty programs of study, Palm Beach State College is the county's leading educator of skilled professionals. Career programs span fields such as healthcare, computer science, business, biotechnology, creative arts, childcare, human services, teacher education, environmental science, landscape management, and a wide variety of skilled trades, engineering, electrical, power, and public safety; and

WHEREAS, Palm Beach State College's mission of providing accessible student centered teaching and learning experiences and academic, technical, and lifelong learning to transform lives and strengthen our community is crucial to the vitality of the City of Riviera Beach; and

WHEREAS, the City of Riviera Beach, Florida, commemorates the 90th anniversary of Palm Beach State College with appreciation for its vital role as a provider of excellence in

education and career training, and as a driver of economic mobility in partnership with our community, Palm Beach County, and the State of Florida.

NOW THEREFORE, BE IT FINALLY RESOLVED that Ronnie L. Felder, Mayor of the City of Riviera Beach in Palm Beach County, by the power vested in him by the residents of Riviera Beach, does hereby honor the 90th anniversary of Palm Beach State College.

IN WITNESS WHEREOF, he has hereunto set his hand and caused the official seal of the City of Riviera Beach to be affixed on this 1st day of November, 2023 A.D.

And I would ask the representatives.., I know there are at least a couple of them here, including this character, to come up to the podium so I can give them this pre'.., presentation.

[Applause]

[Pause]

Councilperson Botel: I wanna say, also, we've had a partnership with Palm Beach State College. I can see one of my former colleagues here who helped us put that great project together. We graduated over forty students with college credit certificates because we gave a classroom right here.., and thank you, Mr. Evans, right here in our Public Works building. And, we were able to ha'.., graduate students in business and logistics and transportation.

So, we hope to continue.., we are continuing that partnership.

So, thank you again. Do you wanna introduce the folks up here?

Mr. S. Joyner: Sure.

Unk. Palm Beach State College Representative: Yeah.

This is our Probost, Steven Joyner and he's gonna introduce our group. We've got…

Councilperson McCoy: You gotta talk into the mic.

Unk. Palm Beach State College Representative: Oh. Okay.

I'd like to introduce our Probost, Dr. Steven Joyner. We have Ken Badaracco. Palmer, the panther. Jyrece McClendon, is our dean. And I think that's it. Now, we're gonna probably say a few words.

Mr. S. Joyner: A few words. Good evening, Mayor, Members of the Council, members of the audience. I'm Steven Joyner. I'm, I'm the Probost of the Palm Beach Gardens Campus at Palm Beach State College.

And we are honored to receive this Proclamation from the City of Riviera Beach. As we reflect over the last ninety years of training and educating students, we are proud of our history and to have actively partnered over the years with local schools, organizations and businesses located in Riviera Beach.

As we [stammer] celebrate our 90th anniversary, reflect on how Palm Beach State College has grown, evolved, and expanded over the last ninety years. Today, we have five campuses, serve over forty thousand students, as you heard earlier, and we've awarded over 175,000 degrees and certificates.

And, we're super proud of many of those degrees and certificate recipients are actively serving and working in a variety of industries within Palm Beach County. And I'll bet that we have alumni from Palm Beach State College in here, in the room. Anybody?

[Audience cheers]

Unk. Palm Beach State College Representative: That's great. Thank you for that.

We have many points of pride. And let me just take a moment to say thank you to Councilwoman Julia Btoel for being such a valued partner. Dr. Btoel is passionate about education and was instrumental in partnering with PBSC to offer college credit certificates in

business specialist, logistics, transportation to City employees and residents of Riviera Beach. It was a very successful program and is a model for other local municipalities.

So, thank you. And thank you to the Council Members for your support of that, that program as well.

And finally, knowledge is power. Palm Beach State takes pride in bestowing the same. Thank you, Mayor, Council Members, for issuing this Proclamation to Palm Beach State College. We will display it proudly.

[Pause while Palm Beach State College representatives return to seats]

Chairperson Lawson: And thank you to all the representatives of Palm Beach State College. You guys have been an amazing partner.

Thank you.

[Applause]

Chairperson Lawson: Madam Clerk, 6d.

Interim City Clerk King: Yes, Mr. Chair.

6d. We do have a public comment card on 6d. The acceptance of public comment cards for Item 6d is now closed. It's a recommendation for long term solutions for Fire Station 89 and immediate needs for Fire Station 86

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: As much as I know Staff is eager to present this Item, the Housing Authority Item is actually first. We are following them.

So, the next presentation will be this Item.

Chairperson Lawson: I thought we made it 6e, Mr. Evans? I think…

[Audio skipped]

[Inaudible comments]

Chairperson Lawson: We replaced it with 'c'? Or, I thought it…

City Manager Evans: Well…

Chairperson Lawson: …was 6e.

I think we, we put it at the end of the presentations.

Councilperson Botel: Yeah.

[Inaudible comment]

Chairperson Lawson: No?

City Manager Evans: Mr…

Councilperson Miller-Anderson: [Inaudible comment]

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: This presentation, when we've had conversations with Board Members on this presentation, it's taken about an hour. And this is the first time that you all get to discuss this particular Item collectively.

And so, it probably would be quicker to hear the Item with regards to the Housing Authority than this particular Item 'cause this is multifaceted and it talks about level of services and, and some other things that I think…

Chairperson Lawson: Okay.

Board, are we okay with hearing the Housing Authority first?

Chair Pro Tem Lanier: Yes.

Chairperson Lawson: Okay.

Madam Clerk.

6e. <u>ITEM NO. 6E</u>

Interim City Clerk King: 6e.

Interim City Clerk King: DISCUSSION OF RIVERIA BEACH HOUSING AUTHORITY

Mr. J. Jackson: Good evening, Mayor, Councilpersons, and the City Administration. And, good evening to all of you and those of you here to support us. Give yourselves a hand for being here.

I appreciate it.

[Applause]

Mr. J. Jackson: Thank you.

I wanna start by saying that the Housing Authority is here to…

Chairperson Lawson: Excuse me, sir. Wait. I'm sorry.

Sir, if you can, go see…

[Inaudible comments]

Chairperson Lawson: Yeah.

Just, just take it over here to the Clerk and she'll disseminate it to the Board. Thank you so much, brother.

Go ahead, Mr. Jackson.

Mr. J. Jackson: Thank you.

Chairperson Lawson: Thank you.

Mr. J. Jackson: So, my name is Jeffrey Jackson. I have the pleasure of being the Chair of the Riviera Beach Housing Authority. We are an award winning Housing Authority. In 2021,

we got Best Housing Authority Award. I think that's saying a lot for our, our Housing Authority. I'm blessed to work with some very talented people.

And, for this project, for the sake of brevity, I'll skip through some of things we had to roll down. I, I'm hearing that you guys got a.., a lot to do tonight.

I wanna bring up our award winning team so that you guys can see that we have the capacity to move this City forward and keep in line with our vision to create more affordable housing for the citizens of Riviera Beach.

With me, I have my Executive Director, John Hurt. We have Oliver Gross. He's.., can't be present. I think he had a family emergency, unfortunately. It's a very serious emergency. Oliver Gros is President of New Urban Development, Urban League in West Palm Beach. They are devel'.., I'm sorry. In Miami. They are a development arm.

Hope Calhoun. She's our legal advisor. Dwight Stephenson from D. Stephenson Construction. And, Larry Jones. I'd like each one of them to come up. Larry Jones is from Larry Jones Realty. And, Alfred Fields is from the Alpha. He's President of the Alpha Phi Alpha Fraternity.

And, I'll have the entire team come up and say something briefly about themselves.

Thank you.

Mr. D. Stephenson: Hello everyone. I'm.., I'm Dwight Stephenson, CEO of D. Stephenson Construction.

We're excited to be a part of your team. We teamed up with Total Solution Construction. Ryan. And, we work'.., we're working together on about four other projects. We've been in business for, like, thirty years.

We employ approximately fifty people down here in South Florida and we're excited to be a part of the team.

Mr. L. Jones: Good evening. My name is Larry Jones, President and CEO of Super Star Realty and Appraisals. We've been in business, in Palm Beach County now, since 2007. We work in residential, commercial real estate sales, acquisitions, leasing, property management, public adjusting, and insurance.

It's a pleasure and a privilege to partner up with the Riviera Beach Housing Authority and some of these other esteemed guests here behind me. We look forward to serving the local community with affordable housing.

Thank you.

Mr. A. Fields: Good evening to all of the esteemed Council Members and our Mayor and Staff. I'm Alfred Fields, President of the Alpha Educational Foundation arm of Alpha Phi Alpha Fraternity, Delta Delta Lamba Chapter here in Riviera Beach.

We've been in business in this great county of ours for seventy-five plus years, working hard to uplift the lives of many around us. And I just want to take a moment to.., 'cause we were supposed to give a little bio but, my bio says, 'Born in a small town called Belle Glades., to parents that were migrant workers. Worked in the farms, to grandparents that did the same.

But they.., actually, migrated from Riviera Beach and West Palm Beach. So, our family rotos are almost as old as the City itself. Right here in this City. My two sons started school at R.J. Hendley.

They graduated from this very City, Suncoast High School. Been a member of the church in this City for over twenty-five plus years. Paid my taxes in this City. And then, on top of that, I give my time, my energy to give back to the citizens of this City.

And that's why I stand before you today, as a member representing the Alpha Phi Alpha Fraternity, Incorporated. I'm gonna ask those brothers are doing the same thing that I've been doing in this City and expanding out in this county, if you would stand with me at this…

These are professional brothers.

[Applause]

Mr. A. Fields: I didn't talk about our educational background. These are professional black men.

[Applause]

Mr. A. Fields: Thank you, brothers.

And then, I, I didn't come here alone and I wanna recognize those who came with us. We have, and I know you all may know them as tenants over at the Judge Rodgers Center but we call them partners.

And I want them to stand. Acts of Kindness, Nelson's Ministry, Florida Fishing Academy.

[Applause]

Mr. A. Fields: [Inaudible], Sincere 2000.

These are our partners who we've been working with for the past half decade at the Rodgers Center. And, we don't take our work lightly and we don't get paid.

[Chuckles and inaudible comments]

Mr. A. Fields: So, we come here because we wanna continue to help this City move forward. We come here because we wanna be a part of this beautiful City that sits on the eastern seaboard of Florida.

We also came with other friends and family members. If you would stand.

[Applause]

Mr. A. Fields: So, instead of talking about my educational background and what I give up to, to volunteer, ‘cause that’s nto important. What’s important is the least, the lost, and the left behind.

As my good friend, Mr. Calloway, has taught me since I was yay high, when he came to visit my grandmother in Belle Glade while she was delivering food to seniors, Meals on Wheels out in Belle Glade. She has a center in.., a Head Start Program named after her in South Bay, Hattie Fields.

So see? Volunteer work is nto new for me. I started at six years old, riding with her. And so, everywhere I planted my feet, I gave back to the community and I didn’t stop when I got here. That’s why I stand before you and that’s why I’m passionate about the work we do.

And so, we’ve come before you with the Housing Authority and hope that we will move forward and producing a.., a place where we can continue to do the work that we’ve been doing for the [stammer] last half decade, in the name of Judge Rodgers, Edward Rodgers who served on this very same Council, who worked tireless for the City of Riviera Beach as well.

And so, we wanna continue his legacy in the work that we do.

So, thank you for hearing me. We look forward to your support. We continue to support you, as you continue to volunteer and do what you do. We thank you and we appreciate you.

[Applause]

Mr. J. Hurt: Good evening, Council Members, Chair, Pro Tem, Members of the Council, City Manager.

Before we made this presentation, we just wanted to give you an idea of the partnerships that we’ve been trying to build in this effort of moving forward to take some City owned parcels

and bring some affordable housing, real affordable housing, to the residents of the City of Riviera Beach.

In addition to the team members you've met, I also would like to introduce Mr. Eugene [chuckle] Fagan. He's, he's our architect. As we said earlier, Mr. Gross of the New Urban Development could nto be here but I would want to give a little intro about him.

We partner with New Urban Development because they are a socially conscious developer. We've had the pleasure of developing Heron Estates with a profit oriented developing partner and we've had that experience.

And, and with type of initiative, we felt that it would be much more to the benefit of us all, particularly this City and the residents if we partnered with a socially conscious developer. And that's what New Urban Development brings as an extension of the Miami-Dade Urban League.

They have experience in building affordable housing through southeast Florida, Miami-Dade County, Broward County, and they've always wanted to partner with us going back to ten years ago when we were first introduced to them.

So, I think at this point in time, we can demonstrate that we've done the work to build a team, to move forward with a project of this nature. Given that, we just.., hopefully, we sh'.., provided you with a presentation, the long version, that we will hope to present to you a shorter version of our presentation this evening.

I would like to call up our affordable housing consultant, Terry Botoy, to assist in.., in this presentation. And, we have all of these members and if you have any questions, we are here to address them, and, you know, any concerns that you may have.

Chairperson Lawson: Thank you, Mr. Hurt.

Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Mr. Chair.

Thank you, Mr. Hurt. I really, greatly appreciate that. But Mr. Botoy, I've had a phone conversation with you. You're very long winded, so I'm gonna go ahead and be…

[Chuckle]

Councilperson McCoy: …right up front and frank with you, we have to move this along.

Mr. J. Hurt: [Inaudible].

Councilperson McCoy: So, I would have hoped, if you haven't already, met with every other Board Member, but just for the purposes, like, you guys are gonna be going home, we're gonna be here at 12:30 a.m. So, please, help us out, alright?

Mr. J. Hurt: Yeah.

We, we would hope to make this brief. We understand your…

Councilperson McCoy: Thank you.

Mr. J. Hurt: …your concern, Councilman McCoy.

Councilperson McCoy: Thank you.

Mr. J. Hurt: We provided you with this presentation. I personally have tried to communicate and interact with all the Members on the dais, so I would hope that, at this point, you have some familiarity with what we're about to present.

But, for.., nto only you, but for the greater public to understand the efforts that we made, we gladly make this short presentation.

And thank you for the opportunity.

Chairperson Lawson: Thank you.

Mr. J. Hurt: Mr. Botoy.

Mr. J. Botoy: Good evening everyone. Can everyone hear me?

My name is Terry Christopher Botoy. I just wanna put things into context. I started my business here.

Man, this is the.., one of the best cities on Earth. Ripe with opportunity. I'm just privileged to stand here before you. I don't know how or who controls the toggling of the... Thank you.

But, in the spirit of being brief, I will cut to the most important aspect.

[Pause]

Mr. J. Botoy: So, as you guys know, currently, the Graduate Chapter of Alpha Phi Alpha is what we affectionately call the Judge Rodgers Center, is housed on 11th and 13th Street. Most people know that this land was dedicated to the City of Riviera Beach in 1989 with the idea of civic and public use.

One of the most important and critical elements to affordable housing is land basis. And so, given the current crisis, as we all attended this morning, housing, one of the, one of the most critical pieces to affordable housing is finding ways to improve the margin, finding ways to create opportunity with the surplus land.

In this instance, the Riviera Beach Housing Authority has issued a formal request to City Manager Evans for the utilization of surplus parcels. Currently, the Boys & Girls Club is housed there on the site and that leaves about another 4.5 acres.

The program that the Housing Authority has identified, that will best serve the community, is a workforce housing demographic. This will serve tenants that are sixty to a hundred.., hundred and twenty present of AMI.

And, in addition to that, there is a definitive plan to build a Best in Class, world class community center. This project represents all that is good with the City of Riviera Beach. It's county sponsored land, owned by the City, with the Housing Authority, with a community leader and in prox'.., in proximity to an already thriving Boys & Girls Club.

So, it just finishes the corner, or finishes out the program. Eugene Fagan designed a program that allows the use of onsite parking, without a parking garage, street parking, retail, and then peppering it with a beautiful landscape so it does nto feel like an affordable housing, or what we effectively know as the projects.

It is meant to be something that will serve folks living, working hard to be a part of the American dream.

So, I'm just gonna flip through a couple more renderings. This is one of the courtyards. Here, and then obviously, summertime swimming enjoyment, family fun, friends, et. cetera. The, the notion behind the ask is really simple, it's to allow the team to take the land through the entitlement process, through the county, and come back before the Council for a site plan approval which will be led by Hope Calhoun.

And then, ultimately use all the traditional methods of financing through affordable housing, Florida Finance, Wells Fargo, CITI Bank, and [stammer] and Florida Community Loan Fund.

So, nothing that you guys haven't heard before but just the tenacity, the get to it'ness, the aggressiveness to get it done is the.., is ultimately the, the new and.., the new and fresh idea here.

So, here's the development timeline. I know one of the feedbacks that we always hear from the dais is, 'Hey, if we're gonna do something, we don't want it to sit around forever. We don't want you guys just holding up time.'

So we put.., put together a realistic and, and succinct development timeline with the idea that there will be new residents moving in, in September of 2026.

In addition to that, we also know and have heard critical feedback, nto only from the dais but from all of the citizens that homeownership is priority number one. How do you design and build a home in its current market today that exceeds the cost of what most common folks can actually afford? It takes, again, land at a zero basis.

So, we have identified twelve sites throughout the City. A very simple process of identifying these parcels as surplus, conveying them to the Housing Authority with the development agreement. And then, having a single point of accountability, working through a natural progressive for sale timeline.

And again, I want to be brief, Commissioner McCoy.

Again, the idea is nto to land bank, nto to stall, but to.., but to attack this process extremely aggressively. One of the things I'm most proud of is Mr. Hurt has identified the capital predevelopment, which is one of the most challenging things you can do from Florida Community Loan Fund. They identified about a million, million and a half line of credit.

And I.., and the idea is that new residents, new buyers will be in their homes in July of 2025.

With that, I will turn it back over to the dais. And I just wanna say, guys, thank you for this time and opportunity. This has been wonderful and we look forward to getting to work.

Chairperson Lawson: Thank you, Mr. Botoy.

Mr. J. Hurt: If I may add a, a couple…

Chairperson Lawson: Go ahead, Mr. hurt.

Mr. J. Hurt: …of things.

Num'.., number one, as you can see, we're [stammer] part of this request is two parts. As Terry indicated, twelve sites to build homeownership and to make it affordable. And, as he said, we've already approached a, a funding source for that to be able to build at least three or four homes at the time.

And it's a ro'.., it's a revolving fund. So, once we provide the housing and close for one residence, all proceeds will go back into that.., that we receive, go back into that revolving fund and we can continue to process.

It's my hope that once we go through the first round, that I can go back to this funding source and increase that $1 million to two or $3 million, that we can accelerate the program.

Secondly, in regards to the Judge Rodgers site, we're, we're looking.., we already identified a socially conscious developer and we're looking at funding and financing to make this really affordable.

If you look at the market rents in the City of Rivera Beach and Palm Beach County, you can see that a, a three bedroom goes for eighteen, $1,900 a month on a fair market. Right now, Riviera Beach is renting three bedroom, two bath units for $1,500 a month.

So, it's our goal to continue to even be below market in both our rentals as, as well as to make it affordable for homeownership.

So, we can only do that by, as Mr. Terry says, getting parcels at low or no cost. That's the greatest part, you know, site control and being able to build a pro forma that we can make [inaudible] product affordable.

I finally wanna say something about timeliness. Last year, we had the opportunity to get [stammer] a lot of funding from the county. And, because we didn't have site control of many parcels, we missed out over a million dollars' worth of funding.

We were successful in getting a half a mi'.., up to a half million dollars from the county to build four units that we're in the process now but, you know, once again, the further we put this off, the greater the, the opportunity to miss available funding, btoh from the county and the state, and the federal government.

The time is now, you know, for us to move forward with these kinds of projects. We've gotten support from the county over the years. The county has supported this Housing Authority with over a million dollars to build housing and we've acquired eight units, you know, behind that kind of funding.

We have a good rapport with the county. We have a good rapport with, with state officials and federal officials and we're looking forward to get that kinda support here from the.., at the City of Riviera Beach.

So, having said that, we certainly hope that this conversation, this discussion, you know, will motivate you to partner with us and move forward with these initiatives on a timely basis.

Have.., if there's any questions from the dais, we are here, as a team, to be able to address any of your questions or your concerns.

Thank you.

Mr. J. Jackson: I wanna conclude by reminding your guys, I remember when Mayor, then Mayor Masters, asked me to get on the Housing Authority Board. At that time, I was serving with, and I see her in the audience, Lynne Hubbard, we had a timeline… At that time, Riviera Beach had nto had a [stammer] a housing development for thirty-five or forty years. I think Mr. Calloway can attest to that.

He gave me a timetable of moving it forward in four years. Heron Estates is a $46 million project. $46 million project. We got it done in two years. We have capacity to do it. We can move it forward faster than anybody else.

And I will add that, and this nto picking a fight or, or pointing out anyone or anything but, [stammer] the CDC, and I sat on that board, they had an opportunity to come and present and do a presentation and no one said anything about let's have a discussion, let's make a discussion, let's bring in the Housing Authority.

That didn't happen. And it shouldn't happen now. And it's a shame that it is happening. It, it's, it's wrong. And, and we should move forward with, with supporting the Housing Authority.

I know.., I understand, Mr. Hurt. What's.., whatever's gonna happen, is gonna happen. We, we would like your support.

Chairperson Lawson:: Thank you, Mr. Jackson.

Mayor Felder: Chair?

Chairperson Lawson: Mayor, go ahead.

Mr. J. Jackson: Are there any questions?

Chairperson Lawson: Mayor, go ahead.

Mayor Felder: Jeff, you're nto on, you're nto on the CDC Board anymore, are you?

Mr. J. Jackson: Yes, I am.

But, it seems as though I'm nto getting emails or invitations anymore.

Mayor Felder: I don't want to get pe'.

Mr. J. Jackson: But, yes, I am.

Mayor Felder: Okay.

My, my, my, my ques'.., I mean, you have to pick one or the other because I think the CDC… I'm just making a statement.

The CDC is asking for properties in the Housing Authority. Now, I'm coming in support of the Housing Authority. I sat on a call with Jonathan Brown, with Mr. Hurt and we lost $500,000 - $1 million because they were wanting to put that money into infill lots.

My question is, since 2019 Board, we.., this discussion came up. I think Mr. Evans mentioned that we had all of these infill lots that we needed to build affordable housing. It's now 2023 and we're still having this discussion.

My question is, I believe we have more benefit with the Housing Authority. We go to these conferences where we see the Housing Authority, the CRA, the City working together. This City has nto adopted that [inaudible] yet.

And, we're s'.., we're s'.., we're steady sending people to these ho'.., first homebuyers clubs. You know, they're, they're, they're.., they're graduating the homebuyers clubs but we have no inventory to put them in.

I'm in full support of the Housing Authority, taking our infill lots, let's build houses, let's nto make it so political. They can do the work. They assured us they can do the work. People, right now.., the only thing I'm asking is, if, if we allow them to have it, could we use our people, Riviera Beach, that went through these first time homebuyers clubs that we have a list, and start making sure that they get these houses. Or, it's, it's gonna be 2025, 2026, and we're gonna be going down the same road.

So, I do support them. I've been many meetings with the county. The county is willing and ready to work with our Housing Authority. And, I mean, they get the most bang for the buck through the.., through the, the county and the state.

And so, I'm in one hundred percent approval of working with the Housing Authority and Mr. Hurt and his team.

Thank you.

Chairperson Lawson: Thank you, Mayor.

We do have a public comment. Councilman McCoy, can we hear the public comment or you wanna…

Councilperson McCoy: Well…

Chairperson Lawson: …go ahead…

Councilperson McCoy: No.

Chairperson Lawson: …[Inaudible]?

Councilperson McCoy: No, no. Hold on one second.

No. Are we having public comments?

Councilperson Botel: No.

Councilperson McCoy: Because, I, I specifically…

Councilperson Botel: No

Councilperson McCoy: …prefaced this that if we're gonna hear a presentation that we're nto taking deliberative action, there's nothing statutorily that requires it. You know, this was nto already contemplated to be on the Agenda.

But, don't.., I mean, I wanna ask some questions to clarify the presentation. So, is it the Board's…

Chairperson Lawson: I think we…

Councilperson McCoy: …desire…

Chairperson Lawson: …said that based upon discussion and deliberation, we were gonna put no public comments there. I think your request was that you didn't wanna have a whole lot of individuals speaking on public comment.

But, we didn't restrict public comment as a Board when we put it here as this Item, under awards and presentations. I believe we do have one public comment so I'm nto.., I don't believe that will prolong the discussion with the one card we have in.

Councilperson McCoy: So, I'm gonna disagree with you, Mr. Chair.

Here it is that I've asked.., and I was on.., one of the three that actually asked for this presentation. There are things that I wanna get clarified, so you're gonna stop the presentation, allow the Mayor to give a, a question and a comment but I'm gonna wait until after?

The presentation has already been removed from the screen…

Chairperson Lawson: Well…

Councilperson McCoy: …so, like…

Chairperson Lawson: There wa'.., there was nothing to disagree on. This is actually typical practice where we do a presentation, we then go into public comment, and then we go to questions from the Board. The Mayor did jump in with a concern.

But, Councilman McCoy, I have no problem with you posing your question.. This does nto have to be a contentious discussion, so please, pose your question. We will then have our public comment and go back into the discussion with the rest of the Board.

Councilperson McCoy: I would appreciate that.

Thank you.

Chairperson Lawson: You're welcome.

Councilperson McCoy: So, Mr. Botoy or Mr. Hurt. In fact, I would probably take btoh of you guys.

So, what I'm looking at today on your slide seems to be different than what we gotten in August. Because, I'm looking at parcels that you have on the scattered sites for sale housing and that doesn't matchup with the same list that we gotten in August.

Did you guys change that?

Mr. T. Botoy: No.

There is no change.., there has been no change in the identification of the parcels that are identified in that transmittal letter to the City, that we are identifying in our presentation. There's a.., there is a graphic.., a Google Maps graphic but that is just to show that is [stammer].., it is scattered sites.

The, the, the P'.., PCN numbers or the APN numbers that you find in that list, is.., has, has nto changed since our initial surplus or initial ask to City Manager Evans.

Councilperson McCoy: Okay.

Well, I, I was looking at a email, but going back from probably early this summer. And, I believe I got it from perhaps Mr. Hurt.

But, you know, one of the things I wanna point out. I.., how did you guys come up with these selections of these particular parcels? Did you just go to the Property Appraiser's website and said, oh, that's owned by Riviera Beach. Let's offer, you know, to see if they contribute or donate that surplus property?

Mr. J. Hurt: No.

We got that list from the City as a listing of available properties owned by the City that are surplus parcels.

[Inaudible audience comment]

Councilperson McCoy: Oh, that's interesting. Okay.

And, I, I guess I'll, I'll follow up with Staff regarding that because I'm, I'm looking at something that is on your sheet that doesn't exactly match up with this. So, I, I didn't see anything on here on West 30th Street.

Now, to that point, I wanna piggyback on what the Mayor said. I would agree. In fact, I know, certainly, it's been two years since this body donated a single family home, 1052 West 30th Street, to the CDC and I've nto seen or heard anything since then.

And I know we took Board action on that. And I, and I tend to agree. And, the interesting thing about that, that parcel was it's actually.., probably at least sixty percent built with an actual, you know, brick and mortar and a roof, which probably the roof needs to be replaced.

But certainly, I would love to give the Housing Authority the opportunity. But, my only concerns is, that before we commit to these, there's due diligence done btoh on the Housing Authority side, as well as more specifically on the Cityside.

Because, we've gotten situations where we didn't have proper as-builts and we recognized infrastructure was underneath certain parcels and lots that you cannot build on whatsoever.

So, while I think you may have a list, I can't guarantee you that that's a property that's actually developable. So, you know, I would condition, you know, my support, that it's something that actually works.

But, that's a process that has to be played out later.

Mr. J. Hurt: Yes, Councilman.

Our predevelopment process, you know, we will have to ensure the [stammer] availability of the lots.. We have to do environmentals, engineering studies, et. cetera. So, we would move forward on a lot that was nto buildable.

Councilperson McCoy: Thank you.

And last thing. You gave us a very conceptual plan, Mr. Botoy. Obviously, there's gonna have to be more discussion.., conceptual plan regarding the multifamily… I, I certainly wanna know something about the density in the units and the makeup of that. So, I would hope that hat comes at some other point because it's nto contained here.

Mr. J. Hurt: Yeah.

We're prepared to do that. To the pleasure of this Board, we tried to shorten this presentation but we've done our due diligence and we're prepared to give you data and information like that.

Councilperson McCoy: Thank you, Mr. Chair.

Chairperson Lawson: Thank you, Councilman McCoy.

Madam Clerk.

Interim City Clerk King: Yes.

Ms. Margaret Shepherd.

Ms. M. Shepherd: Margaret Shepherd, Riviera Beach.

I wanna thank you all for having this discussion, Pro Tem Chair. I'm indeed happy that we're talking about the Judge Rodgers site. My uncle, who was chief skycap of Eastern Airlines was the godson of Judge Rodgers.

Being in Rivera Beach Housing Authority, I came home ill and I had to move in Ivey Green, which was deemed the worst Housing Authority since Tampa, Florida.

We continue to have these discussions and I think Judge Rodgers would be eternally happy if the City worked together with the Housing Authority. Mr. Hurt is one of the most amazing, black men I've ever met in my life that knows how to get the job done.

Then, you have Jeffery. Kinda pushy but knows his job.

[Chuckles]

Ms. M. Shepherd: Oh yeah.

He kinda puts your ha'… He's a, he's a Sheriff. You know? So, he'd put your hands behind your back and hold you hostage. But they're an amazing group. I sit with the Housing Authority.

Mr. Mayor, I did call you a couple times and told you I was the one that had Ivey Green torn down. Nto only did I call Washington, D.C. and they came down, nto only did I write to the Housing Authority and when they came, they said, 'Ms. Shepherd, we're here. We're about to take this particular Housing Authority down.

So, it's me. Very stressful but yet, still, I got the job done. And I, I am eternally grateful that I can step aside because I do live in one of the Housing Authority houses. I think they have four houses.

They have a quadruple duplex, they have one over, Thousand Oaks, they're about to build another one. So now, we're coming to the end of the road, that the senior citizens of Riviera Beach don't really have any money to buy a house.

So this would be endearing that the Riviera Beach Housing Authority, the Alphas. And then, you do nto wanna throw Bishop Theresa Nelson under the bus. That's a God praying woman. I'm scare of her. She's sitting in back of me.

[Audience comments]

Ms. M. Shepherd: And I don't like her sitting in back of me because that girl put prayer on you.

So, we're here today, the Alphas, the Bible speak about Alphas. They're at the beginning. I wouldn't dare wanna bother with them either because they do a lot for the community.

Whether I like it or nto, they're here. They are over there. The place is clean. I mean, what more do you want? To have them to come in and pat yourself on the back say, 'I was a part of this development.'

They are here. I don't think they're going anywhere. They continuously build. I sit there and hear them talk about more properties. Maybe I'll be dead by the time they do all this but I am indeed grateful that I came home and I was put there for a reason.

And I wanna say to them, thank you. I think they spoiled me a little bit but I'm grateful. I could stand a little bit more spoiling 'cause they said the rent would be going up.

[Chuckles]

Ms. M. Shepherd: But, maybe they'll…

Chairperson Lawson: Thank…

Ms. M. Shepherd: …say, 'Oh well, let…

Chairperson Lawson: Thank you…

Ms. M. Shepherd: …her go.'

Chairperson Lawson: …for your comments, Ms. Shepherd.

Ms. M. Shepherd: Thank you.

Chairperson Lawson: And…

[Applause]

Chairperson Lawson: Thank you.

Comments from the Board.

Chair Pro Tem Lanier: I just wanted to say that I was really intrigued. And, as you remember, about, what? Three, four years ago? The Housing Authority came to the Riviera Beach and I was like, 'Uh-uh.' So, [chuckle], four years fast forward, they have, you know, new Board members, they have partners, reputable partners.

And, we certainly need affordable and workforce housing in the City of Riviera Beach. And, not because, you know, all of us are poor but because people work every day and they need to be able to afford their rent.

So, I'm very excited about this project moving forward so that we can be able to bring more affordable and workforce housing for people who are living in this City.

Chairperson Lawson: Thank you, Pro Temp Lanier.

I did have a few questions. Mr. Evans, the status of the deed restriction of the land at Judge Rodgers, where are with that?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Please.

Go ahead.

City Manager Evans: I spoke to the.., recently spoke to the Deputy City Manager and that particular restriction has not been lifted. However, there has been preliminary conversations that have occurred as a result of this.., the work that Staff has been doing concerning this.

So, it has not. It still is on the property.

Chairperson Lawson: Can you give us clarity on what steps we would need to take and what would be the process of having those deed restrictions lifted?

City Manager Evans: Mr. Chair, I will allow for the Deputy City Manager to come up and address the Board.

Chairperson Lawson: Thank you, Mr. Evans.

Deputy City Manager McBride: Mr. Chair and Members of the Council.

The deed restriction is a reverter placed by the School Board on the property. At the time that the land was transferred to the City, I don't have a copy of the deed. I think I [inaudible]. I've had some conversations with Ms. Garrison, who's over the land, whatever. Her and Ms. Shaw. And that was before I got sick.

So [audio went out]

Councilperson McCoy: Mic down.

Chairperson Lawson: Push it down. The base. Push the base.

Chairperson Lawson: Yep.

Deputy City Manager McBride: Oh ok.

Chairperson Lawson: Thank you.

Deputy City Manager McBride: At the time we had our discussion, they were contemplating something that they would like for us possibly to consider in return for release of the restriction.

So now, I just need to circle back with them to find out where we are. And the deed restriction at that time, it was signed in 1989, that just requires to use the property for civic purpose or governmental purposes.

So, those were the discussions we were having. And I don't see it being problematic, it's a just a matter of timing. Because we didn't really have a specific project on the table. The discussion was just started in anticipation of moving forward. Okay?

Chairperson Lawson: Okay.

And I, I, I do see that we have our District representative, Attorney Edwin Ferguson, in the building as well so, hopefully, we can…

Deputy City Manager McBride: Mhmm.

Chairperson Lawson: …get that pushed, pushed through. 'Cause, regardless of which direction we go…

Deputy City Manager McBride: yes.

Chairperson Lawson: …the…

Deputy City Manager McBride: That w'…

Chairperson Lawson: …deed restriction has to be cleared.

Deputy City Manager McBride: Yeah.

Well, for ownership purposes, yes. Mhmm.

Chairperson Lawson: Okay.

That was sone of the questions that I had.

Deputy City Manager McBride: Alright.

Chairperson Lawson: The revolving fund…

Deputy City Manager McBride: [Inaudible].

Chairperson Lawson: …we did have a meeting this week with the BEO, Black Electeds, and there was a discussion in reference to the revolving fund that we.., that the county recently passed from the bond.., housing bond.

I noticed that that was referenced in regards to funding for the first time homebuyers in the community. There was a [stammer].., I can't find it but a five year residency restriction requirement. I think the county requires a fifteen year.

Can you give clarity on the five year 'cause I don't think that five year would give us enough stability, unless it's sold to another qualifying buyer. So, is it a five year that's being proposed or?

Mr. J. Hurt: Yeah.

We, we propose five years but, you know, that's flexible. We're still in the planning stages of that.

I'd just like to make another comment, Mr. Chair, regarding the legality of the Alpha site. That's one of the reasons that we engaged Hope Calhoun to help us, and help the City, to work through any issues that may relate to the transfer of that particular parcel.

We work closely with the county. Fortunate enough to have monthly meetings with Jonathan Brown. He cer'.., he certainly supports us so we, we are on top of all of the funding that the county will.., that's coming down the pike that.., that's available.

As I said earlier, we've been successful most recently in getting a almost $500,000 matching fund from them so we're very familiar with all of the processes at the county and we feel very confident that we have our position very well through.., get any funding that may come up for our purposes.

Chairperson Lawson: Okay.

Last question, partners at the Judge Rodgers. There was a.., Brother Fields, you referenced the partners that are currently there. What is the impact of the partners? What's gonna happen to them while this would be taking place? Construction.., and what's gonna happen after the con'.., the development would be completed.

Mr. A. Fields: Well, as it stands, we have just gotten a six month extension on the lease. In that extension, we were told that will be our, our final extension which came as a surprise to us.

So, we thought that this project had not been moved forward that, that far along that this would be our final, but all the tenants are aware of what's going on. Most of them are in attendance, if not all, tonight. I think I may not have seen Florida Fishing Academy here.

So, they are aware. We are making plans to be able to move offsite while the work is being done and we all do plan to return once it's completed. So, we are going to be working diligently, trying to establish a temporary location for us, until the construction is completed.

So, we will.., soon as we have some clear direction of what's going on, then we will immediately start that process.

Chairperson Lawson: Okay.

I think that's the clarity. Affordability is the biggest concern in regards to the timeframe. For me personally, five years was, I think, far too short. We're looking at fifteen to twenty years so that we can remain affordable.

The development of our community would allow for us to increase density on our Broadway corridors, our CRA District but I don't wanna displace a lot of our residents by not having affordable units throughout the City.

So, I want us to keep that in mind as we further dow'.., go down the line with this conversation.

Mr. A. Fields: Yes.

And that's one of the things. We, we are definitely in favor or.., of affordable housing. And I know that term workforce housing is thrown out there. And, and we talk about percentages. And that talks about averages throughout this entire county.

And we know what that looks like here.

Chairperson Lawson: Yeah.

Mr. A. Fields: And so, I'm strongly.., and we are strongly in favor of making sure that it's affordable for our residents.

Chairperson Lawson: Perfect.

Mr. A. Fields: Here.

Chairperson Lawson: And thank you to all the brothers of Alpha Phi Alpha for coming and the work that you've done on the Judge Rodgers Facility. And, hopefully, we can continue to honor the Honorable Brother of Alpha Phi Alpha.

And, one of our, our actual state representatives is here as well, Jervonte Edmonds, Vice Chair of the BEO, who is a member of Alpha Phi Alpha as well. So, I'm honored to have all of you men here in the building as well.

And thank you.

Mr. A. Fields: Thank you.

Chairperson Lawson: Colleagues.

[Pause]

Chairperson Lawson: Additional comment, discussion?

Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

Mr. Manager, the letter references this, and I recall.., and I'm sure the Members recall, we implemented Resolution 77-12 back in 2019 regarding organizations that requested the donation of surplus properties. That is here and now, and Mr. Hurt just indicated that he has done such to the City Administration. I don't recall what is the next process going forward.

So, do you have a recollection of that?

City Manager Evans: Yes.

Mr. Chair?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: If, if this is something that the Board wants to move forward with, it would require Staff facilitating the appropriate Agenda Item to come [stammer], come before you for the purposes of effectuating what has been discussed today.

So, there would be some discussions and some conversations, and some legal research that would have to occur to facilitate that but then it would come back before you in some type of form to effectively accomplish what the Board's desires are here.

So, what Staff is needing from the Board is clarity with respect to what the Board would like to see. And that can be done by virtue of a consensus from the Board, and then you can actually act when that Item comes before you.

But, in order to.., for us to facilitate the next step in the process, we need to know what direction the Board would like for us to go because then we would have to spin up certain research and some legal review that would have to go in place to, to make this happen.

Chairperson Lawson: Thank you, Councilman McCoy. Thank you, Mr. Evans.

Additional comments from the Board?

Chair Pro Tem Lanier: I think that we need to have a consensus that we have some conversation.., the City have some conversation with the Housing Authority in terms of how this could work. We're not saying that we're gonna do this, we're just saying that we need to have the City to work with them to see how this can work for this body to be able to make a decision with it.

Chairperson Lawson: Thank you, Pro Temp.

Councilman McCoy, go ahead.

Councilperson McCoy: Mr. Chair, I'm , I'm in agreement.

Chairperson Lawson: Thank you, Councilman McCoy.

So, is the, the direction from the Board to continue to have discussion, dialogue with the Housing Authority or to bring back this Item?

I would be in support of us coming back with a Resolution in December to transfer some land to the Housing Authority. So, I, I just wanna give Mr. Evans clear direction. They proposed multiple lots and the Judge Rodgers Facility.

So, I would actually prefer that we give a set timeline and direction to Staff 'cause I'm, I'm not in the business of waiting anymore. We've been waiting for a while, as you referenced. The CDC lot that was given over to the CDC, and we still haven't built that land.

So, I'd actually prefer, Board, if we give them clear direction to move forward with the Housing Authority and bringing back a Resolution to transfer this land. And, a set date. If we can do it in the first meeting in December, I would be inclined to do that.

Chair Pro Tem Lanier: I agree.

Chairperson Lawson: Board Members?

Councilman McCoy?

Councilperson McCoy: Yes.

I'm there too, Mr., Mr. Chair but I, I just wanna make sure that.., there, there's alot that has to happen. And, I really would like, right? Here, here's what I can appreciate. This timeline.

Because, you know, no different than what the School District has, I'm sure we're gonna have some provisions in there for, for reverter. With interest rates going up the way it is if there's something that happens with finances, you know, I, I love you like a brother but it ain't personal.

We're, we're gonna have those [stammer] provisions in place that we reserve our options to move in other directions. So, I think, you know, at best, we can offer an opportunity.

However, I think, Mr. Chair, in light of the restrictions that already on with the School Direct, and then also the requirements in our Resolution, I would.., and the due diligence, I just really would like to get to this timeline. I'm certainly saying by the end of December because that's what's been proposed.

But, you know, that's really a Staff issue. I don't know how much time it's gonna take in that regard.

Chairperson Lawson: And to that.., and follow up to that, Councilman McCoy, the timeline for the deed restriction. That's been a dis'.., topic of discussion. I personally met with all of the School District representatives about that deed restriction.

They're, they're waiting on us to finalize details. So, [stammer], again, I want, I want Staff to just be given a set timeline. The Housing Authority has given us a clear timeline. So, I wanna be able to follow them and I don't want us to be the hold up.

Mr. Evans, go ahead.

City Manager Evans: Mr. Chair, if I may?

Obviously, something as complicated and as multifaceted as this and, and, you know, the, the conversations that need to occur, this is a, a heavy lift. I think we can definitely look to accomplish this but if you would allow for, for both Staff and the Housing Authority to sit down and sketch out what a conceivable timeline would be.

And we can do this in two phases. You have the larger parcel that is the Boys & Girls Club property, and then you have the single family lots. So, the single family lots maybe the quicker item that comes and then the subsequent item to follow would be the Boys & Girls lot, for lack of better terms.

So, if you would allow for us to, to have an opportunity to convene with the Housing Authority, and then we can provide you with an update. And then we can then get it queued up for the appropriate City Council meeting.

But, it all depends on when we can get together to facilitate the legal reviews, the due diligence on all those properties, and making sure that we can effectuate the transfer. So, I don't want to give a date until I have the opportunity to have.., an opportunity to talk with the Staff, as well as the Housing Authority.

Chairperson Lawson: And, Mr. Evans, with all due respect, it's.., it is a, a heavy lift for the City but I think if we just give the land to the Housing Authority and get out of the way, it won't be that heavy of a lift.

We have been dragging out feet and we, as this Board is on term limits, borrowed time. I have no more time to wait. So, I understand that you wanna just confer with Staff but I think this Board needs to give you clear direction as to when this needs to come back to us so we can get this done immediately.

And I would prefer that'd be the direction versus us waiting on you to bring it back to us. So, in that intent, colleagues, Mr. Evans, if you can follow up with the School District, if you can set the meeting and the intent with the Housing Authority, and we can have this on the Agenda by the [stammer] beginning of the year, that would allow for us to be able to move forward this timeline that's been presented.

'Cause this is the clearest timeline I've seen on some development of housing in this community in a long time.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: I think we can conceivably move forward with something that can be before you for consideration, if that's the Board's desire, towards the first of the year. I don't think that's unreasonable for us to help facilitate that. So, we, we can move in that particular space.

But, I, I do want to make sure that my predecessors have gone through this exercise and there is properties that have, in fact, been provided for the purposes of affordable housing and and never been facilitated.

And that's not to do with the Housing Authority or it went out to the private market but what I don't want to have happen is a situation when those very same lots sit in the, the state that they are.

So, we just wanna make sure that we're very intentional with the steps. And certainly, working collaboratively with Housing Authority to do so but I think we can be able to accomplish that for consideration at your first meeting in January.

Chairperson Lawson: Board Members?

If we can give Staff clear direction. Where do we stand?

Chair Pro Tem Lanier: I agree with the fact that we do need to do our due diligence with this. I would like for it to be moved up sooner but I understand that we are looking at Thanksgiving and Christmas. We're looking at alotta holidays.

But, I also want to make sure that if we're saying January, that it needs to be on the first meeting in January. Because, at that time, that means that the Housing Authority, the City, the School Board would've had their meetings and would bring back to the Board something that we can work with.

Chairperson Lawson: Thank you, Pro Temp.

Councilwoman Botel? Councilwoman Miller-Anderson? Any comments?

Councilperson Botel: I'm fine with allowing Staff the time to do what they need to do, to meet with the Housing Authority, to meet with the School Board and, and be sure that we've done everything in, in a proper manner. So.

Chairperson Lawson: Thank you, Dr. Botel.

Mr. J. Hurt: There may be [inaudible]…

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: Yes, Mr. Chair. Thank you.

Ms. McBride, Mr. Evans, I.., you know, in exchange, we can offer up those two bus loops that we've been carrying at Washington Elementary that has served the City no purs'.., no purpose ever in exchange for this lot over on, on West 11th Street.

Additionally I, I would agree with the timeline. However, there has to be something definitive because what I'm gonna introduce to the Board is we've literally asked for items a year ago and they've not been provided. And, it's a whole entire year.

So, I wanna know if that's gonna be on the Agenda, tentatively in January, can we have a report back even if it's by email in December, as to what the status is? Because I don't want this to get lost in transition. Then, January comes and then now we're back here because a mishap occurred.

I mean, none of us, unless you were privy to a conversation, knew that the termination of the City Hall negotiations. I mean, that was not brought to the Board. So, I wanna be very specific that there has to be some communications specifically in the month of December, giving us an update of progress on where we are because I would expect that we can move to some execution considering we got two months of, at least, you know, two working weeks of holidays.

So, I think just having some sort of report [stammer] back by email to the Members in the month of December would be excellent.

Chairperson Lawson: Thank you, Councilman.

Councilwoman Miller-Anderson?

Councilperson Miller-Anderson: Thank you.

I do.., I'm okay with the January date for a couple reasons, because one, I need an opportunity.., the reason I did not want to hear the presentation tonight was because I was not aware of us having this conversation tonight.

The email, I guess, came Monday night. I did not have an opportunity to check that email and read it and digest it, as well as the documents we just received at the beginning of the meeting.

So, in line with what Mr. McCoy is asking for those updates prior to us getting to the January date would be good for me as well. And this will be able.., I'll be able to put everything together and see where we're going from there.

Chairperson Lawson: Thank you.

Mr. Evans, are we clear with the direction or do we need a motion? Or, are we good there?

City Manager Evans: Mr. Chair, I, I think I'm clear with the direction that's provided by the Board, is that it's the Board's desire to facilitate the transfer of the fourteen lots as articulated by the proposals provided by the Housing Authority, as well as the property that is referred to as the remaining 4.5 acres at the Boys & Girls Club.

And then, obviously, working with the School District to consider changing the deed restriction that's on the property with the intent to bring that to the Board, at the latest your first meeting in January to facilitate said transfer, but to provide for an update at either your November 29th or your December 6th meeting.

Chairperson Lawson: Thank you so much, Mr. Evans.

And, for the Housing Authority, thank you for your presentation, your…

Mr. J. Hurt: Thank you.

Chairperson Lawson: …willingness to continue to serve.

Mr. J. Hurt: Mr. Chair and Members, I…

Chairperson Lawson: Mr. Hurt…

Mr. J. Hurt: …just wanted…

Chairperson Lawson: …give me, give me one minute.

Mr. J. Hurt: I just wanted to…

Chairperson Lawson: Uh…

Mr. J. Hurt: …say, the Housing…

Chairperson Lawson: Mr. Hurt…

Mr. J. Hurt: …Authority…

Chairperson Lawson: …[Inaudible].

Mr. J. Hurt: …and our partners…

Chairperson Lawson: One second. [Chuckle].

Mr. J. Hurt: …are ready to move ahead.

Chairperson Lawson: Thank you, Mr. Hurt.

Chair Pro Tem Lanier: [Chuckle].

Chairperson Lawson: One second. [Chuckle].

I, I, I wa'.., I was just gonna ask.., ask a few things for you. [Chuckle]. In the interim, while we're preparing for this discussion, if we can look at the residency.., the affordability timeline so that we can lengthen that to continue to keep these lots affordable for our community.

I don't wanna see in three to five years these properties being flipped for ten times the amount 'cause the value's gone through the roof. So, I want us to identify that. And also, making sure that we're being good stewards and partners to our.., to the nonprofits at Judge Rodgers Facility because they've been staples in our community.

So, what is gonna be the plan and the intent if this property is conveyed over to the Housing Authority?

But go ahead. I'm sorry, Mr. Hurt…

Mayor Felder: Mr. Chair?

Chairperson Lawson: …you were saying?

Mayor, go ahead.

Mayor Felder: I wanna ask something too. And, and the reason I asked Jeff this is, I don't know if it's a contradiction with you being on the CDC Board and the Hou'… You don't

have answer it but I, I would like to.., I would like to have that further conversation that, if we're doing business and the person is on both.., either they have to leave a Board or they can't do them both.

Because, I think it's kinda fishy if, if somebody's on a.., the CDC and the Housing Authority and both are asking us for properties to build on. I think that's something that we need to look at.

Thank you.

Mr. J. Jackson: [Stammer] that's fair, Mayor.

And.., but, I will tell you, I never go back to one board and…

Mayor Felder: Right.

I…

Mr. J. Jackson: …and discuss what I.., what happened in the.., in the other meeting. And, as you know, I.., when I got on the board, we created an agreement between the CDC and the Housing Authority.

It's just.., and, and, and I've talked with many of the Commissioner.., Commissioners. We've just never was sable to come together and do anything.

Mayor Felder: It's, it's cleaner to do it one or the other.

Chairperson Lawson: Thank you, Mayor.

Mayor Felder: Right.

Chairperson Lawson: Thank you, Mr. Jackson.

And Mr. Hurt, I'm sorry. You can finish what you were saying.

Mr. J. Hurt: I was just saying thank you, Mr. Chair and Members of the Council. And, just wanted to let you know that the Housing Authority and our partners, are ready to move ahead expeditiously.

So, any delay won't be on our part, as I see it at this time. And, as I said earlier, as far as the legality of that Boys & Girls Club site, that's why we brought Hope Calhoun onboard to, to help us ferry through any issues that that might present.

Chairperson Lawson: If you can continue to facilitate the one on one meetings between now and when this is discussed with the Board so they can be prepared, so that when this Resolution comes back we can make a conscious decision.

Mr. J. Hurt: Absolutely.

Chairperson Lawson: Thank you.

Mr. J. Hurt: Thank you.

Chairperson Lawson: Additional comments from the Board?

[Pause]

COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS (Three Minute Limitation)

Chairperson Lawson: Public comments.

Chairperson Lawson: PUBLIC COMMENTS SHALL BEGIN AT 7:30 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, THEN COMMENTS FROM THE PUBLIC SHALL IMMEDIATELY FOLLOW.

Chairperson Lawson: Madam Clerk, how many public comments do we have?

Interim City Clerk King: Mr. Chair, we have four public comment cards. And it… I'm sorry.

[Inaudible comments]

Chairperson Lawson: Thank you.

Chairperson Lawson: **PLEASE BE REMINDED THAT THE CITY OF RIVIERA BEACH IS COMMITTED TO CIVILITY AND DECORUM BY ITS OFFICIALS, EMPLOYEES, AND MEMBERS OF THE PUBLIC. ALL PUBLIC COMMENTS WILL BE GOVERNED. PLEASE GOVERN YOURSELVES ACCORDINGLY.**

Mayor Felder: Mr. Chair, could you hold it up so they…

Chairperson Lawson: Yeah.

I'm gonna wait one moment.

Chair Pro Tem Lanier: [Inaudible].

Chairperson Lawson: Okay.

Wanna do a recess?

Chair Pro Tem Lanier: Yeah.

If I can get a five minute recess.

Chairperson Lawson: Recess?

Madam Clerk, we're going to take.., before we go into public comments, we're gonna take a five minute recess and come back in five minutes to begin public comments.

[Gavel]

[City seal is displayed for eight minutes]

[Gavel]

Chairperson Lawson: I would like to call the meeting back to order. The time is 7:50 p.m.

We're gonna go straight into our public comments. And if everyone could please have a seat, we're starting our meeting.

Madam Clerk.

Interim City Clerk King: School Board member, Edwin Ferguson.

[Inaudible comment]

Chairperson Lawson: Welcome, Mr. Ferguson.

Mr. E. Ferguson: Good evening. Good evening, Mr. Chair, Pro Tem, Dr. Botel, and the other Councilpeople in their respective places.

I just wanted to invite the City out to a town hall that we're hosting at Bethune Elementary tomorrow at 6:00 p.m. It's the early educational roundup. There's gonna be a lotta good information for persons who have newborn children, all the way up to kindergarten.

Now, I think most of ya'll know that early education is a big, big platform issues for me. I know that children who start behind tend to stay behind. Historically, we have a large num'.., probably a disproportionate number of children in Riviera Beach that I would say start behind.

And they tend to stay behind, whether it be third grade reading proficiencies, graduation rates, what have you, and I think it's time for us to be more proactive in terms of making sure that a greater number of our citizens are aware of the resources that are around them that can help ensure their children are ready to excel from day one.

Because, those children who start kindergarten ahead, as a general rule, stay ahead. They perform well, which results in graduations and probably scholarship opportunities, or whatever direction they wanna go into.

So again, we're hosting a town hall tomorrow at Bethune Elementary starting at 6:00 p.m. I believe you all have been invited. I thought I saw that and.., and, if you, if your schedule permits…

Chairperson Lawson: [Inaudible].

Mr. E. Ferguson: …please come on out.

And anybody who's seeing this tonight, here in the City, you're invited out as well. And again, our target.., our target audience are parents of children ages newborn all the way through five.

So, we're gonna have the Early Learning Coalition, ELC, Children Services Council will be there, Healthy Mothers/Healthy Babies, Home Safe, and then the District's early education department is gonna put a presentation together as well.

And, we'll also have a rep from the BBIC, the Black Business Investment Corporation because I also believe that, again, when we're talking about wrap around services, those families who are entrepreneur families, that they have access to capital.

That's probably gonna help make sure that the child's surroundings are, are more stable, which will likely lead to better performances in school, and then, after graduation.

So, that's what I have to say and I hope to see you all there tomorrow.

Thank you.

Chairperson Lawson: Thank you.

[Applause]

Chair Pro Tem Lanier: Sir? I'm sorry.

What school was that? What school?

Mr. E. Ferguson: We'll be at Bethune Elementary.

Chair Pro Tem Lanier: Oh, okay.

Mr. E. Ferguson: Principal Granger's school. Yes.

Chairperson Lawson: And thank you to our School District representative, Attorney Edwin Ferguson. Thank you for coming tonight.

Madam Clerk.

Interim City Clerk King: Dr. Phillip Dukes and Dr. Joseph Taylor.

Chairperson Lawson: Welcome, Dr. Dukes.

Dr. P. Dukes: 'Happenin', bro. Dr. Phillip Dukes, 181 West 18th Street. City Council, Mayor, everyone in their res'.., respective places.

On November 18th, at Cunningham Park, from 11:00 to 2:00 p.m., we're gonna have our community and youth event. This event is designed to help change our community atmosphere and impact black community culture.

One of the things that we gotta do is continue to push our youth out of these negative lifestyles in our communities. We're gonna be giving away a $300 shopping spree to the kid who writes the best poem about why they shouldn't use or sell drugs.

We're gonna give away a $700.., a recording session that's worth $700 to the kid who come out in the signing contest. It can.., it's gotta be A cappella. Now, you gotta come out and do you're A cappella thing.

We're gonna give a.., and we're gonna put kids in.., and that's gonna be worth about $700 bucks and it's a professional recording at Palm Beach Sound Studio.

We're gonna also have a dance contest.. And the dance contest, now, is gonna be a.., you gotta dance. No sexually explicit, lewd dancing. You all know some of that stuff we see at the Martin Luther King Parade, is unacceptable. And it's time for us to start saying that.

We can't have high standards and, and, and, and promote these low attitudes. Alright? And that's not negative but children will rise to the level of what you put in front of them. But these things must happen inside our community.

So, and the, and the rap can't be anything about gun or violence, it has to be positive. And th'.., they can [stammer] win that recording session. That's gonna be at Cunningham Park, 1649 West 23rd Street, in the City of Riviera Beach.

And if anyone wants to donate, you can send a check or money order to Operation Restore, P.O. Box 10111, Riviera Beach, Florida 33419. We are a 501(c)m, nonprofit in the City.

Now, we're gonna continue to talk about Black History. There's a lotta things that we need to learn about black history. And I'm gonna do some of these philosophers, like, Samuel Baker, Friedrich Hagel, Richard Burton, that set the attitude in America and, and this negative context about black history. So, we're gonna continue doing that.

But, on November 18th, we're asking everyone to come out and participate. Now, that's a lo'.., that's.., some people say that's a lotta money to be giving away. No, it's not. We're not giving money away.

We're gonna send them on a shopping spree so they can get what they want. So, ya'll support us. November 18th at Cunningham Park from 11:00 to 2:00 p.m.

Thank you.

Chairperson Lawson: Thank you, Mr. Dukes.

Interim City Clerk King: Dr. Joseph Taylor and then Ms. Tiffany Williams.

Chairperson Lawson: Welcome, Mr. and Mrs. Taylor.

Dr. J. Taylor: Thank you, Chair. Greetings, Mayor, Vice Cou'.., Vice Chair, Board Members, City Manager. My name is Dr. Joseph Taylor. I am a chiropractic physician. This my beautiful wife and partner, business partner, Dr. Corrina Taylor.

And, we are the owners of Renewed Wellness. We are a wellness and chiropractic center. We've been operating in West Palm Beach since 2016, helping our community get healthier through the education of spinal health and chiropathy.

That's something that is not very oftenly used, especially in our community. So, we're looking to change that. We have recently opened our second location, just up the street here at 330 Federal Highway.

Now, technically, our address says Lake Park but we know that we are the, the, the stepchild of Riviera Beach. So we hope that you all will welcome us with open arms. We are definitely excited about joining all the amazing things that are happening in.., on this side of town and really being able to impact our community.

So, we are having a ribbon cutting next Thursday, November 9th at 12:00 p.m. And, we do wanna welcome everyone in attendance here, especially our Board and Mayor, to come out and join us as we celebrate just really doing things that's gonna impact our community.

So, I usually do all the talking, so I'm gonna try and leave a minute and a half for my wife to.., ya'll to get a chance to hear her speak as well.

[Chuckle]

Dr. C. Taylor: Ah. Yes.

So, part of our mission in impacting our community starts with our [stammer] youth. We have two beautiful children and we believe that is the core and foundation of changing the community is starting with the children and having them healthy from the inside out.

And that ais part of our mission as far as getting right and getting renewed. So, our mission will also be serving the community with the children as a focal point.

Chairperson Lawson: And what is that date?

Dr. J. Taylor: Yes.

The date is next Thursday, November 9th at 12:00 p.m. And it's gonna be at our location at 330 Federal Highway, Suite 1. And that's Lake Park. The street.., we're right in front of the big condos that's going up. We're gonna be a landmark, not them. [Chuckle].

We do have our beautiful daughters with us tonight, Parker and Mckensey so, you know, we definitely like to bring them along all the time. And we do that in life and health and we wanna definitely do that for our community as well, lead by example and just help break some of the generational curses that do plague our community.

Thank you.

Chairperson Lawson: And thank you, Mr. and Mrs. Taylor.

[Applause]

Chairperson Lawson: I will definitely ask the Board, if they can, to support their, their business. I've actually used their business before as a chiropractor. So, phenomenal couple. And I'm glad that they're coming to our community, even though it's right outside, I still wanna be able to support them.

Interim City Clerk King: Ms. Tiffany Williams and Ms. Mary Brabham.

Chairperson Lawson: Welcome, Ms. Tiffany.

Ms. T. Williams: Good evening. Tiffany Williams.

I attended the Let's Talk Trash last month. To.., it wasn't, but I thought it would be, because we didn't get answers what we wanted. Madam Chair Pro Tem, you asked the question, about a month ago, 'Who did the contract and why did they do it like that?'

My question is, did anyone read what we had with Waste Management to what we were getting before you voted on this contract?

There was some questions asked that the Goode Company said it wasn't.., not in their contract. I sent you guys some emails. When you see them, it says.., one should say vacant lots. And the vacant lots talked [stammer].., it.., when we had our discussion in the Let's Talk Trash, Code Enforcement, Development Services was there and was saying how they do the process of fining and liening people.

But, as homeowners, when we see lots like that next to our properties, and then we get fined, it's like the absentee owners get leniency but then we do. They're steady knocking at us and knocking at us but the absentee owners just get fines and whatever the get, letters or whatever. But, we.., they're constantly on us.

Then, I sent another email, it says trash hauler. You see the trash when it's left from the Goode Company.

So, as I was going through this contract, it talked.., and they said that that wasn't in our.., in the contract about them cleaning up the mess, when I asked the question. But in the contract, it talks about complaints of sloppy service. And no one.., when they said it wasn't in the contract, nobody from the City said anything.

So, my question is, do we.., do they work for us or do we work for them? Do they tell us how they wanna do things and what they're not going to do compared to what is done?

Now, we have a contract that we haven't did one for ten years, approximately ten years, and no one will get answers. So, Madam Chair, I wanna ask before my timer, did you get your answer to the.., to the.., to.., I mean, the, the questions.., that answe'quest' did you receive your answers?

And then also, if we're going to allow the Goode Company to continue to do this sloppy service, we have two sweepers in this service. And I keep talking about this. I have sent emails out.

The sweepers are not working properly. Sometimes they're down, they're up. Both of them are down. We need to get another sweeper in this City to, to keep our [stammer] streets clean if the Goode Company is gonna continue to our leave our streets the way it is.

Thank you.

Chairperson Lawson: Thank you for your comments, Ms. Tiffany.

Madam Clerk.

Interim City Clerk King: Ms. Mary Brabham and Ms. Doretta Paulk.

Ms. M. Brabham: Good evening, Board and Chair.

I'm dressed like this because this was costume for the night out. Oldies Night Out, which was magnificent. The weather was just beautiful.

And I have to do a little segment here of the encounter that I encountered. By me dressed like this, and I had this big ole pumpkin bucket here, the little kid ran to me and said, 'I want some candy.'

And I told him, 'I don't have no candy, I just got out of prison.'

[Chuckles]

Ms. M. Brabham: Looked up at me and he said, ''They didn't give you no candy?' I said, 'No. They gave me the keys and the handcuffs and they told me to go.' The little cutie pie looked up at me and said, 'That's messed up.'

[Chuckles]

Ms. M. Brabham: So, it was just beautiful.

I didn't get a chance to go to the Urban Farm because I was all out in [stammer], in the community for bereavement. Willie Mae [stammer] Hillman [sp], her son, the late [inaudible] grandson passed away; educator, Ms. Bernice Walker [inaudible] passed away. Our own Evelyn Clark, her brother.

All of these were sudden death. They were no violent crimes, they were just sudden death. Evelyn Clark, her brother as well. So, let us keep all of them in prayers and thoughts.

The championship. Hooray for our Recreation Department. They received their Golden Wings…

[Applause]

Ms. M. Brabham: …and they were escorted in by our very own fine Police Department. And, on Thanksgiving Day, Ms. Brabham intend to be there. And residents, you need to be there too.

Wells Recreation Center, will be our first Turkey Bowl for our Recreation Department ages eighteen on up. Registration starts October the 30th. Ms. Brabham will be there. I'm not flying out for Thanksgiving so I'm gonna have Thanksgiving here. So, this is on Thanksgiving Day. So residents, come out and be a part.

And the vendors that was at the… [Pause]. Oh. The time is 8:00 o'clock a.m. to 12:00 p.m.

And also too, the vendors that was at the, the Night Out, the [inaudible] with the spooky house, she had so many bags and cones and stuff. And the peanut lady, she's the best in the county. I've already informed them. Jupiter, Indiantown, everywhere.

We are on the move here in the things that we are doing here. So, we need to stay focused, stay busy, and appreciate one another. And pray for We as a country. Not just a county but We as a community.

We are faith. We are united. So, united we fall.., stand and divided we fall.

And kudos to the Staff of the City of Riviera Beach that participated in everything.

Thank you. I hope I got everything.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

Interim City Clerk King: Ms. Doretta Paulk and Delisia Books Hamilton.

Chairperson Lawson: Welcome, Ms. Paulk.

Ms. D. Paulk: Good evening. My name is Doretta Paulk and I'm a resident of the City of Riviera Beach.

And, I just wanna know, Chair, who.., or, either Mr. Evans, who is responsible for the railway corridor that's on Barack Obama Highway? Because the, the weeds are just, just, just outrageous. And no other municipality that has the railway looks like that. So, if we can get a response to that.

And now, I wanna talk about a situation that I heard at the last Council meeting that was very horrific, in my opinion, that I hear'.., heard. And, it's concerning the two Councilwomen, and how they felt very threatened and how they felt like their lives were in jeopardy.

Now.., and one.., one Councilwoman had written out five police reports. This should not be happening. I wanna make a statement first that.., before anyone come up and say, 'Why didn't Ms. Paulk try to talk to Mr. McCoy one on one?'

Well, we have had conversations. I've had conversations with Mr.., Councilman McCoy. He has pulled me to the side and wanted to talk to me over a year ago. We had that right out front here. And we both talked. And I talked with you.

It was at one of the events that we had, maybe six months ago, I wanted to talk with you. And actually, I gave you my phone number and you said yes. I never received a call. But that's okay. That's fine.

But Mr. McCoy, this got to cease. No one on this dais should feel.., should fear for their lives. This has to cease. This is not governing the City of Riviera Beach. This is not.., this is not proactive for us to be doing this, for you to be doing this.

I don't know what the reason is. And also, Mrs. Lanier has said time and time again that she is not married. So, whatever this gentleman is telling you, just cease in that. No one should have to come and fear for their lives. No one.

And every woman that has heard this should be appalled about this. This has to stop. You're better than this, Mr. McCoy. You are. This has to stop. And I suggest to the Chief that these two women be escorted out each time they go.., go to their cars because the climate of the, of the world today is awful.

[Stammer] Lester Holtz says…

Chairperson Lawson: Thank…

Ms. D. Paulk: …he's the anchor of Channel 5.

Chairperson Lawson: Thank you for your comments, Ms. Paulk.

Ms. D. Paulk: Let's be kind to each other.

Take care…

Chairperson Lawson: Thank you for…

Ms. D. Paulk: …of each other.

Chairperson Lawson: …for your comments, Ms. Paulk.

Ms. D. Paulk: And take care everyone else.

And I thank you…

Chairperson Lawson: M'…

Ms. D. Paulk: …very much.

Chairperson Lawson: Thank you, Ms. Paulk.

Ms. D. Paulk: You're better.., you're better than this, Tradrick.

Chairperson Lawson: Madam Clerk,.

Interim City Clerk King: Ms. Delsia Brooks Hamilton, and then Ms. Margaret Shepherd.

Ms. D. Brooks Hamilton: Good evening, Council, Mr. Chair, Mayor, and the City of.., the City Manager. My name is Delsia Brooks Hamilton and I am the owner of Pangea Grill.

I have been a small business owner since 2001. I've been in the travel agency business. I'm also part owner of a res'.., restaurant hotel in my country. I'm from Central America. Nicaragua. Andi also have ran and operated restaurants here in, in the county.

Now, I am very excited to see that the Housing Authority is attempting to solve the affordable housing crisis because most people say affordable but what does affordable mean if you can't afford to live there?

So, I'm hoping that the management company that they select is going to really look into the prices of these homes and rentals so that it would actually benefit the people of the community here in Riviera Beach.

So, I am really happy that they decided to take that on because it's long overdue.

Now, in restra'.., in res'.., in reference to the [stammer] Marina Phase II project, I am pretty excited to see that we have decided to move forward. And, I'm saying we because I include myself because I have been at this process for the past.., since, I would say, I've been coming to these events for.., as long as I can remember. I would say about 2012.

I was here when this building was built.., before it was built and I'm here again. So, I am pretty excited to see that the, the Marina is moving forward. And, you know, I am actually gonna be one of the restaurant holders on padded site number two.

I'm excited about that. I am ready to go. I have my finances in order. And, I'm sure that it's not only myself that's happy. I'm sure that the people of Riviera Beach is also happy as well.,

So, in ref'.., I do have a question though. Because, the reason why I did not build my restaurant before, because I was told there was no parking space. So, I need to find out, moving forward, if there is a plan to build a parking garage.

Because, you know, there's no space for my clients to come. So, where are they gonna park? So, is there a plan, in place, for the parking garage? Because, you know, what is the option was Plan b.

So, I'd like to possibly get an answer for that.

And.., so, I just wanna commend the Council for moving forward with this project because it's long overdue. And, I have been consistent and persistent and determined…

Chairperson Lawson: Thank you for your comments…

Ms. D. Brooks Hamilton: …and here I am…

Chairperson Lawson: …Ms. Brooks.

Ms. D. Brooks Hamilton: …today.

So, I wanna thank you and I'm pretty excited…

Chairperson Lawson: Thank you for your comments, Ms. Brooks.

Ms. D. Brooks Hamilton: …to see this project move forward.

Thank you.

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Mss. Margaret Shepherd.

Ms. M. Shepherd: Margaret Shepherd, Riviera Beach.

I do want to thank Ms. Ladi March Goldwire for an excellent, five star event. I wanna say to you, Mr. Mayor, you're the one that can wear a suit like that, brother. You're the only [inaudible].., what they say? Can't touch it? They can't touch you. Excellent. And, of course, Mr. Lawson had on a gangster hat.

[Inaudible comment]

Ms. M. Shepherd: Excellent.

And, of course, you know, Jade [sp], she was into her own self. And, our First Lady Felder, she was just beautiful. It was an excellent, excellent event. And well worth it, well worth it. And I did taste a little bit of Jade' wine now. I didn't take too much 'cause I was, you know…

[Chuckle]

Ms. M. Shepherd: Well, I'll leave it like that. It was good wine, I'll leave that.

[Chuckles]

Ms. M. Shepherd: I wanted to take a bottle home but I didn't.

But, I wanna concur with Mrs. Doretta Paulk. I got a couple calls from different people and they were quite upset. I did hear it as I was walking out the door. To hear Ms. Lanier plead for her life.

It is inappropriate. You know, men, when you see them because men are very gentle and very kind to women. They are soft. My husband and I, we divorced but he was very kind to me. He always called me Ms. Shepherd. I knew I was in trouble then.

But, it's imperative that this Board.., you have shown nothing but leadership skills. But it's imperative that when you sit on this Board and unfortunately the feed is not going through, that you [stammer] treat each other with respect. Ms. Lanier and Dr. Botel, they deserve respect like every other woman in this building.

You talk about mental health. Mental health start with verbal abuse. Unfortunately, for me, you all seen me in action, I think four or five police was trying to help me. I guess, help her 'cause it wasn't helping me.

And I wanna make sure that we continue to try to be very courteous. You might not like me, and that's good. I'm, I'm good with it. My bills are paid. And.., kinda trimming the fat a little bit so, you know, I can save a few bucks. I'm trying to make a joke because this is serious business with these women.

And I wanna say to you, Mrs. Lanier, if nothing else, I apologize for his behavior. Being ignorant doesn't cost anything. Being a lady, as you are, Dr. Botel, it takes everything. People know who you are and they respect you. They respect Ms. Miller-Anderson.

And I just wanna say to him, I hope it never happen' again. Because, if it happen' again, Mr., Mr. Mayor, we're gonna have some real issues standing at this podium. And I think you all understand what I mean.

Thank you, sir.

Chairperson Lawson: Thank you for your comments, ma'am.

Madam Clerk.

Interim City Clerk King: That concludes public comment.., general public comments.

Chairperson Lawson: Thank you.

Mr. Evans, do you wanna respond to any public comments?

City Manager Evans: Yes, Mr. Chair.

With respect to the item concerning the solid waste services, I'll have someone reach out to Ms. Williams and, and address what some of her concerns are.

One of the things that, on the street sweeper, if any entity has ever operated or owned a street sweeper, they are actually hard items to keep in service. And so, we're looking at some other options with regards to the ability to continue to, to clean the streets.

And, the vendor did attest in the Let's Talk [stammer] Trash event that they would clean up spills and, and the like but we will definitely make sure we reach out to her by close of business tomorrow.

With respect to railroad tracks, that is maintained by FEC but I have some picture of some other communities and some vegetation and some ideas that I am reaching out to my peers in other communities to see wha they're able to do on their side with respect to maintaining that and, and making it look a little bit more aesthetically pleasing.

And then the last item… Here. My notes actually. You have that?

Unk.: Parking.

City Manager Evans: Parking.

With…, with regards to parking. Yes. In order to facilitate the redevelopment of the Marina Village, it was.., it will include a parking garage. And so, we're working towards that. And so that's a further update that will be coming back before the Board in the next couple of weeks.

I think, specifically, at your November 8th CRA meeting, we'll give you an update on the status of parking but we are working, because there is parking that needs to be constructed to accommodate the commercial aspects of Marina Village.

Chairperson Lawson: Thank you, Mr. Evans.

Madam Clerk.

6c. ITEM NO. 6C

* Deleted.

PALM TRAN SERVICE CHANGE TO RIVIERA BEACH

DEIRDRE M. JACOBS, ASSISTANT CITY MANAGER, MPA, (561) 812-6593

6d. ITEM NO. 6D

Chairperson Lawson: 6d.

Interim City Clerk King: Yes.

Item 6d.

Interim City Clerk King: RECOMMENDATION FOR LONG TERM SOLUTIONS FOR FIRE STATION 89 AND IMMEDIATE NEEDS FOR FIRE STATION 86

JOHN M. CURD, FIRE CHIEF
TERRENCE N. BAILEY P.E. CITY ENGINEER, (561) 845-4104

Interim City Clerk King: This is by John Curd, Fire Chief and Terrence Bailey, City Engineer.

Fire Chief Curd: Good evening, Council, Chair, Mayor. Thank you for your time. John Curd, Fire Chief.

I come before you this evening to have a discussion and to propose several different options as it relates to the future of Fire Station 89 on Military Trail and also, Fire Station 86 on Singer Island.

The first station we're gonna talk about is Fire Station 89. Fire Station 89 was constructed in 1998. I, and for the sake of time, I really won't go through bullet point by bullet point but we are at a crossroads right now with Station 89. This particular station here is in need of repair..

In addition to working with our partners at the VA, and unfortunately for us, but understanding their direction and moving towards advancing their mental health facilities and programs, the V'.., Department of Veteran Affairs, is not going to be renewing our land lease for Station 89.

We continue to work with our partners with.., from the VA that are here tonight, on potential options in the future, as it relates to maybe some substation facilities or some outpost, or things like that but we'll get a little deeper into that here in just a second.

This is the current condition of Station 89. We obviously have some air conditioning concerns, we have issues with moisture intrusion in the doors, the infrastructure itself is starting to deteriorate due to moisture intrusion.

We've made some repairs to the ceiling and the apparatus bay but, as you can see, there is still significant repairs that are needed to be made.

So, what we were gonna propose tonight are several different options. And what you have before you is option number one. Option number one is to relocate Station 88 for eight months until we make the needed repairs to Station 89.

This will then allow us to maintain a presence at that facility until November of 2029. The estimated cost for the repairs that are needed, as you can see, are quite lengthy and we've projected a cost of approximately $1.7 million.

Understanding with option one, there is probably gonna be a year's worth of solicitation work, design work that needs to be done, the actual construction work that needs to be done. So, even during that time, we're gonna have to relocate out of that station, invest the monies, and then ultimately turn that facility over to the VA in 2029.

That's the scheduled timeline for design, procurement, and construction. So, we will be back in the facility sometime towards August of 2025, which will then render about four years of useful life in that building until the expiration of the lease agreement.

Option number two for Council to consider is to relocate our crews to Station 88 and operate our crews in an Alpha/Bravo Configuration. This will not reduce the number of engines, rescues, or personnel to our complement.

What it would do is have them both running out of the same station in this Alpha/Bravo Configuration, which we will discuss.

The cost considerations for this options are $100,000. And, what it would take for us to move into the station and make some of the adjustments to the station, for running two crews out of there, and then an investment and preemption lighting…

And I wanna just quickly pause here at that $200,000. There are gonna be several phases of preemption lighting which we will discuss, but this $200,000 is an all-in price for all phases of preemption lighting throughout the City, but we will break it down into phases as well.

So, option number two is, again, vacating the property at the VA immediately. I, I would say within the next ninety to a hundred and twenty days, and then merging crews in that Station

88. And that facility was built with the capacity for this potential growth. And there will be no issues with housing both of those stations within one.

So, to talk a little bit about what an Alpha/Bravo Configuration looks like, again, for the sake of time, I won't get into how response time criteria is determined but, ultimately, the Healthcare District requires us, in our COPCN to maintain an eight minute response time average.

We shoot for seven minutes and thirty seconds and we actually hover right around the six minute mark here in the City of Riviera Beach. So, that seven thirty is kind of our key number on what we're gonna be targeting.

What you see on your screen now is what we call our Zone Coverage Map. So we have our four Stations 86 from the east, 87, 88, and 89 and we have those half mile, one mile, and a mile and a half radiuses around those to show what our coverage looks like.

With Station 89 coming offline, whether it be today or 2029, Station 88 will be picking up the coverage. And in this Alpha/Bravo Configuration, we will be looking at expanding its coverage area.

When I was reviewing the call data and the response times, there were two areas of greatest concern. We had the area up here in Woodbine, which is in that northwest corner, and then we also have the area down here to the southwest corner in Lone Pine Estates area.

So, those areas right there were of biggest concern to me that we're gonna put our response times, in my opinion, to a level that was unsatisfactory.

So, we went back to the drawing board, looking at what we could do. And we, basically, looked at the data. Our current response times, and again, these over here are kind of our target hazards and worst case scenario.

We have Woodbine in the northwest corner, Arbor Park, which was the old Mystic Woods, VA Hospital; Indian Trace, Lone Pine, and obviously, those areas to the south of our pro'.., or, our City's boundary on Military Trail.

Currently, these are wha tour response time averages are to those locations. With closing down Station 89, these are what response times go to. We can clearly see that, in my opinion, that is an unacceptable response time model for what our residents are accustomed to.

So we started reaching out to some of our partners in the industry and we came up with a solution to those issues, and it's Emergency Vehicle Preemption. Basically, Emergency Vehicle Preemption ties in, our apparatus, ties in the street signal.., signalizations at the intersections.

They can be configured to tie in with school speed zones. Actually, Palm Tran is looking to go to a system, or a model like this, to also assist with preemption. And all of these systems tie together.

So basically, the way the system works is, we would have devices installed in our apparatus. The primary mode of communication, as you can see illustrated with the number one, is that it's GPS signalization that goes to the cloud. And then, that signal would then come down to the box.

There is also a redundant system here, number two, that provides a radio signal to the box. But, the key with this one, the older systems only provided for a radio signal. You had to be within four hundred foot of the intersection.

So, if traffic was backed up eight hundred foot, you couldn't get that signal to change the light until you pushed your way four hundred foot to within the intersection. With this Glance system and this particular preemption system, it actually looks at the speed of our apparatus, it's tied in with some of the navigational systems that are out there, weighs and some of the others to

look at traffic congestion and actually, with AI technology, will turn those lights green in well enough time for us to not have to reduce our rate of speed significantly.

So, the benefits, obviously, of, of Emergency Vehicle Preemption is the improved response time, safety at intersections, and the cost savings with being able to reduce the number of stations but, by yet, utilizing preemption to maintain the same level service.

There have been several studies on preemption data.., preemption lighting systems and data that's out there. And what we see up here, and not to get too deep into all of this but, really what we're looking at is any major intersection, we can save thirty to forty-five seconds per intersection and smaller intersections, anywhere between ten to fifteen seconds.

So, what Staff did next is, we looked at that same coverage map of Station 88 covering both zones. And then, we look at the number of intersections that ran throughout the City into various zones.

And then, we started utilizing the mathematical calculations on major intersections, which we know Garden Road is specially during peak times is a major intersection, 95, Military Trail, the Beeline. Those are all areas where we can save up to thirty to forty-five seconds, with saving an additional ten to fifteen seconds at some of the smaller intersections.

This is what we're looking at as a phase one implementation. This particular implementation, as you can see here, this is where Station 88 would be located. Phase one would include Garden Road, I-95, right out in front of RaceTrac, Military Trail, south and north on Military Trail.

The cost for phase one would be $109,000. And we're looking at a ninety day implementation following approval. This is the most costly segment because all vehicles must

be equipped with the technology for preemption, which won't be needed in future phases. We would only then be addressing the intersection that would need to be controlled.

Phase two, we would look into taking our center core of the City. This would allow 88 and 87 to tr'.., traverse Blue Heron Boulevard without having to deal with the intersections. We'll also address Silver Beach and MLK as well.

The cost for this one is $48,000, remembering the vehicles are already equipped. This would be the cost of the intersections.

Phase three would then address everything from Station 87 east to North Ocean, and then, also address Broadway. There is a potential Broadway may be picked up by Palm Tran. And there.., so there may be some cost savings there. But, in any event, here we are at the $200,000 mark for all three phases of preemption lighting.

So, we looked at those current response times. That's where we're at. That, that's.., that's our target of where we're trying to stay. We looked at what happens if Station 89 closes, unacceptable.

Estimated times with preemption. This is only including.., only including thirty second savings at major intersections, gets us closer to where we wanna be but not quite where we wanna be.

Most likely, the savings we would get at every major intersection and every minor intersection would bring us to a point where our times would almost be comparable and, in some areas, better than they were with the station being there.

Remembering, the more lights we go through, the more time we pick up, the more time we save.

So, Station 89, we wanted to look at other options for Council to consider. And, this was a consideration of the land that may be available. North of Blue Heron on Military Trail, there's absolutely no land available. South of Blue Heron on Military Trail, we worked very hard and put in a lot of work to identify parcels.

I would love to be able to say this parcel is still in play. We received information just last night from the Healthcare District. They are not interested in moving forward. Even with the support of our partners from the VA, they're not interested in that area becoming a fire station considering the uses of the Healey and Kendred Center.

So, unfortunately, this option is off the table.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I, I, I'm sorry.

Why would the VA have any input on a piece of property that's owned by the Healthcare District?

Fire Chief Curd: The VA did and they wrote a letter of support for the City of Riviera Beach to enter into some sort of an agreement with the Healthcare District but the Healthcare District still denied our request to move forward.

Councilperson McCoy: Oh, okay.

I'm.., thank you. I appreciate you clarifying.

Fire Chief Curd: Yes, sir.

Chairperson Lawson: Thank you, Councilman.

Fire Chief Curd: So, we looked at a couple of other pieces of property. There's two pieces of property that are down by the… What's the store down there? Tractor supply. Down by the Tractor Supply, across from Lone Pine.

There are two parcels that are there. Both of these are owned by the Rapids, which has been acquired by Six Flags of America. And, while these properties may be an option, when we put our response radius around a location that far south on Military Trail, we actually cover 45th Street better than we cover Blue Heron Boulevard..

So, I don't think this is an ideal location. It does keep units on the Military Trail corridor. However, it doesn't provide benefit to Woodbine and Arbor Park to the north because, as 88 comes down Blue Heron to the west and 89 would come north, they meet at that intersection at practically the same time. But we wanted to make sure that we looked at the options that were available.

Chairperson Lawson: One second, Chief. I'm sorry.

Walter, can you check YouTube? We're, we're getting notice that it's down, so just double check the YouTube. See if we can get that back up.

Thank you, Chief. Go ahead.

Fire Chief Curd: Okay.

So, this is a summary of the options. Option one is to remain at Station 89 'til the end of our lease agreement, which will require renovations to an estimated cost of $1.7 million.

Relocate to Station 88, invest in preemption lighting. Again, the $300,000 is an all-in price for preemption lighting throughout the system with the associated cost of moving those crews over.

We have been able.., been unable to find any space for rent that will meet our needs of what a fire station would look like. But, one of the things with option number two is, we continue to work with our partners at the VA.

And we're in conversation right now as they build their new mental health wing, they will actually look to build, let's call it a substation, on their property so during peak hours, Monday through Friday, we can post a unit out on our western corridor.

Because, my biggest concern is 7:30 in the morning to 9:30, and 3:30 'til about 6:00 o'clock. That's the toughest time for us to get across I-95. So, that is something that we're considering as well.

And then option number four, kind of went away yesterday. I thought that that property at the Healey Center, at the medical triangle, was a great option, which would've still needed funding to construct a new station.

There were still some costs associated with that. But we do have those other parcels that are available on the southside of Military Trail.

So, Staff's recommendation is for Council to consider option number two. We think that is a realistic and viable option, especially with being able to stage units out on our western corridor during our peak times.

And obviously, the cost associated with it, being good stewards of the City's money, it just seems like $1.7 million to renovate a property, that we're gonna have to give back, is, is a bit pricey.

But, we just wanted to look at direction from Council, is there an option that they would like to see us move in the direction of? A combination of the options, or none of the above?

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: So Chief, as the conversation, and actually taking a look, I would be supportive of option two, and moving forward with continued discussion with the VA and seeing if a substation can be built on the facility?

It, it, it would be a great partnership to continue. And I know that they want the land to expand upon the mental health component but, if we can find some space there, even if it's just a substation where we can park EMS response teams. Something that can actually work.

So, we can continue that conversation while we relocate and do the Alpha/Bravo. It would be my recommendation.

Board Members?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Yeah.

I agree. Option two makes the most sense to me. I mean, particularly given the cost. It, it just doesn't make sense to me to spend $1.7 million for four years' worth of use when you've shown us that the response time can be as good, or even [chuckle] in one case, better than having the station there.

So I'm, I'm definitely in favor of option number two.

Chairperson Lawson: Colleagues?

Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: I support option two.

Chair Pro Tem Lanier: Option two is fine for me as well.

Chairperson Lawson: Thank you.

Councilman McCoy?

Councilperson McCoy: Thank you, Mr. Chair.

Was the property.., I actually just noticed this over the weekend, where the old television station is on Blue Heron and 95, was that an option? Because that's certainly on the market.

Fire Chief Curd: I don't know if that property is available. Whether or not that property is an option, yes. It's always an option but then we have a scenario where you're building two stations about a mile from each other.

And Riviera Beach, apparently, has more fire stations per square mile than any other municipality in Palm Beach County. So, while it is an option, yes, for the 95 and Military corridor.

I don't know if the juice is worth the squeeze on building on that site with the amount of money in such close proximity to the other station.

Councilperson McCoy: Sure.

Do you have an estimate or do we know what the construction cost were tentatively in '98 to build that fire station?

City Engineer Bailey: I'm sorry.

Could you say that again?

Councilperson McCoy: The 1998 cost to build that fire station on Military Trail? Around about? Probably $3 million?

City Engineer Bailey: I vaguely remember that Chicken Dance built that before us with the Woodbine development. So, I don't know that the City…

Fire Chief Curd: It was part of the Woodbine development.

It was an agreement… It was an agreement with Chicken Dance and Woodbine. They actually built the building on VA's property and there were no.., it was no cost to the City.

Councilperson McCoy: Okay.

Fire Chief Curd: Other than the maintenance and upkeep throughout its years.

Councilperson McCoy: Okay.

And then, I was looking at option one. That's a nonstarter for me because $1.7 million, and we're gonna have that construction complete in five years. And that's a sunk cost because then we have to be out of there in 2029. So that just wouldn't even make sense.

So, I guess, you know, I would have to concur with option two. And, I, I see relocation costs but does the $300,000 you have there represent those relocation costs and the preemption system together?

Fire Chief Curd: Yes.

That is a complete package of vacating Station 89, making the adjustments to 88, and the preemption lighting throughout the whole City. Now, we can segment the preemption light. And, and understand that my intent is to do preemption lighting throughout the City, irrespective of what comes of this today.

But yes, that's the all-in cost for the relocation and a Citywide preemption program.

Councilperson McCoy: So, if we do a permanent relocation at 88 at Blue Heron and Congress, then.., are we gonna repurpose that location for remaining time left on the lease?

Fire Chief Curd: The problem that… Mr… The problem that we have with that property is we have requirements through our lease agreement with the VA to keep that building dry and, and a serviceable condition.

Right off the start, we gotta put a new roof on it. It's leaking like a sieve. There's several hundred thousand dollars into tearing out that barrel tile roof. Then, once you get that roof off, what does the truss system look like.

So there's still a great deal of work to even consider repurposing it. It might not be at $1.7 million but it will still be a significant cost.

Councilperson McCoy: You know, I like the idea of redoing the roof because, certainly, I had the opportunity to walk into the current Police Station and, certainly, it would not be at a disadvantage to repurpose the roof for four or $500,000 and to the necessary upgrades if we could put a, a, an additional Police substation out on the western community, at least for the next three years, right? At a.., but we're in.., actually, for the next six years.., five and a half years considering just the Police Station that really at capacity at.

And, I know we've had some issues with.., the Chief is here, with even maintaining a sally port and using other agencies. I think, certainly, if the lease has been granted to us and we have been, I guess, not just Police but from several different departments, having issues with space, I thin certainly, if there's an opportunity that we, we can repurpose it, I would certainly like that to be considered.

Fire Chief Curd: We can look at what those costs would be.

We do know that the septic system has failed so we would need… There.., there are still some significant things. We're having it pumped out once a month right now so it doesn't back up into the apparatus bay.

But, we will look at what those costs would be and then we'll, you know, [stammer] as we move forward with option two, from what I'm hearing with Council, when we come back to talk about the preemption lighting and we bring that back before Council, we'll have some

numbers on what it would take to do something like that, and then that would be a decision that we can then look at.

Councilperson McCoy: Lastly…

Chairperson Lawson: Councilman…

Councilperson McCoy: …Mr. Chair?

Chairperson Lawson: …McCoy, go ahead.

Councilperson McCoy: Yeah.

But outside of you [stammer] relocating, the space would then just be sitting there completely unused for the remaining of the lease. Or, do we have the anticipation of surrendering it before the end of the lease?

Fire Chief Curd: Yes.

The anticipation would be to surrender the property immediately to the VA so they can build.., begin to finalize their plans for their construction, and then allowing for that substation to be built as part of that project.

So, it would accelerate their timeline on their project. So that, that's kind of the, the idea and the conversations that have been had around it.

Councilperson McCoy: Okay.

Chairperson Lawson: Thank…

Councilperson McCoy: Thank you.

Chairperson Lawson: Thank you, Councilman.

And, and just to piggyback on that. That would be a discussion that I would.., I would love for us to explore, identifying the total cost to bring it up to standard and possibly looking at a substation.

I, I love that idea from Councilman McCoy. Because, if we have the, the lease until 2029, the cost, I believe, is only a dollar a year, if there is a cost at all to.., for this lease. So, having that facility renovated and to fit the standards of a sub Police Station, and still keeping as a, a docking station or a housing station for an apparatus to, to park there in a combined Police/Fire, it gives us an opportunity to move the officers that are piled into the Port Center…

Fire Chief Curd: Right.

Chairperson Lawson: …and give them location space.

So, I'm actually a big fan of that one. That, that's a.., that's a good discussion to explore and see…

Fire Chief Curd: Yeah.

We'll, we'll…

Chairperson Lawson: …what we can…

Fire Chief Curd: …take a…

Chairperson Lawson: …[Inaudible].

Fire Chief Curd: …look at it.

You know, there will be considerations for the roof, the sewer system, the driveway that's failing, the HVAC system. But, like some of the remodeling to the bunkrooms, the exterior doors would have to be hardened.

There, there are some things. We'll make sure we get a complete number to you.

Chairperson Lawson: And, I, I would love if we can give some direction to sit down with Chief and see if that's an option. And, what would actually need to be [stammer] renovated to possibly split that cost between Police and Fire so that we could still keep our apparatus at that location, while still doing option two with the preemptive lighting, with relocating for

Alpha/Bravo but then moving some of our police officers over to that location while we still store any apparatus at that location, for at least the next four year, while we're building our new Police Station.

City Manager Evans: Uh…

Fire Chief Curd: We will take a look at it.

City Manager Evans: Mr. Ch'.., Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: If you do have an opportunity to, to tour the site with Staff, we certainly would like to take any Board Member that's interested on that particular site. But you would put, probably, hundreds of thousands of dollars into that particular site.

And the Police Department, for all intent and purpose would utilize it for report writing and.., but, for the most part, they're out in the community so the space would get limited usage at best.

But, you would have to spend probably.., what a guesstimate would be…

Fire Chief Curd: A million.

City Manager Evans: About a million dollars to be able to get it to a state where it is…

Fire Chief Curd: Right.

City Manager Evans: …habitable that you want to put employees back in that particular space. And, it is not in much better condition than the Police Station that we vacated. In addition to, it would cause for additional cost for the Police Department because those costs would be absorbed by their budget and that wasn't a budgeted expenditure.

But if it's the Board's pleasure, we'd love to take you on a tour of that particular facility. But, for brevity sake, we did not include some of the challenges that are present at that site in the presentation. But certainly, we'd welcome an opportunity to tour the facility with you.

Chairperson Lawson: Thank you.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Board Members?

Dr. Botel, and then we'll come back to Councilman McCoy if no other Board Members have any comments.

Councilperson Botel: Just a question, and it's actually not for Chief… Well, it's not for Chief Curd, I t's for Chief Coleman.

Why.., can we also put those kinds of devices on our police vehicles, to help them get to emergency situations? I mean…

Fire Chief Curd: This…

Councilperson Botel: …why…

Fire Chief Curd: …this would be a holistic…

Councilperson Botel: Okay.

Fire Chief Curd: …approach.

Councilperson Botel: Good.

Fire Chief Curd: Yes.

Councilperson Botel: Okay.

Fire Chief Curd: There is an option.

And I've had brief conversat'.., we don't even know if this is yet gonna happen. But yes, this would apply to all emergency vehicles that would.., would be in the City.

Councilperson Botel: Thanks.

Fire Chief Curd: Mhmm.

Chairperson Lawson: Thank you, [inaudible].

Board Members? Councilman McCoy, go ahead.

Councilperson McCoy: Chief, I think I know the answer to this and you, you, you certainly would know this. VA only services veterans, correct?

Fire Chief Curd: That's correct.

Councilperson McCoy: Would this hospital, mental health component or program, is that going to be a Baker Act receiving facility?

Fire Chief Curd: I do not believe so.

We do have the VA here. I would defer to them on any questions as the relation to the facility itself.

Mr. C. Price: Hi. Cory Price. I'm the CEO, Executive Director of the West Pam Beach VA Healthcare System representing the seven counties and the approximately 60,000 veterans in our Cashment area.

We are already a, a Baker Act receiving facility. We have a twenty-five bed acute mental health ward. This would not be part of that type of inpatient services but this would be a.., actually, a couple buildings that will be designed to provide a updated therapeutic outpatient mental health environment for our veterans throughout the Cashment area.

Councilperson McCoy: Thank you.

Follow up question, Mr. Chair?

Chairperson Lawson: Councilman, go ahead.

Councilperson McCoy: Mr. Price, thank you for joining us.

So, did you…

Mr. C. Price: Of course.

Councilperson McCoy: …pen the letter to us or was that the folks in Washington?

Mr. C. Price: That was both.

So, it was a collaboration with our central office as well.

Councilperson McCoy: Okay.

And I wanna say thank you for the, for the partnership since 1998 but, you know, we have a Fire Station that really has serviced our western portions of our community and our City. However I, I think the decision has been pretty much.., you know, we have reached a census on option two.

However, from a standpoint of us relocating, I wanna understand what does the VA Hospital have to offer us in exchange for this relocation? And the reason I'm asking that, because what's being proposed, if we surrender, we're basically giving up what we're obligated to have.

So, absent.., I know this is probably gonna sound crazy. I just seen this movie, The Burial, three times. This is called a anticipatory breach of the agreement if you're expecting us to surrender this property six years ahead of time.

Is there something that the VA Hospital, or their unit, can offer our public service units? Because, we're servicing your veterans. We're bringing veterans to your facility. Now we need to now relocate our, our Fire Station.

Is there something collaboratively that you and your team can work towards in helping us facilitate this relocation?

Mr. C. Price: Yeah.

We've been working with the Chief, collaborative…

Councilperson McCoy: I, I'm speaking…

Mr. C. Price: …since…

Councilperson McCoy: …in money and resources. You know?

That.., all that other stuff is great but, you know, literally, we're giving up access six years early. And I'm just curious to know what benefit does that provide for us? From your perspective.

Mr. C. Price: How's that directly benefit the City?

Well, what we have talked about is keeping a satellite facility and providing whatever support is needed for Chief, and for his units, either temporarily while we have a new building built or.., and, once the building is built.

That's an option.

But, as far as an enhanced use lease, what it can repurposed for? We'd have to go back and look at the original agreement, in the lease agreement. And what that stipulates, I don't know. We'd have to leave that up to the, to the.., to the, to the lawyers.

But, you know, obviously, this is a site that's not meeting our needs, and it's not meeting the Chief's needs. And there's significant investment that needs to be done in it. And if we can repurpose that for veterans, that's my charge and my, my noble mission.

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: And, and certainly, correct me if I'm wrong.

Isn't some change in legislation that required that the, the lease could not be extended because it wasn't first.., front.., facing services to veterans on veteran's properties? And so, the

limitations that we provided was way above our pay grades with respect to what options that we have moving forward, if you wanted to speak to that.

Mr. P. Price: Yeah.

Initially, that was kind of a stumbling block and the reason why it wasn't just an automatic, you know, renewal of the lease. So, when we started looking at that option, there was legislation that was passed that prioritized enhanced use lease on VA property for the bene'.., of homeless services.

That has since changed. They have made some modifications to that legislation. So, that's no longer the same stipulation but when we were looking at our market assessment, we go through a market assessment every couple years, we currently already have, as, as in the memo, a million square foot space gap for veteran care.

So, we are limited in the services and programs we can offer based on the space that we have available. And, obviously, if we have that on our property, it's a matter of when we [stammer] repurpose that not if.

So, knowing that VA property is gonna be there for hundreds of years, it's, it's kinda like now or never type of decision.

Chairperson Lawson: Thank you, Mr. Evans.

Mr. Price, thank you for visiting us tonight.

Mr. P. Price: Of course.

Chairperson Lawson: Thank you for the work that you're doing and, and we look forward to continue the.., this partnership and possibly working out something with our first responders as well.

Mr. P. Price: Absolutely.

Chairperson Lawson: But, thank you.

Mr. P. Price: Thank you.

Fire Chief Curd: Okay.

Chairperson Lawson: Mr.., Chief Curd, you can continue with the presentation.

Thank you.

Fire Chief Curd: So, now we'll move on to Fire Station 86 located on.., at 5010 North Ocean. We obviously know what Fire Station 86 is. Is was a sister station to 88. These are some of the issue that we have dealt with at that station, some of the conditions at that station. We obviously don't need to beat a dead horse there.

So, the options that we were gonna propose.., and, and this is all based on the reconstruction of Station 86. We do know that we have the referendum coming up next year. But, looking at what the future is, a re'.., rebuild of that station would require us to consider these options.

Option number one would be to relocate Station 86 to a temporary site until the new Station 86 is completed in 2028. And I say 2028, and you may wonder why is gonna take that long?

Please remember there also is a water tank component, so we have to tear down the Fire Station, rebuild the water tank at the Fire Station site. Then, tear down the water tank, and then rebuild the Fire Station.

But we can't do anything before that water tank is rebuilt and connected due to the capacity needs on Singer Island.

The cost consideration to relocate Station 86 to a temporary site until 86 is completed is approximately $1.6 million, plus the rental fee for that entire period of time of $253,000.

Looking at what this temporary sites is, we were able to identify with our partners from the CRA and Ms. Maxfield. We've been able to identify a lawyer's office that's behind the CRA building there, the Clean & Safe.

That building is available. That building provides us direct access to North Ocean Drive from right behind the strip mall. The way we would build it out is the area in blue, would be a awning or covering to keep the apparatus out of the weather.

The area in yellow would be a repurpose sleeping trailer that we use while we were building Station 88, so we would be looking to repurpose that. We would then look to do some renovations to the inside of the Station, creating two offices, a day room, a kitchenette, two bathrooms and showers for Staff.

It is a very small building but considering we would be there for almost five years, we think that these renovations would be needed. It's not just a one year holdover and this is that sleeping trailer we would be repurposing in the current condition of what the law office is now.

Option number two to consider is to remain at Station 86 until Station 87 is done on Avenue H West at 600 West Blue, and that would be completed in the first quarter of 2025. Then what we could do is, move crews off of Singer Island to Station 87.

And, the cost consideration for that would be $525,000. But again, that is.., that number includes the $200,000 for the preemption lighting.

Option number three, and this is a bad option but we wanted to make sure there were options out there is, relocate to the Ambassadors Center which is no more than a couple hindered feet from the law office.

We do have concerns with this property. While we've stayed there in the past for emergency situations, we wouldn't be able to have the apparatus covering. There is right-of-

ways, there are active businesses there, there is pedestrian traffic that is there. So, it's not a great option but it is an option.

And you can see, it's at $1.6 million plus the rent of $348,000 until 2028.

Talking about Fire Station 86, just to give some context, this is what the sites looks like currently. This is what the proposed Site Plan is. Here is the new water sta'.., water tower, one million gallon water tank, and the Fire Station.

So, you can see that the existing station would need to be torn down so that this can be constructed. Once transfer of service is complete, we can then tear down the water tank and proceed with construction of the Fire Station itself.

This is not the station. This is just a conceptual drawing that was utilized when we were looking at the tennis courts over by the Ritz Carlton but we figured we'd put it in there to show kind of what the, the design element would look like for a station on the Island.

So, looking back over these options, option number one is to relocate to the law office, remain on the Island, and.., until Station 86 is completed.

Option number two is to stay onsite until March of 2025, then relocate to Station 87 at 600 West Blue, and run on Alpha/Bravo configuration from there.

And then, option three would be the Ambassador Center. I, I think it's a poor option but I had to put it up there.

Based on the way our calls.., the buildings, our call volume, our target hazards, the potential loss of life and property , and the inherent delays built in to response, Staff recommends option number one, just to ensure that we maintain a presence.

And when I talk about an inherent response delay, unlike the rest of our community, when we arrive on scene, we're at your front door. On the Island, when we arrive on scene, we

go to the knox box, we get the key, make entry into the lobby, call the elevator down, get in the elevator.

So there's an inherent delay built in there, so those are concerning to me. And also, the potential for loss of life as it relates to fire. We also have some concerns with the bridge itself as our only means to get on the Island. One really bad accident, one fire on the bridge, we would be cut off if we were on the wrong side.

So, Staff recommends option number one but we would love to get Council's input or answer any questions you may have.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you.

I don't think.., from my perspective, we don't have any other choice. We have to move on this. I wouldn't wanna have any Staff member, and Firefighter be have'.., having to stay in the condition that they are in now, in that building. It's awful.

And we've gotta get… How quickly can we get them out of there if we go with option one? Terrence.

City Engineer Bailey: It's a complicated question.

Obviously, we don't have site control, so first we'd be going into negotiating a lease and actually backing up from that funding. It's $1.6 million that we would have to identify the funding. And I do believe there's a slide with Mr. Sherman coming up next to talk about funding.

In consultation with Development Services and Mr. Sirmons, we have to rezone the property to Community Facility 'cause right now it's Commercial. You know, going through a

rezoning in Development Services is a process. So, that process laid on a full design for the interior renovation, procurement, and construction,. That will be the timeline.

Councilperson Botel: Oh.

We have to get going. We have to get moving.

Fire Chief Curd: So, any other questions, direction, comments?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Mr. Chair, thank you.

Chief, was there not a consideration for a property acquisition on Singer Island? Was that not even brought up? Because I did see some places over there that clearly have very conspicuously displayed for sale signs.

Fire Chief Curd: We have looked at several different…

City Manager Evans: [Stammer]…

Fire Chief Curd: …properties…

City Manager Evans: Mr. Chair?

City Engineer Bailey: Cost prohibitive.

Fire Chief Curd: It was, it was cost prohibitive.

I think we were looking…

City Manager Evans: Yeah.

Fire Chief Curd: …$20,000 for…

City Manager Evans: Mr. Chair, if I may?

Fire Chief Curd: …[Inaudible].

We did, we did have a couple of conversations with property owners. And in.., if you ever want to participate in an exercise that realistically is, is hard to bear fruit, try to find two acres on Singer Island that is either off the tax roll or that is for sale at a reasonable cost.

When we tried to attempt to, to do that, we got an appraisal of property that the, the amount of land that we were looking for was roughly about $5 million for that, that two acres. The property owner wanted $10 million for that particular property.,

And so, we did, again, try to pursue some additional opportunities but it was extremely cost prohibitive and that's why we came up with some of the options that were before you because it is a very costly endeavor.

And it would require, in some cases, parcel assembly or the station would be a fraction of the size. That's why the first iteration of the concept that put the station at the Ocean Walk was a viable option for us because that was the only property that we can [stammer] be able to conceivably.., to facilitate that unless we went through a full out reconstruction of where Fire Station 86 is.

But we did look at parcel assembly and parcel acquisition and it was just extremely cost prohibitive, that your station cost would probably, with property acquisition, would be close to $40 million.

Chairperson Lawson: Thank you, Councilman McCoy. Thank you, Mr. Evans.

Board Members? Do we have recommendations for Staff in regards to an option?

Councilperson Botel: Just, Mr. Chair, one, one quick question. So… If I might?

So, if we go with option one and we tear down.., we can move the firefighters out, tear down the station that exists there now, can we begin to put the new water tower.., tank in place as we.., you know, can we…

City Engineer Bailey: Yes.

This will…

Councilperson Botel: …make baby steps…

City Engineer Bailey: This will basically become the leading edge of what is the larger, more grand Fire Station 88, bigger picture. Obviously, we know there's funding that is in conversation come March, and there's a solicitation on the street right now.

So, this is a very timely conversation. And this will simply become the leading edge of, let's call it the absolute Phase One of.., we know we have to de'.., demolish Fire Station 86 for everything else to happen.

So, this lets us begin, immediately, on what.., something we were going to have to do anyway to facilitate the new Fire Station 86.

Councilperson Botel: Wait.

The answer is yes, we can.., we can move…

City Engineer Bailey: Oh, I'm sorry.

Councilperson Botel: …we can multi'…

City Engineer Bailey: Yes.

Councilperson Botel: We can multitask?

City Engineer Bailey: I should've just skipped to yes.

Councilperson Botel: [Chuckle].

Thank you.

Chairperson Lawson: Board Members? Options and I believe that we wanna see maybe some financing options before making a decision. The next slide, you did say Mr. Sherman is gonna…

Fire Chief Curd: Yes.

Chairperson Lawson: …give me some [stammer]… Okay.

Fire Chief Curd: We'll go ahead and turn the presentation over to Mr. Sherman.

Chairperson Lawson: Thank you, Chief.

Finance and Administrative Services Director Sherman: Yes. Good evening. Randy Sherman, Finance Director. Yeah, they were real generous. They gave me one slide for tonight.

But, what we did is, we looked at all of the options that the Chief and Mr. Bailey were, were offering and we identified funds in order to be able to, you know, where we would draw the funds depending on, on which option you selected.

The only thing I will tell you, and I'm glad to kinda hear you moved away from option one on 89. We don't have enough dollars to do option one on 86 and 89 because they're tapping into the same, excuse me, they're tapping into the same municipal facility funds.

But, with the preemption lighting we have sufficient dollars in the Fire impact fees that we'll be able to use on that, and the impact fees for the relocation as well.

But then, when you get down to 86, we have sufficient funds in the municipal facility, this year with the 2024 allocation, to make that move. Now, it does almost eat up a hundred percent of the dollars we have available but we do have the funds to, to do 86.

Chairperson Lawson: Board?

Recommendations for Staff for 86.

Councilperson Miller-Anderson: Was it…

Chairperson Lawson: Option…

Councilperson Miller-Anderson: …option one?

Chairperson Lawson: If you could go back one slide, Mr. Sherman.

Finance and Administrative Services Director Sherman: Oh, sure.

Chairperson Lawson: Thank you.

Or, back to the options.

Finance and Administrative Services Director Sherman: Oh, okay. Sure.

Heere we go.

Chairperson Lawson: And, thank you, Mr. Sherman.

Finance and Administrative Services Director Sherman: Yep.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Ms…

Councilperson Miller-Anderson: I know I…

Chairperson Lawson: …Miller-Anderson, go….

Councilperson Miller-Anderson: …stepped out but for the option one rent. I mean, do we have any type of figure for that? For the rent?

City Engineer Bailey: Yes.

I believe it's on the slide at $240,000, is the rent for…

Councilperson Miller-Anderson: Yeah.

I…

City Engineer Bailey: …four years.

Councilperson Miller-Anderson: …stepped out.

I must have missed that.

City Engineer Bailey: Okay.

Councilperson Miller-Anderson: That's why I was asking.

City Engineer Bailey: Way back.

Unk.: [Inaudible] back to it, yeah.

City Engineer Bailey: Yes.

It's two hundred and forty for four years.

Councilperson Miller-Anderson: Oh.

Option one then.

Fire Chief Curd: Two fifty-three.

Chairperson Lawson: Chief, if you could go back to option two. Because, if they re'.., if we renovate, remain on site, it just, I realistic timelines. The slide with option two.

Remaining onsite, where would the firefighters go while we're renovating at that $525,000?

Fire Chief Curd: That would, again, be a scenario where, during the time of the repairs that need to be made, they would have to come out of the station and we would have to then get very creative on where it is they go.

They won't be able to go into the temporary station at the Wells Recreation Complex simply because it wasn't designed to run an Alpha/Bravo format, so we would then really be trying to figure out what we do by maybe utilizing the Clean & Safe space, which doesn't have the shower facilities or…

It, it really isn't a great option. There's no good answer, sir.

Chairperson Lawson: Understood.

And, [stammer], I'm, I'm not a fan of option two because, even if we do renovate that space, that's a short term fix, a Band-Aid over a facility we're gonna be tearing down. So, that the same as the Woodbine.., the, the western 89.., it's just not a good option for investment purposes.

So, I would be supportive of option one as well. And, moving forward from there.

Thank you, Chief.

Dr. Botel, go ahead. Option one?

Councilperson Botel: Was it one?

Chairperson Lawson: Option one.

Councilperson Botel: Yeah.

Chairperson Lawson: Chief, threw up the finger.

[Chuckles]

Chairperson Lawson: Councilwoman Lanier?

Chair Pro Tem Lanier: Yes.

I fi'.., I'm fine with option one as well.

Chairperson Lawson: Option one.

Councilman McCoy?

Councilperson McCoy: Was there an option four?

[Chuckles]

Fire Chief Curd: I wish there was, sir.

Councilperson McCoy: 'Cause I just find interesting that, you know, we moved away from the site next to the Ritz Carlton for what reason?

[Inaudible comment]

Councilperson McCoy: I'm very aware, thank you.

Okay. Never mind. I withdraw my question.

Chairperson Lawson: Thank you, sir.

Councilperson McCoy: But…

Fire Chief Curd: I appreciate that.

Councilperson McCoy: But, but it's just really interesting that in my community we have no problem taking parks and amenities away from, you know, the folks that live over in my District but then, there's all of this.

But then, we didn't even account for a contingency plan when we took the fire station element away from Ocean Mall. And, you know, here we are. I guess I don't really have an option four. We really don't even have an option two or three.

So, I mean, I appreciate the work you, you've done in bringing this forward but, you know, I gotta.., I, I have no choice but to join the other Members with this.

[Chuckle]

Chairperson Lawson: Thank you, Councilman.

Chief, thank you for the presentation. I believe we have clear direction for the options to move…

Fire Chief Curd: We do.

Chairperson Lawson: …forward.

Fire Chief Curd: And we'll be back in December with some Resolution items for the preemption lighting and preparing for moving forward on these options.

Thank you all for your time.

Chairperson Lawson:: Thank you, sir.

Madam Clerk.

Interim City Clerk King: Mr. Chair, you did have one public comment card on this Item.

Ms. Shepherd, do you still want to speak?

Ms. M. Shepherd: [Inaudible from audience].

Chairperson Lawson: Thank you…

Councilperson Botel: Thank you…

Chairperson Lawson: …Ms. Shepherd.

Councilperson Botel: …Ms. Shepherd.

Chairperson Lawson: Ordinance 9a, Madam Clerk.

Oh, I'm sorry. Did we.., we pulled Items…

Chair Pro Tem Lanier: 'C' and…

Chairperson Lawson: 'C' and 'D' from Consent.

3c. <u>ITEM NO. 3C</u>

Interim City Clerk King: RESOLUTION NUMBER 156-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE PIGGYBACKING OF SOURCEWELLS CONTRACT WITH AXON ENTERPRISE, INC. FOR PUBLIC SAFETY VIDEO SURVEILLANCE SOLUTIONS WITH RELATED EQUIPMENT, SOFTWARE AND ACCESSORIES UNDER CONTRACT NUMBER 10720-AXN; AUTHORIZING CODE COMPLIANCE DIVISION USE OF AXON ENTERPRISE, INC.; AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF $43,608.30 TO PURCHASE BODY CAMERAS, OBTAIN SOFTWARE LICENSES, AND SUPPORT SERVICES; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENTS FROM ACCOUNT NUMBER 10117104-531000; AND PROVIDING AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES ELIZABETH T. MCBRIDE, DEPUTY CITY MANAGER TANISHA BOYNTON, SENIOR PROCUREMENT SPECIALIST, (561) 845-4062

Interim City Clerk King: Mr. Chair, we do not have any public comment cards on this Item.

The acceptance of public comment cards on Item 3c is now closed.

Councilperson Botel: Motion to approve Resolution Number 156-23.

Councilperson McCoy: Second. Second.

Chairperson Lawson: Motion's been made and properly seconded. Thank you.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, this Item was pulled by Board Member and Staff is prepared to answer any questions that he Board may have.

This particular Item was discussed as part of the budget sessions with the Board concerning the use of the body worn cameras for Code Compliance officers. And so, both the Director of Development Services, Mr. Clarence Sirmons, and Senior Procurement Specialist, Ms. Tanisha Boynton, are prepared to answer any questions.

Chairperson Lawson: Thank you.

Councilwoman Pro Temp Lanier.

Chair Pro Tem Lanier: Yeah.

I wanted to ask a couple of questions about this Item. I really have some heartburn about Code Enforcement officers wearing body cameras. It's.., for me, right now, it's an issue of privacy.

How long will the information be stored?

3c. <u>ITEM NO. 3C</u>

RESOLUTION NUMBER 156-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE PIGGYBACKING OF SOURCEWELLS CONTRACT WITH AXON ENTERPRISE, INC. FOR PUBLIC SAFETY VIDEO SURVEILLANCE SOLUTIONS WITH RELATED EQUIPMENT, SOFTWARE AND ACCESSORIES UNDER CONTRACT NUMBER 10720-AXN; AUTHORIZING CODE COMPLIANCE DIVISION USE OF AXON ENTERPRISE, INC.; AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF $43,608.30 TO PURCHASE BODY CAMERAS, OBTAIN SOFTWARE LICENSES, AND SUPPORT SERVICES; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENTS FROM ACCOUNT NUMBER 10117104-531000; AND PROVIDING AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES ELIZABETH T. MCBRIDE, DEPUTY CITY MANAGER TANISHA BOYNTON, SENIOR PROCUREMENT SPECIALIST, (561) 845-4062

Development Services Director Sirmons: If I may, Mr. Chair?

Chairperson Lawson: Please, Mr. Sirmons, go ahead.

Development Services Director Sirmons: Clarence Sirmons, Director of Development Services for the record.

Councilwoman, we have been in conversations with the provider. The contract is for five years. And during that time, they do provide cloud storge. And, from my understanding, this company also works with police.

And, additional conversations may take place regarding after the five years and what happens long terms with storage. So, un'.., unless they are able to provide any additional details on that, we only know that the five year period of this contract is what is covered.

Chair Pro Tem Lanier: And the stor'.., and the cost of storage is included in this $43,000?

Development Services Director Sirmons: That's correct.

Chair Pro Tem Lanier: So, the, the problem that I have with this is the fact that now.., I mean, I understand why the police wear body cameras because that's a.., it's a criminal or, you know, they call the police and, therefore, it has to be on camera.

But, to have Code Enforcement officers going to people's home, or inside people's homes, just because there was an issue with their roof or they needed to go inside to look at something, now that information or that picture of the inside of their house…

Say they got a, you know, picture of Trump in there, whatever the case may be [chuckle], you have this information now that is public record so that now someone can pull this information from our public records and say, 'Let me see the inside of this individual's house because, you know, Code Enforcement… I saw Code Enforcement over there yesterday.'

And I, I got real issues with the privacy part of this. But also too, I think that the residents need to know about this first. That if we're gonna do this, that we need to have some type of community information about, about Code Enforcement, about body cameras, and how privacy will be protected.

Because, once this information goes on a body camera for a Code Enforcement officer, for somebody having, you know, an overgrown yard, all that information now is public record.

So, I just have some serious, you know, [stammer] heartburn about this whole issue around privacy. And also, the fact that the public does not know about this and need to be provided information about that, and around privacy.

Development Services Director Sirmons: If I may [stammer] respond, Mr., Chair?

Chairperson Lawson: Please, Mr. Sirmons.

Development Services Director Sirmons: Alright.

Yes, that is definitely noted and Staff… This comes from discussions that took place during the budget process. And, of course, Staff will facilitate any direction that comes from the Board.

So, we took a look at the expenses and, and looked at setting up a contract for developing policies and procedures for it. But, if it is not still the desires, Staff is confident in Code Enforcement's.., Code Compliance's abilities to operate without body cameras.

But there are some cases where it is a, a thing in, in certain places. However, it, it.., it would be a change for our community and persons typically are not, you know, comfortable with someone approaching them and they're on camera, and they don't have any ability to consent to it.

So, it's something operationally that we have to look into and, again, in developing a standard operations and procedures for this type of equipment, we would have to consider all of those things.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Is that information public information?

Development Services Director Sirmons: It would be subject to public information requests. However, it would require persons to go through the footage and I believe there's a… Actually, I, I would, if possible, defer to Police and how they handle public information requests with videos, as my Department, as of today, doesn't have experience with those kids of requests.

But I do understand that it is subject to the request.

Chairperson Lawson: And, I guess that…

[Inaudible comment]

Chairperson Lawson: …was part of my concerns, Mr. Sirmons, during our, our Agenda review.

I, I know that we want to create the policy after the fact but, without having a policy in how this is gonna be operated, I was actually gonna pull this Item as well.

After our discussion in Agenda review, I, I was concerned that we don't have the, the proper details of how we're gonna manage and operate these cameras. And, to have this expenditure prior to knowing the logistics behind it, is.., gives me heartburn as well.

So, I don't believe I can support if for the very reason of learning the.., whether it's public record, public knowledge, whether it can be shared, whether it's not. What are the details? How are they gonna operated? The safety and integrity of our, our Code Compliance.

I do still support it but I wanna see a policy first with how it's gonna be operated so we can be clear with educating the residents, and also our Staff. So, without a policy and just purchasing equipment that could sit on the shelf for six months, it, it, it doesn't sit well with me.

Go ahead, Ms. Miller-Anderson, then Councilman McCoy.

City Manager Evans: Mr…,

Chairperson Lawson: Oh, I'm sorry.

Mr. Evans, go ahead.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: Certain things are exempt from public records. And, when there is an expectation of privacy, certain.., the interior of persons homes, that is information that is not available for public record and public consumption.

So, that is all part of, of training that would have to occur, should the City move forward in, in that [stammer] particular endeavor. But there are some exemptions that are provided.

Chairperson Lawson: Ms. Miller-Anderson, did you have a comment?

Counc'… Thank you. Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

Mr. Chair, that's a great point that you brought up. And, I did share with Staff the same concern about we need to have a policy that's separate and apart from Police. And Mr. Manager did indicate.., certainly, I don't expect the police.., or, Code Compliance officers to ride arou'.., ride around all day with a body cam turned on.

However, I specifically have been a part of two encounters where Code officers should've had, or it would've better served, had they had on a body worn cam, when they've actually identified someone who was doing illegal dumping.

But, if you're literally in the middle of taking a report or doing.., or, driving for that matter, I mean, it's much easier to activate a body worn camera than it is to pick up a cellphone device and start recording.

Additionally, I think at some point when Code Compliance was moved from PD to Development Services, they no longer have access to the Police, I guess, auxiliary channel to contact dispatch.

And, they would literally be in the field with a cellphone and expected, when they see a crime in progress, which dumping is not just a violation of the Code, it's also a criminal offense under the Florida statute, to pick up the phone and then call back into the same 911 system that any other individual would normally use.

In fact, I shared a article with Administration, as well as Mr. Sirmons, many months ago. I think probably earlier this year, where Palm Beach County actually has already started entertaining this very concept and this idea.

So, I certainly expect that there are other municipalities and organizations throughout the State of Florida, that are already using body cam footage. But, under the law, a, a Code Compliance officer is treated in the same respect as a law enforcement officer, for those purposes.

So, to that realm, they don't have a weapon. They don't have a first line of defense as a, a baton or pepper spray. So, I at least, not for the purposes of monitoring employees, I wanna ensure safety.

Because, you know, there was an incident where I know specifically one of our officers identified somebody dumping and there was this huge argument and confrontation. And, she more or less, had to concern herself with being safe first.

But, none of that information was able to be captured on any kinda, you know, recorded record.

But, I, I would really encourage the Board to consider this. Certainly, I would not expect this to be implemented until there is a policy. And certainly, this wouldn't be the same policy as Police.

But, absent of this, we're sending our folks out with a telephone. And we're asking them to make sure that our community is clean and safe, and we already know that there are just gonna be repeat violators and bad actors that just are gonna disregard, not just police officers but certainly, more importantly, they're gonna do it a Code Enforcement officer.

And I would have for a crime to take place which in.., we've come very close to it and we not have a document record of it. So that's why I shared the article with Administration because it was widely advertised or it was widely published that Palm Beach County had, you know, took on the same consideration.

Chairperson Lawson: Thank you, Councilman McCoy.

And, I guess those, those were the sentiments. And, I do wanna support this. And, I, I can support this after we've established a policy. And, the rea'.., the reason that I'm, I'm not inclined to support it now is because the lead time for the cameras and the availability of the cameras is not limited or lacking.

We could actually have the turnaround quickly once it's brought back to us. We can have them secured once a policy has been approved by this Board. And, during that process of

actually securing them, we can start with the training and oversight of the policy, and education to our residents in the community.

I, I don't see why we're gonna just spend this $47,000 and just have them sitting on the shelf for the next six months while we're waring on a policy to be created. And that would be where I would be.

Absolutely supportive of it coming back. But, as of right now, I want us to be aggressive with getting a policy done now, bringing it back to us, and then making the purchase and the order going forward with that.

Because, I agree wholeheartedly with Councilman McCoy. But, we have to start doing things the right way, and creating a policy first I think is necessary.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: There, there wouldn't be a situation whereby the policy would come back for the Board for ratification. It would be an internal policy that would be mirrored after other government agencies that have deployed the, the similar type of technology. And then, there would be training.

So, there wouldn't be a situation whereby the policy would come back before the Board.

Chairperson Lawson: Thank you for that.., thank you for that clarity and.., with the internal training policy. I, I would want Staff to have that. So, the, the things that I wanna is how are we gonna keep our Staff safe, residents safe?

What is gonna be the timeline of actually storage of this equipment? Are they gonna wear it every time they leave this is gonna be docked and stored? The total cost of the $43,000, is that going to cover all storage fees for all of the cameras?

Are the.., is our, our Code Compliance officers gonna be required to keep it on, similar to our police officers when they leave out?

It.., there's a lot of internal information and questions that I had about the equipment that I just think it's just gonna be sitting there on the shelf until a policy is created, whether it comes before the Board for ratification or that Staff is gonna be trained on it.

And, it just seems like a waste of spending if we don't have the right steps necessary to create an internal policy, as you said, Mr. Evans.

Go ahead, Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: I was gonna ask a question in regards to how long do you think it will take for you all to create the policy? Or, what was the plan? Should it get approved tonight, what's the.., what's the plan in terms of getting the policy created and then getting it out there into the community?

City Manager Evans: So, Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: It, it would be Staff's intent to acquire the devices to understand how the devices work, to receive training on the devices and concurrently, to basically emulate the policy that the county has, making some tweaks and modifications that is specific to Riviera Beach and ensuring that Staff is trained on that.

And so, before we would activate the policy, there would be at least a time where Staff would more than a couple of weeks to become used to the devices, in addition to, even the uniforms that they wear, we've talked about the specific type of uniform.

So, most likely, it would probably, like, a th'.., probably a ninety day, from when we receive the first unit, to the policy, to persons being trained on the policy, and then, actually deploying that out in the field, will probably be a ninety day period.

Councilperson Miller-Anderson: Okay.

I can support that, as long as you're working on getting that policy in place before we do put the people out there in the field. And at the same time, I think we can do the education of.., to the community in terms of this rolling out.

I don't recall us doing anything like that for police. I could be wrong, but I don't recall us doing anything like that. So, I think people have seen police out there with the body cam so they're familiar with it. But I believe between that ninety day time, we should be able to educate the community in terms of what we're planning on doing.

So, I, I can support it with the notion that you all will have the policies in place before it goes out. And the education piece has taken place.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you.

I too can support it, given that you've made a promise now tonight, Mr. Evans, that you're gonna have a policy in place. [Pause]. Yes? Okay. He's nodding. I am also more comfortable with the knowledge that a person's private home is not gonna be open to the whole world because they've had a Code Enforcement person come in.

Is that correct?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Yes.

We would make sure that…

Councilperson Botel: Okay.

City Manager Evans: …we follow the statute to the 't'. And then also, follow best practices. The other side of it is, you know, we would look to have our officers shadow Code Compliance officers, from the county, to understand how they utilize the device. And when is the appropriate venue to utilize the, the device.

It's not.., the, the rules, as it relates to PD versus Code Compliance are gonna be profoundly different. It's not gonna be something that.., I'm not interested in, and I think anyone is, is seeing what employees have on their computers or what they're eating for lunch.

It's more so to capture some of those instances wherein.., and, if you do read the article that's provided, one of the things that the County Administrator articulated, it is also for Code Compliance officer safety because there is times where there is interactions and then there's a complaint with respect to what the interaction is and that provides documentation for the Code Compliance officers, as well as the City, to be able to look at how the particular situation was, was handled.

So…

Councilperson Botel: Okay.

City Manager Evans: …we would emulate the same policies and procedures and, and obtain the appropriate training so Staff is, is well equipped to, to be able to handle that should the, the Board desire for us to move forward.

Councilperson Botel: Thank you.

So, I'm comfortable supporting it now, given that we really do need to protect our Code Compliance officers. They're, they're out there, basically, on their own. So, they, they need at least something to say, 'Hey, this is what happened.'

And so, I'm supporting it. Thank you.

Chair Pro Tem Lanier: I just wanted to say that, you know, and the reason why I pulled this off the Agenda was my biggest concern here is privacy. We have issues where, you know, when you have a police officer that goes out, a police officer is a police officer. You expect.., the expectation is they're gonna have it on camera.

But, my problem with this is the fact that this is an issue of privacy. You know, people have Ring cams, people have cellphones but my particular issue with this is, just the issue of privacy for our residents in the City.

People coming to their homes with, with body cams and.., that is just something that I am not comfortable with.

Chairperson Lawson: Thank you, Pro Temp Lanier.

Board Members?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: No.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: No.

Interim City Clerk King: That vote passes, Council'.., Chairperson Lawson with.., 3-2 with Councilperson L'.., Chair Pro Tem Lanier and Chairperson Lawson dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

3d. <u>ITEM NO. 3D</u>

Chairperson Lawson: 3d.

Interim City Clerk King: 3d.

Interim City Clerk King: RESOLUTION NUMBER 157-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AWARDING BID NUMBER 1084-23- 4 TO SHELLARD LIGHTING DESIGNS, LLC TO PROVIDE CITYWIDE HOLIDAY LIGHTING AND DECORATION INSTALLATION AND RENTAL SERVICES FOR AN ANNUAL AMOUNT OF $103,806.56 FOR A THREE YEAR PERIOD, WITH TWO ONE YEAR RENEWAL OPTION; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FROM ACCOUNT NUMBER 10121101-534000, 1013013-546000, 10171101-534000, AND 41131104-534000; AND PROVIDING AN EFFECTIVE DATE.

TANISHA BOYNTON, SENIOR PROCUREMENT SPECIALIST, (561) 845-3479

Interim City Clerk King: Mr. Chair, you do have public comment cards on this Item. The acceptance of public comment cards for Item 3d are now closed.

Councilperson Botel: Motion to approve Resolution Number 157-23.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans, thank you.

City Manager Evans: Mr. Chair and Members of the Board, if I can have Ms. Tanisha Boynton from our Procurement Department to answer any questions the Board may have with regards to the Item that was pulled off of Consent.

Chairperson Lawson: Welcome, Ms. Boynton.

Senior Procurement Specialist Boynton: Good afternoon, Mayor, Chair, Council. I'm here to answer any questions that you may have.

Chairperson Lawson: Pro Temp Lanier.

Chair Pro Tem Lanier: Yeah.

The question that I had, that I had the same with the.., at the Agenda review was the amount of $103,000 and it being for the entire City. And you said that the CRA was included in that.

And I wanted to know, is the CRA going to reimburse the City for their portion of it or how does that work? Is it coming to the CRA? I just wanted to make sure that, that.., if this is for the entire City and CRA is included, how is that going to work in terms of the CRA's portion of this cost?

Senior Procurement Specialist Boynton: Well, I spoke with Mr. Evans, Scott Evans, that is, and he informed me that because of the amount, that.., this Item might not necessarily have to come before City.., I mean, the CRA Board due to the fact that they have an authorization, a threshold amount that they're able to approve for.

We're looking at $42,093.92. But we also have banners that will be placed throughout the City. And some of those include the CRA locations. So, splitting up that cost, because the CRA, I believe, will be utilizing more banners due to the, the streets in the areas in which they

wanna cover, it's gonna be around four thou'.., four.., $49,424.32, roughly, for the CRA. I mean.., yes, for the CRA. Annually.

Chair Pro Tem Lanier: And so, how that works? Does the CRA reimburse the City for it?

Senior Procurement Specialist Boynton: No, ma'am.

That.., they will be paying for it out of their own budget.

Chair Pro Tem Lanier: That's what I'm confused about because you're asking the City for $103,000 but you're saying $49,000 of it is the CRA.

How does that work?

Senior Procurement Specialist Boynton: Well, I wanna…

City Manager Evans: Mr…

Senior Procurement Specialist Boynton: …apologize. I guess I should've stated it clearer in the cover memo, addressing how the CRA will be responsible, specifically, for their portion.

City Manager Evans: Mr., Mr. Chair, if I may…

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: …provide a little bit of clarity?

So, with respect to the cost that would be incurred by the CRA, that would be by virtue of an Item that would come before the CRA Board. So, whatever decoration'.., décor'.., decorations that would occur within the CRA District would have a corresponding item that will come before you at your next CRA meeting for the purposes of the holiday decorations within the CRA.

There is funds available on the Cityside. And so, there is also corresponding funds on the CRA side. And, and we, by statute, we're to follow the same procurement process, the City and CRA.

So, it would be an Item that would come back before you, if it's over the Manager's threshold.

Chair Pro Tem Lanier: Right.

I, I mean, the only problem that I have with this, I don't have a problem with it, the amount or the, the, the purpose of it. The issue that I had with it was that, this is $103,000. And she's saying $49,000 of it is the CRA which means that leaves, you know, roughly fifty some odd thousand dollars.

So, why would you come with a hundred and three? Why would you not come with the fifty something odd thousand, and then come from the CRA with the other amount. I.., 'cause I didn't know how that worked.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: I think that was the purposes of the, the entire Item in the event that there was no participation from the CRA we would be able to facilitate it on the Cityside. But, in conversations, we have decided to split the cost for holiday decorations. Which is pretty standard in what we've done in the past.

But, that was I the event that we moved forward all the costs incurred by the City for the $103,000.

Chair Pro Tem Lanier: Okay.

I just di'.., I just did not want it to be a situation where it's a hundred and three, then it's another.., addition.., additional forty-nine. That was my only concern.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Evans, go head

City Manager Evans: That's all inclusive. Not to exceed.

Chair Pro Tem Lanier: Okay.

Very good.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Could.., should we insert the phrase, 'not to exceed'?

Senior Procurement Specialist Boynton: Yes.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: With the specific amount that's articulated in the Resolution, that's basically, invariably what it does. It doesn't give me the opportunity to effectively exceed that amount. So, with that $103,000 that's the amount that it's not to, to exceed that amount.

Councilperson Botel: Right.

So, we don't need to say…

City Manager Evans: So, so…

Councilperson Botel: …you can…

City Manager Evans: …you don 't need…

Councilperson Botel: …assume?

City Manager Evans: It would be re'., it would be considered redundant.

Councilperson Miller-Anderson: Chair?

Chairperson Lawson: Councilwoman Miller-Anderson, go ahead.

Councilperson Miller-Anderson: Just had a question about the, the amount.

The four.., so basically, half of it… I'm to trying to see where.., most of these places are not located I the CRA. So, where's the… Where's the forty some thousand coming from?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: With respect to the holiday decorations, especially at the Marina, it's a more intense deployment of holiday decorations in this area versus throughout the City. We have holiday decorations that are spread out but there's' a larger concentration of items here because of the.., this is actually a, a node for persons to come during the holiday season.

So, I think that's why the costs is more expensive in the CRA District.

Councilperson Miller-Anderson: Okay.

Well, I'm just looking at the bid tabulation and for the Marina Village for Shellard, it says $13,000.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: I, I believe the largest expenditure associated.., I'm pulling that up as well.

And, Mr. Evans.., I think I saw Mr. Scott Evans here.

Councilperson Miller-Anderson: Yeah.

He's here.

City Manager Evans: He, he can provide some additional perspective. I think also the cost associated with, the, the tree.., as well.

[Pause]

CRA Planning & Development Director Evans: Good evening. Scott Evans, Planning & Development Director.

The CRA has already made arrangements for holiday decorations so we let the City know that we would participate in this contract in the next year's budget. So, the final amount that we agreed to, we would bring that.., include that in the budget that's brought before you next year at this time.

Chairperson Lawson: Thank you, Mr. Evans.

Councilperson Miller-Anderson: Wait.

I don't… How did that answer my question?

Chairperson Lawson: [Stammer].

Councilperson Miller-Anderson: That.., I…

Chairperson Lawson: Ms. Miller-Anderson…

Councilperson Miller-Anderson: …don't think that…

Chairperson Lawson: …go ahead.

[Chuckles]

Councilperson Miller-Anderson: Did I miss something?

[Inaudible comment]

Councilperson Miller-Anderson: That didn't answer my question, did it?

City Manager Evans: Scott, if you can…

[Chuckles]

City Manager Evans: …come back for a second.

Councilperson Miller-Anderson: What just happened.

City Manager Evans: So, so the $103,000 is inclusive of the entire City, to include the CRA. Not for this year.

Senior Procurement Specialist Boynton: No.

City Manager Evans: Okay.

Senior Procurement Specialist Boynton: [Inaudible].

Chair, may I?

Chairperson Lawson: Please, Mss. Boynton.

Senior Procurement Specialist Boynton: So, the City Hall location and the CRA currently have an existing holiday decorating contract with a vendor. That contract is due to expire, I believe January of 2024.

So, we included the City Hall location and the CRA locations. That way, for 2024 holiday season, it will have a vendor to provide those services during that period, for a three year period after.

So, Scott is…

Councilperson Miller-Anderson: So..

Senior Procurement Specialist Boynton: …correct.

The intentions is that the monies will not be associated or applied for services for the City Hall location and CRA location until next year.

Councilperson Miller-Anderson: So, it's not forty something thousand?

Senior Procurement Specialist Boynton: It will be for next year.

Councilperson Miller-Anderson: Okay.

But, for tonight?

Senior Procurement Specialist Boynton: For tonight, is the CRA and the City Hall location, there is no money associated with it. But moving forward, there will be funds associated with it.

City Manager Evans: So, Mr., Mr. Chair?

The, the $103,000 is this year for the City total cost. Next year, is City/CRA split cost. Correct? Because the contract with the existing vendor, on the CRA side, is set to expire.

Is that correct?

Senior Procurement Specialist Boynton: Chair, may I?

Chairperson Lawson: Please, Ms. Boynton.

Senior Procurement Specialist Boynton: Yes.

That is correct.

Chair Pro Tem Lanier: Thank you.

I'm, I'm getting out. I'm not [inaudible].

Mayor Felder: Mr. Chair?

Chairperson Lawson: Mayor, go ahead.

Mayor Felder: So, is the CRA [stammer] paying anything this year? Or everything is covered by the City? I mean, I think we're all kinda…

Senior Procurement Specialist Boynton: Alright.

So…

Mayor Felder: …confused right now.

So.

[Chuckles]

City Manager Evans: So, Mr…

Senior Procurement Specialist Boynton: Chair?

City Manager Evans: …Mr. Chair?

Senior Procurement Specialist Boynton: May I? Oh.

City Manager Evans: So, correct me if I'm wrong.

The $103,000, that's the City. The CRA has monies set aside and appropriated for holiday decoration within the CRA for this year. But, not next year.

So…

Mayor Felder: So, the hundred and three is just City side?

City Manager Evans: Correct.

Mayor Felder: Correct. Okay.

City Manager Evans: And there's money set aside. And, and what's the, the monies that are set aside, Scott, fort this year in the CRA side?

Oh, Procurement, you have something?

Senior Procurement Specialist Boynton: I'm sorry. Chair? May I?

I just wanna clarify something. There is a little bit of confusion here and I see what the.., what is the cause of the confusion. So, in advance, I would like to apologize. I believe that I should have, in the cover memo, and also probably in this bid tabulation sheet that you have received, separated the City Hall, as well as the CRA locations, to give you a clear understanding of what will be spent for those areas this year and what will be spent going forward next year.

So, I wish to apologize for that. But, with the exception.., with that being, being discussed or brought to the.., that, I'm saying right now, that it will be less than that, the actual award amount for this Fiscal Year would be less than because we would remove the City Hall

location, which is almost $20,000. And then, the $47,000 that we discussed with.., as it pertains to the CRA locations.

So, I apologize for that. So, it's less this year. But annually, moving forward, it will be the one 'o' three.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Mr. Chair.

I think this should probably should've stayed on Consent but now that's off…

[Chuckles]

Councilperson McCoy: I'm, I'm afraid I, I got some real concerns.

Mr.., Ms. Boynton and Mr. Evans, what was the idea behind us going with a three year period? Is this some economy scale savings or something?

Senior Procurement Specialist Boynton: Chair, may I?

Chairperson Lawson: Ms. Boynton, please.

Senior Procurement Specialist Boynton: Well, the, the Procurement Department is really working on ensuring that we have continuing contracts with term agreements for repeated services.

So, the idea of this solicitation was to secure a Citywide holiday lighting and decorations to establish our annual expenditures for those services.

Councilperson McCoy: Okay.

Mr. Boynton, but I'm asking, why three years? Why not one year?

Senior Procurement Specialist Boynton: Well, the.., the, the standard at the City is three years with renewal.., one two year renewal option.

Councilperson McCoy: So, this is three year contract…

Senior Procurement Specialist Boynton: Yes.

It's initially…

Councilperson McCoy: …with two…

Senior Procurement Specialist Boynton: …three year with two one year renewal options.

Councilperson McCoy: Okay.

Thank you for that. That makes sense. However, I think the more we talked about it, I don't understand why the CRA is even involved in this at all.

In fact, while this is not really relevant to talk about the CRA's duties but, it few're doing a solicitation on behalf of the CRA, if it's not in the CRA Plan, or if it doesn't go towards the reduction of slum and blight, we should not be doing it. Period.

It's great to haves decorations. I'm all for it. But let the City pay for it because there's really no CRA without a City. And the truth of the matter is, we've talked about, especially during budget time, that we are deviating from our statutory purpose in our CRA Plan.

If we're gonna do, just let the City pay for it. This is too confusing because, truthfully, the CRA is within the City. And I would like CRA dollars that we're grabbing from the county, and that we're paying.., that we're incremental tax dollars for, to be used for development purposes.

Let the decorations be paid for by the City and let it be that. It's really simple. And I think that's the best way to go because doing all this allocation and bifurcation just makes it more complicated.

And now, when I wear the hat as a CRA Commissioner, I gotta wonder, how does this expenditure help further the statutory purpose of the CRA or the CRA Plan?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: I would agree one hundred percent, that it is just cleaner and easier and neater to have it done on the Cityside and do it within the CRA. I think when we get into the situations where we antici'.., try to bifurcate and, and share in those costs, if it's a capital investment that's gonna address what statutory charges to reduce [stammer] slum and blight, absolutely.

But, certain things like this, the stuff that is the more nice to haves versus need to have, it would certainly be my recommendation that it is the $103,000 if, you know, we can help facilitate that to do the decorations within the CRA and just have it done on the Cityside.

And, and that would be my recommendation for the Board to consider moving forward.

Councilperson McCoy: Follow up.

Chairperson Lawson: Go ahead, Councilman.

Councilperson McCoy: So, Mr. Evans, thank you for that.

So, the way this Resolution is written, we should just approve it as is, there doesn't need to be any allocation. We can just allow Staff to just take one for the team and charge everything to the, to the City. That CRA thing creates more complications.

And then, I don't want my CRA to be held to scrutiny by the joint legislative auditing department to determine whether or not holiday lighting furthers that statutory purposes.

So, if we just keep it simple, I think it saves Procurement, Administration, certainly our friend in Finance. So, let's just get it done. Let's have those holiday lightings. And thank you for bringing that up, Chair Pro Tem, but, you know, I wanted to make sure that we were all encompassing with all faiths and religions. So, I, I did get that assurances. So, that's great.

And, I think… That's all I have.

Chairperson Lawson: Thank you, Councilman.

Board Members?

[Pause]

Chairperson Lawson: Madam Clerk.

Oh, we have public comment cards. Please.

Interim City Clerk King: Yes.

Ms. Mary Brabham.

[Pause]

Interim City Clerk King: Mr. Chair, you have two…

Ms. M. Brabham: Ms…

Interim City Clerk King: …[Inaudible] that…

Ms. M. Brabham: …Mary Brabham, Riviera Beach.

For years and years and years, Nora Mahoney, myself, and the other residents in this City here, we have always said it is no decoration. This is about the only little, small town, City, on under 40,000 residents, that when you ride through this City here, on the lampposts we do not see any decorations. It's disgraceful.

And this is one of the things from over there to over here, that we have constantly said, if we're gonna do this as a City, let us do it as a City. I'm co'.., I'm totally convoluted here, myself.

Because, to have.., to have, this says one hundred and three some thousand dollars and then you come to say $49,924 on the CRA side? [Stammer] I am confused. And Ms. Brabham does not like to be confused because she reads very well.

But, we want the City, on the Cityside, decorated. The CRA has plenty money. Plenty money.

[Chuckles]

Ms. M. Brabham: Yes, they do.

You got these CDC's, CA'.., [stammer], CDC Board and all those boards there and it generates money for blight areas. So, what are all that money there, where is it being utilized at? Let them handle what they needs to handle on the CRA side, and let we, as a City, do the things that we need to do.

So, that when these kids.., when these kids, as well as anybody ride or come through out City, they can see too that we have some lighting. Lake Park is a small town City up there, and you ride on Park Avenue, and they have lights galore up there.

What do we have? Nothing. Except for when we come to the CRA District here, we have the gorgeous trees and all of the lighting fixtures. But what about our entire City? And on this here thing here, you said Citywide holiday lighting.

So that's what we would expect to see, Mr. Evans. And Board. We will expect to see Citywide lighting. For once in this City here. For once. For once, give your residents something here.

I know everybody may not believe in Christmas but the majority do believe in it. And if we can celebrate every other holiday, let us be kind enough to our City, to do the same thing. Yes, I will celebrate Kwanzaa because my son -in-law, he's Jewish. I will [audio skipped] the Hindu because I have relatives all everywhere.

And we celebrate everything. And they have decorations everywhere within their community. So, let's do…

Chairperson Lawson: Thank…

Ms. M. Brabham: …the same.

Thank you.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

[Pause]

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, with Councilperson McCoy out.

Chairperson Lawson: Let the record reflect that Councilman McCoy and Mayor Felder left dais at 9:46.

Board Members, the time is 9:50. And, we have to get into our Agenda. Mr. Evans, Items that are time sensitive that we need to address tonight. And Board, what time are willing to extend to, is the discussion we have to have before 10:00.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Could, could we please hear from Mr. Evans as to which Items must be addressed tonight so we can have a determination about how long we have to sit here?

Chairperson Lawson: Mr. Evans?

[Inaudible comments]

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: The, the Items that would be the recommendation of Staff is, is certainly the Ordinances. So, which would be Ordinance 4247, Ordinance 42… Oh, the Item number?

Chair Pro Tem Lanier: Yeah.

Councilperson Botel: Yeah.

City Manager Evans: Item 9a.

Chair Pro Tem Lanier: Okay.

City Manager Evans: 9b, 9c, and the Item concerning.., or, 9d could be…

Councilperson Botel: Right.

Postponed.

City Manager Evans: Moved.

Chairperson Lawson: And the next meeting is November 29th, Mr. Evans?

City Manager Evans: That is correct.

Chairperson Lawson: Thank you.

So, 9d, we could move to the 29th.

City Manager Evans: I, I know the Board wanted a item 10a, 11a, 11b.

Chair Pro Tem Lanier: 11a and 11b for what? Take off 'til the 29th or…

City Manager Evans: No.

To, to keep.

Councilperson Botel: No.

Leave on.

City Manager Evans: To keep on.

And 11.., or, I think that's.., 12…

Councilperson Botel: Took away…

City Manager Evans: 'A'.

Councilperson Botel: …11c?

Can 11c go?

Chair Pro Tem Lanier: We're gonna keep…

City Manager Evans: 11c can be moved.

Councilperson Botel: Okay.

Inaudible comment]

Chairperson Lawson: [Inaudible].

Chair Pro Tem Lanier: 11c.

Chairperson Lawson: Mhmm.

Councilperson Botel: Beach service.

Chair Pro Tem Lanier: Okay.

The 29th.

Chairperson Lawson: And you said discussion Item 12. Which one, Mr. Evans?

City Manager Evans: 12… Well, that.., 12a can be.., that was the Item concerning the recovery facilities that we brought back to the Board for discussion and deliberation but we can

move that, or bring that back for you in first reading.., or [stammer] in.., that would be second reading, correct? If it came back?

Chairperson Lawson: Can.., can we bring back the discussions then? 12a, 'b', and 'c' for the 29th? If the Board is okay with that?

Chair Pro Tem Lanier: Yeah.

Councilperson Botel: Yes.

Chair Pro Tem Lanier: [Inaudible] we ain't gotta discuss it , bring it back.

City Manager Evans: We can.

That.., but that would again make your 29th meeting a lot longer.

Chair Pro Tem Lanier: It's gonna…

City Manager Evans: [Inaudible]

Chair Pro Tem Lanier: It's, it's gonna be long regardless, so we can bring that back and bring back as an Item for…

[Inaudible comment]

Chair Pro Tem Lanier: No.

Not discussion. We can just put it on the Agenda.

City Manager Evans: We can do that.

Councilperson Miller-Anderson: It sounds like we had this conversation before.

Councilperson Botel: Yeah.

Councilperson Miller-Anderson: And we said we know we're gonna be here late. And then, we get to the meeting, now we're ready to go and then…

Chair Pro Tem Lanier: I'm not ready to…

Councilperson Miller-Anderson: …we get to the November 29th…

Chair Pro Tem Lanier: we're, we're not ready…

Councilperson Miller-Anderson: …meeting…

Chair Pro Tem Lanier: …we're not ready to go because we…

Councilperson Miller-Anderson: …and we're gonna be ready to go.

Chair Pro Tem Lanier: …know that…

We know that the Items that we are going to look at are going to be time consuming. So, for the lack of caution, we need to make sure that we can get through the Items that we're going to leave and talk about.

Because, one of these Items, we can go until 12:00 o'clock just on that alone. So, let's… Yeah.

Chairperson Lawson: Board Members, we okay with the ones that Mr. Evans identified?

Councilman McCoy?

Councilperson McCoy: Well, obviously, we have some people here. If they're on Agenda Items, I would hate to have someone…

Councilperson Botel: Right.

Councilperson McCoy: …here for four hours only to find out they're not gonna be heard. So, I think if we have folks here, we need to hear those Items. And what's not pressing, we need to take to November 29th.

And certainly, I, I think we all agree that the Ordinances have to be heard tonight.

Councilperson Botel: So, I make a motion… Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: I make a motion that we stay until we finish the Items Mr. Evans just outlined and not consider the others until the 29th.

Councilperson McCoy: I, I would rather that…

Chair Pro Tem Lanier: Second.

And then we can go and find out what those are.

Chairperson Lawson: Discussion?

Councilman McCoy. No? Board Members?

So, the motion was made to identify the Items that Mr. Evans said he would.., are time sensitive and it was seconded.

Councilperson McCoy: Right.

But, I'm… I guess, if I can, Mr. Chair?

Chairperson Lawson: Councilman, go ahead.

Councilperson McCoy: I was called by Mr.., I was called to the back and so I, I don't know exactly what he outlined but my question is, if there's somebody here for it? Because I know, certainly, we have Items that I don't think is gonna take much time because they're pretty routine.

Like, 11b, I know we have had great interest and high demand for K1 Kart racing, which is one thing, unanimously, through Planning & Zoning Board. And, not only that, it is in the industrial area so I think that's very…

Chairperson Lawson: Well, well…

Councilperson Botel: We can…

Chairperson Lawson: Councilman, hold on.

Councilperson Botel: …take that off.

Chairperson Lawson: If you want… If you want…

Councilperson Botel: We can take…

Chairperson Lawson: Mr. Evans…

Councilperson Botel: …it off.

Chairperson Lawson: …if you can restate the ones that are time sensitive, 'cause I…

Chair Pro Tem Lanier: Yeah.

Chairperson Lawson: …I believe Councilman McCoy…

Councilperson McCoy: Right.

That's…

Chairperson Lawson: …[Inaudible]

We, we, we acknowledged that one, so we're gonna keep that on. So, to that point, if you wanna restate the ones, Mr. Evans, so Councilman McCoy can be caught up with what are we gonna keep on for this meeting.

City Manager Evans: Okay.

Mr. Chair, the, the Ordinances 9a, 9b, 9c, and the Item that is 9d can be moved. The board did want to discuss the solicitation as.., for City Hall, as 10a. 11.., these are Items that, it's my recommendation stay, 11a.., 10a, 11a, 11b, 11c can be moved.

And, 12a, you do have.., can, can be moved but you do have Staff that's here, and persons that are here concerning that. And, 12b can be moved. And 12c can be moved.

Chairperson Lawson: Thank you, Mr. Evans.

Go ahead, Councilman McCoy.

Councilperson McCoy: That's good.

Thank you.

Chairperson Lawson: Thank you.

And, Mr. Evans, I do understand that Staff and persons here for the discussions but I really wanna get through the Ordinances and Resolutions so, the discussion Items, I would agree 12a, b, and c, if we can move them.

And then, the other recommendations that you have, for the 29th.

Board Members, are we okay with that?

Councilperson Botel: Yes.

Chairperson Lawson: Thank you.

Councilperson Botel: Now, let's try to get.

Chairperson Lawson: Can I get a motion to extend? I'm sorry, you already made the motion…

Councilperson Botel: I made the motion.

Chairperson Lawson: …and it…

Councilperson Botel: It was seconded.

Chairperson Lawson: …was properly seconded to the Items that Mr. Evans did states.

Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

7. ITEM NO. 7

PUBLIC HEARINGS

8. ITEM NO., 8

ORDINANCES ON SECOND AND FINAL READING

9. ITEM NO. 9

ORDINANCES ON FIRST READING

9a. ITEM NO. 9A

Chairperson Lawson: 9a.

Interim City Clerk King: Item No. 9a.

Interim City Clerk King: ORDINANCE NUMBER 4247: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 31, ZONING FROM 7920 RIVIERA BEACH HOLDINGS, LLC, APPROVING AN APPLICATION (ZA-23-0009) TO AMEND PARKING REGULATIONS, SECTION 31-244, IN ORDER TO AMEND REQUIRED OFF-STREET PARKING REQUIREMENTS FOR AN RM-20 HIGH DENSITY MULTIFAMILY ZONING DISTRICT; PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk King: Mr. Chair, we do not have any public comment cards on this Item.

The acceptance of public comment cards on Item 9a are now closed.

Councilperson Botel: Motion to approve Ordinance Number 4247.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Let the record reflect Councilwoman Miller-Anderson has left the dais at 10:10 p.m. Madam Cl'…

Councilperson McCoy: Is there a second?

Interim City Clerk King: There was a second, yes.

Chairperson Lawson: Yeah.

Motion's been made…

Interim City Clerk King: It was Ms. Lanier.

Chairperson Lawson: …and properly seconded.

Mr. Sirmons, go ahead.

Development Services Director Sirmons: Thank you, Mr. Chair.

Councilperson McCoy: Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, Mr. Sirmons, are we gonna get an omnibus presentation on all three Items? That probably would be the most efficient at this point.

Development Services Director Sirmons: If it's the pleasure of the Board, I can do that.

Councilperson Botel: Yes.

Chair Pro Tem Lanier: Yes.

Councilperson McCoy: Thank you.

Chairperson Lawson: Yes.

Development Services Director Sirmons: Okay.

Councilperson McCoy: And, if you're really good, we don't need to hear from the applicant, 'cause I know I've spent probably three or f'.., three or four hours talking to the team over the last couple weeks.

Chairperson Lawson: Thank you, Councilman.

Mr. Sirmons, go ahead. If you can prepare.., queue up the presentation with the consolidated presentation, lease.

Development Services Director Sirmons: Yes.

And, I'm sure Mr. Stephens is working on getting that PowerPoint up for '9b' and 'c'. But I will go ahead and begin.

These three Ordinances… It's the other one, Mr. Stephens. The other presentation with 9b in the title.

[Pause]

Development Services Director Sirmons: So, with this project, there is the applicant, who is here, has a suite of applications that are proposed to…

Chair Pro Tem Lanier: [Inaudible]

Development Services Director Sirmons: ….effectuate…

Chair Pro Tem Lanier: [Inaudible] your email. [Chuckle].

[Pause]

Development Services Director Sirmons: It would be in the PowerPoint documents that were emailed.

Mr. Chair, may I…

Chairperson Lawson: Please. Go ahead.

[Pause]

Chairperson Lawson: Let the record reflect Councilwoman Miller-Anderson has returned to the dais. Let the record reflect that Dr. Botel has left the dais.

[Pause]

Development Services Director Sirmons: Alright. I beg your pardon.

The applicant for this project has requested multiple applications to effectuate a residential development on the North Military Trail corridor. Before you, are three of the five total applications that would be necessary to effectuate this project.

I will start with the first one, which is a [stammer] 9a on your Agenda, which is a proposed text change for the RM-20 Zoning District. In the paper that was passed out to you, you can see the language that is being proposed.

Essentially, the RM-20 Zoning District contemplated high rise structures with parking structures under them to allow for dense development on small parcels. The applicant is requesting this amendment to allow high density developments on larger parcels of land where all of the parking is not always under parking structures.

They have more than five acres and they are suggesting that, with this amendment, there could be more surface parking for these types of developments, as opposed to a high percentage of it being required to be in a parking structure.

So, that is the first of the Ordinance'.., Ordinances that they are proposing. This text amendment has been reviewed by Staff, with the applicant, and we are in support of it to allow for more options for developers in the RM-20 Zoning District.

The second of the request is a Land Use change. The header is on the screen and I won't go through that one.

The second Ordinance that they requested is a Zone Change Map application request. Both needed to move the project forward. But, to back up and give you some visuals, the properties in question are located in the northwest corner of the City, off of Military Trail, north of Leo Lane.

On the image on the screen now, there's a closer view of the properties which the applicant has control. And you can see the acreage that they have in red, that they are proposing this development within.

Councilperson McCoy: Mr. Chair?

Mr. Sirmons, back to that that slide for one moment. Is that your slide or is that the applicant's slide?

Development Services Director Sirmons: I'm not a hundred percent of the originator of the image on here. We go through a lot of documents…

Councilperson McCoy: Okay.

Development Services Director Sirmons: …[Inaudible]

Councilperson McCoy: Alright. Just curious.

Thank you.

Development Services Director Sirmons: Mhmm.

Councilperson McCoy: Thank you.

Development Services Director Sirmons: The proposed development involves a request for a Land Use amendment, rezoning, Site Plan, replat, and the text amendment, of course, to construct a multifamily development.

The desire is to develop a high density product in these parcels. So I won't read through all of the details, however, the existing conditions are a.., largely vacant parcels with some vacant buildings.

The parcel ID's are identified in your backup.

The lot size is approximately 15.77 acres.

The current Zoning is Commercial General, as well as the RML-12 Zoning District.

For Future Land Use, the current designation is Commercial with up to fifteen dwelling units per acre.

Before you now is an image of the existing Future Land Use designations of the properties in question. The properties that the applicant has control of are outlined in red. And this was more visible on the desktop computer so I apologize for the difficulties there.

The proposed rezoning are shown here on [stammer].., the City's Future Land Use Map, RM-20, is designated in brown. So, this is what the Future Land Use Map would look like if this ordinance is approved.

As far as Zoning, the, again, the same area in question, highlighted in red are the parcels in control of the applicant. RML-20, existing Zoning in Commercial along Military Trail. The proposed rezoning would change it to RM-20 in this lighter yellow color.

This project has been reviewed by multiple City Departments, as well as outside agencies and we have reviewed the Future Land Use and Zone change request against the standards of review.

This project and this hearing has been properly noticed according to state and City regulations.

The applicant, as they were encouraged to do by City Staff, did meet with the community members in the area and there were some representatives from at least one of the HOA's in the area, and some other property owners that came and I had dialogue with the applicant, and they did make some updates to their plans based on those conversations.

And that would conclude the information from Staff. And we are in support and recommendation of approval of these Items.

Chairperson Lawson: Madam Clerk, do we have any public comment cards?

Interim City Clerk King: No, sir.

We do not.

Chairperson Lawson: Thank you.

Board Members?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

Excuse me. Mr. Sirmons, I wanna ask you a question regarding the Zoning. Currently, the Zoning is Commercial. A portion of it is Commercial and the other portion is low density, multifamily dwelling, RML-12.

Development Services Director Sirmons: That's correct.

Councilperson McCoy: And, the applicant is proposing to go into RM-20?

Development Services Director Sirmons: Yes.

That's correct.

Councilperson McCoy: Alright.

So, specifically, RM-12, which represents low density, multiple family dwelling District, that is considered already a residential district, correct?

Development Services Director Sirmons: RML-12, yes, it is.

Councilperson McCoy: Okay.

And, the Commercial District is just that. Still, I'm considering RM-20… It's really not a huge deviation from twelve units that was already per acre, up to twenty, is not a significant deviation.

Would you, would you.., I mean, what, what you think on that?

Development Services Director Sirmons: I would say it is a, based on our density striations in the Future Land Use, it, it is a significant change. We're going from low density, passed medium density, to high density.

But, it is debatable that in today's housing industry, that, in some places, that would not be considered very high.

Councilperson McCoy: So, what is medium density for zoning? How many units is that?

Development Services Director Sirmons: Fifteen units per acre.

Councilperson McCoy: Okay.

Well, that's very interesting cause I'm looking at the Future Land Use Map and it identifies that currently the Future Land Use is classified as medium density, multifamily residential.

And the reason I'm asking these questions is because, considering on Military Trial, if you already have a Commercial designation of a Zoning District or a Zoning Map, utilizing Live/Local will allow you to go much larger than twenty units per acre.

And I would venture to say, right? If we're at a low density, multifamily dwelling district, I, I don't know exactly what parcels it was but, I mean, considering a, a project of Live/Local, you could be much higher than this, correct?

On a commerc'.., on a Commercial adjustment. Because, I mean, if commercial can be converted to residential without any regard to density or height, it can go well above twenty units per acre.

Development Services Director Sirmons: No.

The Act would afford the highest density allowed in the.., that locality's Zoning Code, which, for us, is RM-20. So, Live/Local would not give them additional density than this district because this our highest density district.

Councilperson McCoy: But, we do offer, already, additional densities for MEAHOP and other bonuses.

Development Services Director Sirmons: With MEAHOP, you can get up to twenty units per acre in the, in the most dense districts in RM-20.

Councilperson McCoy: Right.

But doesn't the bonus provide you with more?

Development Services Director Sirmons: No.

Actually, without the bonus, you can get up to seventeen units per acre. If you participate in MEAHOP, you can get twenty units per acre.

Councilperson McCoy: Okay. Gotcha.

Thank you, sir.

Development Services Director Sirmons: Yes.

Chairperson Lawson: Thank you, Councilman.

Board Members?

Chair Pro Tem Lanier: I have a couple of questions.

Is the applicant here?

Development Services Director Sirmons: Yes.

They are present and they are ready and willing to present if it's the desire of the Board.

Chair Pro Tem Lanier: No.

I don't need… I just need to ask a couple of questions. I don't need a presentation.

Development Services Director Sirmons: Yes.

Chair Pro Tem Lanier: I wanted to ask, because the majority of these are considered to be market rate housing, or was there any consideration for workforce and affordable housing in this project?

Mr. D. Dickerson: May I, Mr. Chair?

Chairperson Lawson: Please.

Mr. D. Dickerson: Good evening. Dwayne Dickerson on behalf of the applicant. I'm an attorney with the Law Firm Dunay Miskel & Backman offices at 14 Southeast 4th Street in Boca Raton, Florida.

We did, as you all know, we've been at this for about two years and we have looked at several options for this project. At one point, it was all rentals. And then, in working with your.., some direction from your Staff, and I believe from the dais, we did modify that to add a for sale component of the.., of this development.

We also are both participating in, in the minority employment participation plan. And, we are participating in adding a contribution to your affordable housing fund. So, while it will

be a market rate project, we are working with your Staff to accommodate a contribution to the Housing Trust Fund of the City.

So we think that serves the purpose of both, providing a high quality product and also still supporting your affordable housing initiatives.

Chair Pro Tem Lanier: Okay. So, no. [chuckle].

Also, how long are your plans of keeping this property before selling? Is there any conversation about.., is that.., I know, often, developers, you know, have.., come to the City, they make these developments, which is fine, and they sell them, which is fine.

I'm just trying to get an idea of how long that will be because we have to look at long term issues when it comes to that property because it's huge property. There's gonna be some issue in regards to the infrastructure for Police, especially Fire, Utilities, and that kinda thing.

So, I'm just kinda trying to figure out how that works.

Mr. D. Dickerson: Sure. Alright.

Mr. Chair, may I?

Chairperson Lawson: Please.

Mr. D. Dickerson: Thank you.

So, the total number of dwelling units is three hundred and fifteen dwelling units. Sixty of those units re townhouse units and they will be for sale. So those will be sold as,as, part of the process of allowing that component.

And then, two hundred and fifty-five of the units will be multifamily units. And those will be market rate units. I'm not aware of any plan right now to, to sell the rental products. So, you know, we plan on building a high quality product that, that we can stand behind.

Chair Pro Tem Lanier: Right.

So I just really want you guys to think about, you know, that three hundred and fifteen, plus sixty units, the effect of the City's infrastructure in that whole scheme of things because there is going to be the issue with the Fire Station that's right near that development.

And then too, the last one is, what are your plans for, like, long term.., if you turn it over, landscaping? And there's an issue with median right there in the front, that looks like.., somewhere in, you know, just all weeds.

Is there any consideration for ensuring that when you do, do these units, that the landscaping is commensurable to the property that you're putting there.

Mr. D. Dickerson: Yes. Absolutely.

As, as your Staff stated, we're not asking for any reductions in any variances for this product, so we anticipate meeting or exceeding all of your Code requirements, including landscaping and, and other things.

And, as an example, we are building our own private lift station on the site, which is upsizing the sewer line along Leo Lane. So, what that does is, you know, this project would normally connect to the City's lift station system and take demand and capacity from the City's system.

But, because we are building our own lift station, we are able to free up that capacity that the City can have for future projects.

So, so, to your point, we are looking at now and we are looking at the future, and we are with the City to make sure that this project is a one hundred percent asset to the City and not a burden.

And that lift station is an example how we're able to do that and free up some space for the city for future developments.

Chair Pro Tem Lanier: Okay.

Very good. Thank you.

Mr. D. Dickerson: Thank you.

JB; Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Thank you.

I, I'm not gonna ask this question tonight, I'm gonna ask you to think about it for the second reading. When you come back to us, will you speak to us about workforce development and how you're gonna, perhaps, work with our local technical school to take on apprentices, pre-apprentice programs, apprentices, and how you'll work with our Economic Development Director, Manager rather, to be sure that you.., you're participating in the kinds of things we wanna see here such that our people get jobs, constructions jobs, particularly, out of this project.

And, don't answer me tonight, please.

Chairperson Lawson: Board members?

Additional comments?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes unanimously, Mr. Chair.

Chairperson Lawson: Thank you.

Chair Pro Tem Lanier: Mr…

Chairperson Lawson: 9b.

Chair Pro Tem Lanier: Mr. Chair, let me just ask…

Chairperson Lawson: Pro Temp, go ahead.

Chair Pro Tem Lanier: …Mr. [stammer].., Mr. Sirmons, you don't have to answer tonight but what that contribution is in terms of our affordable housing piece.

Okay.

Councilperson Botel: It's number forty-two…

9b. <u>ITEM NO. 9B</u>

Chairperson Lawson: 9b, Mr. Sirmons.

Or, I'm sorry. Madam Clerk, 9b.

Interim City Clerk King: ORDINANCE NUMBER 4248: AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING APPLICATION NUMBER (LU-22-0001) FROM 7920 RIVIERA BEACH HOLDINGS, LLC (APPLICANT) FOR A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN CHANGING A LAND USE DESIGNATION OF "COMMERCIAL" AND A LAND USE DESIGNATION OF "MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (MF-15): UP TO 15 DWELLING UNITS PER ACRE" TO A LAND USE DESIGNATION OF "HIGH DENSITY RESIDENTIAL (MF-20): UP TO 20 DWELLING UNITS PER ACRE" ON APPROXIMATELY +/-15.77 ACRES OF REAL PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk King: Mr. Chair, we do not have any public comment cards on this Item. The acceptance of public comment cards on Item 9b are now closed.

Councilperson Botel: Motion to approve Ordinance Number 4248.

Councilperson McCoy: Second.

Chairperson Lawson: Motion's been made an properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair.

Staff's previous presentation was inclusive of this Item. And there is no additional presentation at this time.

Chairperson Lawson: Thank you.

Board Members?

Madam Clerk, any public comment?

Interim City Clerk King: No, sir.

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

9c. <u>ITEM NO. 9C</u>

Chairperson Lawson: 9c.

Interim City Clerk King: ORDINANCE NUMBER 4249: AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING APPLICATION NUMBER (ZA-22-0001) FROM 7920 RIVIERA BEACH HOLDINGS, LLC (APPLICANT); FOR A ZONING MAP AMENDMENT FROM A "COMMERCIAL" DISTRICT DESIGNATION AND A "LOW DENSITY MULTIPLE FAMILY DWELLING DISTRICT (RML-12)" TO A "HIGH DENSITY MULTIPLE FAMILY DWELLING DISTRICT (RM-20)"; ON APPROXIMATELY +/- 15.77 ACRES OF REAL PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk King: Mr. Chair, we do not have any public comment cards on this Item.

The acceptance of public comment cards are now closed.

Councilperson Botel: Motion to approve Ordinance Number 4249.

Councilperson McCoy: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services to make this presentation.

Development Services Director Sirmons: Thank…

Chairperson Lawson: Mr. Sirmons.

Development Services Director Sirmons: …you.

Staff has no additional presentation for this Item.

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: Madam Clerk, public comment?

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

9d. <u>ITEM NO. 9D</u>

ORDINANCE NUMBER 4246: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING

CHAPTER 10, "LICENSES," ARTICLE VIII, "MOBILE VENDORS," SECTIONS 10-262 THROUGH 10-268 OF THE CITY'S CODE OF ORDINANCES TO PROVIDE FOR REGULATIONS REGARDING MOBILE VENDORS DISPENSING FOOD AND OTHER ITEMS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Chairperson Lawson: 9d has been tabled until November 29th meeting.

10. ITEM NO. 10

ITEMS TABLED

Chairperson Lawson: 10a.

Interim City Clerk King: 10a, Mr. Chair is…

Interim City Clerk King: DISCUSSION ON RFQ 1070-23-1.

Chairperson Lawson: Thank you.

Discussion. Councilman McCoy. Please.

Councilperson McCoy: Thank you, Mr. Chair.

Members, I brought this Item to the Board's attention because I wanted to talk about it. I was very surprised to learn that we.., well, Administration. Let, let me clarify that. Administration, specifically, Ms., Ms. Boynton who penned the letter, decided to terminate negotiations.

To that point, I went back to our April meeting, April 19th, 2023 meeting and I think the Manager gave a, a legal opinion on it, and also, Administration's perspective on it.

I'm just really curious on a number of things. This really bothered me about this. So, certainly, even so much so I went and pulled up the Minutes from that meeting and we did have an extensive conversation about this.

And I said to the Members, and also to Administration, 'If we're gonna have a discussion on City Hall, I certainly wanna be a part of the conversation.' And, you know, to my surprise, I know there was a meeting that I had scheduled that I abruptly left early and I imagine that probably would've been the opportunity for the Manager to bring that there was some significant changes.

And when I say I had a meeting, I had a, a personal meeting with the Manager, the economic Development Director, and some others. But, I'm really concerned because this is exactly what I cautioned everyone on the City Council on April 19th.

And not to pull a 'I told you so' moment but I went back to the Minutes and I said specifically, at what point does the body get to decide, or have a seat at the table on what happens with City Hall?

And if you look back at the Resolution from April 19th, 2023, the Resolution plainly stated that this Council shall authorize the City Manager to commence negotiations with OHL. And that's what the extent of the Resolution stated.

There was no other expectations on the ability to terminate, there was no authority granted to deviate, but the expectation was to bring back whatever that negotiations yielded to the Board for us to be able to have some deliberative discussions on it.

Even further, I went back to the original solicitation, which was issued in October of 2022 and that solicitation specifically says, the City Council desires to construct a City Hall facility.

And, I searched that document very thoroughly to find out at what point does there a difference or delineation between the City Council making decis'.., decision or City

Administration unilaterally.., meaning, unilaterally, without even the Board having input on it, decide to terminate negotiations.

And, it was very insistent by the Manager, because he specifically said that we're gonna go through the negotiation process and we're gonna ensure that we comply with the both the statute and the Code.

And, specifically, the Manager said back to us, and I have the Minutes here and it's quite voluminous but I did spend time saying it that there will be updates provided to the Board. And Members, I'm really disappointed to find out from the community that we just lost nearly two years of building a City Hall.

And let me tell you what I mean by two years because I know this is probably gonna get taken outta context. But, January 5, 2021, the City of Riviera Beach issued a RFP.., or, RFQ I should say, for a public private partnership advisors.

And, we picked up four advisors based off of that. And, those advisors were to set forth our development efforts, , including City Hall. And, we went forth and selected those advisors and those advisors being.., I'll give you the names of them. The names of them were Avison Young, JLL, Lambert Advisories, and PFM Consultants. And, that was a continuing services contract.

So, to my surprise, I had the belief that Avison Young, who's indicated I the RFP for City Hall, was a part of the negotiations and discussions process. But, I don't know where that broke down at because, you know, we've been meeting quite a bit Members.

The summer was very intensive for us, meeting almost weekly, and including some Saturday sessions but, at no point did I know that there was a problem with the City Hall RFP until I heard it from outside the agency.

And particularly, this is a real serious problem. And I'll tell you because, when I read the solicitation and if you are detailed enough to go back and read this, the solicitation begins in its scope by saying time is of the essence.

And when we awarded.., when we authorized, I should say, Staff to go and negotiate with OHL, that was April 19th of 2023. Nearly two months had passed before anyone from the City made contact with the developer.

An d, I was provided a timeline and I could not believe what I seen. I don't know how we can set forth a process that says time is of the essence and we literally take an entire two months before we even make contract or acknowledge receipt of emails that was sent.

And, this is bigger than any other development project that we've done and I'm trying to find out, at what point, did this communication break down? In fact, if you look at the solicitation, there was a number of different problems with the solicitation that I've noticed.

Number one, Eric Swanson was listed as a contact person who is a part of Avison Young, and also Bill Sutton. And we know Bill Sutton is no longer operating our Procurement Manager role.

However, at no point were we made aware of this. Not only that. The other issue is, that I see is, Administration does not have the authority to terminate negotiation. Especially, being that there was not even a conversation. And we don't even know what was proffered at negotiations.

And the problem with this is.., this Members, we've been down this road since twe'.., 2019 and Councilwoman Miller-Anderson a little bit longer. And Councilwoman Botel, a little bit longer.

But I can tell ya, every solicitation that I have read in this organization here has been a problem with. Every single one. Everyone from the very first one when we got our feet wet with CPA Advisory.., CPA audit services, that was a huge issues. I mean, then going from.., I believe the next one was security guard services.

You know, we've had.., the only one that I think that is, at this point, that has not been, been under some sort of protest or, or major issues with, I'm gonna cross my fingers and pray that we don't have any issues with our water treatment plant.

But seriously, there has been a number of issues And I brought this up to the City Attorney just this afternoon so I wouldn't be surprised if she can't give me all of.., her perspective on this.

But, specifically, nowhere in the solicitation, nor in the Resolution, authorized the City Manager to terminate negotiation unilaterally without coming to the Board. And, I guess, if I'm mischaracterizing this, Ms. Wynn, please clarify.

I guess administration's position that they are permitted to do it because commencing negotiation, I guess, would more or less imply that you can terminate negotiation. But the problem I have with that is this, I found several other solicitations that this organization has sent and completed.

And.., well, let me say, senet out and then cancelled. And specifically, the language is very clear in the solicitation that the City Manager can terminate or cancel this solicitation. That was not true in the case of the City Hall solicitation.

And the reason why that's so troubling is because I don't wanna find out from people in the community that, 'Hey, I'm still at a standstill because I've not heard anything from your team in over two months.'

But that seems to go against the very [stammer].., the very first preface of our solicitation that time is of the essence. Now, what we're being asked to approve tonight, I think is gonna be a problem altogether.

And here's why. Our next Item up on the Agenda, is 11a, and this is to approve an agreement with CBRE, Inc. for tenant broker and real estate consulting services, which ironically, if you look at their backup and you received the emails, just over the last twenty-four hours, is essentially the same thing that Avison Young has done.

But, the problem with that is this, when I looked at the original Resolution from 2021 that authorized to go and get all of these consultants, CBRE was not one of them. So, specifically looking at the Staff report that was issued back in 2021 for that April 21st meeting, it specifically says, 'Staff allowed upon the Procurement Code to acquire four consultants, JLL, Avison Young, Lambert Advisories, and PFM Consultants.

So, I don't know at what point did Avison Young not deliver for the Administration. But certainly, they went through a procurement process. Now here, late I the game, us not having any kinda negotiation going on, Staff is attempting, at this point, to substitute.

Not only did they unilaterally throw out OHL but they're attempting to substitute in CBRE in, and completely outside of the Procurement Code because Staff did defend and justify in 2021 that our Procurement Code dictates that this is the solicitation process.

So, I'm very much confused because this is very clear, 'Whereas, in accordance with the provisions of the City procurement Ordinance Number 16.5, Staff solicited and requested for qualifications for various public private partnership advisory services for the Selection Committee.., and the Selection Committee and the Selection Committee qualified six firms as a pool of vendors for public private partnership advisory services.'

And, CBRE wasn't one of them. So, I'm just concerned, and I want the Board to have a discussion and I'm expecting that in this public meeting, we can figure out how and what's our role because, certainly, if Staff had the intention to come to this Board in April of 2023 and say we need your direction to start negotiations, seemingly from a practical purpose, you would think that that same activity needs to occur in order to cancel or terminate negotiation.

And even if they would make the argument that we didn't need City Council approval, at what point does City Council or I get to exchange with my colleagues about the progress that has been made on OHL?

Because we spent a voluminous amount of time doing this. And I think, in two months, this will be two years since we've started this P3 process of determining how we're building our facilities.

So, my first question is, I wanna know how this fell apart and how we were not made apprised of it, as you indicated, Mr., Jonathan Evans, in the April 19th, 2023 agreement.., I'm sorry, in the April 19th, 2023 Minutes, that said that the Board will be made aware of this throughout the process?

And I think the very first notification that I found out about there being a problem from Administration was probably about thirteen days ago. And that's my first question.

The second question is, I don't know that CBRE has been properly solicitated considering the work they're doing has already been previously solicited in a earlier contract?

And, lastly, if it is the desire of the City Administration to bring forth an explanation to justify this, does that preclude this City Council from taking action to enter back into negotiations with OHL?

I know that's a lot, Members.

Chairperson Lawson: Thank you, Councilman.

Mr. Evans, do you wanna opinion on any of those questions?

City Manager Evans: Mr. Chair, if I can have Staff from Procurement, both the Deputy City Manager and the Procurement Specialist to come to the table.

I, I do wanna provide some information to the Board. And I, I did just send you an email because we too do have a timeline with respect to conversations and meetings that, that occurred and I didn't provide that to the Board.

We did meet with Board Members individually to share with them what was occurring with regards to the discussions with OHLA Infrastructure and we worked with them, attempted to work with them, to obtain information that we thought was germane to facilitating bona fide negotiations with that particular firm. And, and you can see when you do receive the document, some correspondence that occurred with respect to that.

We wanted to advance the item to the Board. And our intent was to bring this Item to the Board for some type of legislative action at your November 1st meeting and, unfortunately, we were not able to effectively get there and that's why we have provided notification that effectively cancels the solicitation.

With respect to the consulting services, CBRE is provided for in the state contract so there was a competitive process. The companies that were referenced in the solicitation that the City did, Avison Young, we, we moved away from Avison Young.

And the expenditure associated with that entire City Hall solicitation to date, has been about $14,000. And, and if anyone knows how expensive these particular processes are, especially when you look at the Marina Vill'.., Village costs, it is significant when a contractor consulting is, is working with respect to helping to move the needle forward.

Lambert and Association is already working on a solicitation for the City concerning 2600 Broadway. PFM is our financial advisors and we utilize them quite often. And JLL is being is being utilized on the Mariana Village project.

And so, CBRE was brought to the table for the perspective that they bring a lot of depth and bandwidth to help us craft a, a solicitation that can meet the collective needs of the Board. But, the Board was the, the first to know.

We did have individual conversations with the Board Members about what was occurring in, in great detail.

And so, with respect to Staff's responsibilities and what Staff can and can't do, it's.., it is called out in the Procurement Code. And there have multiple situations where, especially, I think.., and, and Staff can correct me if I'm wrong, the solid waste solicitation was a solicitation that was cancelled and reissued and didn't require any Board notification.

When the issue was brought forward from City Councilperson McCoy, we did also have Bryant Miller & Olive, our legal consultants with respect to a P3. Take a look at the solicitation, take a look at that very same meeting.

And then, take a look at our Procurement Code to see if we were in compliance with regards to the, the process that we undertook to ensure that we were following both the, the spirit as well as the intent of the Code and the statutes that talk about Procurement.

So, with, with regards to that, I do wanna provide an opportunity, Mr. Chair, if the Board will indulge both Legal and Procurement to provide additional commentary with respect to the, the question and…

Chairperson Lawson: Thank you, Mr. Evans.

Deputy City Manager McBride: [Inaudible] The question is really that Mr. McCoy raised is really a…

Councilperson McCoy: We, we…

Deputy City Manager McBride: …legal question.

Councilperson McCoy: …can't hear you…

Councilperson Botel: Ms. McBride…

Councilperson McCoy: …Ms. McBride.

Councilperson Botel: …could you use the mic?

Deputy City Manager McBride: I said, I think Mr. McCoy's question was a legal question. So, I think Legal…

Councilperson McCoy: You gotta come…

Deputy City Manager McBride: …[Inaudible].

Councilperson McCoy: …closer, Ms. McBride, we can't hear you.

Deputy City Manager McBride: Oh, I'm sorry.

Councilperson McCoy: Could.., just come…

Deputy City Manager McBride: What…

Councilperson McCoy: …closer to the mic.

Deputy City Manager McBride: What other question you would have about Procurement? Precisely?

Councilperson McCoy: Okay.

So, I…

Deputy City Manager McBride: Could you say them over?

Councilperson McCoy: I'm.., so, Mr. Chair, if I may?

Deputy City Manager McBride: Okay.

Chairperson Lawson: Councilman, go ahead.

Councilperson McCoy: So…

Chairperson Lawson: Thank you.

Councilperson McCoy: I, I guess we can first address their timeline since the Manager just provided us with a document relative to the timeline.

And I'm not…

Deputy City Manager McBride: Okay.

Councilperson McCoy: …exactly sure how that…

Deputy City Manager McBride: When you say a timeline, I'm un'.., we're not fam'.., I'm not familiar with that document.

Councilperson McCoy: Okay.

So, well… [Pause]. Neither am I. I just got it, like…

Deputy City Manager McBride: Okay.

Councilperson McCoy: …a minute a go, so I'm.., that, that's what I was hoping that somebody can, can…

City Manager Evans: M'…

Councilperson McCoy: …give some insight because I got a timeline…

City Manager Evans: So, Mr. Chair, if I may?

And, and Mr. Bailey and, and both Ms. Maxfield, if you, you both can, can certainly join us to, to speak on the, the summation as it relates to the timeline because we did just provide you the timeline Staff has been working with regards to trying to put that together.

But the timeline depicts, chronically, the correspondence and the discussion that occurred electronically, as well as depicts the actual meetings that occurred with respect to the City Hall solicitations with the representatives from OHL Infrastructure.

And so, we can answer any questions that the Board may have but it, it does go and share the actual correspondence and the emails based in there actual full account of what occurred.

Mr. Bailey or Ms. Maxfield, any additional comments with respect to that?

Economic and Business Development Manager Maxfield: Good evening. Sara Maxfield, Economic and Business Development Manager.

The document that you've been provided is a.., is a copulation of the emails in anticipation for this discussion and I believe the…

TM : Wait…

Economic and Business Development Manager Maxfield: …first…,

Councilperson McCoy: …wait, wait. Wait. Mr. Chair?

Excuse me. Did you say in'… Wait. But why… See, this is what I don't understand. Did you say in contemplation for this discussion?

Economic and Business Development Manager Maxfield: When you asked the questions…

Councilperson McCoy: But…

Economic and Business Development Manager Maxfield: …at the meeting…

Councilperson McCoy: …if you guys had this information, why are we getting right now, in the middle of the meeting? Like, that why.., that's exactly the issue that I'm saying. Like, why is everything such a sneak attack around here?

Like, you guys had these emails, you had a sixty-two page document, we're already twenty minutes to 11:00 and it's, like, come on. I'm, I'm asking in good faith. We're on the same team here. Like…

City Manager Evans: Mr'…

Councilperson McCoy: …what is going on?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: So, in, in the spirit of, of transparency, we too heard that there was a timeline that was circulating out there that we.., no one communicated to us that there, in fact, was a timeline. And so, we didn't know if there was gonna be a discussion.

And, the Item was added to the Agenda this evening, so Staff had prepared this preemptively with the intent that if the conversation comes up, we can share this with the Board. But we were not gonna share it if there was no need to share that particular information because we did not think it was appropriate to get into the finite detail and the specificity that's provided for in this email because we did brief the Board, individually, with respect to the nature of the conversations and the discussions that had…

That's why the Board did not get that information in advance because we were just preemptively holding that information in the event that we did have to share to share that information.

Chairperson Lawson: Councilman McCoy, does that answer the questions?

I know that you had some additional ones.

Councilperson McCoy: No, sir.

Chairperson Lawson: Thank you.

Councilperson McCoy: Ms. Maxfield was…

Economic and Business Development Manager Maxfield: If I may, Chair?

Chairperson Lawson: Please.

Economic and Business Development Manager Maxfield: So, interactions began shortly after the meeting in April. There's emails from the, the Procurement Director at the time, beginning around Au'.., April 26th, back and forth about the Resolution and making that information available.

Mr. Bailey contacted them right.., shortly after on May 4th and started the discussions with the organization. So, there's, there was not a two month lapse. It, it began immediately. And, when I came onboard in late May, I joined in.

So, there was constant communication and requests going back and forth. I don't think there was any time period that I can recall that the City didn't respond for any length of time, and I think that's outlined specifically in the document that was just shared with you.

Mayor Felder: Mr. Chair?

Chairperson Lawson: Councilman, go ahead.

Mayor Felder: I would like for the Board…

Chairperson Lawson: I'm sorry.

Mayor, go ahead.

Mayor Felder: …to have both timelines and give us a opportunity to because there's two different stories, number one.

I got the same information that it was, like, a seven week [pause] layoff because Attorney Wynn was out for those weeks. [Stammer], I'm more concerned about this. When we make

assumptions.., and one preface to this, Mr. Evans was fired because somebody used a term. Right? Misfeasance.

It's, it's going on in this company, that they were nonresponsive. This is a billion dollar company. And, their name and their reputation means everything to them. If we said we just didn't agree with the terms or whatever, but it's going that they was nonresponsive.

That's what I'm concerned about. Because this company is not just gonna sit back and, and just take that.

So, I would like for the Board to have a opportunity to see both timelines, give us a opportunity to have a discussion and see what happened. Because somewhere it fell apparat. We're getting all of these stories.

I know on our end we had had about four different Staff members handling this project. And so, with all due, I, I, I hope the Board would indulge and say listen, let's get both timelines, give both si'.., give us a opportunity to look at both and come back with a real discussion about this.

What needs to happen? Because this is what I'm afraid of. This goes out to the [stammer].., this goes out to the development world. Right? This is what we're talking about Riviera Beach.

So, why would I spend my money to, to, to go back out when this is what happens. We've been on this for two years. I'm, I'm concerned about who and.., did we have the right people even negotiating this? Not.., no knock on Mr. Bailey, no knock on… But, who, who negotiated a pro'.., or, the people that negotiated this , this, this project, like, have they done this before?

But, what I don't want to happen, is where we're putting somebody out and we're not taking no responsibility. Right? I mean, I think, [stammer].., I think maybe both sides have a responsibility but I wanna hear what our responsibility?

And, if it was.., if it was time that we did not respond in time, because negotiations is just negotiations. I agree with Councilman McCoy. I mean, during negotiations I, I thought it would come back to the Council.

I think all of us kinda heard.., I didn't hear, in the meeting.., I, I was told later… Oh, I even met with you guys, right? And you said [stammer]r].., you know, they're kinda being unresponsive, this and that where I'm getting another timeline from them.

And, think it's.., I think this project is more important, or as important, than any project that we've done yet. Nothing like this has been done in the past fifty years. This Board is charged with bringing this to fruition. And, I don't think they have the, the best opportunity to make the decision.

And I, I don't wanna use the cover up but I'm very concerned right now. Because it did not come back before the Board to make a decision. Or, or to be in it. I know this company said one thing, we need to talk to your Board.

We need to get with the Board. We wanna know what the Board wants. And this is the Board that, that, that, you know, legacy.., this is legacy stuff for this Board. And I think every aspect of it should come back to the Board. I really do.

And I'm more concerned about what's gonna go out right now because we use the word unresponsive. How does that hurt the Cit? I think we really need to take a look at that. The easiest thing to do is put it back out.

The right thing to do is let's get to the bottom line and let's not put something out there and tr'.., because that, that can actually ruin somebody's reputation. And if you look this company up, I mean, they've done way larger work than [chuckle], than what we can even experience.

And so, let's, let's pump the brakes, be real, find out where the miscommunication went because, the thing about is, [stammer] if we don't find that out, then we can make the same mistake because we don't know what's happening.

But I hope that when we, when we go into these negotiations, we have the right people at the table. Not saying the Engineer's not a good guy but has he done this type of work before? This size project?

Whoever's been.., I mean, who'.., who's in the negotiations? Have they ever did this type of work? The Councilman just brought up something, we had other people that we didn't call. Did.., was Legal there?

I have a lot of questions. I told Mr. Evans today.., I, I called him and says you know, I'm, I'm just.., not, not, not to blindside you but I'm not, I'm not happy because I got another, I got another story that I need to sit down and look at it because I took you guys word. I took you guys word.

And so, if I'm hearing something else that's not lined up with what you said, I wanna find out. And, and, and if it's on our side, I wanna be able to admit and say we were wrong and tell this company, you know what? We were wrong.

'Cause I'm not gonna coverup, that's one thing. One thing.., they'll tell you, if it's right, it's right. If it's wrong, it's wrong. And that's where I'm gonna stand. But, I don't think we

should just let this go by, by like this because I, I equated to Mr. Evans, when that Board labeled him, it could've ruined his career.

And it's just like this, we're sending a label out on a company. I mean, their big enough that it won't ruin but it's not right.

And so, I'm asking this Board to, to look at and to ask.., and let's, let's maybe bring this back to a discussion. And ask OHLA too, to send you guys their timeline and let's have a discussion so we don't end back up at this place again.

Chairperson Lawson: Thank you, Mayor.

Councilman.

Councilperson McCoy: Yes.

I know there's probably a lot that needs to be said and I'm just gonna throw this in there real quick but I think we need to bifurcate the issues. At this point, Mr. Mayor, I understand where you're coming from, and I will certainly want the input of the other Board Members

But I will share with you the conversations, and this verbatim from the transcript, and Ms. McBride was having the discussion. And I asked the question. And, I mean, I, I don't know if this could be any clearer for any textbook, McCoy says, 'What are you presenting here? Were you talking about these phases? Nobody ever indicated. I think Mr. Evans did respond correctly.'

Like, I wanna be able to have a seat at the table on what's gonna happen here. But don't tell me I gotta wait 'til we go through Phase I of City Hall and then we do the aspect.., the parks aspects and then the aquatics aspects.

And you know.., let me know when I'm allowed to be.., or, do what I'm elected to do. Ms. McBride responded and said, 'Okay.' There was some more discussions from the Chairperson.

Then Mr. E'.., Jonathan Evans comes on, City Manager Evans comes on and says, 'One of the things that I think the Board would appreciate, I don't want this to be a prolonged process. I don't want to facilitate a situation where we go through multiple iterations of, you know, documents, or what have you.

So, I would request, as through this process, we really lean on the private sector developer to help us expedite the process. The, the project is moving forward because the longer we wait, the longer it delays.

The longer.., one, the unlikely ability for us to deliver on the project because of shear cost and we don't know what the economic conditions are. Our facilities cannot sit and linger any longer and think this Board is acutely aware of that.

And so, our intent, if you had the opportunity to look at the proposal and see the bandwidth associated with these firms, they have the assets and the resources that we, as a community, can push on to facilitate getting shovels in the ground quicker.

The Mayor and I had a conversation and we're trying to do.., we're trying to do the best. He wants to put a shovel in in City.., in, in the ground in City Hall faster than Marina Phase II. And we want to move this quickly to be able to exceed the Board's expectation.

But this is the first step in the process and I assured the Board that we will do everything in our power to make sure you have a seat at the table and we can map out a timeline where we could facilitate that conversation and get a good understanding of what the firm can deliver and what their vision is. And what your vision is, so we're not going in opposite paths.

Because, if they don't know where you guys are, they're gonna take the interpretation from Staff and what we don't want here is to have multiple iterations like we did with the Marina.'

I don't know if this was.., this is exactly what just happened, Mr. Jonathan Evans. And I.., you know, I'm, I'm saying this respectfully and professionally and, you know, very directly. I mean, I mean, what else could we have done?

I mean, where, where do we go from here?

City Manager Evans: So, so, Mr. Ma'.., or, Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: With he, with the presumption that it is always seemingly Staff's fault, I, I do wanna provide some, some additional backdrop with respect to this. If you read the correspondence that was provided, you can see that Staff's intention in the negotiations was merely to bring in ENA or an agreement that says these are the timelines, these are these things that we want to accomplish.

We didn't even get into any deal, terms, or anything with regards to that. We were looking to let's get.., let's agree on the timeline and the responsibilities and the deliverables so we can get this before the Board.

We could have continued in this limbo for a significant amount of time. And you will see in the correspondence that we said we wanted to bring this before the Board for action at your November 1st meeting.

So, we.., our intent.., we didn't get into specificities of the projects and the initiatives and what have you, we were looking.., we.., same way like Marina Village, we were getting into an agreement to agree.

We worked with Bryant Miller & Olive as it relates to going back and forth with legal counsel to look at the documents. We had correspondence with them and if you can look at the documents in and of itself, and the correspondence, it shows that Staff was working and attempting to work with this particular agency.

We just didn't want.., we could've [stammer] held this out for another three or four months. But, at some point, the question and the comments are gonna come back, 'Why is this taking so long?'

And then, obviously, there's Cone of Silence, there's information that we can't share. And so we.., we're working, diligently, to try to bring this to some type of conclusion.

And so.., and, and, and one of the things I do want to inform the Board, it was me that, in conversations about the solicitation, with the former Procurement Director, it was that we only got one submission and it was deemed responsive and responsible.

And, it was intended that Staff wanted to push it out because we didn't have competition. And I was the one that said we only need one to dance. We only need one partner and brought it before the Board.

So, I, I can tell you that nobody wanted to see this move forward, on the Staff side, in a success, more than I when I'm the one that said it needs to go, and we need to tell the Board yes. We're not gonna go back out for solicitation because this company has the skillset and the bandwidth to be able to deliver the project.

And so, you know, you can speak to the Attorney, you have a memorandum that speaks to what the Code calls for, what the Code allows for, what the duties and responsibilities with the Manager start and stop, as well as the Procurement Director.

And, there is a situation where there's due.., those responsibilities are bifurcated and the Board's responsibilities are bifurcated for the reasons of the procurement process.

And so, you know, if you read the correspondence, you will see that Staff did what they could to try to advance the ball so the Board can act.

Chairperson Lawson: Councilman.

Councilperson McCoy: Thank you, Mr. Evans.

I, I, I, I am looking at the timeline and I do see that that there was some preliminary conversations about, 'Hey, when can we meet to discuss,' and that sorta thing. But, what is most notable in what you sent, and I haven't had the time to go through this with a fine tooth comb but, certainly, if we approved this in April 19th of 2023, the first initial draft was sent to the developer two months later by Mr. Bailey.

And I'm saying to myself, 'Is time really of the essence?' Who created this initial agreement? Was this not already contemplated? We've been talking about this since January of 2021 when we first brought on Avison Young.

And, that begs the question, Avison Young is listed as a contact person in the solicitation? At what point did they cut out? And what point were they no longer a part of this conversation?

City Manager Evans: So, I, I will… Mr. Bailey, if you can speak to the situation with regards to the agreement and the [stammer] the review of the agreement, and I can speak on the Avison Young.

City Engineer Bailey: Yes, sir.

If you look at the documents that that are provided, you will see that Mr. Sutton reached out to them on April 26th and provided them a executed copy of Resolution 50-23.

Chairperson Lawson: Excuse me?

Mr. Bailey, the, the documents provided, which one are we talking about?

City Engineer Bailey: I believe the one that…

Chairperson Lawson: The…

City Engineer Bailey: …Mr. Evans…

Chairperson Lawson: The…

City Engineer Bailey: …Emailed out with the timeline.

Chairperson Lawson: Where.., that was… I'm trying to get back to my email.

When was that sent?

City Manager Evans: Just, just now. Just…

Councilperson Botel: Just now.

City Manager Evans: …prior to the conversation, Mr. Chair.

Chairperson Lawson: Oh. Alright.

Well, I'll just take your word.

Go ahead, Mr. Bailey.

City Engineer Bailey: So then, on April 4th, I personally reached out to Jim Auld to begin conversations and set up the first meeting. You'll see in that communique that City Staff transferred almost a gig of documents, in preparation for the solicitation for their use in preparation.

We had a meeting with the team on May 16th. The Agenda for that meeting is in your backup. And, in that meeting, we laid out what the document will be in the initial agreement, the general bones of that initial agreement, the deliverables that are anticipated, and the timeline on what it would take to get OHLA, the vendor, back in front of Council.

At that meeting, it was clearly communicated that that is our priority. The balance of the sixty pages is Staff's attempt to get that vendor to deliver on the commitment set out in the very first meeting, less than a month after this Board allowed us the in'.., initiate conversation.

So, that's sort of the short version of these sixty pages. But, there are multiple emails just trying…

Chairperson Lawson: And, Mr. Bailey?

City Engineer Bailey: …to get…

Chairperson Lawson: Mr. Bailey, I'm sorry.

And, Councilman, all due respect, I think that the concern is that I, I just received this memo about twenty minutes ago. OHLA, I haven't seen and allegedly there's a timeline or something that's floating around. I haven't seen that either, as to their expectations.

So, I, I, I don't wanna just go into the direction of just Staff giving the one side of the protest to what was supposed to happen. I think the biggest concern we have tonight is, is there's a a problem.

And, as the Mayor sa'.., stated that the problem is, is that somebody dropped the ball and, either way, we just don't wanna be here again. We do have this firm that is.., that was brought in. And, Councilman McCoy's other point was that we did do a solicitation a few years ago for the same services.

So, there, there's a bigger issue that is gonna be difficult for us to get through all of the Items tonight, especially with me just receiving this. And, I can't keep up because I haven't even had a chance to, to review it.

Nor do I have the other timeline or the, the conver'.., the opportunity to have a conversation with OHL.

So, I think, in all fairness to the entire Board, we have to decide how do we proceed with this type of discussion because I don't think that we're gonna have a, a, a transparent, honest discussion with all the information tonight.

So, before we continue… And, I, I, I don't wanna get into a finger pointing or a belittlement of anyone 'cause the, the direction and the goal for everyone involved is to just get our projects completed.

So, to get to that level, let's figure out how do we move forward with this? Whether it's having this discussion with this firm tonight or at a later date, if we have an'.., another conversation with OHL and what we're gonna do about revisiting that.

Let's decide on the direction first 'cause we don't have all the information right now.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: Has OHLA made a complaint about the fact that they were rejected? Ho'.., I, I.., I mean, it appears that some of my colleagues have actually had conversations with representatives from OHLA.

I have not. I wonder if.., have they expressed a desire to continue to work with the City after having received your letter terminating them?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: In our, in our last communications with OHLA, when we imposed the, the deadline to, to respond and provide us with a, a remark to our Exclusive Negotiation Agreement, going here into the correspondence, there was a email that.., a, a letter than

provided.., that imposed a deadline for Thursday, October 12th for them to submit the document back to us for the purposes of attempting to get it on the Agenda for November 1st.

They did send back a correspondence. Ms. Maxfield responded to them. Then, I believe they responded back again. And then, I provided an additional response and asked the.., and requested some information that we needed for the purposes of bringing it before you all for consideration.

They did not respond after my last response. And we were hopeful that maybe the weekend or there was something. And so, we did not hear from them, and then, the notification with regards to cancellation did not go out 'til sometime well after that.., after the imposed deadline of Thursday, with the hope that they said we needed additional time or we were working on these types of things.

And so, we have not heard from them since. And, they have not talked to me, they have spoken to anyone on the team. We have not received any correspondence.

Councilperson Botel: They've.., they're speaking to somebody because there's an objection on the [inaudible].., at least one, or maybe more of my colleagues that, they they've heard from this company and, and the company's not happy with the…

I mean, how.., this company has not communicated with you that they're…

Mayor Felder: Well…

Councilperson Botel: …dis'.., dis'…

Mayor Felder: They, they communicated with me.

I'm, I'm not in the Cone but I think, after the [stammer] termination letter went out, [stammer] any Board Member can talk with them.

Their concern is it, it was told that it's terminated because they're unresponsive. That's what they have a problem with. Like.., because, they have a timeline also. And so, just as well as we have a timeline.., what I'm hearing, their timeline sounds a little different than ours. Right?

What I do know is, if you do your research, they do this kinda work. It was already a complex RFQ. Right? You had three phases in there. That's why you didn't have many participants to put in for it.

So, they're well equipped to do it but I think it needed to be timed. It needed to be negotiated. And I think that's what they were saying, 'it's negotiation.' This isn't something that we can.., we can just do in, in two days.

I do wanna ask a question because in one of their timelines, they didn't get a contract 'til two months later. So, if they got a contract two months later, I wanna see if our timeline states that.

Councilperson McCoy: That's what I just read.

Mayor Felder: Right.

Councilperson McCoy: That's exactly…

Mayor Felder: So…

Councilperson McCoy: …what I just…

Mayor Felder: …so, this is what I'm saying.

It's two different… And so, I just think we need to look at both and, and come up, you know, just pick the time to do it because this is the only company that, that went for it, that knew that they can do it, although it was a complex RFQ.

Because, they have the banking side, they had the development side. But I thin.., I, I think we all wanted shovels in the dirt, to Mr. Evans'… And I did. I mean, I said it but I think it's more complex and it needed more time for negotiation to happen.

And we could not rush it because it just wasn't City Hall. Remember, it was housing and it was a sports complex.

Now, the only thing they did say.., they, they come to the table, they want a resume of who's gonna negotiate, which, you know, they're questioning our side right now. Because this is something that they do.

And I just wanna make sure.., listen, if we don't go with them, fine. But let's, let's clear the air and let's look at.., because, because I think that word that's going out on them, is they're unresponsive 'cause of what they're having a problem with.

Chairperson Lawson: And, I guess, Mayor, in all fairness to City Staff, the telephone games, or the peanut gallery outside that's commenting to the firm and that's, you know, passing messages beyond the official communication.

I just had to go pull it up from the 20th is.., simply states the inability of the City and the organization to finalize and agreement for presentation to City Council. And it's in the best cause and best interest of the City to terminate negotiations.

So, this is the official communication. Whatever was stated from staffers, from individuals associated, anybody else was not entailed to the official communication that they received.

So, obviously, there is some disconnect. And, again, we, we don't have all the information. And, and of course, Mayor, you've had an opportunity to speak to them but none of us have.

And, I think the biggest concern tonight is how do we proceed with correcting the problem? 'Cause, obviously, there is a problem. And, it's gonna be difficult to continue the conversation, in, in, in all honesty, with not knowing the basis of the information.

'Cause, right now, I'm, I'm just listening to gather information and trying to review emails but I, I have no idea what's going on with that aspect. So.., and, and I don't [stammer] think that's fair to our colleagues here, on the dais.

But, I also understand Councilman McCoy's concern with proceeding with another firm before we have clarity as to what the issue is. So, it, it.., we're in….

Councilman McCoy, go ahead.

Councilperson McCoy: I'm just gonna ask this one question, just for clarity sake so we don't go too far, Mr. Mayor, I think it's important for you to clarify. Did you say unresponsive or nonresponsive? Because there's two different…

Mayor Felder: Well, non'.., nonresponsive.

Councilperson McCoy: Wait. Hold on.

Nonresponsive would've been done at the Staff level. And, I think we…

Mayor Felder: [Stammer]…

Councilperson McCoy: …had a firm that was nonresponsive. But unresponsive is something different. And I just wanna make sure I understand what we're talking about.

Mayor Felder: Nonresponsive.

Councilperson McCoy: Okay.

But.., and to the Chair's point. Thank you for bringing that up. That is perfect. That's not.., that was not in the official communication so I gotta agree with you on that. So I don't know where that came from.

Chairperson Lawson: So, with this, this being a discussion Item, Mr. Evans, we, we do have a concern and I believe that's part of the reason that we have this firm here.

But, before we can even make that decision, it's, it's clarifying how do we not have this issued transpire on anything else that we're doing? And, is there really an issue? Because, I, I don't now based upon the communications you just sent out, if we did drop the ball.

So, maybe it's having a discussion, a further discussion, to talk about it. But, as of right now, I'm ready to proceed with the Agenda Items we have.

City Manager Evans: So, so, Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: With.., you know, the question came up as to how CBRE was, was brought to the table?

Avison Young, when, when we pull the information, we have expended about $14,000 for the, the services of Avison Young. And, and so if you look at, just in comparison, what we have spent with JLL for the Marina Village, and the work that goes into there and I'm in those meetings.

It's a significant responsibility that a consultant has, especially when.., with regards to these projects. And there was.., and I don't know if you noticed or, or you may have not, there was at least two or three occasions that I can account for, where the representative from this particular firm, from Avison Young, was in the room on other projects that were happening in our City.

And there was not a time, as part of that person being in this room, did they ever interact with myself, Ms. Maxfield, Mr. Bailey, and I don't even know the Procurement Staff. There was no communication. There wasn't even, 'Hey, we need to get together to be able to do that.'

In addition to, the [stammer] the creation of the solicitation was delayed for almost a year from when it actually went out. So, we said to ourselves, we wanted to wipe our hands form that.

When we looked at the public procurement process that we went, PFM is our financial advisor. We utilize them for a [stammer] multitude of different things. JLL is wrapped up in the Marina Village. Lambert is doing 2600.

And so, we said we did not want to continue with Avison Young, so let's look for the best in the industry to help facilitate repositioning this solicitation for the purposes of getting it back out in a way that gets the responsive.., the responses that the Board is looking for.

So that's how CBRE came into play and why we decided to do that. So, there's a lot of things that came up as part of this conversation that it was never Staff's intent to have come out from the standpoint is, we are looking for partners, we're looking for folks that want to come in do great things in the City.

We don't' wanna get into a back and forth. And that's why even the mere notification that was provided concerning the cancellation of the solicitation, encourage OHLA to resubmit. And in the new resubmission it's going to be a Request for Proposal where we'll get all the information and you'll actually get a better process.

There's no.., from Staff's point of view, there's no ill feelings, there's no animosity, there's no issues. And we are hearing things, through the grapevine, and no communication has been provided to Staff.

And so, we were putting some of this documentation together in the event that this happened. But, from Staff's standpoint, we're, we're prepared to move forward into, you know, the resubmission of., or re-solicitation of the, the City Hall Campus.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman, go ahead.

Chair Pro Tem Lanier: [Stammer]…

Councilperson McCoy: Mr…

Chairperson Lawson: I'm sorry.

Councilman, let.., let…

Councilperson McCoy: Let me…

Chairperson Lawson: …Councilwoman…

Councilperson McCoy: …just ask him a clarifying question.

Chairperson Lawson: Go ahead.

Councilperson McCoy: Mr. Evans, if what you're saying is true, regarding Avison Yong and Eric Swanson not being really included in this, or having his road done, why was the solicitation sent out with him as the contact person?

The RFP went out on the streets that says, 'If you have any questions, contact Eric Swanson at Avison Young or Bill Sutton at the City of Riviera Beach. And I'm just like.., so, if this has been a whole yar in the making, why would we put a solicitation out on the street with somebody that's not even being a part of the conversations?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: We, we wanted to truly work and give that particular entity the benefit of the doubt. But once we got the solicitation in, and there was, during that process, no communications with Staff or no interactions when person were in the exact same room.

We knew that the challenges we had on the front end was not something that we wanted to continue on the backend moving through this, especially.., and like Councilperson, of the comments that you read that we made, I that I was gonna be darned sure that whomever is gonna help facilitate this is going to help us move the needle forward, that has the skillset.

And so, we worked, you know, tirelessly to try to get just an Exclusive Negotiation Agreement. We weren't talking about a lot of other elements associated with the City Hall. We wanted to get an agreement to agree for the purposes of bringing this before you all so you can get into more robust conversations with the particular firm.

Councilperson McCoy: Mr. Evans, did we consider their suggestions?

I mean, was there feedback or exchange on the Exclusive Negotiation Agreements from their side as well? Did we incorporate any of their…

City Manager Evans: Mr…

Councilperson McCoy: Because...

City Manager Evans: …Chair?

Councilperson McCoy: What I was specifically told that when they said, 'Well, we need more information to be able to enter into any kinda.., we need more information so here's what we're gonna offer and this is why.

But, was there any consideration on the City's part to, to, in good faith on that?

City Manager Evans: So, so, Mr. Chair and, and, and Staff can certainly provide some additional commentary, in order to get the additional information that they wanted, they wanted us to pay $200,000 to do that.

We bypassed the second step of the solicitation process to facilitate a process that they would have already done and provided it in a proposal. So we said, we don't think that we

should pay for $200,000, for items that is contemplated that you would provide as part of the solicitation.

So, when that was requested to be put in there, absolutely not did we accept that because that was contemplated as part if you moved into phase two, you would have to provide us with that.

Councilperson McCoy: Well, I cautioned us in that same meeting that we're skipping a whole phase. This is gonna create a problem.

[Pause]

Councilperson McCoy: I hate to say, 'I told you so,' but Members, if you got extra.., a extra hour, read the Minutes and see if this isn't exactly what I predicted.

I'm done with discussing it. I…

Chairperson Lawson: Cou'…

Councilperson McCoy: …I like OHL at the table.

Chairperson Lawson: Councilwoman Lanier.

Chair Pro Tem Lanier: Yeah.

This is, this is a lengthy conversation about a terminated agreement between.., or, terminated RFP between one entity and the other.

Now, this is what I don't want to happen. The solicitation for the Marina project, from the very beginning that has been muddled, it's been back and forth, it's been five, six years, because it started out muddled.

All this conversation tonight, and you move forward, it's gonna be muddled every single step of the way. So, we need to get this right. And getting that right means going back out, and they are welcome to apply, and we move forward.

Because, if we move forward now with this, it's gonna be the same [stammer].., it's gonna be the same thing. It's been five, six years at the Marina and we still haven't done anything with it. Still. And we spent millions of dollars.

So, why would we go through that same process again? And, this has been terminated, it's.., [stammer], the solicitation has been cancelled. They got the letter. Let's move on. It's just that I do not wanna get in the same situation where we're at that Marina deal where it so muddled that we can't make heads or tails of it because it started out that way.

So, I'm in favor of moving forward with this and getting it right this time.

Councilperson Botel: It's just…

Chair Pro Tem Lanier: But also too.., let me say, it's a contract issue in terms of Procurement. Now, I'm not putting any blame but when these things come out, they have to come out right.

And if you have [stammer] consultants to help you to do that, then it's supposed to be right 'cause you're paying them. So, why did that garbage contract, the, the City Hall contract, all these contracts are.., even 2600 and 2900 project that's on Broadway, back out again.

So, we need to tighten up on that end as well. So, I say we move and we do this thing right.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Yeah.

I agree. I'd like us to move forward, not look back. And, you know, whatever happened, if OHLA wants to respond to this new RFP, they can do so. But, there.., [stammer], there, there were reasons why Mr. Evans wrote that letter on, whatever day it was in October.

And, I'd like us to just get passed that and move forward and, and put out the solicitation in the best possible way that we can, with the best partners that we can.

That's my druthers.

Chairperson Lawson: Board Members?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Members, Vice Chair and Councilwoman Miller-Anderson but I would very much caution you. This is a lot at stake, for two reasons. I think if, at a minimum, there's enough.., I've seen from the emails that were just presented to us, that from when this was voted on to when an initial agreement went, that shows that we operated in bad faith.

Our document says time is of the essence. Sixty days does not indicate time is of the essence. Yeah, there were initial meetings but I think if you don't go back and have a conversation, you potentially have these folks bringing an action against the City and tie this whole thing up. And now, we're gonna be five, six years down the line.

But, I wouldn't spend $200,000, of my own money, unless I have some expectations, or reasonable assurances, of what needs to take place and what the arrangement of the agreement is.

So, I would caution you. And I would insist, if that's gonna be the Members' position down there, we put it to a vote because I, I don't know what's gonna happen and I don't know that anybody can predict.

But, I think we have become known for having issues with solicitations. And if we go back out there and we get nobody, I mean, it wasn't like it was a whole lotta people knocking on the door in 2022, in October, when we first issued this.

So I, I would just disagree with that because we can't do this every time. This shouldn't be the way we operate.

Chair Pro Tem Lanier: Chair?

I mean.., yeah.

Chairperson Lawson: Council'…

Chair Pro Tem Lanier: We can…

Chairperson Lawson: Councilwoman…

Chair Pro Tem Lanier: We can…

Chairperson Lawson: …Bo'.., Miller-Ander'…

Chair Pro Tem Lanier: …put it to a vote.

Because see? This is, this is what I'm afraid of. We started this thing out and I said again, we start this thing out muddled, there's gonna be whispers and what happened? And, I mean, we only got even half the story tonight.

The Staff members made a decision to terminate the.., just the talks. It wasn't even a contract. It wasn't even something that even get to us yet. So apparently, there was a long way before we even got to bringing it to the Council.

So, I'm fine with that. I'm fine with the fact that we will do this a way.., in a way in which it is clean. And, the way that we've spent, you know, forty-five minutes talking about what somebody said on the outside and, [stammer], I mean, it's, it's.., we can be here all night with that.

I just wanna be able to move forward with this project. And if we're gonna do it, let's do it right.

City Attorney Wynn: Mr. Chair?

Chairperson Lawson: Attorney Wynn.

City Attorney Wynn: Pro Tem, there is no, no motion is necessary on this. It has been cancelled. That means that the process is ended. And I don't know how you go back and undo the cancellation.

I don't think you have the authority of the Council to do that because the Procurement Code gives that authority to the Procurement Department, and they've done what they are supposed to do under the Procurement Code.

And so, it has ended, as far as that.., as far as your new 10a Item goes.

Councilperson Miller-Anderson: Right.

Mr. Chair?

Councilperson Botel: Let's just move on.

Chairperson Lawson: Ms. Miller-Anderson?

Councilperson Botel: Move on.

Councilperson Miller-Anderson: Okay.

So, then, what was the purpose of us having this conversation? Just to bring to everybody's attention? Because a lot of this I.., I'm just hearing for the first time. I have not talked to anybody. I'm not even aware of the rumblings that may have been out there.

So a lot of this I'm taking in as we're.., you all are discussing it. So, basically, we'll just forget about this conversation we just had and now we move on to 11a?

Councilperson Botel: Yes.

Councilperson Miller-Anderson: Or, is there some reason to not move forward on 11a? To not even hear the Item tonight. I mean, does it have any impact?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Yes.

It, it would be Staff's intent for the Board to move on 11a because at, at this particular juncture, we don't have a consultant to, to help facilitate moving forward and, and I don't want to go back to the, the pool of firms that we've utilized or are currently utilizing on other particular projects.

So, 11a is to recommend that the Board consider a partnership with CBRE to help us with the re-solicitation of the City Hall.

Chairperson Lawson: Any other questions, concerns, or discussion for 10a?

[Pause]

Chairperson Lawson: My only comment with all the discussion on unreadiness is, Mr. Evans, is that the.., there were comments brought up about the Marina project, about Procurement, about solicitations, about the process and the path that we took and it, it seems like there were some shortcomings in regards to somewhere.

I don't know if was here, I don't know if it was on behalf of the applicant. And, that's neither nor there. If the Procurement Code states that your Department has the direction to terminate, then that's the Code we'll follow.

And if we need to address that as a Board later, we can. As of right now, Councilman McCoy, I do recall those Minutes, the conversation that you asked for.., when we would get updates.

I actually.., it was very vivid because I knew that this was the biggest project and this was a, a legacy type project that we wanna do as a community. I don't feel confident in our Staff to handle the level of these projects that's coming in.

And, as I said earlier, the consultants that we're looking to hire will assist us, walking and holding our hand to get through the process. But, Mr. Evans, I, I think that it, it takes more of you to just be more attentive to our departments.

'Cause whatever is happening, we're, we're having missteps with our Procurement. We're having missteps in, in, in some of our other departments. And, and that is.., only person that we can have the conversation with is their, their.., their direct supervisor.

So, to avoid us stepping over the toes of our City Manager and staying within our policy making abilities, we're asking you, Mr. Evans, to take charge of these departments and get it under control.

'Cause there's something that's going on and we're, we're just kind of hearing from the outside, we're having these discussions in this public setting and it's, it's, it's not a good look for the City, when we're just trying to move the City forward and get some of these businesses going.

So, it's me asking for.., we just had a whole hour discussion about an Item that is not taking any action because there was unreadiness, just with the Board and concern, and just asking for you to just take better charge of these departments.

REGULAR AGENDA

11. ITEM NO. 11

RESOLUTIONS ONN REGULAR AGENDA

11a. ITEM NO. 11A

Chairperson Lawson: Madam Clerk, 11a.

Interim City Clerk King: RESOLUTION NUMBER 128-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AGREEMENT WITH CBRE, INC. FOR TENANT BROKER AND REAL ESTATE CONSULTING SERVICES; AUTHORIZING THE

CITY MANAGER TO ISSUE A WORK ORDER NOT TO EXCEED $300,000.00. PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

SARA K. MAXFIELD, ECONOMIC AND BUSINESS DEVELOPMENT MANAGER, (561) 373- 7756

Interim City Clerk King: Mr. Chair, we do not have any public comment cards on Item 11a. The acceptance of public comment cards for Item 11a are now closed.

Councilperson Botel: Motion to approve Resolution Number 128-23.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and members of the Board, if I can have the Economic Development Manager, Ms. Sara Maxfield, to make this pres'.., presentation.

Economic and Business Development Manager Maxfield: Good evening, Mayor, Chair, and Chairpersons. My name is Sara Maxfield. I'm the Economic and Development.., and Business Development Manager.

I'm here to share an opportunity to partner with CBRE for consulting services, to help us facilitate a public private partnership developer to move City Hall forward. Tonight, we have with us Lee Ann Korst and Clarissa Willis that will be coming to the podium and giving a short presentation on the services that they would be providing should this be approved.

Chairperson Lawson: Thank you, Ms. Maxfield.

Ms. C. Willis: Good evening, Mayor, Council Members, and Chair. I'm Clarissa Willis and I am a brokerage consultant with advisory…. Thank you. And I'm a brokerage consultant with CBRE's Advisory and Transaction Services Department.

However, the majority of my work is done with the government practice group, which we're gonna talk about in just a few minutes. I've been with CBRE for about seventeen years now.

I've done work with the City of Miami Gardens, Miami-Dade County, the City of Miami, the Hallandale Beach CRA, the City of Hallandale Beach, and the State of Florida, I've done [stammer] land dispositions for DEP.

I just wanna give you a brief introduction of CBRE. We are the largest commercial real estate services firm in the world. We have over five hundred offices in over one hundred countries.

We've been trusted by ninety percent of the Fortune 500 companies, and we have done projects with over one hundred public sector clients. And, what I'm most proud of is that we've been, for the past ten years, rated one of the world's most ethical companies.

Councilperson McCoy: Mr. Chair, let me stop.

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: I, I guess I don't know what.., respectfully, I'm not sure what you're giving us right now. The ma'…

Ms. C. Willis: Just background on the company.

Councilperson McCoy: The, the Manager made it clear that this is where we're going. I mean, at this hour, I know at least I've spoken to you. And, I, I don't know that a whole detailed presentation is necessary.

Unless some other Member chooses to go through this. Because clearly, I think.., my question still remains, how is this Item legally sufficient if they weren't a part of the original solicitation?

This, this services wasn't procured.

City Attorney Wynn: Mr. Chair?

Chairperson Lawson: Attorney…

City Attorney Wynn: I…

Chairperson Lawson: …Wynn.

City Attorney Wynn: I think Mr. Evans explained and maybe.., I know there was a lot with the last Item so maybe it was missed.

There is the opportunity, under the Procurement Code, to procure services through other means, other than RFP's and RFQ's and one of them is a cooperative purchasing agreement. And, this was procured pursuant to a Cooperative Purchase Agreement with.., I believe it's the Department of Management Services with the state.

Is that.., isn't that correct, Ms. Maxwell? Field.

Economic and Business Development Manager Maxfield: Yes, ma'am.

City Attorney Wynn: Yeah.

Councilperson McCoy: Interesting.

City Attorney Wynn: So, that's how.

It's similar to a piggyback but it's a cooperative agreement with other ag'.., governmental agencies.

Councilperson McCoy: Okay. Alright.

So, [stammer]… I seen that referenced in here but, however, I, I seen that refenced in its master contract, service agreement but there was no reference to that in the backup documentation of the cover memo.

So, I'm sitting here waiting for someone to tell me under what authority do we have to just hire another company out of the blue, and there's no legal justification for it? But, I did receive this Master Contract Services Agreement that says they do work with DMS.

And I'm like, at what point does somebody establish the legal sufficiency? This goes to a pr'.., this goes to the point that we have a severe problem in Procurement. If we're charged with following 16.5 of the Procurement Code, somebody needs to say, 'Board Members, this section of the Code allows you to enter into a cooperative.. That's not even in the backup agreement.

But, respectfully, I, I don't know [stammer].., I've had a very good meeting with you guys yesterday. Do we need to hear more about this or do we just need to bring it to a vote? 'Cause we got another Item.

Un k.: Roll call.

Chairperson Lawson: [Stammer] well, Board Members, did everyone have their chance to have a one on one with the firm?

[Inaudible dais comments]

Chairperson Lawson: Okay.

And, again, I agree with Councilman McCoy that they were very thorough. I enjoyed the presentation. I look forward to the timeline. The only thing that I would want you to guys to outline is the timeline for this solicitation, so that the Board and the residents can be clear with where we're going.

Because, we've been at this for about two years. So, if this is approved tonight, what would be the next steps?

Ms. L.A. Korst: So, if it's approved tonight, we would immediately begin preparing that solicitation document. We would not recommend issuing a solicitation of this magnitude during the holidays so we would expect to issue that sol'…

And, I'm sorry. I'm Lee Ann Korst, and I'm responsible for the southeastern…

Chairperson Lawson: [Inaudible].

Ms. L.A. Korst: …government practice. I got excited about the next steps.

So, we would immediately begin preparing marketing materials, customize marketing materials, a website, and the solicitation document, in close collaboration with your Procurement team.

And for those of you who I haven't had a chance to meet, I ran real estate for the State of Florida many years ago, twenty years ago. I'm aging myself now. So, I am very, very keen to and attune to making sure that public process is done correctly.

So, we would prepare a timeline, at your request. We would immediately begin working on the [stammer] marketing materials and we would issue that solicitation just after the first of the year when we can grab the market's attention.

Chairperson Lawson: Thank you.

And, it would be a ninety day solicitation, from my [stammer]…?

Ms. L.A. Korst: That's correct.

Chairperson Lawson: Okay.

The question that I did ask, and colleagues, I'm not sure of the timeline that we will address this but once this solicitation has been reviewed and vetted by our Staff and it comes to the Board, the selection process, I want us to be clear with what that selection process will look like.

I, I'm not sure when we'll discuss that, whether it's gonna be if we three to five solicitations, if they're gonna narrow it down to three? If they're gonna all present? I want us to be clear with that before it goes out.

So, possibly having these discussions between now and the beginning of the year so that the entire Board can opine on that.

Ms. L.A. Korst: Very important.

Thank you.

Chairperson Lawson: Colleagues, any additional questions?

[Pause]

Chairperson Lawson: Madam Clerk.

Do we have any public comment?

Interim City Clerk King: No.

Not on 11a

Chairperson Lawson: Thank you.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Ms. Lee Ann. Thank you, Ms. Clarissa…

Ms. L.A. Korst: Thank you.

Chairperson Lawson: …for coming in and…

Ms. L.A. Korst: Thank you for…

Chairperson Lawson: …we look forward to working…

Ms. L.A. Korst: …your confidence and trust…

Chairperson Lawson: …with you.

Ms. L.A. Korst: …in us.

Chairperson Lawson: Absolutely.

Thank you.

Ms. C. Willis: Thank you.

Chairperson Lawson: Thank you, Ms. Maxfield.

Madam Clerk,.

11b. <u>ITEM NO. 11B</u>

Interim City Clerk King: Item 11b.

Interim City Clerk King: RESOLUTION NUMBER 153-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION (SP-23-0010) AND SPECIAL EXCEPTION APPLICATION (SE-23-0002) FROM FIVE III FL2 LLC, TO OPERATE AN INDOOR AMUSEMENT CENTER IN AN EXISTING BUILDING TOTALING 38,941 SF, ON A 3.0789-ACRE PARCEL OF LAND, LOCATED EAST OF INTERSTATE 95 AND NORTH OF CENTRAL INDUSTRIAL DR WITH POSTAL ADDRESS 7970 CENTRAL INDUSTRIAL DR, IDENTIFIED BY PARCEL CONTROL NUMBER 56-43-42- 30-24-000-0010, HAVING AN INDUSTRIAL (IND) FUTURE LAND USE DESIGNATION AND A LIMITED INDUSTRIAL (IL) ZONING DESIGNATION, PROVIDING FOR CONDITIONS OF APPROVAL, AND PROVIDING FOR AN EFFECTIVE DATE.

LARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4060

Interim City Clerk King: Mr. Chair, you do have one public comment card on this Item. The acceptance of public comment cards on Item 11b is now closed.

Councilperson Botel: Motion to approve Resolution Number 153-23.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair, Members of Council, Honorable Mayor, and Madam Attorney.

I am before you to provide a brief presentation on the proposed Site Plan and Special Exception before you today.

On the screen now the.., is the, a map of the City with the project location indicated by the red dot on the screen. It is next to I-95 but it must be accessed from interior streets in the county.

This is a closer visual oof the project location on the screen before you now.

The applicant is requesting approval of a Site Plan and Special Exception permit to open an indoor karting center in an existing vacant building at 7970 Central Industrial Drive.

Existing conditions are a vacant warehouse.

The Parcel ID Number was read into the record a moment ago.

The property is approximately 3.0789 acres.

Zoning is Limited industrial.

And the Future Land Use is Industrial.

Before you on the screen now is the proposed Site Plan. Again, this is an existing building and the exterior will largely remain the same.

Proposed elevation.

The proposed floor plan for the operation.

The slide before you now shows the.., all of the areas of review that Staff went through before this was brought to your attention.

Again, just background information. On the standards of review for a stie plans, and the same for special exceptions.

This slide here discusses the City Council's approval of Ordinance 4209 which amended the industrial zoning districts to allow indoor amusement parks as an allowable use. And that decision by this Board is paying fruits in this current project as it would not have bene allowed without this.

And, it was done before this applicant began looking at the City. So, this is a testament to those changes.

This Item has been properly noticed according to state laws and City Ordinances. And Staff recommends approval of this Resolution.

And that is the conclusion of the Staff presentation. And, I am available for any questions. And the applicant is here as well, and they are available for questions.

Chairperson Lawson: Thank you, Mr. Sirmons.

Madam Clerk, public comment.

Interim City Clerk King: Ms. Mary Brabham.

Chairperson Lawson: Good evening, Ms. Brabham.

[Chuckles]

Ms. M. Brabham: Ms. Mary Brabham.

Now, I was gonna stay here for this one. I think you all know that. This has been a long time coming. I do not want the Board to feel as if that lateness is an essence of time. West Palm Beach, they, they stayed in their meeting for almost 1:00 o'clock.

Other municipalities when, when they have to do the business at hand, they stays in as well. I know that we are all labored here. We'll sleepy eyed. But, we have to do the business at hand.

This.., what we have always said, we are so lock keyed in here with land and we have quite a bit of industrial components here, all over the City here. And our main objective is to utilize those facilities.

Like, a skating ring. You know, the kids go skateboarding, rock climbing. You know? And all of those things. I, I think, Mr. Sirmons, you are aware of this as well so I, I thank you for bringing this to the Board.

And I'm almost for sure that the Board will be in agreeance because we do need some amusement, recreational facilities in this City. We have none. But, we can be accommodated to do these things.

And, Mr. McCoy, you're looking at me. I know you sleepy eyed too. Yes? [Chuckle]. We all are a little bit tired but we're gonna get through this. And, we, we're gonna do the business at hand.

And let me just also say too, because I'm gonna finish up too. The Deputy City Manager has been ill but it is a pleasure in seeing her back. And I do wish her, continuously, a speedy recovery, as well as all of the others that are, you know, going through some difficult times.

As well as the Board too. You know? We, we've had these ups and downs but we're gonna get through these meetings here. And we're gonna do the business that we are elected to do no matter what.

Thank you.

Chairperson Lawson: Thank you for your comments, Ms. Brabham.

Interim City Clerk King: That concludes public comments, Mr. Chair.

Chairperson Lawson: Thank you.

Board Members, any additional comments?

Chair Pro Tem Lanier: No.

Chairperson Lawson: Mr. Sirmons, you said the applicant is here?

Development Services Director Sirmons: Yes.

That's correct.

Chairperson Lawson: Okay.

If we can bring them up, please?

Mr. D. Percival: Good evening. Thank you guys for your time. I appreciate you staying so late and knocking this one out. It's been a long time coming. We're very excited to be part of your guys great town and City.

And, if you have any questions, I'm here for it.

Chairperson Lawson: And your name for the record, please?

Mr. D. Percival: Drew Percival.

I'm Director of Operations.

Chairperson Lawson: Mr. Drew, I just called you up just to thank you for investing into the City of Riviera Beach.

As the speaker said, it's been a long time coming and we're excited to actually have your business, some type of social engagement, some entertainment is something that we love to attract to our community.

So, we just welcome you and thank you. And, I'm gonna be supporting your Item.

Board Members, any additional comments? Questions?

[Pause]

Chairperson Lawson: Welcome Drew. Thank you so much.

Madam Clerk.

Mr. D. Percival: Thank you.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Mr. Drew.

Mr. D. Percival: Thank you guys very much.

Chairperson Lawson: Thank you.

Thank you, Mr. Sirmons.

11c. ITEM NO. 11C

*Not heard

RESOLUTION NUMBER 117-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AWARDING BID NUMBER 1090-23- 3 TO OCEANSIDE BEACH SERVICES, INC. TO PROVIDE CABANA SERVICES, BEACH EQUIPMENT RENTAL AND BEACH CLEANING SERVICES WITH AN INITIAL FRANCHISE FEE OF 26% DURING THE FIRST AND SECOND YEAR AND 27% DURING THE THIRD YEAR; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; FURTHER AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO DEPOSIT MONTHLY PAYMENTS INTO ACCOUNT NUMBER 101-362000; AND PROVIDING AN EFFECTIVE DATE. VALERIE GRIMSLEY, ASSISTANT TO THE CITY MANAGER ELIZABETH T. MCBRIDE, DEPUTY CITY MANAGER TANISHA BOYNTON, SENIOR PROCUREMENT SPECIALIST, (561) 845-0135 STAFF
RESOLUTION NUMBER 117-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AWARDING BID NUMBER 1090-23- 3 TO OCEANSIDE BEACH SERVICES, INC. TO PROVIDE CABANA SERVICES, BEACH EQUIPMENT RENTAL AND BEACH CLEANING SERVICES WITH AN INITIAL FRANCHISE FEE OF 26% DURING THE FIRST AND SECOND YEAR AND 27% DURING THE THIRD YEAR; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; FURTHER AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO DEPOSIT MONTHLY PAYMENTS INTO ACCOUNT NUMBER 101-362000; AND PROVIDING AN EFFECTIVE DATE.

VALERIE GRIMSLEY, ASSISTANT TO THE CITY MANAGER
ELIZABETH T. MCBRIDE, DEPUTY CITY MANAGER
TANISHA BOYNTON, SENIOR **PROCUREMENT SPECIALIST, (561) 845-0135**

12. ITEM NO. 12

DISCUSSION AND DELIBERATIONS

12a. ITEM NO. 12A

* Not heard

DISCUSSION TO AMEND THE LAND DEVELOPMENT CODE, CHAPTER 31, ZONING, SECTIONS 31-1, 31-61, 31-117, 31-137, 31-141, 31-157, 31-161, 31-177, 31-187, 31-192, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, AND 31-536; CREATING SECTIONS 31-560, 31-561, 31-562, AND 31-563; AMENDING THE

DEFINITION OF FAMILY; ADDING DEFINITIONS FOR THE TERMS ASSISTED LIVING FACILITY, COMMUNITY RESIDENCE, HOSPITAL, NURSING HOME, RECOVERY COMMUNITY, RECOVERY RESIDENCE, SPECIALTY MEDICAL FACILITY, AND SPECIALTY HOSPITAL; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

12b. ITEM NO. 12B

* Not heard

ORDINANCE NUMBER 4245: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING CITY CODE OF ORDINANCES CHAPTER 32, ART IN PUBLIC PLACES, PROVIDING FOR PURPOSE, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

12c. ITEM NO. 12C

* Not heard

ORDINANCE NUMBER 4250: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 19, "TRAFFIC AND MOTOR VEHICLES" TO INCLUDE NEW PARKING REQUIREMENTS THROUGHOUT THE CITY AND AT THE CITY'S MARINA AND PUBLIC BEACH PARKING AREAS, AND REMOVING PROVISIONS WHICH ARE NO LONGER UTILIZED; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

VALERIE GRIMSLEY, ASSISTANT TO THE CITY MANAGER, (561) 812-6598

13. ITEM NO. 13

DISCUSSION BY CITY MANAGER

Chairperson Lawson: Discussion by the City Manager.

City Manager Evans: None, Mr. Chair.

14. ITEM NO. 14

DISCUSSION BY CITY ATTORNEY

Chairperson Lawson: City Attorney.

City Attorney Wynn: Yes, Mr. Chair.

I'm sorry.

[Chuckles]

City Attorney Wynn: I have an announcement of a closed session pursuant to Florida statute 286.011(8d), public meetings and records. And, in a desire to obtain advice concerning labor negotiations, I'm requesting a time that the City Council is available for a closed executive session regarding the Police Benevolent Association labor negotiations.

I would like to know if you all are available on next Wednesday, November 8th, 2023 at 6:00 p.m. for this session? It would be right before your CRA meeting.

Chair Pro Tem Lanier: Yes.

So…

Councilperson Botel: Yes.

Chair Pro Tem Lanier: …we doing it at 5:30 or 6:00?

City Attorney Wynn: 6:00 o'clock.

Chair Pro Tem Lanier: Okay.

Chairperson Lawson: Well, we got CRA, right?

City Attorney Wynn: Yes.

Okay?

Chair Pro Tem Lanier: Yes.

City Attorney Wynn: Okay.

Therefore, a closed executive session will be held on the 8th day of November, 2023 at 6:00 p.m. at the Marina Event Center, 190 East 13th Street, Riviera Beach, FL 33404.

And the specific matter to be heard, again, is the Police Benevolent Association labor negotiations.

Those persons in attendance will be myself, City Attorney Dawn Wynn and/or Assistant City Attorney KeAndrea Davis, special counsel Jack McLean, Mayor Ronnie Felder, Members of the City Council, City Manager Jonathan Evans.

As well as the union negotiating team members which consist of Assistant City Manager Deirdre Jacobs, Police Chief Michael Coleman, Deputy Police Chief Kevin Coppin, Human Resources Director Jacqueline Bartley, Finance Director Randy Sherman, and Assistant Finance Director, Nydia Reynolds.

The subject matter is…

Chairperson Lawson: [Inaudible]

City Attorney Wynn: …restricted to Police Benevolent Association labor negotiations.

Thank you.

Chairperson Lawson: Thank you, Attorney Wynn.

15. ITEM NO. 15

CITY COUNCIL COMMITTEE REPORTS

Chairperson Lawson: Committee reports?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: I attended the Palm Beach North Chamber of Commerce Education Committee meeting at the Max Plank Institute.

The Florida League of Cities Legislative Policy Committee in Orlando.

The League Fast fly into Washington, D.C.

The Florida League had a special meeting at the White House where we met with Transportation Secretary Pete Buttigieg.

On October 24th, we.., many of us attended the Florida Redevelopment Association Conference in Jacksonville.

On October 27th, I Chaired the Joint Workshop of the Palm Beach County League of Cities and the Palm Beach County legislative delegation.

And today, I attended the District 1 lunch with the Palm Beach County League of cities. And, shall I continue with my comments?

Chairperson Lawson: Just committee reports that I have is, I traveled to Washington, D.C. and met with Congresswoman Sheila Cherfulis-McCormick, Senator Scott Rubio, and… I'm sorry, Senator Marco Rubio and Senator Rick Scott.

And, there's gonna be an update coming from Marice's office, our federal lobbyist, that he will be sending out to the Staff based upon some of the discussions. We had a very productive conversation and some possible support and, and appropriations requests that, hopefully, they'll be putting together with Congresswoman McCormick's office.

Go ahead into your comments, Councilwoman Botel.

Councilperson Botel: Thank you.

Today, I attended the Housing Equity Study Rollout Breakfast here at the event center. It was very well attended and I wanna make special note to thank Annetta Jenkins and the Staff for putting together a great event.

People remarked repeatedly about how wonderful our Staff at the Event Center were. So, I thank him.., thank them for that.

Thank you.

Chairperson Lawson: Thank you, Dr. Botel.

Councilwoman Lanier?

Chair Pro Tem Lanier: Just one announcement.

The residents and the Council know that every year, globally, is December 1st is World AIDS Day and we will have a program recognizing HIV related stigma and a [stammer] reminder of the global struggle for people who are living with HIV.

And, it will be here at the Marina, December 1st at 5:00 p.m.

Chairperson Lawson: Thank you, Councilwoman Lanier.

Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: I was… The Palm Tran Advisory Board that I'm on, we had a meeting last week but I was not in attendance because I was at the FRA Conference, so I will follow up and get the minutes from that so I can the update.

Chairperson Lawson: Thank you, Councilwoman.

Councilman McCoy?

Councilperson McCoy: Just one thing.

On the 28th, myself.., actually, uncoordinated, just actually happened to run into the Honorable Mayor Ronnie Felder up in Okeechobee at our 12 U Regional Pop Warner Championship Game.

And, as you guys had received notification that they were verry successful. So much so, I think we might just send them to [inaudible] because I didn't even think these guys were playing in the same league.

We have a really good group of 12 U athletes and they did a wonderful job. And I was very impressed. Even more so, these championship rings that came up, so, I would like to use that as a part of my committee report because I'm a part of that Committee, and I'm looking to find out who's gonna provide me one of those rings.

But, you know, these guys did an exceptional job coming from Riviera Beach and representing. They did an outstanding job. So, I was really proud. And they did a really great job.

And I think they all… Actually, they beat me back here so I couldn't participate in the parade, but they did a great job. And I think it's well deserved. So, good job to the coaches, the players, and the Parks & Rec Staff because they were very impressive.

[Applause]

Councilperson McCoy: And, and wait. Hold on. Let me, let me add this.

So, going there, right? This team of young men had never ever had a single point scored against them the entire season. And, during the game on Saturday, through just some freak incidental occurrences, there were two touchdowns that were scored on them but they had a completely flawless season.

No one had ever scored on them, so they were certainly a, a really good team to compete with. And, I am looking forward to this Saturday.

Is that right, Mayor? The State Championship?

Mayor Felder: It's not… The State [inaudible]…

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Yeah.

It's, it's regionals. We are hosting the, the regionals. We were able to, to partner with Dwyer High School. So, the game, I believe, is at 5:00 o'clock? So we'll, we'll provide some information.

We also are gonna make sure we give our, our young men a police escort out of town to bring home the championship. In addition to, the Board's not gonna get rings until we give you the Super Bowl rings 'cause these kids are, are heading there.

So, we are already planning for, if they.., if they do win this weekend, I think they're in Orlando. So, I may have to exceed my $25,000 authority to help facilitate that but I, I think it's for a good cause but we'll keep you informed. So, we're excited.

Councilperson McCoy: Well, I mean, if we're in the meeting, let's go ahead and…

City Manager Evans: [Chuckle].

Councilperson McCoy: …authorizes that now 'cause these guys were playing like they were in Pro Bowls. So…

City Manager Evans: Yeah.

Councilperson McCoy: …these were really good.

And I, I gotta give them the credit. Thank you, Mr. Chair, Members.

Chairperson Lawson: Thank you, Councilman.

Chair Pro Tem Lanier: Mr. Chair, can I just say that…

Chairperson Lawson: Councilwoman…

Chair Pro Tem Lanier: …also…

Chairperson Lawson: …Lanier.

Chair Pro Tem Lanier: …we want to thank the young ladies, the cheer team for keeping the spirits up, of those young men and the audience so that, you know, make sure that these young ladies and these cheerleaders also are recognized. Because, they also win, you know, state awards as well.

Chairperson Lawson: Absolutely.

Mayor.

Mayor Felder: Yeah.

I think they said it all but just echoing. And kudos to the parents, man. Some of these kids can do it without the parents and the parents that come out and participate. And team moms, I wanna give them a shout out.

Go Chargers.

[Chuckles]

Chairperson Lawson: Agree. Echo the same sentiments. I'm gonna be excited to be in the building this weekend. I'm sorry, at Dwyer High School, 5:00 p.m., and make sure the City, please come out.

Amazon hiring information session is 9:00 a.m. this Saturday, right here in the Marina. Everyone interested in an opportunity and a job with Amazon, please be here at 9:00 a.m.

And I was also able to attend the Grow Lit Gala this past weekend. It was an amazing production and, and I'm glad that we were able to support them.

ADJOURNMENT

Chairperson Lawson: with no further business of the City, this meeting is adjourned.

[Gavel]

End of video]

City Employees, Public Comment Speakers and Others

Aliyah Melvin .....Ms. A. Melvin

Black Nurse Practitioner Founder.....Dr. J. Wellington
Judy-Ann Wellington

Nurse Practitioner Council of Palm Beach President .....Ms. J. Kuretski
Jennifer Kuretski

Black Nurse Practitioners of Palm Beach County .....Ms. A. Pagan
President – Allison Pagan

Unknown Palm Beach State College Representative .....Unk. Palm Beach State College Representative

Palm Beach State College Representative .....Mr. S. Joyner
Steven Joyner

Housing Authority Chairman – Jeffrey Jackson.....Mr. J. Jackson

D. Stephenson Construction – Dwight Stephenson .....Mr. D. Stephenson

Super Star Realty President – Larry Jones.....Mr. L. Jones

Alpha Phi Alpha – Alfred Fields .....Mr. A. Fields

Housing Authority Executive Director - .....Mr. J. Hurt
John Hurt

Urban Farmers, Inc. President – Terry Botoy.....Mr. T. Botoy

Margaret Shepherd.....Ms. M. Shepherd

Deputy City Manager Elizabeth McBride .....Deputy City Manager McBride

School Board Member, Edwin Ferguson.....Mr. E. Ferguson

Dr. Phillip Dukes .....Dr. P. Dukes

Dr. Joseph Taylor.....Dr. J. Taylor

Dr. Corrina Taylor .....Dr. C. Taylor

Tiffany Williams.....Ms. T. Williams

Mary Brabham .....Ms. M. Brabham

Doretta Paulk .....Ms. D. Paulk

Delsia Brooks Hamilton.....Ms. D. Brooks Hamilton

Fire Chief John Curd.....Fire Chief Curd

City Engineer Terrence Bailey.....City Engineer Bailey

CEO and Executive Director West Palm Beach .....Mr. C. Price
VA Healthcare System – Core Price

Finance and Administrative Services Director ..... Finance and Administrative Services Sherrman
Randy Sherman

Development Services Director ..... Development Services Director Sirmons
Clarence Sirmons

Senior Procurement Specialist ..... Senior Procurement Specialist Boynton
Tanisha Boynton

CRA Planning & development Director ..... CRA Planning & Development Director Evans
Sctot Evans

Dunay Miskel & Backman –..... Mr. D. Dickerson
Dwayne Dickerson

Economic and Business Development Manager..... Economic and Business Development Manager Maxfield
Sara Maxfield

CBRE Clarrisa Willis..... Ms. C. Willis

CBRE Lee Ann Korst ..... Ms. L.A. Korst

Five III FL 2, L.L.C. – Director of Operations - ..... Mr. D. Percival
Drew Percival

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Debrah Hall-McCullon, Acting City Clerk

Through: Jonanthan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Minutes of the Regular City Council Meeting held on Wednesday, November 29, 2023**

Date: January 17, 2024

CC: General Public

Background:
Attached are the minutes from the Regular City Council Meeting held on November 29, 2023.

City Goals:
The City-wide Goal is to Accelerate Operational Excellence.

Fiscal/Budget Impact:
N/A

Recommendation:
Staff recommends approval of the Minutes of the Regular City Council Meeting Minutes held on Wednesday, November 29, 2023.

Attachments:
1. November 29 2023 Reguloar City Council Meeting Minutes.pdf

CITY OF RIVIERA BEACH
REGULAR CITY COUNCIL MEETING
November 29, 2023
6:00 p.m.

PRESENT AT MEETING[1]:

MAYOR RONNIE FELDER .....MAYOR FELDER

CHAIRPERSON DOUGLAS A. LAWSON- .....CHAIRPERSON LAWSON
DISTRICT 5.....

CHAIR PRO TEM SHIRLY D. LANIER.....CHAIR PRO TEM LANIER
DISTRICT 3

COUNCILPERSON TRADRICK MCCOY .....COUNCILPERSON MCCOY
DISTRICT 1

COUNCILPERSON KaSHAMBA.....COUNCILPERSON MILLER-
MILLER-ANDERSON – DISTRICT 2

COUNCILPERSON JULIA A. BOTEL- .....COUNCILPERSON BOTEL
DISTRICT 4

CITY MANAGER JONATHAN EVANS .....CITY MANAGER EVANS

INTERIM CITY CLERK TAWANNA D. SMITH .....INTERIM CITY CLERK SMIKTH

CITY ATTORNEY DAWN S. WYNN.....CITY ATTORNEY WYNN

TRANSCRIBED BY:

Legal Transcription On Call
(561) 856-0957

[1] List of City Employees, Public Speakers and Others on Page 157

[Gavel]

CALL TO ORDER

Chairperson Lawson: I'd like to call to order our Regular City Council meeting. The date is November 29th. The time is 6:03 p.m.

ROLL CALL

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Mayor Ronnie Felder?

[Pause]

Interim City Clerk Hall: Councilperson Julia Botel?

Councilperson Botel: Here.

Interim City Clerk Hall: Councilperson KaShamba Miller-Anderson?

Councilperson Miller-Anderson: Present.

Interim City Clerk Hall: Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

Interim City Clerk Hall: Chair Pro Tem Shirley Lanier?

Chair Pro Tem Lanier: Here.

Interim City Clerk Hall: Chairperson Douglas Lawson?

Chairperson Lawson: Here.

** Also present but inadvertently not mentioned: Jonathan Evans, City Manager; Debrah Hall, Interim City Clerk; and Dawn Wynn, City Attorney.

Interim City Clerk Hall: You may proceed, Mr. Chair.

Chairperson Lawson: Thank you.

INVOCATION

PLEDGE OF ALLEGIANCE

Chairperson Lawson: If we can have a moment of silence, followed by the Pledge of Allegiance, led by Pro Temp Lanier.

[Moment of silence]

Chair Pro Tem Lanier: I pledge allegiance…

All: …to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

Chairperson Lawson: Thank you, Pro Temp.

AGENDA APPROVAL

ADDITIONS, DELETIONS, SUBSTITUTIONS

Chairperson Lawson: Do we have any additions, deletions, or substitutions to the Agenda?

City Manager Evans: None from Staff, Mr. Chair.

DISCLOSURES

Chairperson Lawson: Disclosures from the Board?

Councilperson Miller-Anderson: [Inaudible].

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Yes. Thank you.

I have had conversations with the developers from Item Number.., the Item on Military Trail. Let me try to find the number here. It's… Well, right on Military.., the, the housing on Military Trail.

I think that's it.

Chairperson Lawson: Thank you.

Any other disclosures?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I did have a conversation with the representatives on the Celeste Site Plan and replat, as well as the Mariner Marine Site Plan and replat.

Chairperson Lawson: Thank you, Councilman McCoy.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Councilwoman Miller-Anderson, go ahead.

Councilperson Miller-Anderson: I haven't had any additional conversations since the first Ordinance reding.

Chairperson Lawson: Thank you.

ADOPTION OF AGENDA

Chairperson Lawson: Motion to adopt the Agenda?

Councilperson Botel: So moved.

Councilperson McCoy: Mr. Chair?

So…

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I would second that motion to adopt the Agenda but I wanted to see if we can move some of these Resolutions, that stand alone to Consent, such as, we have.., I know our fine men of the Fire Department are back there ready to present but I wanted to off to the Board if we could potentially move Item 11c to Consent?

This is authorizing the increase of ambulance fees.

Also, 11d, which is the Oceanside Cabana Services and Beach Equipment Rental.

Chairperson Lawson: Any additional Items, Councilman?

Councilperson Miller-Anderson: I didn't hear. What did you say?

Chairperson Lawson: Any addition'.., no. [Stammer] he asked for 11c and d.

Mr. Evans.

City Manager Evans: Mr. Chair, with regards to the Item that speaks to the MLK parade, if that Item can maybe be taken under awards and presentations? We have some persons that are critical to the presentation that may not be present later on in the evening.

And that should be a very brief presentation.

Chairperson Lawson: Well, I did wanna really hear from Chief Alvin tonight and I…

Councilperson McCoy: You know what?

Chairperson Lawson: …agree…

Councilperson McCoy: So did I.

[Chuckle]

Chairperson Lawson: I agree that I would not mind moving it to Consent though. I'm okay with 'c' and 'd' going to…

Councilperson McCoy: And, and…

Chairperson Lawson: …Consent.

Councilperson McCoy: …he actually [stammer] dressed up in his suit today for us. So…

[Inaudible comment]

Chairperson Lawson: We have such a lengthy Agenda, I think we can go ahead and wait on that one, Councilman McCoy. If that's okay? I would agree with your first one.

Councilperson Botel: Right.

Chairperson Lawson: Board Members, any additional comments?

Councilperson McCoy: I was kinda considering pulling Police off the Agenda since they had something to talk about. But, we'll leave it on there.

Chairperson Lawson: Thank you.

Board Members?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you.

I do need to say that I need to attend the Florida League Cities Board of Directors meeting in Orlando so I'll leaving this meeting tonight at 9:00 o'clock to get to the train to Orlando.

So, I apologize in advance for having to leave early.

Chairperson Lawson: Thank you.

And safe travels.

Councilperson McCoy: Well, Mr. Chair, I'm…

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: …leaving too so, hopefully, I can get outta here by 3:00 a.m.?

Chairperson Lawson: Thank you, Councilman…

Councilperson McCoy: And…

Chairperson Lawson: …McCoy.

Councilperson McCoy: …I don't have a Board of Directors meeting but I am at that same conference in the morning.

Chairperson Lawson: Councilwoman, with the changes, does your motion still stand, to adopt the Agenda with the additions to Consent?

Councilperson Botel: Yes.

Chairperson Lawson: Motion's been made and properly seconded, Councilman McCoy?

Madam Clerk.

Interim City Clerk Hall: Council Member Julia Botel?

Councilperson McCoy: Well, [stammer], wait, wait, wait.

Do we have comment cards on Consent? Did we do…

Chairperson Lawson: [Stammer]…

Interim City Clerk Hall: No, we do not have… Are we on Consent…

Chairperson Lawson: No, no.

We're on regular…

Interim City Clerk Hall: …or adoption…

Chairperson Lawson: We're adopting our…

Interim City Clerk Hall: …of the Agenda?

Chairperson Lawson: …regular Agenda…

Councilperson McCoy: Okay.

Chairperson Lawson: …right now.

We haven't got there yet, Councilman.

Councilperson McCoy: Okay.

Chairperson Lawson: Go ahead, Council'… I'm sorry. Go ahead, Madam Clerk.

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That's unanimous.

CONSENT AGENDA

1. ITEM NO. 1

MINUTES

2. ITEM NO. 2

BOARD APPOINTMENTS

3. ITEM NO. 3

RESOLUTIONS ON CONSENT

3a. ITEM NO. 3A

RESOLUTION NUMBER 169-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE CASE OF ERNSTEL JEAN BAPTISTE V. THE CITY OF RIVIERA BEACH, CASE NO. 502022CA003592; AUTHORIZING PREFERRED GOVERNMENTAL CLAIMS SOLUTIONS TO MAKE PAYMENT IN THE AMOUNT OF THIRTY-FIVE THOUSAND AND ZERO CENTS ($35,000.00) AS FULL AND FINAL SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.

DAWN S. WYNN, CITY ATTORNEY, 561-845-4069

3b. ITEM NO. 3B

RESOLUTION NUMBER 165-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING FUNDING IN THE AMOUNT OF $355,062; FOR THE CONTINUATION OF REENTRY SERVICES FROM OCTOBER 1, 2023 TO SEPTEMBER 30, 2024; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.

ORIE BULLARD, JUSTICE SERVICE CENTER DIRECTOR, (561) 840-3143

3c. <u>ITEM NO. 3C</u>

RESOLUTION NUMBER 166-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING FUNDING IN THE AMOUNT OF $221,430; FOR THE CONTINUATION OF REENTRY SERVICES FROM JULY 1, 2023 TO JUNE 30, 2024; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.

ORIE BULLARD, JUSTICE SERVICE CENTER DIRECTOR, (561) 840-3143

3d. <u>ITEM NO. 3D</u>

RESOLUTION NUMBER 164-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT FOR REIMBURSEMENT OF UP TO $16,600 PER YEAR FOR ON-WATER LAW ENFORCEMENT SERVICES IN COUNTY WATERWAYS DURING MANATEE SEASON; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP THE BUDGET IN FUND 260; AND PROVIDING AN EFFECTIVE DATE.

MICHAEL COLEMAN, CHIEF OF POLICE, 561-845-4128

11c. <u>ITEM N O. 11C</u>

RESOLUTION NUMBER 159-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING

THE MAYOR AND CITY CLERK TO ADOPT A NEW AMBULANCE TRANSPORT FEE SCHEDULE FOR RIVIERA BEACH FIRE RESCUE EMERGENCY MEDICAL SERVICES AND PROVIDING AN EFFECTIVE DATE.

JOHN M. CURD, FIRE CHIEF, (561) 845-4104

11d. <u>ITEM NO. 11D</u>

RESOLUTION NUMBER 117-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AWARDING BID NUMBER 1090-23- 3 TO OCEANSIDE BEACH SERVICES, INC. TO PROVIDE CABANA SERVICES, BEACH EQUIPMENT RENTAL AND BEACH CLEANING SERVICES WITH AN INITIAL FRANCHISE FEE OF 26% DURING THE FIRST AND SECOND YEAR AND 27% DURING THE THIRD YEAR; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; FURTHER AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO DEPOSIT MONTHLY PAYMENTS INTO ACCOUNT NUMBER 101-362000; AND PROVIDING AN EFFECTIVE DATE.

VALERIE GRIMSLEY, ASSISTANT TO THE CITY MANAGER
ELIZABETH T. MCBRIDE, DEPUTY CITY MANAGER
TANISHA BOYNTON, SENIOR PROCUREMENT SPECIALIST, (561) 845-0135

Chairperson Lawson: Now we're on…

Councilperson McCoy: Mo'…

Chairperson Lawson: …Consent…

Councilperson McCoy: Move to approve Consent, Mr. Chair, with Items 11c…

Chairperson Lawson: 'C' and 'd'.

Councilperson McCoy: …and 11d moved to Consent.

Chairperson Lawson: Thank you.

Councilperson Botel: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Do we have public comment cards for Consent?

Interim City Clerk Hall: We do not have any public comment cards on Consent. The acceptance of public comment cards on the Consent Agenda Items is now closed.

Chairperson Lawson: Madam Clerk, Go ahead.

Interim City Clerk Hall: You're ready for the vote?

Chairperson Lawson: Please.

Interim City Clerk Hall: I'm sorry.

I couldn't hear you.

Chairperson Lawson: Yes, please.

Interim City Clerk Hall: Okay. I apologize.

Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Miller-Anderosn?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Councilperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That is a unanimous vote.

Chairperson Lawson: Thank you. Thank you, Madam Clerk.

4. ITEM NO. 4

UNFINISHED BUSINESS

5. ITEM NO. 5

PETITIONS AND COMMUNICATIONS FOR FILING

6. ITEM NO. 6

AWARDS AND PRESENTATIONS

Chairperson Lawson: We're gonna go onto awards and presentations.

Interim City Clerk Hall: Awards and presentations.

6a. ITEM NO. 6A

Interim City Clerk Hall: Item 6a.

Interim City Clerk Hall: PALM BEACH COUNTY PUBLIC TRANSIT BUS SYSTEM - PALM TRAN: CHANGES IN SERVICES WITHIN THE CITY OF RIVIERA BEACH.

DEIRDRE M. JACOBS, ASSISTANT CITY MANAGER, MPA, (561) 812-6593

Chairperson Lawson: Thank you, Madam Clerk.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Assistant City Manager, Ms. Deirdre Jacob, to introduce our speakers for this [stammer], this evening's presentation.

Chairperson Lawson: Welcome, Ms. Jacobs.

DJ: Mr. Evans. Good evening, Chair Lawson, other Councilpersons in your respective place, City Manager Evans, City Administrator Wynn, and Acting City Clerk Debrah Hall. I'm Deirdre Jacobs, the Assistant City Manager here with the City of Riviera Beach.

We have certain persons here from Palm Bech County, Mr. Todd Bolarron, as well as Yash Nagal, who will make a presentation regarding changes that.., with a.., changes concerning bus schedules and [stammer] bus, excuse me, routes that are existing here in the City of Riviera Beach.

But, over the next several months, those particular routes and schedules will be changed. And, it's.., it.., it is in our interest to learn of those routes. And those persons are here to make a short presentation to the Board and to the public.

Thank you.

Chairperson Lawson: Thank you, Ms. Jacobs.

Mr. T. Bolarron: Thank you, Assistant Manager Jacobs. Chair Lawson, Council Members, City Administration, Madam City Attorney. Todd Bolarron, Assistant County Administrator.

I'm humbled to be here before you tonight under the unfortunate circumstance that our late Executive Director would've been here in my place. And, many of you knew him well. He was a friend to, I think, every single one of you. Some of you were with him until the very end.

And, Clinton Forbes was a real giant in the transit industry. He was a real giant in Palm Bech County. And the work that we do, he is going to be deeply missed. But the presentation and the items we're gonna discuss with you tonight, even though he's not physically here with us, his fingerprints [stammer] are all over this.

They will remain all over this and we will continue to provide the best service we can in his footsteps and his honor. And, it's my pleasure to be here with our team.

Yash is gonna lead us off on the presentation. Christian Londono is here as well on some of the paratransit items, and DeBorah Posey-Blocker from Palm Tran is with us as well. So, thank you for the few minutes as we share some of this with you this evening.

Councilperson McCoy: Mr. County Administrator.

Chairperson Lawson: Thank you.

Councilperson McCoy: I believe you said a few minutes, right?

Mr. T. Bolarron: That's correct.

Councilperson McCoy: Okay. Cool.

Mr. T. Bolarron: You got that right.

Councilperson McCoy: I just wanted to make sure. Okay.

Chairperson Lawson: Thank you, Mr…

Mr. T. Bolarron: We, we…

Chairperson Lawson: …Bolarron.

Mr. T. Bolarron: …we know the train schedule very well.

Councilperson McCoy: Thank you.

Councilperson Miller-Anderson: [Chuckle].

Mr. Y. Nagal: Good evening. Thank you for the opportunity to come here and talk to transit with, with all of you and inform all of you about some of the changes that we're making.

If we can go to the next slide, please. Is there a clicker?

[Inaudible comments]

Mr. Y. Nagal: I have the clicker. [Chuckle].

So, for the Agenda today, we'll talk about the fixed route service changes that we wanna make. We'll dive into the Connection service that we have, the Paratransit 88 service. And then finally, we'll jump into some of the recommendations that we wanna make to our service that we currently have in the City and, you know, some of the other areas in county too.

The progress that we've made up to date, this all really began with a Board of County Commissioner's Workshop in, in September, where we took these recommendations for, for their direction, for their feedback.

From there, we.., we were directed to go to our Palm Tran Service Board with these changes, where we got approval from our Service Board members. We were also directed to go to different municipalities. Like, today, we're at Riviera Beach.

We're also going to Wellington. We've been to Palm Beach Gardens. Every area, essentially, where the changes.., or, where the route is. And then, we also presented to the TPA where there was a larger stakeholder audience so we could get feedback.

And then, finally, we wanna be able to early next year, take this plan, with everybody's feedback, back to our Board of County Commissioners so that they can ratify the plan, knowing everybody's feedback.

Jumping right into the fixed route service efficiencies. On the left side, you will see that.., that's, that's the area in Riviera Beach. We have.., currently have our Route 21 that passes through.., it goes from Mangonia Park on 45th.., Tri Rail Station on 45th Street, all the way up to Gardens Mall.

It has low.., low ridership. It passes through Riviera Beach. What we wanna do is take out Route 33, absorb a lot of the parts of Route 21 where we do have ridership, and then, merge those routes.

So, we wanna be able to maintain fixed route coverage while changing the Route 33 in the area. And also, adding a TNC voucher [stammer] zone. Essentially, which means that, you know, any person inside the zone has the ability to, you know, get a Uber ride or Lyft ride from, from their phone and connect to the fixed route. Or, carry on their journey, wherever they might be going.

And we'll talk a little bit about how that framework works inside the zone. But really, that's what our plan is. We only focused on the areas that we knew, like Stonybrook, where we

knew that there was ridership and we didn't wanna take out fixed route services from there so we made sure that the Route 33 deviated and that they, they still have that fixed route service.

These are a list of all of the changes alongside the Route 21. We also have Route 52, that we have planned for elimination and, and basically replacing it with a voucher program. Essentially, these are the two big changes that make up the bulk of the cost.

Our plan is to, you know, take this.., take this cost and reinvest into the system with a hi'.., in a high ridership route. For us, that would be Route 3. And really, on the.., on the next slide, you'll see why we kinda picked Route 3.

We, in the past, seen routes that have high frequency. Frequency is often associated with freedom. When you have a higher frequency, you don't have to go out and wait for the schedule, you kind of just go out there and take the bus 'cause, you know, it's arriving more frequent, you don't really.., you don't have to wait around for it.

So previously, not only have we seen that high frequency routes gain ridership, we had a Route 43 which was every.., which was every thirty minutes. And we essentially made it every twenty minutes and we saw a large ridership increase.

And [stammer].., we're taking the same model from that, to Route 3, where we wanna make it every twenty minutes instead of every thirty minutes. And then, we believe that that would allow us to have a higher.., higher ridership, or a higher return on that.

And then, if you look.., take a quick look at the map too, you'll see that.., sort of, that's the last piece that is running at thirty minutes. Route 1 is twenty minutes, Route 43, that goes on Okeechobee east/west, is twenty minutes.

Route 62, Lake Worth east/west route is twenty minutes. And then, finally, if we're able to do this Route 3, it would also be able to be twenty minutes.

Just a quick photo of, of another, you know, another reason why we wanna do it. This is.., this is a picture that was taken from the live camera. It has, as you can see, overcrowding issues on it. It's a great thing in terms of ridership but, in terms of passenger convenience, obviously not that great.

So, when we increase the frequency, we would have.., we would add more buses to this route too, which will allow the passengers to have more convenience. They would have sitting down room, in addition to more frequency.

So, jumping into, quickly, how this program works. If you're inside the zone, you, you basically can pull out your phone. From the app, like you take any Uber or any Lyft, you pick up your.., you select your origin, where you are, and then you select your destination, where you wanna go.

Either your origin, or your destination, has to be a predetermined location. Which essentially means that a bus stop in the area. So, for example, if you have.., if you're at your home and, and there's a grocery store that currently is a bus stop, you could, you could travel there.

You would have a subsidy or a voucher, that would be eight dollars. The way it would work [stammer].., the way it, it would work is, you would essentially, to get into the program when you book your ride, you would pay the first two dollars, as you pay with fixed route too.

And then, you would get eight dollars from our side. And then anything.., if the trip goes over that eight dollars, then the passenger covers that additional cost. The trips have to of course be within the zone, 'cause this is.., we're trying to provide similar service to the fixed route that's in the area.

And, another part of this too is, the taxi service. So, we do have to be careful about the drug and alcohol policy, the [stammer] ADA options in the area. So, the taxi service essentially allows an option where, if a passenger needs an ADA accessible vehicle, they would have.., they would have the ability to call the taxi. If you want an operator that is drug and alcohol tested, the taxi service will do that too.

So, that's sort of the, the regulation.

And then, the other part too is, if you don't.., if you can't use the smartphone, or if you don't wanna use a smartphone, you can also dial in the number to book your ride.

And, with that, I'll pass it to our Director of Support Services, Mr. Christian Londono.

Chairperson Lawson: Thank you, sir.

Welcome…

Mr. C. Londono: Thank you…

Chairperson Lawson: …Mr. Christian.

Mr. C. Londono: …Mr. Nagal. Thank you.

I'll jump right in it. So, Mr. Nagal just went over the changes for our fixed route system. And I'm gonna talk about the recommendations for our paratransit system. As you might know, and recognize the vehicles, this is our door to door service for folks with disabilities and seniors, that are not able to ride our fixed route system.

So, this is the continuation of what we refer to as a Connection efficiency project. And, it's a, a project that we're aiming to increase efficiency for the service. And, you know, as it says here, it's to address the rapid growth and increasing cost of the service.

This is one of our most costly services. So, we're looking to how to make it more efficient. And, as we're comparing to our peer agencies in in the State of Florida, Palm Tran spends the most percentage of the operational budget in this service.

You know, again, as you can see here at thirty-three percent, is the highest of our peers. The average is thirteen percent.

Now, as part of the Connection efficiency projects, we implemented an enhanced eligibility process where we're making sure that those that are being eligible for the service and are currently riding the service, they actually meet all the criteria for eligibility.

So, since we started the implementation in 2018 of this process, late 2019, you can see the decline of folks that are applying or being approved for the service because we're making sure now that those that are getting into the system are those that actually need it most.

And, at the same grade, this is taking care of those that are already in the system that nee the service, right? We, we don't want folks that are getting access to the service that it's not for them.

So, the recommendations that we have for the paratransit service are these three. The first one is align the ADA service area with the FDA guidelines. What this means is, currently, we provide transportation anywhere within Palm Beach County.

And, that's beyond the FDA regulations. [Stammer] the regulations says that our service should be three-quarters of a mile of the fixed route system. The second recommendation is to launch an alternative transportation services program.

Why is this important? Because, as we're moving towards out federal requirement, which is three quarters of a mile of our fixed route system, we don't wanna.., we want to make sure that those folks that will be affected, that we still have an option for transportation.

And that's what the Department of Transportation services will be. And our goal, in more detail into what that service entails.

And the third recommendation is to adjust the fares to the federal guidelines. So, the federal guidelines says that a transit agency can charge for paratransit twice as much the cost for the fixed route.

So, currently, our fare for the fixed route is two dollars, meaning that we can charge up to four dollars for the door to door paratransit service. Currently, we charge $3.50. It means that we would be able to increase that fifty cents.

And, and that's very important if you think about the cost of the service. We average about fifty-one, fifty-two dollars per trip of which the riders are currently paying only three fifty. And, you're all familiar with the cost escalation we're experiencing across different commodities.

So, this is the, the slide that pretty much depicts the first recommendation. The ADA area is, for the most part that dark magenta that is the map on your left. The good news for this City of Riviera Beach is that the City's within the core area, meaning that this change would not really affect the residents of the City.

Now, the areas in the map that are outside of that dark magenta is what we consider transportation disadvantage. It's not a requirement for Palm Tran to provide door to door services within that area.

But that's the area that, once we aligned with the core area, you know, our paratransit services, we would launch that.., a alternative transportation services to cover those folks affected. Mostly in the western communities.

So, to give you an idea of the folks that would be affected with this change, once it takes place, I want you to look at the numbers on your right. That's our Fiscal Year 2022 Palm Tran Connection riders. So, the riders that are currently riding that system.

About 8,000 individuals, of which 5,400 are within the core area. So, the folks that are in the area where we're required to provide the transportation service.

The 2,600 in the bottom is what we considered transportation disadvantaged. Those are folks that are not near to the fixed route service, the.., the, the.., we don't have to provide paratransit service for because of FDA regulations, however, a part of our second recommendation, which is alternative transportation services.

So, how would this work with [stammer] alternative transportation services? So, it would operated similar to the TNC that we're proposing on the.., for the fixed route changes. It will be operated with Uber and Lyft. It will utilize ambulatory curb to curb service for those that are able to use that service.

Now, if those that are within that area, required an ADA compliant vehicle. They in a mobility device, they need to have a lift or a ramp to access the vehicle, then, we have the option number two.

We have a user, which is a similar to paratransit in the sense that, you know, they have vehicles, they come and pick them up door to door and take them to the destination. So, that's the option for those folks.

And, the ADA accessible taxi service for non-ambulatory. And so, the taxi service is an important component because we recognize that not everybody is able to use the technology or have the ability to use Uber and Lyft so they can just get the service by picking up the phone and, and making a phone call.

And, and the fourth component is the fare will be the same as the, as the ADA service. So, currently, it's $3.50. Folks in the alternative transportation services they will still be paying $3.50.

If the Board approves for the fares to be increase to $4.00, then the fares for the service will be four.., $4.00 as well.

So just to give you an idea with this important.., with the alternative transportation services, currently the county is covering that $3 million gap in ad valorem. We receive funding of $3.2 million, which is about fifty percent of that transportation disadvantage services that we currently provide.

And the service we're providing right now is $6.2 million, meaning there is a gap that the county is covering, that is unfunded. So that's another reason why this change is important.

The third one, in terms of the adjustment of the fare guidelines as I mentioned, is a fourteen percent increase to go through.., from $3.50 to $4.00 per trip. The last time that we increased the fares was in 2013. So, as you can see, ten years ago, we went.., we increased that fifty cents from $3.00 to $3.50.

This action would still require BCC approval for them to consider if they want to increase the fares by fifty cents.

Now, in order to implement all these recommendations… First of all, as previously mentioned, it would require Board approval to move forward with implementing some of these changes.

And, as we're doing right now, we're talking to the community. We're ga'.., gathering all the feedback we, we can ahead of implementing any of this recommendations. But, our plan is to have a robust outreach plan.

Letting people know in advance that these changes are coming. This is not something that we're gonna do in a week or, or abruptly. We wanna make sure that he community is notified, they know about the new changes, the new options that are available for them and they're taken care of.

So, we do that at high ridership locations that are.., that are being affected, specifically, on the fixed route side, those areas where we currently have riders that now won't have the fixed route system and, and, and might need to transfer into the TNC service.

We'll all be out there talking to them. We have our guidebook, mailers, social media, website, Palm Tran app. We have messages for those that are subscribed to our, our updates, as well as [stammer] our audio and, and video announcements.

So, people that are currently riding the service, they will see these things in the infotainments that we have in advance.

And, and lastly, municipal coordination of public meetings, such as this one.

So, this our last slide of the recommendation. And, for the most part, we have the portion for fixed route and for paratransit. On the fixed route side, just to summarize what Mr. Nagal presented to you, the efficiencies that we're finding is $2.4 million. We're asking the Board to reinvest those $2.4 million in efficiencies.

By doing a mixture of different things, some of those are increasing frequency in Route 3, and deploying three TNC areas. Three [stammer] TNC zones, one of which will be in the area of Riviera Beach.

So, what the benefit for the riders is that they're not only gonna have paratransit service, fixed route service, but they will have these new TNC service which, for the most part, will be a

voucher program to offset some of the cost of taking Uber or Lyft. So now, there, there's more options for the community.

On the bottom portion, we have the recommendations for the paratransit service. And, as I mentioned, this is a phase approach. This is a multiyear phase approach that will start with building the plan for those changes this Fiscal Year '24, with implementation that will go after Fiscal Year '27.

And each one of those recommendations will have to be presented to get approved by the Board. So, we're a little bit early of those changes.

What I wanna mention, you see January 2024 as implementation for the service changes for the fixed route? That's now being postponed to May 2024 to gain a little bit more time to, you know, gather this feedback and make sure that we're, you know, taking care of the community, and, you know, the, the bottom portion back to the paratransit recommendation.

These adjustments and recommendations will be starting with a plan, a detailed plan of implementation in Fiscal Year '24, starting with rolling out the implementation of such recommendations after Fiscal Year 2027.

And that's our presentation. And, we're ready for your questions.

Chairperson Lawson: Excellent.

Questions from the Board?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: More a comment and, and a thank you.

You know, I was very concerned, early on, about what would happen to the route that crossed in front of Stonybrook and I wanna thank you, Mr. Nagal and, and of course, Clinton

Forbes was there, as was County Commissioner Mack Bernard, and Councilwoman Lanier's aide was, was with us.

And, we took that.., we took that route and, and it was very educational and I really appreciate the time that you took to understand the needs of our community in that area. And, it looks like you've got.., you've come up with some good solutions for us so I appreciate that.

Thank you very much.

Chairperson Lawson: Thank you, Councilwoman Botel.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Councilwoman Miller-Anderson, go ahead.

Councilperson Miller-Anderson: And, as a, a member of the Palm Tran Service Board, I do know that Mr. Forbes was very dedicated to making sure that we were able to get these routes adjusted so that we can have our residents have an opportunity to still get around.

And it was very important to the Service Board to make sure that this was going to be the result. And so, I just wanna thank you all for all the work that you all have done. I know it was a lot going back and forth and trying to adjust, you know, be able to adjust it.

But, it was able to be done with the success that you all have put in.

So, thank you all so much for that.

Chairperson Lawson: Thank you, Councilwoman.

Board Members?

[Pause]

Chairperson Lawson: County Administrator Bolarron, thank you so much for the presentation. And also, our, our prayers and love go out to the entire County Administration, to

the Forbes Family. So, thank you so much for being here tonight and thank you for the presentation.

Mr. T. Bolarron: Thank you.

6b. <u>ITEM NO. 6B</u>

Chairperson Lawson: We did move to awards and presentations, 6b, the MLK.

Madam Clerk.

Interim City Clerk Hall: It was Item 11g.

Chairperson Lawson: Mhmm.

We moved…

Interim City Clerk Hall: Okay.

Chairperson Lawson: …that to awards and presentations.

Interim City Clerk Hall: Yeah. 6b.

Interim City Clerk Hall: RESOLUTION NUMBER 170-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE TEMPORARY CLOSURE OF DR. MARTIN LUTHER KING, JR. BLVD. AND CERTAIN PORTIONS OF OTHER ANCILLARY STREETS; AUTHORIZING A CONTINGENCY ROUTE; AUTHORIZING STAFF TO SUBMIT THE APPROPRIATE DEPARTMENT OF TRANSPORTATION PERMIT APPLICATION(S) FOR THE 40 TH ANNUAL DR. MARTIN LUTHER KING JR., HOLIDAY PARADE AND PROVIDING FOR AN EFFECTIVE DATE.

ALADIA FRANKS, SPECIAL EVENTS MANAGER, (561) 812-6593

Interim City Clerk Hall: Mr. Chair, we do not have any public comment cards for this Item. The acceptance of public comment cards for this Item.., for this Item, is now closed.

Councilperson Botel: Motion to approve.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Thank you.

Motion's been made and properly seconded.

Mr. Evans, we moved it to awards and presentations. Are you gonna be looking for action tonight?

City Manager Evans: Yes, Mr. Chair.

Chairperson Lawson: Okay.

Thank you. Go ahead, Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can ask for the Special Events Manager, Ms. Aladia Franks Edwards, to make this presentation to the Board.

Ms. Franks.

Chairperson Lawson: Thank you.

Special Events Manager Franks-Edwards: Thank you. Good evening, Mayor, Council, City Manager, City Attorney, and residents. Again, I am Aladia Franks, Special Events Manager.

I have a fun fact for you. Did you know that at least nine hundred and fifty-five streets in the United States of America are named after Dr. Martin Luther King, Jr.? So, what better location than to host this year's parade along MLK Boulevard.

With that being said, in celebration of Dr. Martin Luther, Jr. holiday, the City continues to recognize and celebrate the renowned Civil Rights leader birthday annually by hosting a gala parade.

This year, the City will celebrate its 40th year. The parade will be held on Saturday, January 13th, starting at 10:00 a.m. Due to the upcoming construction, the previous viewing location along Blue Heron and Avenue L is not available.

Therefore, Staff is seeking authorization to host this year's parade along MLK in honor of Dr. King, temporarily close MLK Boulevard, Congress Avenue, and certain other streets within the City limits.

And upon Council approval tonight to submit an approval on applications to the Department of Transportation by December [stammer] 1st, the deadline.

With that being said, we have a very short presentation.

[Inaudible comment]

Special Events Manager Franks-Edwards: Okay.

The first, and preferred, location as I just discussed is along Congress Avenue and Blue Her'.., and MLK Boulevard. The staging area will start at Congress Avenue and will proceed east to Avenue P.

And the viewing stand will be in the overflow parking in front of the Dan Calloway parking location.

I'm trying to get this back. I'm sorry.

This is the zone and it's just showing where the viewing stand will be and where Avenue P is. And that is actually the end of the parade, which will.., we will be on the northside of MLK Boulevard and turn into Avenue P for all of the post-parade festivities will be, the vendors, the music, the bounce houses, the family fun zone.

[Inaudible comment]

Special Events Manager Franks-Edwards: Suggested parking locations. With MLK Boulevard route, Dan Calloway Recreational Complex, Suncoast High School, Lincoln Elementary, 9th and 10th Street, which is.., we'll access from Avenue E'.., U, and Public Safety building.

We will provide ae tr'.., a trolley or shuttle from these locations so that our patrons and residents can access the parade routes.

These, of course…

Councilperson McCoy: I'm sorry.

Special Events Manager Franks-Edwards: Yes.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy…

Councilperson McCoy: Can you go back?

Chairperson Lawson: …go ahead.

Councilperson McCoy: I, I seen Broadway and 28th, and I don't understand why it said Walgreens. Go back one…

Special Events Manager Franks-Edwards: Okay.

Councilperson McCoy: …slide.

Special Events Manager Franks-Edwards: [Stammer]. Technical difficulty. Hold on. Okay.

Councilperson McCoy: So…

Special Events Manager Franks-Edwards: In the Resolution, there was a contingency plan but the Committee really preferred the route for MLK because in honor of Dr. King. But, we had a contingency plan.

These are additional parking lot locations for.., if that location was selected, which was Walgreens, Auto Zone, vacant lots along 23rd, 22nd, Choice Bank, Florida Marine Tech, and 13th Street.

Those were ju'.., if.., Plan b was an option.

Councilperson McCoy: Did…

Special Events Manager Franks-Edwards: Thank you.

Chairperson Lawson: Did you show Plan b? Or, did we, did we…

Special Events Manager Franks-Edwards: No.

Chairperson Lawson: …already see that? Cause we only saw the one route at MLK.

[Pause]

Chairperson Lawson: Oh, that's Plan b?

Special Events Manager Franks-Edwards: 30th. Okay.

Chairperson Lawson: Okay.

Special Events Manager Franks-Edwards: That is.., this location, Chair Lawson, is along Broadway. It would proceed south on Broadway all the way to 13th Street. We have two locations, either we can place the viewing stand on 13th, along Broadway, or on the vacant Miami Subs location. So, that was an option.

And then, we would have the post-parade festivities at.., in Bicentennial Park.

Councilperson McCoy: So.., so…

Special Events Manager Franks-Edwards: Or, some additional routes that the Committee discussed…

Chairperson Lawson: Council'…

Special Events Manager Franks-Edwards: …we did our…

Chairperson Lawson: Hold on one second…

Special Events Manager Franks-Edwards: …due diligence…

Chairperson Lawson: …Ms. Franks.

Special Events Manager Franks-Edwards: Yes.

I'm sorry.

Chairperson Lawson: Go ahead, Councilman McCoy.

Councilperson McCoy: So, I mean, I, I guess it's pretty early and very difficult to estimate how long, from start to finish but, typically, what has been the actual time of the actual parade in commuting? Has it been two and a half hours?

Special Events Manager Franks-Edwards: About… Yes, sir.

Yes, Councilman. About two and a half hours.

Councilperson McCoy: And, I guess, I, I was away when we did the Juneteenth. Was that a'.., around the same amount of time?

Special Events Manager Franks-Edwards: I was also not… I can't speak on that. I wasn't.., I was not here.

Councilperson McCoy: The…

Sergeant Crenshaw:: [Inaudible].

[Chuckle]

Chairperson Lawson: Shorter period of time.

Sergeant Crenshaw:: [Inaudible].

Chairperson Lawson: Yeah.

Much shorter time is what I remember.

Councilperson McCoy: Okay.

Chairperson Lawson: Thank you, Councilman.

Ms. Fr'… Go ahead…

Sergeant Crenshaw:: It…

Chairperson Lawson: …[Inaudible].

Sergeant Crenshaw:: …talking about the, the length or amount of time on the Juneteenth?

Chairperson Lawson: Yes.

Sergeant Crenshaw:: It was about three hours.

Chairperson Lawson: So Juneteenth was actually a longer time?

[Audio skipped]

Chairperson Lawson: The act'.., well, I think we're.., the concern is more of the run from the start to finish of the cars. I know we started a little bit later but the actual length, the distance travelled and the, the time.., how long it takes for the first car to get from the beginning to the end.

Councilperson McCoy: Well, no. That… No, no, no.

From the first car to the last car. What's the entire time?

Chairperson Lawson: Well, you did say three hours but it's because we started late?

Sergeant Crenshaw:: Correct.

It was.., the.., we were stopped right at the beginning for a period of time. But if you take that stoppage out, we would've been right around two hours.

Councilperson McCoy: Mr. Chair, can I clarify?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Well, what I guess I'm looking at is in totality. Like, how long do we shut down the roads and have alternate routes? Because, you know, when we had that event, and I'm not sure if you were there yesterday but I know Administration was there.

When there wase a car show over at, at Calloway, that musta went on for hours and we got a ton of complaints. And, it spilled over into the residential neighborhoods. So, I'm saying,

from start to finish, how much time can we expect that, if Police is gonna get out two hours ahead of time and close off all the roads, you know, what is.., what can the resident that lives down the street expect that they're gonna have no access to being able to enter and leave their community?

So, I mean, in total, that.., for me, the convenience thing is probably the most important for me.

Sergeant Crenshaw:: Well, if we're gonna to use the MLK proposed site, the road closure time, complete for set up to end, we're looking at.., that the road will be closed at.., by 8:00 a.m., start time of the parade being at 10:00.

And, probably at a projected being able to open back up, would be somewhere around 1:00.

Councilperson McCoy: Mr. Chair, follow up.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Okay.

So that's about five hours? 8:00 to 1:00 is about five hours. So, I.., I, I'm okay with that but the one concern that I have, and I know this has been brought up before is, the 710 access to the Port.

And, specifically, I know this came up many, many years ago but I just wanna make sure that there's going to be a clearly delineated truck route because that is the designated truck route for access to the Port.

And, if you close that down, then I don't wanna see, on top of us having all of this additional traffic in residential neighborhoods, I certainly don't wanna see eighteen wheelers

turning and trying to make a turn radius into a neighborhood where it's just not even possible for them to do, coupled with vehicles already being in there.

So, I just would like to see a great plan. And, you know, I'm o'.., you know, I'm.., I guess I'm cautiously optimistic about MLK.

But, you know, either way we look at it, you know, if we're gonna close down for five hours, than that's five hours of residents being inconvenienced on MLK. You know, if we choose the Broadway site, then that's five hours of businesses being impacted. So, I want to use the least, I guess, the least invasive, you know, process.

And then too, the parking is a huge issue. Because folks start parking everywhere. And then, if we have all of our assets and first responders deployed, like, how is that gonna managed? You know, me personally, I like Blue Heron. That's been historically where it's been at.

And, you know, there's been alternate routes and people have navigated that and they know their way around it. And then, there was ample parking. But, I just don't want us to…

And then, you know I actually brought this up before. There was a bill in the legislature that specifically made municipalities responsible for, if they created any kinda Resolution or Ordinance that [stammer] affect.., impacted their business.

And I don't wanna, you know, for the sake of us moving it because Avenue L is… and, and I don't know what's going on with Avenue L, other than the fences been placed there. But, there's not any actual construction related activities going there right now, currently. Is it? [Inaudible comment]

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: There.., there's no construction related activities. I believe there's some testing that's being done on the site soil testing and, and the like, but there's no construction related activities. But it is fenced off.

Councilperson McCoy: Okay.

That's all I have.

Councilperson Miller-Anderson: Mr…

Chairperson Lawson: Thank you, Councilman.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Ms. Miller-Anderson, go ahead.

Councilperson Miller-Anderson: I'm not sure if you all are gonna go into each of the additional [stammer] parade routes. But, I was just looking at the Australian Avenue route. I mean, if you're talking about having cars parked and… I.., that would look, to me, to be the most reasonable one, where they're not really impacting the residents as much.

It's still nearby the neighborhood for people that.., if they need to walk, if.., you know, they don't have transportation. And, we could actually turn up 13th Street on Australian, to go to Tate's, if that was going to be the ending location as well.

I'm just thinking about the Broadway. I mean, I like Broadway. I remember they used.., we used to have the Christmas parades on Broadway. But, the concern would be the traffic in the neighborhood, right off of.., off of Broadway between 28th and, and Blue Heron, as well as the par'… The southside.

What were your thoughts on the Australian route? Did ya'll have anything on that?

Sergeant Crenshaw:: The Australian route? Number five or number six?

Special Events Manager Franks-Edwards: Number six.

Councilperson Miller-Anderson: Either one.

Well, more.., more so, five.

Sergeant Crenshaw:: Well, and that was a considerably longer route.

Councilperson Miller-Anderson: Mhmm.

Sergeant Crenshaw:: When we looked at that, we got a bunch of suggestions…

Councilperson Miller-Anderson: Well, I take that back.

I'm sorry. Not even to go to.., to stay away from MLK, to not even… I guess I'm modifying your route here. I was thinking more of, like, Blue Heron and Australian to maybe 13th & Australian, and then come up 13th to Tate's.

[Pause]

Sergeant Crenshaw:: I think that had been… That was not, like, one of the suggested routes that we had put on there.

Councilperson Miller-Anderson: Mhmm.

Sergeant Crenshaw:: But, the Barack Obama or Australian corridors left us with the same kind of, 'Where are we gonna put people for, for viewing and for a grandstand or main viewing area?

Councilperson Miller-Anderson: Okay.

Sergeant Crenshaw:: And…

[Inaudible comment]

Sergeant Crenshaw:: …there was still the railroad tracks.

We wanted to try to stay away from PBO because, right now, with the, the number of trains that Brightline runs now, and we have to try and contain people to one side of the street for

safety reasons, we, we really wanted to try to stay away from trying to cross any of the tracks that our FEC controls.

Councilperson Miller-Anderson: Okay.

They use.., they utilize that one on Australian, by 13th, on the weekend, quite frequently?

Sergeant Crenshaw:: It is a possibility.

Councilperson Miller-Anderson: Okay.

Sergeant Crenshaw:: I mean, right now, that, that is a loading area. And so, they don't have, like, a regular schedule that they would use it but it does get used.

Councilperson Miller-Anderson: Yeah.

It was actually just being used right before I came here but… [Chuckle]. I know they don't.., they don't come through as often as the others.

That was just a suggestion because they could park, you know.., the people would have a lot of parking along those side streets where the ware'.., industrial area on, on the east and west side of Australian.

So, I was just thinking that would be a more.., the [inaudible] in terms of parking. And, it wouldn't tie up the MLK with the semis and… I mean, usually on the weekend, Australian and that area is not as busy as Blue Heron or Bar'.., Barack Obama.

That was just a thought.

Sergeant Crenshaw:: The Port…

Councilperson Miller-Anderson: [Inaudible].

Sergeant Crenshaw:: The Port isn't as busy on Satur'.., on a Saturday as it would be during the week. They still get trucks in there. And, currently, I've been working on the, the detour route that we would suggest to them to use while the road is closed.

Since we're definitely not going all the way to President Barack Obama Avenue. Australian will still be open north and south. President Barack Obama will be open north and south.

So, the detour would either take them from the Blue Heron side to either Australian or 45th Street to Australian. And then, they could get right back onto MLK to go straight to the Port.

Chairperson Lawson: And…

Councilperson Miller-Anderson: Okay.

Chairperson Lawson: …let the record reflect, the Mayor has arrived to the dais.

Chair Pro Tem Lanier: Um…

Chairperson Lawson: Pro Temp Lanier, go ahead.

Chair Pro Tem Lanier: Yeah.

I wanted to.., I do like the MLK route. So… I mean, I like that route and I, and I would want to go that route, given that that is the namesake of the individual that we're trying to celebrate.

And, he's right about not having that much traffic in terms of trucks. I live in that area and there's very, very few trucks that come down on Saturday. Especially, Saturday mornings, for this route.

So, I do like this route in terms of the traffic, and the fact that there is side roads that people can park, people can look and they don't have to be on the actual street to be able to view the parade.

So, I like that route.

Chairperson Lawson: Thank you, Pro Temp.

Council Members? Any additional comments?

[Pause]

Chairperson Lawson: Do we have any public comments for this Item, Madam?

Interim City Clerk Hall: We do not have any public comments for this Item. No comment cards.

Chairperson Lawson: So, what's being proposed is the route down MLK. This is the Resolution that's being currently proposed that they want us to vote on now.

So, Board Members… Madam Clerk.,

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That's unanimous.

Chairperson Lawson: Thank you, Madam Clerk.

Special Events Manager Franks-Edwards: Thank you.

Good night.

7. <u>ITEM NO. 7</u>

PUBLIC HEARINGS

8. ITEM NO. 8

ORDINANCES ON SECOND AND FINAL READING

Chairperson Lawson: Now we're gonna go into our Ordinances on second reading.

8a. ITEM NO. 8A

Chairperson Lawson: 8a.

Interim City Clerk Hall: Item 8a.

Interim City Clerk Hall: ORDINANCE NUMBER 4237: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (ZA22-0003) FROM J.S. 12 REAL ESTATE HOLDINGS LLC (APPLICANT); REQUESTING A ZONING MAP AMENDMENT TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY FROM THE DOWNTOWN GENERAL (DG) ZONING DISTRICT TO THE DOWNTOWN CORE (DC) ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do not have any public comment cards for this Item.

The acceptance of public comment cards for this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4237.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Let the record reflect Councilwoman Miler-Anderson left the dais.

Welcome, Mr. Sirmons.

Interim City Clerk Hall: You have one for 8a?

[Inaudible comment]

Interim City Clerk Hall: Oh, okay.

Development Services Director Sirmons: Good evening, Mr. Chair. Clarence Sirmons, Director of Development Services for the City of Riviera Beach.

If you could give us just a moment to get the PowerPoint up for your viewing pleasure.

Chairperson Lawson: Thank you.

[Pause]

Development Services Director Sirmons: Oh, I beg your pardon for the delay. Good evening, Mr. Chair, Members of Council, Honorable Mayor, and Madam Attorney. Again, I am Clarence Sirmons, Director of Development Services.

The Item before you at the moment is not new. It is on second reading, related to a development project submitted by [stammer] J.S. Holdings, or Mariner Marine.

On the screen before you is a overall city map, with a red dot indicating the rough location of the project.

And before you now is a zoomed in aerial view of the properties in question.

These views are from the northeast to the property. And from the north.

View from the southeast, on the screen to your left. And view from the south on.., in the picture to the right.

The petitioner has submitted this application to request Site Plan approval to allow a 30,358 square foot, two story boat dealership, with an outdoor boat storage area. The existing site is vacant except for a building that is intended to be demolished for the purposes of this project.

The Parcel IDs associated with this project are displayed on the screen before you.

The lot size is approximately 4.01 acres.

And the Zoning is Downtown General and Downtown Core.

The Future Land Use is Downtown Mixed Use.

The screen before you shows the existing downtown.., I'm sorry.., the existing Zoning for the property, it is a mix between Downtown Core and Downtown General, and the proposed rezoning of the property which is before your consideration tonight.

If it is approved, this would be the rezoned map of the area.

The second Ordinance on second reading under your consideration this evening is for an abandonment of the alleyway, that traverses the properties subject to this proposed development. They are depicted on the screen before you.

The proposed project has been reviewed by City Staff, as well as professionals listed in various other organizations, multiple City Departments, as well as outside reviewers, Engineering firms, the Florida Department of Transportation, Palm Beach County Traffic, and the South Florida Water Management District.

Staff has reviewed this rezoning request, as well as the roadway abandonment request and finds that it is consistent with the requirements of our Code.

The project was also reviewed by the City's CRA Board and was found to be consistent with the goals and objectives of the adopted Riviera beach Community Redevelopment Plan. And this project was also [stammer] properly notice according to state statutes, as well as City Ordinances.

The City did receive two communications from the community regarding this project. There were two emails that the City received in opposition to the project. Those persons who submitted those letters of opposition did meet with the developer and their concerns were resolved based on the statements of those applicants and developer.

And, they added some changes and a condition to their Site Plan to reflect what was discussed between them and those community members.

And that will.., again, that will conclude the, the substantive content of this presentation. The Staff recommends City Council approve this application based on the following conditions:

That the privilege fee associated with the abandonment shall be paid within thirty days of approval by City Council. And this will be a condition of the Site Plan associates with the abandonment Ordinance that is the next Item on your Agenda.

And that will conclude the Staff presentation on this Item.

Chairperson Lawson: Thank you, Mr. Evans.

Madam Clerk, do we have any public comments?

Interim City Clerk Hall: We do not. We do not have any public comment cards on this Item.

Chairperson Lawson: Thank you.

Board Members?

Development Services Director Sirmons: [Stammer]…

Chairperson Lawson: Councilman McCoy.

Development Services Director Sirmons: I'm sorry. Mr. Chair, if I may?

Chairperson Lawson: Yes.

Development Services Director Sirmons: The applicant is present and ready to present if it's your pleasure.

Chairperson Lawson: Thank you.

Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Mr. Chair.

So, Mr. Sirmons, you were actually just speaking to the fee privilege. That's what I was gonna ask. I didn't see an appraisal in here. How did that come about?

Development Services Director Sirmons: So, the Ordinance outlines how the privilege fee is to be calculated based on the, the county, county appraisals of those parcels, and there's a formula based on those valuations done by the county.

The applicant submitted that information, based on our formula, and it was [stammer] reviewed by City Staff to be verified as correct. And that is how the privilege fee was calculated and verified.

Councilperson McCoy: And that's per our abandonment Ordinance?

Because, I know I've seen other cases where we had a full-fledged appraisal. Certainly for the Villa L'Onz property, we had a actual appraisal report for that actual property.

Development Services Director Sirmons: The Ordinance requires, or outlines that the valuations of the property are to be done based on the county property appraisers appraisals of the, the parcels in question.

Councilperson McCoy: Okay.

Thank you.

Chairperson Lawson: Thank you.

Board Members?

[Pause]

Chairperson Lawson: Madam Clerk?

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That's a unanimous vote.

Chairperson Lawson: Thank you.

8b. <u>ITEM NO. 8B</u>

Chairperson Lawson: 8b.

Interim City Clerk Hall: Item 8b.

Interim City Clerk Hall: ORDINANCE NUMBER 4238: AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A REQUEST FROM J.S. 12 REAL ESTATE HOLDINGS LLC (APPLICANT); REQUESTING AN ABANDONMENT (AB-23- 0001) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 20 FOOT ALLEY RIGHT OF WAYS, UTILITY EASEMENTS AND REQUIRED RIGHT OF WAY DEDICATIONS ALONG BROADWAY AND AVENUE E; IN RIVIERA BEACH, FLORIDA ("ATTACHMENT A"); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do not have any public comment cards for this Item.

The acceptance of public comments.., comment cards for this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4238.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Thank you.

Motion's been made and properly seconded. Thank you, Madam Clerk.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Mr. Chair, the previous presentation did cover this Item.

And Staff has no additional presentation materials related to this one.

Chairperson Lawson: Council Members?

Councilperson McCoy: Mr.., Mr. Chair.

Chairperson Lawson: Councilman, go ahead.

Councilperson McCoy: So, Mr. Sirmons, who are on your.., in, in your Development Staff team verified the calculation?

Development Services Director Sirmons: It was multiple persons on my Staff and then it was sent to the Finance Department to corroborate Development Services findings. So, it was at least three different Staff members that [stammer] reviewed the number submitted by the applicant.

Councilperson McCoy: Okay.

Thank you.

Chairperson Lawson: Councill Members?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Council Member McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Council Member Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Council Member Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That's a unanimous vote.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Can we go ahead and grab the Site Plan that's associated with it now so.., since he's already given us the presentation on the abandonment and the rezoning, I think we could just probably pull that Item just right on up and dispose of it.

With the [inaudible] on it.

City Attorney Wynn: Mr. Chair?

Chairperson Lawson: I believe we had this conversation in my Agenda review. But, Attorney Wynn, please, go ahead.

City Attorney Wynn: We have to dispose of all the Ordinances on second reading first. Unfortunately.

Councilperson McCoy: Okay.

Chairperson Lawson: Thank you.

8c. <u>ITEM NO. 8C</u>

Chairperson Lawson: 8c.

Interim City Clerk Hall: Item 8c.

Interim City Clerk Hall: **ORDINANCE NUMBER 4235: 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", ARTICLE V, ENTITLED "BUSINESS TAX RECEIPT", SECTION 10-150, ENTITLED "CLASSIFICATIONS AND RATE STRUCTURE", BY INCREASING BUSINESS TAX RECEIPT RATES BY 5% FOR ALL BUSINESS TAX RECEIPTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do not have any public comment cards for this Item. The acceptance of public comment cards for this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4235.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and.., Mr. Chair and Members of the Board, if I can have the Director of Development Services to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair, Members of Council.

This Item, again, is before you one second reading to.., for your consideration of the increase of the Business Tax Receipt rates, as is allowed by state statutes. We had a extensive discussion on this for first reading and we have brought it back to you for second reading with no changes.

However, I will allow Operations Manager, Ms. Grace Joynce, to give a, a quick refresher and overview of what this Ordinance does, and it's benefits.

Ms. Joyce.

Operations Manager Joyce: Thank you, Mr. Sirmons. For the record, my name is Grace Joyce. I am the Operations Managers. Thank you, Councilman Lawson and, and the Board, and, and Madam Attorney, and Mr. Evans.

One of the things that I wanted to just remind the board that we discussed was the increase of the five percent for the Business Tax Receipt and how it impacts the businesses in the community.

We did discuss that one-third, approximately 1,300, plus or minus, business tax receipts are actually rental receipts, residential rental receipts. And they would be impacted at $1.52 per year. That's what that five percent increase would amount to.

In this past Fiscal Year, from September.., from October 1st to September 30th, we processed 3,1092 invoices. And of those 3,192 invoices, 2,830 were for $1,000 or less. So, the average impact on those types of Business Tax Receipt would be anywhere from $1.52 up to $50.

The remaining ranged anywhere from $1,001 up a million. So, we had such a wide variety. It's very difficult to come up with what that average would be. But I think it's im'.., important to just point out a couple of the, the businesses that we do a lot of, or that are large businesses.

For example, fake companies. We have several, within the City of Riviera Beach and they are assessed a Business Tax Receipt based on, not only number of vehicles, and it's on a scale, but also number of employees.

So, the more employees you have, the more money you will pay. But the scale gradually goes down to a per vehicle charge. So, let's say, hypothetically speaking, you were a business and you had twenty vehicles, your Business Tax Receipt would see an increase of $23.40.

If we were talking about car sales, 'cause we have several businesses that are.., sell cars within the City of Riviera Beach. Their Business Tax Receipt is based on inventory, wholesale inventory.

And the City has a cap. Within our Business Tax Receipt, we cannot collect on anything over $4 million. So, regardless of how much inventory they actually have on the lot, we can only tax them for up to $4 million.

And, and based on that, their.., their fees would go up somewhere between three and $500. So [stammer] it all depends. Because, they have automobile repair associated with it or if they have car wash associated with it, or are other things like that.

The other thing I wanted to point out is.., goes back to our residential rentals. In a positive note, the City has seen an increase in business rental prices of eight percent over last year. So, residential rental rates increased at eight percent.

We're suggesting that the Business Tax Receipt go up five percent. Again, which is about $1.52.

I didn't.., I, I tried to come up with a variation of examples of, of things and how it would affect different business but if you have any other questions, I'm happy to answer them. Anything specific?

Chairperson Lawson: Thank you, Ms. Grace.

Council Members?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you.

Just.., I think you, you may have it and, and I might have missed it but I know in our Agenda review I was told that it's been how many years since we increase the Business Tax?

Operations Manager Joyce: Since 2015.

Councilperson Botel: So, it's been quite a while.

Operations Manager Joyce: Yeah.

Councilperson Botel: Almost ten years.

So, I think it's probably about time.

Thanks.

Chairperson Lawson: Thank you.

Councilman McCoy, go ahead.

Councilperson McCoy: That's the worst rationale that I've ever heard in my life. Just because it's been five years. We've just actually went through a whole pandemic of people still recovering and I would much rather have a better reason than saying we need to raise money than to say just because it's been five years.

There's this process, or inherent belief, that we just need to raise taxes just because we haven't did it a while. Taxes should be levied to fund government services, not just because we need to grab more money.

So, I can't subscribe to that. I shared with you respectfully, Mr. Sirmons, that I wasn't gonna be able support this Item. But, Ms. Grace, since she was asking about questions, I specifically pulled up the Business Tax Receipt fee schedule.

And I think I've this conversation with you before and there are a number of different businesses under state statute that are exempt and don't even have to apply for a Business Tax Receipt.

But yet, we still have them on here. And I'll give you an example. [Pause]. Real estate. So specifically, real estate broker. And I see that listed as.., I guess you have a code of BR011.

Well, what's interesting about that is, I'm looking at Florida statute 205.067 Exemptions, brokers, associates, and sales associates. And it reads, 1. An individual licensed and operating as a broker associate or a sales associate, under Chapter 475, is not required to apply for an exemption from a local business tax, pay a local business tax, or even obtain a local Business Tax Receipt.

So, if the state says that real estate brokers shouldn't even have to apply, obtain, or even get one, why do even have it on our, on our fee schedule?

Operations Manager Joyce: May I, Mr. Chair, respond?

Chairperson Lawson: Ms. Grace, go ahead.

Operations Manager Joyce: You.., everything you said is absolutely correct. And, you and I have had this discussion on several occasions. And the answer to that is, they are exempt. However, the office is not.

So, the real estate office gets a Business Tax Receipt but the broker, agents, or anyone who is within the office, do not.

Councilperson McCoy: Well, that's where I would disagree with you because there are a number of other different professions that don't require a Business Tax Receipt. An insurance agent does not require one and a agency does not require one.

But you're saying, if the agent is not require to have one, the agency is not required to have one under state statute, just because they're in a physical office, the office has to have one?

Operations Manager Joyce: Yeah.

I'm not saying that. That's what the state law says. I'm just…

Councilperson McCoy: Well…

Operations Manager Joyce: …responding to your…

Councilperson McCoy: Please.

Share it…

Operations Manager Joyce: …[Inaudible].

Councilperson McCoy: …'cause I don't see it.

And that's, that's the issue. I had a, a corporation and a LLC operating out of one physical location. And then, I had to find an [stammer] inspector to come in and say, 'Well, you have to pay two fire inspection fees.'

I was like, 'How bizarre I that?' If It's it one location, two different.., a corporation and a LLC operating out of it, that's the most bizarre thing. I mean, you can say what you wanna say, I just think that we always find a way to try to justify it.

And in the plain language, right? I don't see that and have not seen that where, even in the office, that the office is responsible for that. In fact, I found, specifically, just through a regular ole…

And actually, Escambia County lays it out pretty well. 'Businesses not required to purchase a Business Tax Receipt, real estate agents are not require to do it. And it even goes on to say insurance agents, or offices do not need a Business Tax Receipt.

So, I'm, I'm confused. The agent doesn't need one, the agency doesn't need one, and the office doesn't need one but some kinda way, we have it in our Business Tax fee schedule?

Operations Manager Joyce: Again, if I could…

The way that.., we implement, or we, we take whatever the state statute says and we translate that into our Ordinances. Whenever they change, we try to update and change as well. Insurance companies are regulated…

Councilperson McCoy: Different.

Operations Manager Joyce: Yes.

Are…

Councilperson McCoy: You got…

Operations Manager Joyce: …totally…

Councilperson McCoy: …insurance agents, agencies and then companies are totally different.

Operations Manager Joyce: But we do not charge them Business Tax Receipts. Because we go through…

Councilperson McCoy: Department of Financial Services.

Operations Manager Joyce: Thank you. Sorry.

And, they collect. And then they send us the information of all of the agencies that are licensed within the City of Rivera Beach. But again, the, the co'.., the state statute is very clear, it does not exempt the office for real estate agents. It only exempts the professional license requirement for the agent and the broker.

Just like, for example, if, if it was a, a doctor's office that came in. Each professional..

Councilperson McCoy: Has to have their own license.

Operations Manager Joyce: …has to have their own license.

Councilperson McCoy: I understand that.

Operations Manager Joyce: And then, the office has to have a license. So, it's no different. It's just, they were able to lobby the state to say that real estate agents and brokers no longer require a Business Tax Receipt.

Councilperson McCoy: Okay. Thank you.

That's all I have.

Operations Manager Joyce: May I address just one other thing that.., if I could?

Chairperson Lawson: Give me one minute, Ms. Grace.

Operations Manager Joyce: Thank you.

Chairperson Lawson: Let's see if..

Operations Manager Joyce: Thank you.

Chairperson Lawson: …any of my Council…

Operations Manager Joyce: I appreciate…

Chairperson Lawson: Madam Pro Temp…

Operations Manager Joyce: …that.

Chairperson Lawson: …any additional questions?

Operations Manager Joyce: Thank you very much.

I think it's important to note that…

Chairperson Lawson: Give, give me one second.

Operations Manager Joyce: Oh, I'm…

Chairperson Lawson: …Ms. Grace.

Operations Manager Joyce: …so sorry.

Chairperson Lawson: No worries.

Operations Manager Joyce: My apologies.

Councilperson Botel: [Chuckle].

Chairperson Lawson: Did any of the other Council Members have any other questions for Ms. Grace or from Mr. Sirmons?

[Pause]

Chairperson Lawson: Go ahead, Ms. Grace.

I'm sorry.

Operations Manager Joyce: Thank you. Again, my apologies.

I think it's really important to note.., and, and we didn't really talk about this but, we terminate hundreds of Business Tax Receipts for nonpayment every year. And, at this point, you know, again, we are lucky enough to have been able to be given funding to hire a.., our own officer to go out and do inspections on this.,

But, we have to pay for it somehow. And you're right. And by increasing the Business Tax Receipt, that's allows more funding to come in, to allow us to then be able to do the enforcement that we have not been able to do up until this point. And it's, it's a.., it's a cycle that funds itself.

So, if people are operating within the City of Riv'.., Riviera Beach and they are not participating in filling the potholes in the streets, repairing the lights and all of the other fees that.., or, all of the other items that can be utilized using Business Tax Receipt fees. We want them to participate.

So, we need the feet out on the street and, and this help us do that.

Councilperson McCoy: Follow up.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, Mr., Mr. Evans, Ms. Grace, so the community inspector's position was actually created based off of the estimated or projected increase for the BTRs? Was that funded based off of that?

Development Services Director Sirmons: Mr. Chair, if I may?

Chairperson Lawson: Mr. Sirmons.

Development Services Director Sirmons: The, the need for the inspector was identified prior to this increase coming forward. But, as the, the timelines merge, we did identify that as one of the reasons we believe it is appropriate timing for us to make this increase in the fees.

But, there.., they were separate items that came forward.

Councilperson McCoy: Okay.

Thank you.

Chairperson Lawson: Thank you, Mr. Sirmons. Thank you, Councilman.

Council Members?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Council Member Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Council Member McCoy?

Councilperson McCoy: No.

Interim City Clerk Hall: Council Member Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: The vote passes with Council Member McCoy dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

8d. <u>ITEM NO. 8D</u>

Chairperson Lawson: 8d.

Interim City Clerk Hall: Item 8d.

Interim City Clerk Hall: ORDINANCE NUMBER 4196: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 27, PLANNING, ARTICLE II, ADMINISTRATION, SECTION 27-31 ENTITLED "CREATED; MEMBERS; QUORUM; TERM; VACANCIES; REMOVAL", IN ORDER TO CHANGE THE TITLE OF THE SECTION; PROVIDE GUIDANCE ON PROCEDURES FOR APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS; ESTABLISH THE NUMBER OF MEMBERS AND ALTERNATE MEMBERS; AND ESTABLISH GENERAL QUALIFICATIONS FOR BOARD MEMBERSHIP; AND AMENDING CHAPTER 27, PLANNING, ARTICLE II, ADMINISTRATION, SECTION 27-33, GENERAL DUTIES, BY AMENDING THE REFERENCE TO THE PLANNING BOARD AND ADDING BOARD MEMBER PARTICIPATION IN TRAINING TO THE LIST OF GENERAL DUTIES OF THE BOARD; PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Chair Lawson, we do have public comment card on this Item. The acceptance of public comment cards on this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4196.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Thank you again, Mr. Chair.

The Item, again, before you for second reading is in regards to the Planning & Zoning Board composition. The several reappointment items or Resolutions that have come before this body, result in Staff receiving multiple points of feedback on dissatisfaction with the setup of the Board and the appointment process.

So, what Staff did was, draft this Ordinance change to respond to what we believe we heard were the issues with how it currently stands. So, before you is an executive summary of all of the changes that will be made, should you approve this on second reading.

And, we do believe this an improvement based on the feedback that we received from you. And, I'm happy to ask any questions that you may have regarding this Item.

Chairperson Lawson: Thank you, Mr. Sirmons.

Council Members?

[Pause]

Chairperson Lawson: Mr. Sirmons, I know this just an Ordinance. We spoke about this in the Agenda review. But, the actual timeline and schedule of the current P&Z members and when the new proposed structure will take place for each member, when are we gonna be getting that?

'Cause that Item, I believe you said will be coming in January?

Development Services Director Sirmons: Yes.

The first meeting in January. If this is approved, Staff intends to bring a reappointment Resolution before you as, as we do with multiple Boards for citizens in the City to reappoint and reorder who's in which seat.

So, we do expect that Resolution at the first meeting in January.

Chairperson Lawson: How long would these appointments that are currently in place, how long are they for?

Development Services Director Sirmons: The appointments are for three years, on a rolling basis. We have not proposed any changes to the length of the terms or, or the periods for which they're staggered.

Chairperson Lawson: And when you say on a rolling basis, what is that, that timeline is…? Is it gonna be the same based upon the new appointments that'll be rolling with the actual seat of the elected official? Or, that'll be roll upon the appointment?

Development Services Director Sirmons: No.

It would no roll on the same cycle as the elected official. The Ordinance did.., did originally establish when the Planning & Zoning Boad was created it established a, a cycle. And I believe the language states such that no more than two Board members are replaced in any given year.

So, it creates three groups. And on a rolling cycle, those members are replaced. And it does not coincide with the election cycle.

Chairperson Lawson: Thank you, sir.

Council Members?

Councilperson McCoy: Mr. Chair, I just…

Chairperson Lawson: Coun'…

Councilperson McCoy: …wanna state that I have reviewed this and had shared Staff my opinions on it.

And I don't think I can support it because I think it is.., I don't think it's necessary. And I think it's, you know, really overkill. And I just don't wanna put a situation where I shared with Administration, if redistricting comes, you could literally have a skewed, completely skewed membership board.

And I think, certainly, I understand members wanted to have the desire to have separate appointments but if this is really about a process of being fair and integrity, I mean, we should, you know, always inherently have our favorites and our political appointees.

But, I'm, I'm grateful for folks that wanna serve regardless and irrespective of where they live at in the City.

So, again, on this Item, I'm afraid I won't be able to support it because I've seen that.., actually, I've seen this movie firsthand, having served on the Board for a number of years. So, I won't be able to support it, Members.

Chairperson Lawson: Thank you, Councilman McCoy.

Any additional comments?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: You do.., we do have one public comment card.

Chairperson Lawson: Thank you.

Public comment.

Interim City Clerk Hall: Mrs. Mary Brabham.

Ms. M. Brabham: Good evening, Board. Ms. Mary Brabham, Riviera Beach.

I have some reservations about this, as well as some comments for you, as elected officials.

This Board here is the most critical Board in the City. It brings projects in, it brings how we set up, how we line up our City, and what we, as a City, look like. That is that inclusiveness of our children, as well as the whole compass of the City of Riviera Beach.

We need temperament. We need morals. We need character. We need readers. And we need a Board that represent, to know what's it like for homeowners that pay taxes, homeowners that pay insurance. Homeowner's that keeps their properties up.

Homeowners sees what we as stakeholders see in how we position our City. And it should not be a Board that should be based on who you want. This should be a Board that is weighed just like I am going in to apply for a job. But only, I am a volunteer.

You as a Board should look for all of those ingredients when you position people in these boards here because they are a representative of you, and they can make you look bad or they can make you look like you know what you're doing.

And it is time out for this friendship buddy system…

[Timer]

Ms. M. Brabham: …pact. This is why we are in the pickle jar that we are in today.

So, I want you to think on these things here. Because it is beginning to be a, a new tide that's gonna flow in here. So think on these things.

Thank you.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

Madam Clerk.

Interim City Clerk Hall: Council Member Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Council Member Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Council Member McCoy?

Councilperson McCoy: No.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: Okay.

That Item passes with Councilman McCoy dissenting.

Chairperson Lawson: Thank you, Madam Clerk.,

Madam Clerk, how many public comment cards do we have tonight?

[Pause]

Interim City Clerk Hall: We have nine general public comment cards.

Chairperson Lawson: Board Members, let's go ahead and get started with public comments, being that it's 7:23 before we get into the next Item. And we will keep public comment cards open until 7:30.

COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS (Three Minute Limitation)

Chairperson Lawson: PUBLIC COMMENTS SHALL BEGIN AT 7:30 UNLESS THERE IS NO FURTHER BUSINESS OF THE CITY COUNCIL, IN WHICH EVENT IT SHALL BEGIN SOONER. IN ADDITION, IF THE ITEM IS BEING CONSIDERED AT 7:30, THEN COMMENTS FROM THE PUBLIC SHALL BEGIN IMMEDIATELY AFTER THE ITEM HAS BEEN CONCLUDED.

PLEASE BE REMINDED, THE CITY COUNCIL BOARD HAS ADOPTED RULES OF DECORUM GOVERNING PUBLIC COMMENT DURING OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE FRONT DESK. IN AN EFFORT TO PRESERVE ORDER, IF ANY RULES ARE NOT ADHERED TO, THE CITY COUNCILMAN CHAIR MAY HAVE ANYI DISRUPTIVE SPEAKER OR ATTENDEE REMOVED FROM THE PODIUM, THE MEETING, OR THE BUILDING, IF NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY.

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Okay, Mr. Chair.

We have Chuck Jones, Anye Goldwire, and Cindy March.

[Pause]

Chairperson Lawson: Chuck Jones?

Welcome, Mr. Jones.

Mr. C. Jones: Excuse me?

Chairperson Lawson: Welcome. Welcome to the meeting…

Mr. C. Jones: I'm…

Chairperson Lawson: …tonight.

Mr. C. Jones: …glad to be here. Thanks for giving the opportunity. Mayor, Council, Town Manager, Assistant Managers, everybody.

Anyhow, I called several of your offices this week,. I have a little issue with tree trimming pickup. And, I received a notice from one of your new Code enforcement officers. I understand the City rules are you can't put, you know, can't put trash or tree debris out, you know, days ahead of time.

I can understand that, with putting trash cans out. It looks hideous. But, the greens, it's real hard. Like, I have a couple of rental properties in this great City and trash.., or, they pick up the tree stuff on Wednesday.

And.., I can only get down there on the weekends. My tenants are elderly. They can't put it out. It gets dark at 5:00 o'clock,. I work all day. I was just wondering if you could loosen it up a little bit.?

You know, I understand the trash cans. That, like I said, looks hideous. But, if you could do something about the greens.

I put.., last week, I week I was down there and I cleaned up the yard. I ran over most of it with the lawn mower so I wouldn't have to deal with it but I had a few sticks leftover. I threw them in the trash can.

It got put out for Wednesday's pick up and they wouldn't pick it 'cause it was mixed with the trash.

So, I really don't know which way to go. I.., you know? I, I live in another city, north, north county and they don't do it like that. It's the, the greens are out. They're out all the time, which probably isn't good.

But, if you could just loosen it up to, you know, forty-eight hours or seventy-two hours or something it would make life a lot easier. And, you'd keep the area clean. I mean, I keep my property.

I keep the road clean in front of my house, which is a disaster, usually. There's a stop sign there and people like to throw their trash out. But, it's just hard to deal with. And, I was wondering if you's could possibly consider doing anything about it? Duly noted?

Chairperson Lawson: We'll.., our City Manager normally will respond to all the questions at the end for any of the residents that have concerns. So, after everybody has spoken, you'll get an opportunity to, hopefully, he'll address that.

Mr. C. Jones: Okay.

Thank you, sir.

Chairperson Lawson: Thank you…

Mr. C. Jones: Thank you….

Chairperson Lawson: …so… Thank you for your time and thank you for your…

Mr. C. Jones: [Inaudible].

Chairperson Lawson: …comment.

Mr. C. Jones: Thank you.

Interim City Clerk Hall: Cindy March, and she will be followed by Lloyd Brown and Kevin Holmes.

Chairperson Lawson: Welcome, Ms. Cindy March.

Ms. C. March: Good evening, Council. I'm Cindy March.

Last night it was a special meeting. Three of the Councilpeople decided not to show up, for whatever reason. But, you know, we as taxpayers and voters, that vote you all into office, we deserve better respect.

It's time for a new era. And the reason why I came out last night was to speak about the disqualification of several candidates, that was qualified then disqualified. And also, for your Clerk to have.., to have to resign.

You all bamboozled her. Not just from this incident. I had received a letter a year or so ago with the other election. You all supposed to hadda send the letter to Ms. Julia Botel but you messed around and done sent it my address. And I still have that original letter.

Between Botel, Lanier, and KaShamba Miller, it's time for a change. And, the way you all have treated Mr. Leroy Kelson about disqualifying him after he was qualified, is unacceptable.

And, we need answers. Because we're the one' put you all in office. I mean, you all need to get away from the personal vendettas. Yall character sucks. And then, you wonder why we have so much anger when we come to these podiums 'cause we sick and tired, and we tired and sick. Enough is enough.

I'm glad to see Glen Spiritis on the, the map because you all ran on clean water, infrastructure. You all did everything but that. You all have caused nothing but chaos. Everybody is not to be a leader.

You have to be transparent, you have to be honest with yourself. You got to get away from the personal vendettas. You all allowed Jonathan Evans to come back here, and you all have shown nothing but corruption.

You was found in federal court, under Ladi March, that you all was corrupt. She had four cases and she didn't win none, she one the corruption cases. When are we gonna stop? When are we gonna stop?

This is not two separate cities. Singer Island and Riviera is one City and we need to treat it like that. I don't care what color you are, we black, white, green, or purple. Everybody deserves a fair chance.

And these why these young men hanging with their pants down and their hair rolled up around their head because you won't give them a chance. A decent person. I hope it get' right and I hope it right real soon.

What comes up must comes down. What's in the dark, will be in the light.

And Botel, you was on the news the other week saying you were stepping down. Now you decide that you wanna run? You can do whatever you wanna do with that smirk on your face but also ways remember, it's a God.

And He gonna deal with you. And all we gotta do is be still and know who God is because it's coming.

[Inaudible audience comment]

Chairperson Lawson: Thank you for your comments, ma'am.

Notice to all residents, public comments are now closed.

Go ahead, Madam Clerk.,

Interim City Clerk Hall: Lloyd Brown, Kenin Holmes, and Felcia Servance.

Chairperson Lawson: Welcome, Mr., Brown.

Mr. L. Brown: How ya'll doin'?

I can't really get on the Council' case. And.., I mean, because it's not just the Council. You know, I ride around and I see.., I, I can say something about the Code Enforcement, about everybody but you don't give us enough time.

I was wondering when I can get about thirty, forty minutes to talk? 'Cause it'll take me about two days to say everything I wanna say. But, in thirty, forty minutes, I'd probably get out a lot of this.

But, you know what? I see my friends I grew up with hanging on the corners. And what they'll be sitting sayings, discussing the government. And then, when you say, 'Why don't you go over there?' 'Aww, man. The government gonna do what they wanna do.'

And then they'll say, 'Black people, we don't stick together.' Well, let me tell you what. When I was coming up, it's not that black people don't stick together, we don't have families like we used to have.

We don't have people in churches who stick together with the people in the neighborhood. When I came up, churches were.., that was the strongest part of the neighborhood as far as the government. They talking about, 'You don't mix them.'

Let me tell you something. Martin Luther King, he had a million people at a million man march. Came through churches. These churches here, 'Fill my plate. That's all I want you to do. Fill my plate so I can hurry up and make sure my kids go to college so I can make sure that I got what I got.'

And, 'You just…, eh, if you can't pay your light bill, just come to church on Sunday anyway.' And it doesn't make sense. I mean, you, you, you got everything you want. Your kids got…

And one thing I wanna know too, all these Agenda Items I've been hearing over here, and I've been through the City and nothing you've been saying for these years benefitted people like me, not.., not at all.

But I ain't gonna blame ya'll. I blame all my friends I went to school with. They'll plan these class reunions and stuff, you know? And, it'll be million of them. They'll go to church on every Sunday.

And they'll walk out the door and they'll see no lines in the street, the bus stops don't have places to sit. They won't say a thing, but they'll show up on that church. They'll show up in there.

I mean, it's just a meeting place now. And it's just a place for you to spend money so that the preacher can enjoy hisself. Now, you.., if you gotta pay to go to Heaven or they have a different highway, you know, like you take 95 to get Heaven, I'm gonna go US-1.

There's only one Heaven, right? I mean, that's what you say so why you gotta go so many different ways? And then, in the churches, I see the church down the street from me, they're hiring some people that's not even in neighborhood.

And then they talking about brotherhood, but we're not gonna hire from the neighborhood but come down to our church as brotherhood. Long as you fill that plate, I'm okay with that.

And I'mma tell you, they got trailers in these yards. And they got people living in them. And the Code Enforcement don't come F with me. If you see these trailers… I know ya'll see 'em when you ride around.

If you renting a house out and then you rent a trailer to somebody from another country in there. That ain't right.

Chairperson Lawson: Thank you for your comments, Mr. Brown.

Interim City Clerk Hall: Mr. Chair, this comment card actually says Kevin and Sage Holmes.

Chairperson Lawson: Good afternoon.

Mr. K. Homer: Really, really nice to meet you. Thanks for having us here.

Chairperson Lawson: [Inaudible].

Mr. K. Homer: This is our first meeting in this City. I have really sloppy handwriting. My name is Kevin Homer and this is Sage Homer with me. And, his first Commissioner meeting ever.

I.., I'm here because I was at the Water Department yesterday and had the pleasure of working with Victoria and Hygee [sp]. And, at that moment, I thought about.., as I was setting

up water for a, a rental property, I have a couple rental properties here in, in Riviera Beach, and I was just thinking about how, how thankful I am with your Staff.

The professionalism, the kindness. They're.., it can't be your.., it can't be the pay grade 'cause everyone's complaining about pay grade, it's, it's.., I think there's more. It's gotta be culture.

Originally, I met Chief Goldma'.., Chief Coleman in, in Delray. I was on the Code Enforcement Board for five and a half years and he was, he was the Director. When I found out he was the Police Chief here, I was, I was elated. I was, I was so excited.

There's a quote from him that I'll always remember when it came to policing. And, it was, it was, 'I want you to know us before you need us.' And, I think that's what he's practicing, which is community policing. I think that's what he's practicing here in Riviera Beach.

I'm looking at the paper because the names are new to me but I, I.., I have met a few of your officers and, and, and sergeants, Sergeant Lee and Justin Borum and, and Kevin Coppin. And, and I've met people in the community who you're, you're familiar with, much more than I am, Billie Brooks.

And, I'm here to thank you. And, and continue to do a good job. And, you've made my life better. And, because of it, you've made my son's life better, my four and a half year old son, Sage. And that's why he's here. It's past his bedtime [chuckle]. I've gotta get him back down south.

[Chuckles]

Mr. K. Homer: But, but he wanted to say something too. Do you wanna say something? Okay. Go ahead, you can say it.

Mr. S. Homer: [Inaudible].

[Chuckles]

Mr. K. Homer: Help.., thank you for helping us.

Have a good night and thank you very much. Thank you.

[Applause]

Unk.: Thank you. Thank you.

Chairperson Lawson: Sage and Kevin thank you guys for coming tonight. And, our Police Department actually moved to the Port Center so you can pick up your check from Chief Coleman over there. Okay?

[Chuckles]

Chairperson Lawson: Thank you for coming tonight. We appreciate you…

Mr. K. Homer: [Inaudible from audience].

Chairperson Lawson: There we go.

Mr. K. Homer: [Inaudible from audience]

Chairperson Lawson: We appreciate you being here tonight.

Thank you.

Councilperson Botel: Thank you.

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Next, we have Felicia Servance, Karen Robinson, and Margaret Shepherd.

[Pause]

Chairperson Lawson: Who was the first one, Madam Clerk?

Interim City Clerk Hall: Felicia Servance?

Mss. F. Servance: Yeah.

Felicia Servance.

Interim City Clerk Hall: Felicia.

Mss. F. Servance: I'm sorry. Fellicia Servance.

Chairperson Lawson: Welcome, Ms. Felicia.

Mss. F. Servance: Thank you guys. Thank you, Councilman and Staff.

We are here as a group, as a whole, to speak about family childcare, daycare in Riviera Beach, the City.

We all are small business owners. We all own daycares. Not babysitters, not.., you know, the lady that keep the kids? No. We're all small business owners and we have spoken to a lot of you guys, emails, text, meetings.

And we just wanna come and introduce ourself and just thank you guys for what you've done so far. But also, to ask you guys to do more. A lot of us are having a lot of [stammer] barriers going large, increasing our business.

There's a lotta things that's in front of us. Fees, parking… What else? Fees, parking, special exemptions, advertisement fees. $1,000.., like, four hundred.., $4,500 just for special exemptions just to go large.

And all these fees and barriers that the City of Riviera Beach has in front of us, it doesn't exist anywhere else. So, we just wanted to come and just ask you guys. Thank you for meeting, thank you for the phone calls, thank you for the texts, thank you for the emails but we need motion.

We need some things to get done. We need some things to be moved in order for us to grow.

And, Ms. Karen Robinson also wanted to say a couple things.

Ms. K. Robinson: Yes. Good evening, Councilpersons.

I would personally like to thank the Mayor, the City Manager, and all the Councilmen. Especially, McCoy. Thank you so much for helping us get this to the people that we need to get it to. Botel, thank you so much for meeting with us also.

But, there was a couple of Councilpersons, women, that we were not able to reach so that's why we're here tonight. So, hopefully, they've received an email and they will be able to address it also.

But, we are small business owners. We are essential to our community. We serve children, babies. You start with us. You start with us. We are accredited, we have the credentials.

And, we should be looked at as small business owners and not looked over. Does that make sense? So, when I say that, I'm saying that, as far as family large.., family large childcare, the fam'.., the large family ones…

I'm a little nervous 'cause I've never been in front of you guys like this. But, we're talking about the barriers that we have in front of us. We have the fees that are astronomical, which our City charges $4,500 to go large.

Stuart, $25. West Palm Beach, $150. Pahokee, Belle Glade, $50. What's happening here? This is a barrier for our City. For us, as small business owners in our City. We need your help.

Councilperson McCoy: Chair? Mr. Chair?

So…

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Ms. Karen, you put a card in too, right?

Ms. K. Robinson: Yes.

Interim City Clerk Hall: She has…

Councilperson McCoy: I mean, so…

Interim City Clerk Hall: …a comment card.

Councilperson McCoy: Can you restart that? 'Cause, it seems like you took her time.

Ms. K. Robinson: Oh.

Councilperson McCoy: And, finish going, Ms. Karen.

Ms. K. Robinson: Okay.

Chairperson Lawson: So…

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: So, what we'll do is.., what were the three? You have three comment cards submitted?

Ms. F. Servance: Yes.

Chairperson Lawson: Okay.

If we can, start the time at three minutes again. And if you can continue you're your comments.

Ms. K. Robinson: Okay. Thank you so much.

So, as far as those fees, they are a barrier to us as small business owners. It's just not fair that we should have to pay what big business owners pay when we are a small business. I mean, I'm just.., I feel like we've been looked over so long, we need to be looked at now.

And I'm asking our City to look at us now as small business owners. I'm pretty sure when you guys have meetings, you don't think about the small family childcare homes as businesses but we are.

We provide essential care to your children. We provide jobs also. And we also help scholarship funding with.., for parents that can't even get childcare. So, we are.., we help in all of those areas.

And as far as… That's my first thing, the large family childcare being a barrier.

My second thing is that regular family childcare homes, the DCF, the Florida Department of Health has new regulations. Our City is not up to date with those regulations.

Because, you can, you can care.., a regular family childcare home can keep up to ten children. That's their regulations. But, our City is behind. And I've spoken to the City Man'.., City Manager and the Councilpersons and the Mayor about this.

So, I'm hoping that you guys can help us in this area also, with getting up to date with those regulations. So, I don't know.., I know you guys are working on it, so thank you much for doing that.

And, I know that.., they say we will hear something about around November.., I mean, December 14th. But, I still needed you guys to hear from us, see us, and know that we exist. We exist. We live here in the City of Riviera Beach.

We have a small business. Acknowledge us. Stop forgetting about us. We are here. We provide care for the babies. You start with us and then they get to school. You start with us. So, I just need you guys to know that.

And I think that's about it.

Chairperson Lawson: Ms. Karen, and thank you guys. Thank you all for actually coming. And I know that we will be addressing this very soon.

Ms. K. Robinson: Thank you.

Chairperson Lawson: And, the Council Members did hear you so they'll be reaching out to you as well.

Ms. K. Robinson: Thank you.

Chairperson Lawson: Thank you for your comments tonight.

[Inaudible comments]

Ms. K. Robinson: Thank you guys.

Chairperson Lawson: Thank you.

Ms. Hall, you have one more comment card?

Interim City Clerk Hall: Next, we have Margaret Shepherd…

Chairperson Lawson: Okay.

Interim City Clerk Hall: …Fane Lozman, and Mrs. Mary Brabham.

Ms. M. Shepherd: Margaret Shepherd, Riviera Beach. To the Honorable Chair and our great Mayor of this great City.

I just wanna thank Ms. Debrah Hall McCullon, who is our Deputy Clerk, I wanna say thank you.

I wanna say something to you. He says he'll make your enemies your footstool. And it tells us do not be afraid of our enemies. I don't' care what go around. You know, I look at 'em and keep on going. If I speak, I speak. If I don't, I keep on going. God got a plan for you.

But anyway, I wanna say to you, those that.., you do not know, her bestseller is out. Buy in four. If you wanna know about the City of Riviera Beach, I behoove you to get those four books.

When I came here forty years ago, I knew nothing. My, my cousin was the Mayor, that's all I knew, and my family, the Duncombe's, was well known. But I knew nothing about the City government.

And I tell you, when I read the books that she has, it give me a knowledge. And I don't think there's nobody in the City I do not know, who don't not know me, which is incredible, I think.

But, I wanna thank her for her kindness, her mother, Mary, who I text back… [Sigh].

But anyway, within the Clerk's office… Dr. Botel, I'm glad you jumped back into the race. We need the flavor. And I wanna say to you, never, never, never, never, never concede your seat to anybody.

And I wanted to say to Ms. KaShamba Miller-Anderson, Summer turned 24 yesterday. So, that let us know we're getting there. And I wanna thank you for your service, I wanna thank you putting the fear of God in her because it's people like you to keep the chil'… She never forgot you.

Trust me. Whatever happened she tells me [stammer]…

[Chuckle]

Ms. M. Shepherd: You know? Thank you for your service.

But most of all, the young man that wants to run in your seat. That's Ladi March Goldwire's son. And I tell you, they put on… You, you hear me talk about the Gold [inaudible]. That was a part of the problem.

That young [stammer].., that young man put on. It was a four star event. And, one of my church mamas is here, her daughter got the food together. I tell you, crab, shrimp. Big shrimp. I mean, you had to take.., take a fork… The food was excellent.

The way that we need to do things is make sure that when we go into the Clerk's office, you do not go in there and intimidate those people. Tawanna should have never walked off from her job. You should never have a Councilperson go into the room where these people are conducting business of the City.

I have never heard of this before in my life, 'til the phone start ringing. The process should have been done [stammer] continuously until you got it right. The young man needs to be on the ballot.

Ms. Botel, I don't know how it's going, needs to be on the ballot. And shame on you all to wait 'til 11:35 to come to the office when you have an idiot steady talking into the… And I, I tell you, Ms., Ms., Ms.., Ms. Hall, you have to be like Carrie Ward.

Carrie Ward didn't play. It wasn't funny to her. You came into her office, I don't think so. But,…

Chairperson Lawson: Thank you, Ms. Shepherd.

Ms. M. Shepherd: …to continue to… I'm [Phft sound] to…

Chairperson Lawson: Thank…

Ms. M. Shepherd: …continue this foolishness…

Chairperson Lawson: Ms. Shepherd…

Ms. M. Shepherd: …when you all…

Chairperson Lawson: …thank you.

Ms. M. Shepherd: …have a…

Chairperson Lawson: Thank you for your comments…

Ms. M. Shepherd: …one of your…

Chairperson Lawson: …Ms. Shepherd.

Ms. M. Shepherd: …Councilpeople go into the room and intimidate…

Chairperson Lawson: Ms. Shepherd.

Ms. M. Shepherd: …those people.

Chairperson Lawson: Thank you…

Ms. M. Shepherd: I'm sorry…

Chairperson Lawson: …for your comments, ma'am.

Ms. M. Shepherd: …Mr. Chair.

Chairperson Lawson: Yes, ma'am.

Ms. M. Shepherd: Thank you again.

Chairperson Lawson: Thank you for your comments.

Ms. M. Shepherd: Thank you.

Chairperson Lawson: Thank you.

Interim City Clerk Hall: Next we have Fane Lozman, Mrs. Mary Brabham, and Doretta Paulk.

Chairperson Lawson: Welcome, Mr. Lozman.

Mr. F. Lozman: Good evening.

Today I was at the U.S. Attorney's Office for six hours giving a deposition over my floating home. The U.S. Attorney provided me with hundreds of documents. Many of them had Botel and the email address, email juliebotel@me.com.

So, Botel was acting in her official capacity with her personal email. And she was lobbying people on Singer Island to take action against me with the U.S. Army Corp. Botel has been a nemesis of mine because she's cost me hundreds of thousands of dollars.

And she's corrupt. And 2,700 black residents signed a petition to recall her and she said, 'Oh well, they didn't put Palm Beach County on the form so it's false and the recall can't go forward,' even though we all know Riviera Beach, Florida 33404 is in Palm Beach County.

I have in my possession, okay? I have sources throughout Palm Beach County, really throughout the South Florida, Botel sent her form.., one form in via email, to the Clerk's office, at 12:08 p.m. on the third Tuesday of November.

If you look at the Code of Or'.., if you look at the Code of Ordinances 5.2(a), all the paperwork must be in by noon. She emailed in her, her form one. It was stamped in a minute later at 12:09.

So, I don't care about the check. Forget the check for now. Here's a lady who says the recall is no good because Palm Beach County wasn't on there. It's quite clear, you must have all your paperwork in by noon. You can't just say, 'I'm gonna email in something at 12:08.'

So now, I'm looking to the Mayor. Mayor, you've acted like a mouse since you've been in office. There's been examples of corruption in different departments, you've taken no action. I'm asking you to do what you're mandated to do. When there's a problem in the department, you can conduct an independent investigation.

I wanna determine, did the City Manager intimidate Ms. Smith to resign? She was gonna retire after Christmas. Why did she retire right after.., yeah. Why did she retire on Monday?

You have the ability to go in there and look and say, 'I wanna see the form one.' 'Who was it emailed to? What was the time stamp? What does the Code of Ordinances hold?' Should you take that to the State Elections Board?

What can you do as the Mayor? These, these five can't do that. You can do it 'cause you have that authority under the Charter. There needs to be an investigation. Did the City Manager intimidate this, this employee that's supposed to have.., who can't be intimidated.

She's supposed to have the autonomy to do her job.

So, these, these are things that need to be done. But whether somebody comes in with a cashier's check, well, that's neither here nor there. But, all that stuff has to be in by noon. That's what the.., that's what the law is.

If it hasn't been in by noon, that's grounds to disqualify. And was Ms. Smith intimidated?

I have an email produced by the Army Corp… No, I have an email, excuse me, produced by the City and shows [pause] it shows that Botel had met with the City Manager with a to do list, for him to do. It was an attachment with a [stammer] to do list.

You need to do your job…

Chairperson Lawson: Thank you, Mr. Lozman.

Mr. F. Lozman: …Mayor, and look into this.

Chairperson Lawson: Thank you for your comments, Mr., Lozman.

Interim City Clerk Hall: Mrs., Mrs. Mary Brabham, Doretta Paulk, and Delsia Brooks.

Chairperson Lawson: Welcome, Ms. Brabham.

Ms. M. Brabham: Thank you. Good evening. Ms. Mary Brabham, Riviera Beach.

Let me just first say, kudos to the Police Department. Jennifer does a magnificent job. That program that was implemented last year, the outreach. They provided for, for the homeless, blankets.

See, Ms. Brabham keeps up with all of this stuff. They took them to the Fairground. You feed them. This is what you are about. And this is what we are about.

I would just like to say that this particular time of the year, it is most critical for all of us that have loved.., lost our loved one, I would just like to give a shout out to the Runner Family, Ms. Edna passing. A true visionary for over thirty years.

Her vision transformed a neighborhood community. That's who we are as well. And this what I look at as you all as a Board. Ms. Brabham have to work with everybody. Ms. Brabham is across the board.

I have them everywhere. Democrats, Republicans, Independents, because that's who Ms. Brabham is. And that's who she wants you, you, and all of us to be. Because, it takes all of us to make Ms. Brabham's masterpiece, with a different color brush. Whatever brush that you all would like to use to make that masterpiece.

Thanksgiving, the Turkey Bowl. I forgot to bring [stammer] my phone up here. It was marvelous. Insiders, as well as outsiders, families, children, teens, young men, I never seen so many young kids.., young, not.., young adults. Families, that really came out.

And Ms. Brabham was a cheerleader, a side leader.., sideline cheerleader. Put the fork in the road with them so we can get those points here. And everybody was shouting, 'Put the fork in the road.' No, not that fork. It was well worth it.

This is what we, as a City, should be about. And everybody wants it over and over and over again. So, kudos for that Turkey Bowl. Because Ms. Brabham and the others will be looking for it next year.

See? Families need something. Like they say, we want something to do in the morning time because normally, families just comes out in the evening time to celebrate. And Ms. Brabham was all over the place for Thanksgiving. 'Cause she was here.

And thank you, residents, for inviting me in, in, in your.., in your park areas, your tents, and all the food that you gave Ms. Brabham. She wants to say thank you, thank you, thank you.

And, on October the 2nd, which is this coming Saturday, at my historical church, we are having a grand celebration for our Emeritus Pastor, Elder [inaudible]. He has been well received. President Obama been all on the news and the National [inaudible] Baptist Association from all over the county and states will be there.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

And I think you meant December 2nd. 'Cause you said October.

Ms. M. Brabham: December.

Chairperson Lawson: December 2nd.

Ms. M. Brabham: December the 2nd.

Chairperson Lawson: Thank you, Ms. Brabham.

Ms. M. Brabham: …at 6:00 o'clock p.m.

So, I expect to get some acknowledgement from this Board here.

Chairperson Lawson: Thank you for your comments.

Ms. M. Brabham: Because other state and representatives will be there.

Chairperson Lawson: Thank you, Ms. Brabham.

Ms. M. Brabham: Thank you.

Interim City Clerk Hall: Doretta Paulk and Delsia Brooks Hamilton.

Ms. D. Paulk: Good evening, Council. My name is Doretta Paulk and I'm a resident of Riviera Beach.

And, I want to just first say, it was very refreshing for the gentleman who came with his little toddler and said all the kind things he said. Because, I have never been in any department [stammer], with any things that I need to say or issues, that have not been courteous, kind, and empathetic. I've never been in… And I think kudos goes out to all the Board, entire Board.

Now, I wanna also say, and thank you also, Chair. He said, 'Mrs. Paulk, do you need a turkey for Thanksgiving?' I said no, no. I don't need a turkey but I know a family that does need a turkey. And I thank you for bringing it to my home. And she was elated with her children, to have that turkey for Thanksgiving.

I wanna also put a shout out to Blessed Boulevard, Mrs. Shandra Stringer. She gave out [stammer] beautiful collard greens for Thanksgiving. And I gave that to that family. Because it's just me. And plus, I, I don't do too much cooking.

So, I wanna thank you. 'Cause there's a lota blessed things that's going on in Riviera. It is.

And, Mrs. Botel, Dr., Dr. Botel, I thank you for running again. I do. We need you. We.., the entire City of Riviera Beach needs you. And we need also, Ms. KaShamba Miller-Anderson. We need you.

And I, you know, I just want the best for this Board. I want we to come into the new year with peace, with joy, with kindness, with empathy for one another. We're all in this together. All in this together.

And that's what.., all I want. And just, all of us to be safe. And I do hope you have safe travels. Safe travels to and back home, Dr. Botel.

And I just wanna ask also, AT&T has been cutting off [stammer] some limbs. And they cut it off. and then I had to go out there and I said.., I called them. They said they're from AT&T, subcontractors.

And, what are the markings for that's in the swales? 'Cause.., I heard that was going to be AT&T, something there… So, if we can look into that and find out because nothing has been to'… We haven't.., as residents, we have not been told anything. They just appear. You know?

And, but the tree should.., I have no trees but neighbors have trees so that should be cut down anyway. You know what I mean? Trimmed.

Chairperson Lawson: Thank you for…

Ms. D. Paulk: But if we could…

Chairperson Lawson: …your comments.

Ms. D. Paulk: …be notified.

And I…

Chairperson Lawson: Thank you…

Ms. D. Paulk: …thank you so much.

Chairperson Lawson: Yes, ma'am.

Ms. D. Paulk: Appreciated everything.

Chairperson Lawson: Thank you so much.

And thank you for your comments tonight.

Interim City Clerk Hall: Delsia Brooks Hamilton.

Ms. D. Brooks Hamilton: Good evening…

Chairperson Lawson: Good evening, ma'am.

Ms. D. Brooks Hamilton: …Council, Mr. Chair, Mayor, and City Manager. My name is Delsia Brooks Hamilton. And, I am the CEO of Pangea Grill. And, I know I'm.., I've been coming to this podium for, at least, ten years or so.

For the City.., for the people of Riviera Bech that don't know me, I'm Delsia Brooks and I'm gonna be the first black, I should say, African Nicaraguan to be on the Marina, on Pad Site Number 2, having a four star restaurant.

I am happy to say that I have made a lot of progress. It's my persistent and determination that has gotten me here. This far. My story's gonna be a little bit different tonight because I, I want you guys to know me a little bit better.

I come from a family of ten. My mother has ten children. I am number eight. I have seven brothers. So I get my persistence and determination from my mom. We have always been in the restaurant and hotel business. My mom used to do boarding school for, for children.

And my dad wase a boat builder. He was an architect. He built boats. So I've always been on the water as a child. I did tell my mom… I was raised in New York, moved down to Florida, real long time ago.

My mom always wanted to own a restaurant in New York but having ten children and putting us all through college, she didn't have time. So, I did tell my mom before she passed, which was six years ago, I told her, 'Mom, if I ever have the opportunity to build a restaurant, I'm gonna be building in [stammer] on her legacy, in her name.

So, here it is, several years later. I'm here. My persistence has made it.., made me.., brought me this far. And, just want to thank the Council for moving this project forward because every other city that's around here is growing except Riviera Beach so it's about time.

And, I am happy to be a small business owner, being part of this process. So, I just want to say that I am ready and I'm prepared to move the City forward along with Mr. Irons and Mr. Tony Brown.

So, the gentleman that was here a couple weeks ago, he is actually going to be build'.., according to what he said, that he's gonna be building the Margaritaville Hotel and, if I'm not mistaken, I thought he said the Pad Site.., the waterfront.

And, if I'm not mistaken, did he say the parking garage? So, I am not clear as to the parking garage because the reason why, my restaurant is not there on the water, is because…

Chairperson Lawson: comments, Ms. Brooks.

Ms. D. Brooks Hamilton: …of the parking.

So, can you clarify that, Mr…

Chairperson Lawson: Thank you for your…

Ms. D. Brooks Hamilton: …Evans…

Chairperson Lawson: …Ms. Brooks.

Ms. D. Brooks Hamilton: …in reference to the parking garage?

Thank you very much.

Interim City Clerk Hall: Mr. Chair, that is the end of general public comments.

Chairperson Lawson: Thank you, Madam Clerk.

Mr. Evans, do you wanna address any of the concerns from the residents?

City Manager Evans: Yes, Mr. Chair.

With regards to the item concerning tree trimming and the placing of items on the curb for pickup. Our, our new Public Works Director, Mr. Robert Travieso is here in the audience, as well as our new IT Director, Mr. Christopher Gray.

Gentleman, if you both can stand up, quick. Roberto's in the audience and Mr. Gray is back there behind the table. They actually made contact with the resident so they'll, they'll look to resolve and, and remedy that particular situation.

With respect to the item that was articulated concerning trailers in the yard, I'll get with Director Sirmons and Code Compliance and see if there any accounts where persons have said that there's unpermitted structures and, and persons occupying those unpermitted structures. And we'll, we'll respond accordingly.

With respect to the family daycare discussion, I did have an opportunity to have a meeting with some of the folks that were here today with Councilperson McCoy and they expressed some of their concerns.

And, specifically, their concerns was with regards to the special exception process that they have to undertake with regards to expansions or growth for their particular business. And so, to put it int context, they would have to pay the same fee that the warehouse facility that is adjacent to Azure Estates has to pay, to go through that particular process.

So, I know Staff is doing some research as it relates to what other municipalities have in place and looking for opportunities to make some changes to the policy and bringing that to the Board for consideration. Also, some of the parking restrictions seem to be problematic.

And so, we're looking at those particular issues to bring that forward for a discussion with the Board. And then ultimately, hopefully, some type of public policy decision.

We are going to work with them as it relates to the review of what we want to do on the public policy side 'cause we don't wanna bring something that we thing, in fact, solves the problem but actually makes the problem that much more challenging.

So, we are working with them.

The discussion about AT&T. AT&T and any Utility provider that's on a pole, especially when there's vegetation, they have, basically carte blanche ability to go in there and trim the trees back. Especially.., there', specifically, electric utilities. There are specific and, and pretty intense fines for any outages of Code.., associated with growth and vegetation.

So, if we find out about any of the Utility providers working in the alleyway and easement, we can look to provide a courtesy notice to the surrounding properties. But in most cases, they show up and we find out when they're onsite, probably at the same time that the, the residents find out.

And concerning the parking. We are in conversations with, obviously, APD and Sonnenblick, the developers for the purposes of Marina Village. And it is contemplated in the arrangement that there yes would in fact be constructing the parking garage and they would be the developer.

And we're working out some details associated with that and looking to bring that to the Board for consideration here at your December 6th meeting.

And that's.., concludes my comments, Mr. Chair.

Chairperson Lawson: Thank you for your comments, Mr. Evans.

Councilwoman Miller-Anderson, go ahead.

Councilperson Miller-Anderson: I just wanted to.., the tree trimming that they did today… They did it today and the bulk was picked up today. They did it afterwards, so there's quite a bit of vegetation in front of a lot of the homes, at least south of Blue Heron, in the Park Manor area.

City Manager Evans: Mr. Chair?

Chairperson Lawson: Thank you.

Mr. Evans, go ahead.

City Manager Evans: I, I did see that our, our new Public Works Director has a great notebook that doesn't have very many pages filled, so I'm sure he's take copious notes, and he'll make sure that it's addressed tomorrow morning.

Chairperson Lawson: Council Members?

[Pause]

Chairperson Lawson: Thank you.

8e. ITEM NO. 8E

Chairperson Lawson: Madam Clerk, 8e.

Interim City Clerk Hall: Item 8e.

Interim City Clerk Hall: ORDINANCE NUMBER 4248: AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING APPLICATION NUMBER (LU-22-0001) FROM 7920 RIVIERA BEACH HOLDINGS, LLC (APPLICANT) FOR A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN CHANGING A LAND USE DESIGNATION OF "COMMERCIAL" AND A LAND USE DESIGNATION OF "MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (MF-15): UP TO 15 DWELLING UNITS PER ACRE" TO A LAND USE DESIGNATION OF "HIGH DENSITY RESIDENTIAL (MF-20): UP TO 20 DWELLING UNITS PER ACRE" ON APPROXIMATELY +/-15.77 ACRES OF REAL PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Chairperson Lawson: Chair Lawson, we do have one public comment card on this Item. The acceptance of public comment cards on this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4248.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair, Members of Council, Honorable Mayor, and Madam Attorney.

The project before you now is a extensive set of applications that would result in a new residential development in the northwest corner of the City of Riviera Beach. I will review the first three Ordinances associated with this project at one time, one presentation to allow for you to have the information necessary to proceed with this portion of the Agenda.

Skipping the header that's already been read into the record, the location of this proposed project is indicated by the red dot at the top left corner of the screen under Military Trail and the northern City boundary.

Before you now is a closer view of the project site identified in red.

The applicant is requesting approval of a Land Use amendment, rezoning, Site Plan, replat and text amendment to construct a new multifamily development constructing.., consisting of sixty townhomes and two hundred and fifty-five multifamily market rate units, totaling three hundred and fifteen dwelling units on the.., on seven parcels, located at 7982 Military Trail, and the other addresses listed.

Existing properties are mostly vacant with one vacant building on one of them. The lot size is approximately 15.77 acres and the Zoning is a combination of general commercial, low density residential.

And the Future Land Use is Commercial and medium density residential.

Before you on the screen now is the existing future Land Use Map as shown in the City's Comprehensive Plan right now. If the Future Land Use amendment is approved, the area in.., circumscribed in red would change to brown, indicating MF-20 or high density residential.

The existing Zoning of this area of the City is indicated, again, by the colors on the screen. The site.., the properties in control of the applicant are circumscribed in red.

If the Zone change is approved, it would go from RML-12 and Commercial General to RM-20 Zoning District.

These Ordinances.., the Ordinances requesting this zone change and Future Land Use change have been reviewed by multiple City departments and outside agencies as necessary. The hearing regarding these Ordinances have been properly noticed in consistency with City Ordinances and state statutes.

Staff has received no comments from the public demonstrably for or against this project. However, as encouraged by Staff, the applicant did meet.., have a community meeting and notified residents within.., residents and property owners within the area of this project and it was attended by several members of the public.

There was constructive feedback provided and the applicant took it into consideration and made some adjustments to their proposal.

Staff recommends that City Council approves these applicants. And again, the Ordinances associated with it include the Future Land Use Map amendment, the Zone change amendment, and then a third Ordinance for a text amendment that will alter the parking requirements and the RM-20 Zoning District, reducing the number of spaces that are required to be under a structure.

And Staff have reviewed all of these and we do recommend approval of these Items. And that concludes the Staff presentation at this time. The applicant is here and prepared to present.

Chairperson Lawson: Thank you, Mr. Sirmons.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman.., Councilman McCoy, go ahead.

Councilperson McCoy: So, Mr. Sirmons, are you gonna do a separate presentation for the Site Plan and replat?

Development Services Director Sirmons: That is correct.

Councilperson McCoy: Okay.

Chairperson Lawson: Thank you, Councilman.

I did have a few questions for you, Mr. Sirmons, but I think that will be more conducive to the Site Plan. It's in reference to the.., any repairs or expanding or work on the Leo Lane to accommodate this development that's coming, plans about any possible security, which I know will be a Site Plan discussion.

And then also, finally, the MEAHOP and what's gonna be the intent with local participation?

So, we'll address those when we get to the Site Plan but with the Ordinance, I, I didn't really have any, with the Zoning change.., or, the Future Land Use, I, I didn't have any current pressing questions.

Council Members?

[Pause]

Chairperson Lawson: Councilwoman Lanier, go ahead. Pro Temp.

Chair Pro Tem Lanier: Yeah.

What's the radius, Mr. Sirmons, in terms of leaving notices for, just in general, for people who are building these complexes or building.., and how do they.., when they notify the public, what is the radius around that particular project?

Development Services Director Sirmons: For a community meeting, we don't have hard guidelines in our Code. However, we do.., when we impress upon the applicants to make sure they hold these meetings, we ask them too use the same three hundred foot buffer radius that's required when we notice public hearings.

So, that is what was communicating, and they did provide evidence that they [stammer]did execute mailers for that community meeting.

Chair Pro Tem Lanier: So, what were some of the issues that the members had regarding this project?

Development Services Director Sirmons: A majority of the issues that were communicated based on Staff's receiving of the applicant's feedback, as well as speaking with our residents, was that there's issue with students waiting for the bus on Leo Lane.

And there is not a continuous sidewalk from Military Trail all the way to the end of the street, which I believe there is a church at the very end of the street, that the sidewalk network is not continuous for those residents.

Those were two of the main things that they had concerns on. They wanted to see the, the street in better condition, sidewalks, and the bus stop relocated or some type of car route provided for it.., for those students.

But most of those things were related to the Site Plan and not necessarily the [stammer] Zoning or Future Land Use.

Chair Pro Tem Lanier: Okay.

So, when we get to that part, I would like the, the developer to tell us what they did to remedy these questions from the public.

Chairperson Lawson: Thank you, Pro Temp Lanier.

Council Members?

[Pause]

Chairperson Lawson: Mr. Sirmons, you did have a slide that talked about the number of units. Could you go back to that one? It was the.., the townhouses and the apartment.

Development Services Director Sirmons: I think the applicant's presentation is up but I believe I have that number here. Sixty townhomes, two hundred and fifty-five multifamily market rate units for as total of three hundred and fifteen.

Chairperson Lawson: Three hundred and fifteen units total? And…

Development Services Director Sirmons: Yes.

Chairperson Lawson: …some of those were actually fee simple. Some of those were for sale.

Development Services Director Sirmons: Correct.

Chairperson Lawson: Those are the townhomes?

Development Services Director Sirmons: Correct.

Chairperson Lawson: And the rental component, is that gonna be just a market rate rental?

Development Services Director Sirmons: As far as what's been communicated to Staff, yes.

Chairperson Lawson: Thank you, Mr. Sirmons.

Council Members?

[Pause]

Chairperson Lawson: Madam Clerk, do we have any public comments on this Item?

Interim City Clerk Hall: We have one public comment card from Fane Lozman.

Chairperson Lawson: Thank you.

[Pause]

Chairperson Lawson: Welcome, Mr. Lozman.

Mr. F. Lozman: Fane Lozman.

I just want to preface my comments, Mr. Chairperson, to the Mayor, that I'm the largest residential landowner in Singer Island with fifty-one acres.

I had been working on an affordable housing project in another county using container homes. I know Botel actually visited luxury containers up in Palm City. They told she was quite obnoxious.

Councilperson Botel: [Chuckle].

Mr. F. Lozman: The.., this is my question for the applicant. Has the… We need affordable housing in this community. Senate Bill 102, the Live/Local Act allows commercial properties to get the highest density of anything within a mile of their site.

So, if they had fifteen acres, what kind of density can you put on there? When you can look to the highest density, I see a mobile home park. It looks like on the north side. Can they get more density than they're Site Plan shows now?

It looks like.., what is? About fifteen units per acre maybe? Can they get more density under Live/Local where the developer could get tax credits for having a certain percentage of that development for affordable housing.

I think it's beholden on the Development Director to say when a plan comes in say, 'You know something? Have you considered the Live/Local Act? Have you considered bringing affordable housing into your development site?

Do you.., are you aware of the tax benefits you get? Are you aware of all the positive you can get as a developer? And, in exchange, the City of Riviera Beach, that desperately needs affordable housing, can get a percentage of that development to go to affordable housing?

So, I, I would almost say it should be mandatory, before any application comes to this Board, there has to be an analysis, with the City and the developer, is Live/Local a better way to develop commercial industrial properties? That's what Senate Bill 102 is all about. Get affordable housing.

This is not a very.., this is not Palm Beach Island. This is Riviera Beach. Th'.., we need affordable housing. I don't know what the affordable housing component is. A lot of people don't know about the Live/Local Act.

I do 'cause I'm involved in a project and we're incorporated. So, I, I think, you know, I, I think the developer.., somebody should ask him that question, 'Have you considered the Live/Local Act?' Why not? Why, Mr. Sirmons, have you not discussed that specifically with commercial industrial properties that are gonna be redeveloped.

I think that needs to be included in any future developments on commercial industrial properties.

Chairperson Lawson: Thank you for your comments, Mr. Lozman.

Council Members, any additional comments?

[Pause]

Chairperson Lawson: Madam Clerk?

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chairperson Lawson: Yes.

Interim City Clerk Hall: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That is a unanimous vote on that Item.

8f. <u>ITEM NO. 8F</u>

Chairperson Lawson: 8f.

Interim City Clerk Hall: Item 8f.

Interim City Clerk Hall: ORDINANCE NUMBER 4249: AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING APPLICATION NUMBER (ZA-22-0001) FROM 7920 RIVIERA BEACH HOLDINGS, LLC (APPLICANT); FOR A ZONING MAP AMENDMENT FROM A "COMMERCIAL" DISTRICT DESIGNATION AND A "LOW DENSITY MULTIPLE FAMILY DWELLING DISTRICT (RML-12)" TO A "HIGH DENSITY MULTIPLE FAMILY DWELLING DISTRICT (RM-20)"; ON APPROXIMATELY +/- 15.77 ACRES OF REAL PROPERTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

DL; Mr. Chair, we do not have any public comment cards for this Item. The acceptance of public comments on this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4249.

KM; Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr., Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager.

Mr. Chair, Staff has no additional presentation materials for this Item.

Chairperson Lawson: Council Members?

[Pause]

Chairperson Lawson: Madam Clerk?

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That Item passes unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

8g. <u>ITEM NO. 8G</u>

Chairperson Lawson: 11g.

Interim City Clerk Hall: Item 8g.

Chairperson Lawson: I'm sorry.

8g.

Interim City Clerk Hall: **ORDINANCE NUMBER 4247: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 31, ZONING FROM 7920 RIVIERA BEACH HOLDINGS, LLC, APPROVING AN APPLICATION (ZA-23-0009) TO AMEND PARKING REGULATIONS, SECTION 31-244, IN ORDER TO AMEND REQUIRED OFF-STREET PARKING REQUIREMENTS FOR AN RM-20 HIGH DENSITY MULTIFAMILY ZONING DISTRICT; PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do have one comment card on this Item. The acceptance of public comment cards on this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4247.

Councilperson McCoy: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair.

Chairperson Lawson: Mr. Sirmons.

Development Services Director Sirmons: Members of Council, Honorable Mayor.

This Item, again, that.., as mentioned earlier, is related to the RM-20 Zoning District… [Inaudible comment]

Development Services Director Sirmons: … which has been petitioned by this applicant. We have not had development in this District.., the Zoning District in this part of the City before.

And in that lens, the applicant has reviewed the parking regulations and recommends that some adjustments be made to allow for development with larger size parcels, specifically larger than five acres, to have more flexibility in how they meet the parking requirements of the Zoning District.

Staff has had extensive discussion with the applicant on this text amendment. And Staff is supportive of it.

And, if there are any questions for Staff or the applicant, we are here.

Chairperson Lawson: Thank you, Mr. Sirmons.

Council Members?

[Pause]

Chairperson Lawson: Madam Clerk, you said we had no public comments?

Interim City Clerk Hall: We have one public comment card.

Mrs. Mary Brabham.

Chairperson Lawson: Thank you.

Ms. M. Brabham: Mary Brabham, Riviera Beach.

I have some questions here. Does this consist of the off street parking within our narrow streets? We are not Lake Park. Their, their roadways are extended. We are close knitted here, on our streets here.

And, we already have a problem with, with U-Haul trucks, tractor trailer trucks, that are parked on our streets. Ambulances, Fire Departments, when we have emergency… See, I can talk about it because I'm living it and I see it every day.

We're basically talking about that off street parking or are we talking about also the industrial out there, where all of that parking there compromised within the City? So, when we put these regulations, we also need to take into consideration how they are being transformed into our neighborhoods and into our surroundings.

Because, we do not wanna be hazard in our going up and down our narrow streets here. So, is this.., I will like my questions answered, is this off street parking encompasses our neighborhoods as well? Does it encompasses out in the industrial area or it's dealing solely with industrial trucks and cars?

So, I would like my questions answered, please.

Thank you kindly.

Chairperson Lawson: Thank you for your comments, Ms. Brabham.

And, Mr. Sirmons, just to address that. This Ordinance is to amend the off street parking in the RM-20 high density district only? And that's the district that's being created now?

Development Services Director Sirmons: That's correct.

And so, that would only affect their onsite parking. It, it would not have any effects on street parking…

Chairperson Lawson: Yeah.

Development Services Director Sirmons: …in any part of the City.

Chairperson Lawson: Thank you for your comments.

Council Members? Additional comments?

[Pause]

Chairperson Lawson: Madam Clerk?

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That item passes unanimously.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, Members, if I can have your attention.

9a and 9b are Ordinances on first reading. And we've already seemingly have four of the remaining Resolutions, we're already had the accompanying Ordinances already adopted. And, provided the hour, I wanted to see if we could perhaps either move Ordinances 9a and 9b to another meeting or, in the alternative.., either way, I would like to see if we can jump straight into the existing Resolutions that we've already got a presentation on?

Because, you know, when we start 9a before, that was pretty extensive and I'm seeing that that's gonna be a hour conversation by itself. So, if we've already passed the accompanying

Ordinances, it would seemingly be practical to go ahead and take care of the Resolutions that was sup'.., that was associated with the Mariner Marine, and then also with the, the Item we just heard.

I think it was called…

[Pause]

Councilperson McCoy: Celeste.

Chairperson Lawson: Thank you, Councilman McCoy.

And, Board Members, we do have.., we do have a few more Items but we have the Site Plans that we will be still getting presentations on. We've already moved two of the Items, 11c and 'd' to Consent.

If we can push through and just try to get through the whole Agenda. I don't mind running to the Resolutions first though, and then coming back to the Ordinances. But, because they were already noticed, I don't wanna have to rehear them another day.

So, if we have go a little past 10:00, Council.., Board Members.., Council Members, I wouldn't mind if we go a little bit later tonight just to finish this out since we have a little holiday break.

Chair Pro Tem Lanier: Yes.

I, I agree with that. I don't see an issue with just going with the way the Agenda is set up. We can go through the Ordinances that are on first reading. I don't see.., we've seen these Items at the last meeting that was, that was taken out. So, I don't see a whole lot of stuff that was happening with these two Items.

It would be different from it being from the last Agenda.

Chairperson Lawson: No.

Councilwoman Botel, you are leaving. And, I believe Councilman McCoy is gonna be leaving as well.

I would be okay with the Resolutions coming first so that we can go straight into the Resolutions to accompany the Items that we've already had Ordinances. But I do believe we'll be getting through the whole Agenda if everybody's committing to staying a little later, for the Members that are gonna stay?

So, I have two Members that have said move it. One Council Member said stay in order. Do we have any other comments from Councilwoman Botel, Councilwoman Miller-Anderson?

Councilperson Botel: Well, my, my concern about ordinance Number 4243 is that this the one that affects Singer Island, if I'm correct. So, I'd like to be able to get this disposed of and then perhaps we could move the other.., the other Ordinance which is about [stammer] not necessarily…

Councilperson McCoy: Well…

Councilperson Botel: …something…

Councilperson McCoy: …I thought Ordinances were done Citywide. I didn't know they were exclusive to just one area within the City.

Councilperson Botel: Oh Jesus Christ [inaudible].

Councilperson McCoy: I mean, that is how it works, right, Mr. Sirmons?

Councilperson Botel: Mr. Sirmons…

Chairperson Lawson:: We have… Council Members….

Councilperson Botel: I, I...

Chairperson Lawson: …we have two in'.., we have two individuals that would like to keep in order and two that would actually like to move the Resolution.

Councilwoman Miller-Anderson?

Councilperson Miller-Anderson: I'm fine with keeping it in order.

Chairperson Lawson: Keeping it in order?

Councilperson Miller-Anderson: Yeah.

We're gonna try to get…

Councilperson Botel: [Inaudible].+

Councilperson Miller-Anderson: …everything done so we don't have to have another meeting.

Chairperson Lawson: Thank you, ma'am.

9. ITEM NO. 9

ORDINANCES ON FIRST READING

9a. ITEM NO. 9A

Chairperson Lawson: Madam Clerk, let's go into 9a.

Interim City Clerk Hall: Item 9a.

Interim City Clerk Hall: ORDINANCE NUMBER 4243: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 31, ZONING, SECTIONS 31-1, 31-61, 31-141, 31- 161, 31-187, 31-192, 31-197, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, AND 31-536; CREATING SECTIONS 31-560, 31-561, 31-562, AND 31- 563; AMENDING THE DEFINITION OF FAMILY; AMENDING THE DEFINITION OF THE TERMS MULTIPLE FAMILY DWELLING AND DUPLEX DWELLING; ADDING DEFINITIONS FOR THE TERMS ASSISTED LIVING FACILITY, COMMUNITY RESIDENCE, HOSPITAL, NURSING HOME, RECOVERY COMMUNITY, RECOVERY RESIDENCE, SPECIALTY MEDICAL FACILITY, AND SPECIALTY HOSPITAL; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do have one public comment card for this Item. The acceptance of public comment cards for this Item is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4243.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you again, Mr. Manager. Good evening again, Members of Council.

So, the Item before you, again, we have discussed before. Because of the discussions that we had, the feedback that we received from Council, Staff has taken this back and made multiple changes to it based on the feedback that we received from you all, the policy makers, and we believe we have before you now an [stammer] improved Ordinance that would deal with the uses here.

We will provide you a, a truncated presentation as much as possible. What we'll do is describe the challenges relates to these uses that this Ordinance covers, as it relates to policing and.., as well as zoning and land development.

Then, we will review the proposed Ordinance that is before you with our outside legal. And again, if you have any additional feedback, we would happily take that but we hope that you will support this on first reading so that we can bring it back for an adoption hearing.

So first, I would like to allow for Police and, specifically, Detective Jennifer Jones to provide some insight on how Police has been handling these uses and, in some of the feedback that they can provide for your decision making process.

Chairperson Lawson: Thank you for your comment, Mr. Sirmons.

Welcome, ma'am.

Detective Jones: Thank you. Good evening.

So, we are.., as far [stammer]… I, I made bullet points, as far as the FAR certification goes. I don't know if you want to know the benefits of it but I can tell you, we just actually had a call for service the other night and the facility that we went to is FAR certified, which tremendously helps us.

Because, it kind of acts as a hotel/motel and it gives us the ability to remove the individual, if need be.

But there's several benefits to sober homes beings being FAR certified. And so, I would.., if you would.., I would like to just go over a few of the points.

Providers are held to a national standard of best practices.

Providers are held to a code of ethics.

The national standard and code of ethics was created out of a think tank that is recognized by SAM SHA.

Providers can engage in legal referrals with treatment centers.

So, with FAR certification, they are allowed to refer patients to another treatment center if the one that they're currently at is not working.

Providers to.., to not have to abide by traditional landlord/tenant laws, as they can ask a resident to leave in the event of relapse to protect the health of the community. The residents have the right to live in an alcohol and drug free environment.

Residents receive support for a long term recovery.

Resident rights and requirements are upheld, and they have a good neighbor policy.

So, when they're in a FAR certified sober home, they.., if they're leaving there, they have to be given three other alternative places to go so the patient isn't just put.., let go and released to be wandering around.

So, that greatly helps the police because a lot of times we see that some of the treatment centers, they just.., they ha'.., they leave and now the person is just walking around with their suitcase.

If [stammer].., if they're FAR certified, they have to work with them more and not just let them go.

Development Services Director Sirmons: And, thank you, Detective Jones, for that insight from the Police Department side.

As far as Land Development Regulations go, there's several challenges that we have in terms of regulating Land Uses, but also, issuing and reviewing Business Tax Receipts applications as they're submitted.

One of the biggest is just a lack of definitions in our Code that defines and identifies what these uses are, is a major challenge and a lot of times we have to work with existing definitions or, or gray areas in the Code to be able to provide services to these operators in the City which doesn't help the City to be efficient in oversight.

And so, that results in a lack of zoning districts that provide for locations where these uses are deemed appropriate by the City.

And then, the lack of requirements on those uses. Many uses in the City, if you are to operate certain types of [stammer] businesses, there's certain types of documentation that you need to provide to the City when you establish that business.

Again, without definitions and zoning regulations for these uses, we can't also establish regulations and, and processes and procedures for those of businesses as well.

So, that's an [stammer] additional challenge for Staff. And then, of course, lack of enforcement if any established standards are not followed.

So those are the challenges that we are currently experiencing and doing our best to work amongst but that's another reason we believe this Ordinance will bring us leaps and bounds forward in, in providing oversight of these types of uses by providing dignified living opportunities for [stammer] persons suffering from disabilities within the City of Riviera Beach.

I do want to quickly bring your attention to the map on the screen here. Staff has done its best to identify where these uses are but they are, again, poorly regulated and, and some just do the best they can to operate and we do our best.., the best we can to provide services to them.

But we have different types. We have varied definitions. We have ALF/CLF that are indicated in red. Then, we have what are sometimes referred to as sober homes with the blue stares.

And then, treatment centers in yellow which provides the professional services needed by a lot of these residences. And again, they are not all well monitored or well identified and regulated by our zoning and land development.

But again, this Exhibit shows that we have worked to identify where they are. You can see how they cluster in certain areas of the City and we wanna give consideration for those who need housing that are this affected population, but also the communities in which they are placed to make sure those residents also have a voice in, in their community.

So, this is what we've identified by working with Police and the BTR office of where some of these uses are currently in the City.

So, with that, I will yield the floor to our outside legal, who has been working very closely and extensively and given us great feedback and legal counsel on this matter, Ms. Tanya Earley with the firm of Torcivia, Donlon & Goddeau.

Ms. Earley.

Ms. T. Earley: Good evening, Council. As Mr. Sirmons indicated, we'd like to give you as speedy a presentation as possible.

What you have on the screen before you is an overview of the Ordinance. Simply put, it's not an Ordinance that just addresses sober homes. It's an Ordinance that addresses housing for persons with disabilities period.

So, I just.., I wanna emphasize that and to emphasize the fact that, overall, this.., the purpose of this Ordinance is to be able to provide housing, to be able to provide such housing in fa safe environment to be consistent with federal law, and to be able to establish guardrails that are within the bounds of the law.

Some of the key provisions. Again, many are still the same as they were the first time that the, the Council saw them. For person'.., for residences with three or.., three or fewer persons who are nonfamily members, they are treated like any other private residence.

‘ For groups of persons who are unrelated up to six, they are allowed in all zoning dist’.., districts that allow residential uses. For larger groups, up to fourteen, they are allowed in all zoning districts that allow multifamily residential uses.

The Ordinance does include spacing requirements to avoid the creation of a de facto Social Services District. As you will see on the next slide, we did adjust the spacing requirement from the first time you saw this Ordinance to be more consistent with what other municipalities in the area have utilized and also to mirror Palm Beach county’s ordinance.

In addition to that, the Ordinance provides for mandator FAR certification or the equivalent, which would be an Oxford House Charter. And that would apply specifically to so-called sober homes or recovery residences. That’s how they’re defined in the statute, they’re called.., excuse me, in the Code.., they’re called recovery residences.

And, in addition to that, something that was brought up at the last time.., the last time this matter was before you, there were concerns about any establishment that might be operating right now and how they should be treated as far as mandatory certification.

So, what we did was, we added a provision that would allow any lawfully existing establishments to have until December 31st of next year to come into compliance for purposes of the City Code.

If there is something else that they have to do with regard to Florida state statute, depending on the type of home that it is, then they’re still gonna have to meet state law requirements.

Again the, the revisions to the Code, number one, since the last time you saw it, as discussed previously, we did modify the definition of family to include domestic partnerships as defined by the Palm Beach county Code.

We also went back and clarified occupancy limits for multifamily residences. We clarified the list of persons who may be li'.., who may live in community residences. Last time, there was a question about whether or not that list was exhaustive.

We clarified to make it non-exhaustive. Again, the goal is to provide for all persons with disabilities and we didn't want to specify different ones and leave anyone out.

Again, as I mentioned, the lookback provision for FAR certification and the equivalent. We also added a provision that clarifies that community residences are to be treated as residential property for enforcement of building and fire safety Codes.

Again, this is to ensure compliance with federal law, which says that housing for persons with disabilities has to be treated, as much as possible, like any other type of housing.

And, finally, the Ordinance, as, as it did before, addresses nonresidential medical facilities. And it simply clarifies the purpose for those.

Your next slide is just a quick comparison of how other jurisdictions have handled the community residences. And, you will see that we've tried, as much as possible, to come in line with what'.., what other [stammer] municipalities have been doing.

I'll start with the spacing requirement. You will see that we pretty much match everybody, except for Coconut Creek which has no spacing requirement and, Fort Lauderdale, which has a larger spacing requirement.

The next column over is the mandatory FAR certification. And, you will see that the County, Coconut Creek, Coral Springs, Delray Beach, Fort Lauderdale, and Pompano Beach all have mandator FAR certification.

And the last column deals with how existing establishments are treated for purposes of certification. And, as you will see, almost all of those jurisdictions, except for Coral Springs, which their Ordinance doesn't certify.., or, doesn't specify, excuse me.

All of those jurisdictions that you see in that last column do require existing establishments to come into compliance within one year, with Fort Lauderdale being the most restrictive, requiring it within sixty days.

So those are.., that's the general overview. And I'm happy to answer any questions that Council may have.

Chairperson Lawson: Thank you for your comments.

Madam Clerk, do we have any public comment cards?

Interim City Clerk Hall: We do have one public comment card.

Mrs. Mary Brabham.

Chairperson Lawson: Thank you.

And while Ms. Brabham is on her way, I just wanted to say thank you, Ms. Jones, Detective Jones, for all the work you do in our community. You are being noticed and you're doing amazing work.

Thank you.

Ms. M. Brabham: Mary Brabham, Riviera Beach.

Chairperson Lawson: Ma'am.

Ms. M. Brabham: I hope that you all are really considering the parameters when we come to sober homes. I know, Ms. Lanier, you already had said that you are for this. And, any Board Member that is for this, who will watch the hen in the henhouse?

On that map there, they are distributed all within our communities. We already have an infestation of drug.., the drug paraphernalias and habits, that live in our community. They are in there and they congregates with them.

They plows the streets as well. Why Ms. Brabham can tell you that, because she's seen this for herself. And I know, I seen them. Who will watch the hen in the henhouse to make sure that we are safe? To make sure that our neighborhoods is safe?

We got a lotta clean up here to do. And this just will only compound what we're already experiencing in our neighborhoods. Don't get me wrong, everybody can be rehabilitated but they have to want it.

And you cannot put them in the setting of an environment where it is conducive to what they're already going through. If they want to change, they have to be willing to change. I know what the Disability Act says.

The Disability Act.., the Disability Act which prohibits discrimination against people with disabilities in several areas, including employment, transportation, public accommodations, communications, and access to state and local government and programs and services.

Now, who is going to watch the henhouse in our City to make sure that, that this is passed here because we are upset about this here. Because we are already facing these calamities in our community.

Where is the.., where is the oversight here? Where is it? Because, we are getting it every day. And they're coming in like inflex. And you already have set some up in the City here and that should not have been until you ratify this Resolution.

So see, it was a push thing. But who's watching the henhouse? Who is going to be responsible for Ms. Brabham? 'Cause, I'm gonna tell you something, nothing else.., I don't want nothing else to happen to me in this City, like it did last year. Nothing else.

Because it will not look good for this City at all. That's the word that has come down. Why? Because my safety matters too, as well as the residents' safety in this neighborhood.

So, who's gonna watch henhouse? Are these parameters is gonna put in place here. You pass all of this. Those are things.

Thank you.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

Council Members?

Chair Pro Tem Lanier: Um…

Chairperson Lawson: Councilwoman.., Pro Temp Lanier…

Chair Pro Tem Lanier: Yeah.

Chairperson Lawson: …go ahead.

Chair Pro Tem Lanier: I wanted to say that the reason I support this was because this is a Ordinance that will set in place parameters for existing sober houses and for ones that want to come to the City of Riviera Beach.

And we did this because the example that was used was that the City of Lake Worth got inundated with sober housing and had no rules or regulations or parameters or Ordinances to control it.

So, we wanted to make sure that anything that is already existing in this City and anyone that comes to the City to do business in terms of sober housing or recovery, will have

parameters, they will have guidelines so that the greater community can be.., can feel safe about these type of facilities.

And we understand the drug problem in our City. So we do need to make sure that we have places for people to go to recover. But, we also want to make sure, for those residents who are outside of those parameters, that they, themselves, are safe.

And that is why I was supporting this Ordinance.

Chairperson Lawson: Thank you, Pro Temp.

Council Members?

[Pause]

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Mr. Chair.

Ms., Ms. Earley, are you familiar with the certification process for FAR and what that requires? And what that looks like?

Ms. T. Earley: Mr. Chair?

Councilperson, I am not intimately familiar with that process. I can tell you that it involves.., it, it's quite lengthy. It's a two-step process. There is an.., an initial temporary certification that they can obtain.

And, it does involve a site visit and, and other, other requirements.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

So, if it's quite lengthy and it's two step, how did you arrive at this December 31, 2024 date? Don't you think that… I mean, I'm trying to understand the rational basis. If it's lengthy, we're giving folks probably less than a year.

Because, the way Ordinances are passed it requires two readings and then, ten days before it's adopted. I'm sure that's gonna take us into 2024. So, by the time this passes and notification gets out, how do you imagine that, if .., if a existing facility that's in the community wants to be certified, that they can actually do that timely, without being now penalized? Because, it seems like that's just an arbitrary date.

And, what is the input that you received from those existing businesses? Because, Ms. Earley, do you live in Riviera Beach?

Ms. T. Earley: I do not, sir.

Councilperson McCoy: Okay.

So, I don't want those folks to come and then now say, 'Well, you've given me a year but do you realize what it actually takes to be certified?' So, tell me what's your rational basis or nexus to determine that somebody can get this done in twelve months, when you, here today, acknowledge that it is a pretty lengthy process?

Ms. T. Earley: Yes, sir.

Well, again, what my goal was, when I looked at what other municipalities have done, was to get a baseline and to try to fall into line with what other jurisdictions are doing.

So, the December date was picked based on the anticipated adoption hearing, which would have, or could presumably take place in December of this year. And it would be a year from the date of adoption, roughly. So, that's where that came from.

So, I don't know if we can put the chart…

Councilperson McCoy: No, no, no.

Ms. T. Earley: …back…

Councilperson McCoy: No, no, no.

I'm asking questions right now. And…

Ms. T. Earley: Yes, sir.

Councilperson McCoy: …I wanna make sure that understand.

So, you said it's a pretty lengthy process but you have no approximation on does it take six months? Does it take eight months?

Ms. T. Earley: As far as I know, I.., nothing from the limited conversations that I've had, I wanna be clear, nothing from the conversations I've had, indicated that it would take longer than a year.

Councilperson McCoy: Follow up.

Ms. T. Earley: However…

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you. I reclaim my time.

So, you're not sure and you're not certain. So, aside from that, was there any of these businesses brought to the table. Like, we just had a, a group of daycare individuals who have been literally bringing their concerns to us since 2019.

Did we have any good faith effort that we know… And surely, you know, one Member seems to suggest that this only isolated to their community. You know, why not extend the olive branch?

Because, what I don't wanna do is make legislation in a vacuum, and I don't really understand what it takes to, to run that kind of operation.

But, it would seem prudent, as policymakers, that we have everybody to the table on this. And if this is something that's gonna require eighteen months or two years for them to actually be able to put it place because, if it's anything like the accreditation process for the Police Department, I wouldn't wanna put that pressure on somebody that's literally good.., I mean, they're.., they, they wanna operate in good faith and be good team players to now be penalized by some code section when we've never even had a telephone conversation.

Ms. T. Earley: So, so, Mr.., Mr. Chair, if I may? May I…

Chairperson Lawson: Go ahead.

Ms. T. Earley: …respond?

Chairperson Lawson: Go ahead, please.

Ms. T. Earley: So, I wanna be clear. I, I believe Staff had a more extensive conversation and we attempted to have a representative here at our last meeting, and they were not able to attend. A representative directly from FAR. So, I don't want you to think that we, we.., that this was not a concern in drafting the Ordinance.

The year was a baseline, again, to allow a year, from the date of adoption. And, it falls in line with what other jurisdictions have done. Save Fort Lauderdale, which only gives sixty days.

Certainly, if the.., if it's the pleasure of the Council, it can be drafted to allow for a longer date.

Councilperson McCoy: No. No, no, no. Mr. Chair, thank you.

So, that's what I was looking for. So if, if there's other organizations that's doing this in six months or sixty days, then I think a year is practical. But, you know, you've said it takes a lengthy amount of time and it's a two-step process, I'm like, well, if it's actually, you know, the

standard that other organizations and municipalities are offering sixty days, then I think a year is fair.

I just wanna make sure that we're approaching this from the right direction. Because, I already know that there's gonna be somebody that's gonna say, 'Well, why didn't we have a seat at the table,' if you will?

Ms. T. Earley: So, I have two answers to that and I, I will stop because.., I just wanna make sure that I give you as thorough an answer as I can.

Councilperson McCoy: Okay.

Ms. T. Earley: So, again, the third slide that I had, showed every other municipality, other than Fort Lauderdale and Coral Springs on that slide, had within a year. That, that was their requirement for existing establishments. That's number one.

Number two, there was also a reasonable accommodation option such that, if a.., an establishment is unable to obtain that certification, they can also request a reasonable accommodation.

So, it, it's not a hard and fast rule. It's not.., I, I think the goal is to obtain safe, safe housing rather than to penalize establishments that are, that are lawfully operating.

Councilperson McCoy: Thank you.

I appreciate it. And I think.., I think, I think I got it.

Thank you.

Chairperson Lawson: Thank you, Councilman McCoy.

Council Members, any additional comments?

[Pause]

Chairperson Lawson: Please, Detective Jones, go ahead.

Detective Jones: So, I, I didn't wanna interrupt but…

[Inaudible comment]

Councilperson McCoy: Mi'…

Detective Jones: I spoke with somebody from FAR and the exact response is, it varies, depending on how long it takes providers to get their documents into compliance. It generally takes forty-five to sixty days to get FAR certified.

Councilperson McCoy: Okay.

That's good to know. Thank you.

Detective Jones: You're welcome.

Chairperson Lawson: Madam Clerk?

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk Hall: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: Unanimous vote.

Chairperson Lawson: Thank you.

9b. <u>ITEM NO. 9B</u>

Chairperson Lawson: Madam Clerk, 9b.

Interim City Clerk Hall: Item 9b.

Interim City Clerk Hall: ORDINANCE NUMBER 4251: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 ZONING OF THE LAND DEVELOPMENT CODE OF THE CITY OF RIVIERA BEACH AT ARTICLE V. SECTION 31-1 DEFINITIONS; SECTION 31-281 TO UPDATE PURPOSE OF THE OFFICE & PROFESSIONAL ZONING DISTRICT (OP); SECTION 31-282(B) SPECIAL EXCEPTION USES TO UPDATE ALLOWED USES; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Chair Lawson, we do have one public comment card on this Item. The acceptance of public comment cards on this Item is now closed.

Chairperson Lawson: Thank you, Madam Clerk.

Do we have a motion?

Chair Pro Tem Lanier: So moved.

Councilperson McCoy: Second.

Chairperson Lawson: The motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair, Members of City Council.

The Ordinance text amendment before you today is submitted by an applicant who is interested in expanding the allowed uses within the office profession zoning district. Staff has had multiple conversations with the applicant and the rationale behind it, is that persons in this

district providing office space to tenants would like to provide an expanded suite of amenities to the workers that work in those offices.

And, they have argued that many Grade A office buildings provide things such as restaurants or cafes, and even a gym and fitness spaces within them. So, they're provide this.., provided this amendment application request for the office professional zoning district to allow restaurants, and boutique fitness studios within that zoning district as a special exception.

Meaning that, if one of those uses is proposed in an office building, the applicant would need to bring forward a special exception request for City Council so that additional consideration can be given for the appropriateness of that use for the chosen site.

This is a Citywide text amendment and it would affect any property zoned office professional. However, currently, there is only one cluster of parcels within the zoning district, on Singer Island. So, right now, it would have limited affects.

Staff, again, has spoken extensively and researched this and we are supportive of this. And we recommend approval of it by City Council.

That would be all from the Staff presentation perspective. I'm happy to answer any questions. And the applicant is here as well to address any questions or concerns.

Chairperson Lawson: Thank you.

Do we have any public comment cards?

Interim City Clerk Hall: We do have one public comment card.

Mrs. Mary Brabham.

Councilperson McCoy: Mr. Chair?

Let, let me… Mr. Chair?

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: Excuse me.

Do you mind if the, if the presenter is saying something I don't quite understand it, do you mind allowing me to get clarification before you bring someone up here for three minutes to talk?

Because, it's a very simple question that I'm trying to make sure that I understood because sometimes it's not always audible. And it really makes that much more difficult to then go to public comments and then ask me to be able to recall exactly what I wanted to ask.

So, if you could please indulge me just to get some clarification?

Chairperson Lawson: Councilman McCoy, the standard practice is normally we've been doing with presentation. I'd have no problem with you asking a clarity question, or for clarification, but I, I don't know that's being acknowledged if you just have your hand up when we typically do the same process.

So, to indulge you, absolutely, colleague. I would love to allow for you to get clarity in regards to a question then go back to the standard practice we've been doing.

Councilperson McCoy: Okay.

But, what I'm saying to you, if any part of the meeting is not open and audible, it becomes a violation of the Sunshine Law. So, there was a portion that I did not hear from Mr. Sirmons.

And I'm simply asking if you would be compliant with Florida statutes and allow me to ask a question so that I can ensure that I heard him correctly? Because, there was a portion that I did not hear.

And I would like not to go back down this road of having someone to speak three minutes when I just wanna make sure that what I heard was what I heard.

Chairperson Lawson: And to that point, whether you ask him in three minutes or you ask him now, you'll get determination if it was audible or not. So, Councilman, we are going back and forth with a determination based upon you being able to hear it.., being audible versus me hearing if it's audible.

I can't determine, nor am I a mind reader, Councilman. So, if you would like to get clarity, by all means, proceed, Councilman McCoy.

Councilperson McCoy: Thank you. I appreciate that.

Thank you, sir.

Chairperson Lawson: You're…

Councilperson McCoy: Mr…

Chairperson Lawson: …welcome.

Councilperson McCoy: Mr. Sirmons, you said it has limited what? It has limited affect or limited impact? Limited something. I couldn't hear the rest of it.

Development Services Director Sirmons: Yes.

I was stating that if this Ordinance is passed right now, it would have limited City impact because there's only one area of the City currently that' zoned office professional.

Councilperson McCoy: Okay.

Thank you.

Chairperson Lawson: Thank you, sir.

Ms. Mary Brabham, public comment, please. Or, comment for this Item.

Ms. M. Brabham: What's the Item?

Interim City Clerk Hall: 9b.

Ms. M. Brabham: Okay. 9b.

I had a question. On, on 9b, you removed a section in there where it says cafes. Does this café include the, the build out of what we're gonna build?

Now, we have a café over at the Library. Does that consist of the removal of that café or is it pertaining to any other cafes? Because, it was voted on… See? I read.., I read the backup. It was voted in the Planning & Zoning Board to remove it.

So, so why, why are we removing that from in this here Code stipulation here? And, and the question is that, is this proceeding when we start building the restaurants? Or, or what.., what does that removal of the café indicates?

Does it indicate the [stammer] the existing ones, that's already here? Or, [inaudible] the expansion of the restaurants that are here now that are set up under the café regulations?

So that is my question. And I read.., like I said, I read the backup and it said that these Planning & Zoning Board recommended to remove cafes. Why did they do that? That's another question that I also would like answered.

Thank you.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

Ms. M. Brabham: Thank you.

Chairperson Lawson: And let the record reflect, Councilman McCoy has left the dais at 8.59.

Colleagues, any additional comments?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Councilper'…

Ms. M. Brabham: You didn't answer my question.

Chairperson Lawson: Madam Clerk.,

Interim City Clerk Hall: Councilperson Miller-Anderson?

[Inaudible discussion]

Chairperson Lawson: Mr. Sirmons, did you wanna address the speaker's question?

Development Services Director Sirmons: I can.., I can, yes.

Chairperson Lawson: Please.

Development Services Director Sirmons: The applicant initially submitted this text amendment and including a fifth use listed under Section 31-282 of cafes. If that text stayed in here, it would have required us to add a definition in the City general definitions in the Ordinances for café.

We didn't find a café a significantly different enough use from a restaurant to require a new definition in our Code. And, and then we would potentially need to consider other places in the Code where it would be appropriate.

So, in this case, if a.., someone wants to open a small restaurant, which a café is, they can do that. If they wanna do a large restaurant, they can do that. But wherefore a restaurant is located in our zoning districts, an applicant would have the ability to submit for approval of a restaurant of whatever scale they prefer.

So that's why we recommended, and the Planning Zoning Board recommended.., agreed with our recommendation, to remove that from the applicant's request. It still allows them to move forward as they desired.

And, it would not affect any other zoning district, any existing cafes at the.., at the Library, which was mentioned by the, by the citizen. It would be limited only to this zoning district, that they can now add cafes there.

Chairperson Lawson: Thank you.

Additional comments from the Board?

[Pause]

Chairperson Lawson: Madam Clerk.,

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That Item passes.

Chairperson Lawson: Thank you.

10. ITEM NO. 10

ITEMS TABLED

REGULAR AGENDA

11. ITEM NO. 11

RESOLUTIONS ON REGULAR AGENDA

11a. ITEM NO. 11A

Chairperson Lawson: 11a.

Interim City Clerk Hall: Item 11a.

Interim City Clerk Hall: RESOLUTION NUMBER 138-23: A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING SITE PLAN APPLICATION NUMBER (SP-22-0012) TO ALLOW A +/- 30,403 SQUARE FOOT (SF), TWO-STORY BOAT DEALERSHIP WITH AN OUTDOOR BOAT STORAGE AREA; THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST 12TH STREET

AND THE BROADWAY CORRIDOR; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do have one public comment card for this Item. The acceptance of public comment cards for this Item is now closed.

Chairperson Lawson: Do we have a motion?

Councilperson Miller-Anderson: So moved.

Unk.: [Inaudible].

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Let the record reflect that Councilman McCoy and Councilwoman Botel are no longer on the dais.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Members of Council.

This presentation is a follow up to the two Ordinances that you voted on earlier associated with the Mariner Marine project. As you can see on the screen, the red dot shows the location of the proposed development.

And here, in red, you can see an outline of the parcels in question for this proposed development.

Again, views from the northeast, the north, southeast, and the south.

And the proposed development plan. And again, I won't go through this again. It has not changed since the Ordinance earlier.

The proposed abandonment, which was just voted on.

And here, this, this Item and the next are associated with these two Resolutions. One is the proposed plat that would consolidate the, the parcels that you saw on the previous slide. Again, there are multiple parcels that are involved in this block.

This plat would consolidate them all and provide the necessary easements for Utilities in the would-be consolidated block for this development.

The proposed Site Plan, just to [stammer] orient you, this north. This Broadway on this side. As our downtown development regulations prescribed, the building is next to the roadway and it is two floors, to help us create the, the downtown that we are aspiring for in the Broadway corridor.

But, as allowed by the Code, it does also afford the option of outdoor storage for marine industries, which this use is.., which this applicant is taking advantage of. The repair area for the use is in the back, tucked behind the building. And then, there's some parking for boats, as well as vehicles, to the south.

I want to quickly point out that, as I mentioned earlier, there were conversations between the residents nearby and this applicant. They had already proposed a linear parking outdoor space along the western boundary of the property, and a wall along their.., in, where the storage would be.

Due to those conversations with the public, they agreed to extend the wall partially on the northern boundary and the southern of this property just to provide additional privacy and screening to the residents.

And you will see that condition for the wall shall be in the Resolution if Council supports that.

The proposed Landscaping Plan is on the screen before you now. Again, they met and/or exceeded the landscaping Code for this project as you can see indicated by the figures. And again, there's a public amenity of a linear park along the western boundary of the property.

Before you now are the proposed elevations of the project.

So, according to the City's Land Development regulations, there are certain requirements that are under consideration when a site plan is before you for consideration. Staff has reviewed this application against those.

We've looked at the.., this project. We've looked at its consistency with the Future Land Use Plan, the Zoning Code, service levels for Utilities, compatibility with neighborhood landscaping, lighting, parking, and traffic, and they have satisfied the Staff's review requirements for all of those areas.

These are all the entities that have looked at this project, inside the City, as well as outside.

Public notice was properly executed for this Item.

And then, there are multiple conditions associated with it. The, the majority of our conditions are standard for every project. I would take a moment to highlight the certain additional ones.

Again, within eight months of approval of this Resolution, the applicant has agreed to update the bus stop in front of the business according to the standards that we set across the City for the color and installation of a covered bench area with lighting and trash reciprocal for bus stops that you have seen beginning to pop up around the City due to Staff input.

The applicant will be.., has agreed to actively advertise employment opportunities for this business within the City of Riviera Beach, and [stammer] provide a report of those efforts and the results of within six months of Certificate of Occupancy.

That they must, again, as mentioned earlier, the abandonment fee must be paid within thirty days of approval of the abandonment Ordinance in this Resolution.

And that the aluminum fencing and the wall, provided by this project, meet the descriptions within the Resolution and as discussed with those residents.

Staff does recommend approval of this Site Plan Resolution, as well as the plat that is next on your Agenda.

And, that concludes the Staff presentation. The applicant is here and prepared to present as well.

Chairperson Lawson: Thank you, Mr. Sirmons.

Madam Clerk, can we have public comments, please?

Interim City Clerk Hall: Fane Lozman.

Chairperson Lawson: Any questions for Mr. Sirmons while Mr. Lozman's coming up? [Pause]

Chairperson Lawson: Welcome, Mr., Lozman.

Mr. F. Lozman: Fane Lozman. Good evening again.

I think the applicant should be commended for taking a part of the City that's been run down and blighted and wants to build a brand new facility there. And I.., and I supported the Rybovich project, I certainly support this project.

The applicant's father is a legendary success in the automotive and boating world, and I think having John Stapuli, Jr. investing in Riviera Beach is a wonderful thing. And I think if that's successful, it'll also help redevelop other areas adjacent to that.

So, I think the City should be honored that they came into Riviera Beach after some of the issues that some other applicants had, especially Rybo'.., Safe Harbor to go forward with their project.

And I think it's one of the, the great projects I've seen on the westside of Broadway in the Marina District since I've been here, since 2003.

Chairperson Lawson: Thank you for your comments, Mr., Lozman.

Madam Clerk, any additional comments?

Interim City Clerk Hall: That was the only comment card submitted.

Chairperson Lawson: Thank you.

Council Members?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: That's a unanimous vote.

11b. ITEM NO. 11B

Chairperson Lawson: 11b.

Interim City Clerk Hall: Item 11b.

Interim City Clerk Hall: RESOLUTION NUMBER 139-23: A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0003) FROM J.S. 12 REAL ESTATE HOLDINGS LLC (APPLICANT); FOR A REQUEST OF A MAJOR SITE PLAN APPROVAL, THE SUBJECT PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST 12TH STREET AND THE BROADWAY CORRIDOR; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do have one public comment card on this Item. The acceptance of public comment cards for this Item is now closed.

Chairperson Lawson: Thank you…

Councilperson Miller-Anderson: So moved.

Chairperson Lawson: …Madam Clerk.

Second.

Chair Pro Tem Lanier: Second.

Councilperson Miller-Anderson: It's just the three of us here.

Chairperson Lawson: Mr. Evans.

Councilperson Miller-Anderson: I mean [chuckle], it gotta be one of us.

Chair Pro Tem Lanier: I [inaudible].

City Manager Evans: Mr. Chair, Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Members of Council and Honorable Mayor.

This Item is the plat associated with the Item that you.., the previous Item that you just voted on.

And Staff has no additional presentation for it.

Chairperson Lawson: Thank you, Mr. Sirmons.

Questions from the Board?

Public comment card.

Interim City Clerk Hall: Mr. Fane Lozman.

Mr. F. Lozman: [Inaudible].

Chairperson Lawson: Thank you, Mr. Lozman.

No comments from the Board?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk Hall: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: Unanimous vote.

Chairperson Lawson: 11c.

Interim City Clerk Hall: Item 11c.

Resolution Number 159…

Chairperson Lawson: I'm sorry. I'm sorry, Madam clerk.

We actually moved those to Consent, 11c…

Interim City Clerk Hall: Oh, I'm…

Chairperson Lawson: …and 'd'.

Interim City Clerk Hall: I apologize. You sure did.

Chairperson Lawson: Yes, ma'am.

11e. <u>ITEM NO. 11E</u>

Chairperson Lawson: 11e now.

Interim City Clerk Hall: We are on 11e.

Chairperson Lawson: Mhmm.

Interim City Clerk Hall: RESOLUTION NUMBER 152-23: A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING APPLICATION NUMBER (SP-22-0003) FROM 7920 RIVIERA BEACH HOLDINGS, LLC (APPLICANT); FOR A SITE PLAN REQUEST TO CONSTRUCT A NEW MULTIFAMILY DEVELOPMENT OF 60 TOWN HOMES AND 255 MULTI-FAMILY MARKET RATE UNITS TOTALING 315 DWELLING UNITS ON THE SUBJECT PROPERTY; ON APPROXIMATELY +/-15.77 ACRES OF REAL PROPERTY; LOCATED 7982 NORTH MILITARY TRAIL, 7920 NORTH MILITARY TRAIL, 7880 NORTH MILITARY TRAIL, 7940 NORTH MILITARY TRAIL, 4411 LEO LANE, 4123 LEO LANE AND 4279 LEO LANE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: We do have one public comment card. The acceptance of public…

I'm sorry. We do not have any public comment cards for this Item. The acceptance of public comment cards for this Item is now closed.

Chairperson Lawson: Thank you, Madam Clerk.

Councilperson Miller-Anderson: Motion to approve Resolution Number 152-23.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Thank you.

The motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Members of Council.

This Site Plan Resolution before you is associated with the three Ordinances that you heard earlier this evening.

Now that the.., based on your votes, the Future Land Use Map, the Zoning map, and text amendment have been effectuated by your votes, the.., this Resolution is now approvable based on those new regulations applicable to this piece of land.

So now, I will get into the Site Plan and the development that is proposed here.

Again, indicated by the red dot, is the location of the project in the City.

Now, you can see a closer version of the properties under the control of the applicant.

And, again, as stated before, the development proposes sixty townhomes and two hundred and fifty-five multifamily market rate units, totaling three hundred and fifteen dwelling units on these seven parcels of land.

The property is vacant except for one vacant building hat is expected to be demolished on the property.

The multiple properties control numbers associated with these parcels are within the backup.

15.77 acres is the approximate size of the land in question, with a zoning of.., the zoning of RM-20 now.

And the Future Land Use of high density residential.

So, as far as the plat needed to consolidate the parcels and create the necessary easements and Utility areas of the property, you can see it on the screen, that has been reviewed by Staff.

And this slide before you now shows the fee simple lots to the rear that would create the community of the sixty townhomes that would be for sale as a part of this development.

Before you on the screen now is the proposed Site Plan for this development. As you can see toward the south of the screen, Leo Lane is the east/west roadway that is the southern boundary of this property.

Military Trail on the western boundary of the property and the canal and City limits to the north. The property provides the main access from Military Trail, as well as on Leo Lane.

And you can see the buildings and associated parking on this diagram with a detention amenity lake in the center, as well as a amenity center right here in front of the lake.

The property here, and here, is not a part of the development.

And before you now, you can see the proposed Landscape Plan proposed by the project. The proposed Landscape Plan for the project on the eastern portion of the property.

The elevations of the proposed multifamily buildings of the project.

And the proposed elevation of the townhomes that would be in the rear of the project.

The applicant did provide some perspectives and renderings of the project to give the viewer and Council a feel of what the community would be like from the ground level.

So Staff has reviewed the proposed project in relation to the City Ordinances governing Site Plan approval. There have been multiple City departments, as well as county and state agencies that have ta'.., looked at this project.

We find it inconsistent with the, the Future Land Use Map, zoning, levels of service for Utilities, neighborhood compatibility, landscaping, lighting, parking, and traffic.

We have properly noticed these items according to City regulations and state statutes.

And, we have received feedback from the community meeting that the applicant held on this project and their feedback was taken into account by the developer and changes were made to the project.

Staff recommends approval of this application with the recommended conditions. I would like to bring a few of them to your attention.

One, the applicant has agreed to make some offsite and onsite improvements in the interest of the, the public and those around this property. They have agreed to several conditions.

Any landscaping installed within the public right-of-way, the applicant has agreed to maintain it as has been consistent with other developments in the City.

They have agreed to construct a Palm Tran bus shelter on Military Trail, similar to the color and design style that you have seen in other projects around the City. And this is consistent with our Comp Plan and Land Development Regulations, as we are looking to ensure that all residents have access to comfortable transportation in the City.

This applicant has elected to take advantage of the MEAHOP Ordinance to maximize the density of the zoning district, which is twenty units per acre. Due to that, the applicant would be subject to the condition that the MEAHOP Ordinance development agreement, satisfactory to the

Code and Staff and Legal review must be in place before any permits for construction can be issued for this project.

That MEAHOP agreement would be.., essentially be a contract between the developer and the City outlining their responsibilities for [stammer] MEAHOP with employment and contribution to affordable housing.

Staff is well underway and in working out the details of that agreement, it would be the first between.., the first that the City has put in place for utilization of the MEAHOP Ordinance so we want to make sure that all the details are [stammer] ironed out and it is thoroughly reviewed before br'.., brought back to City council for your vote and approval.

That Resolution would have to be in place before they could receive any construction permits for this project due to the density benefits that they will receive through MEAHOP.

The reconstruction of Leo Lane, which the applicant has agreed to, must be completed before any occupancy certificates would be issued for the project.

The relocation of the bus stop for Palm Beach County School District, that was mentioned by the residents that attended the community meeting, they would have to successfully relocate and construct that school bus stop prior to the issuance of any certificates of occupancy for the project.

And then, finally, the applicant just recently, after conversation with persons interested in the project, has also agreed to add a condition that would require that Leo Lane remain open for ingress/egress in perpetuity as part of the project, unless a modification to access is required as a result of a life safety issue.

Again, the driveway and access part on Leo Lane that I identified earlier, this would be a condition simply stating that they cannot closes that in the future, just as an operational decision by the landlord of the property.

So, they have discussed that. They have agreed to it and we would.., the Staff has reviewed it and has no objection. And we would proffer that as the last and final condition of this Site Plan.

And that concludes the Staff report on this Item.

Chairperson Lawson: Thank you, Mr. Sirmons.

There's.., is there gonna be a presentation from the.., from the applicant?

Development Services Director Sirmons: The applicant is here and prepared to present.

Chairperson Lawson: Okay.

And, Madam Clerk, do we have any public comments on this Item?

Interim City Clerk Hall: There are no public comments for this Item.

Chairperson Lawson: Thank you.

Welcome, ma'am.

Ms. H. Calhoun: Thank you. Good evening. Hope Calhoun on behalf of the applicant.

We have a presentation. We're happy to go through it at the, the Chairperson and the Commission's discretion, delight, pleasure, whichever. So, if you'd like us to, we can go through that briefly.

Chairperson Lawson: Council?

[Pause]

Chairperson Lawson: One yes, one…

[Inaudible comment]

Chairperson Lawson: One yes, one no.

We do have some questions from the Board first. So, I'm not sure if maybe the presentation would answer it. I know a few of us have seen it already but…

[Inaudible dais comment]

Chairperson Lawson: You want… Okay. Go ahead.

Ms. H. Calhoun: Okay. I will do this as quickly as I possibly can.

Chairperson Lawson: Thank you.

Ms. H. Calhoun: Some of this I'm gonna skip because it had to do with the other Ordinances that were already adopted so I'm gonna skip that.

But, the first thing you're going to see, hopefully, will make you happy. And if it works, it's a very quick video presentation that… How do I make it work? Is that.., is that something you guys have to do in the back?

It's just gonna show you the, the project very quickly.

[One minute video plays]

Ms. H. Calhoun: So, you… So, this again is the project location. Again, you've seen all of this. I'm gonna go through it quickly. You already approved and we appreciate you approving and adopting the Land Use and the zoning changes, and the, the parking modification which, I wanna add, did not modify the number of required spaces, it just modified how the parking is buffered from the right-of-way. So, we have the required number of parking spaces on the Site Plan.

So again, as presented, we have two hundred and fifty-five multifamily dwelling units. Those are the taller buildings that are closer to Military Trail. Five stories, those are five stories. And then we have sixty townhome units.

Those are budlings that are toward the back. And they are, as I said, two stories.., I'm sorry, three stories. I said it right, two stories. And then in the center, we have a, a lake that's approximately 1.94 acres. That is in the middle.

You'll see we have surface parking, as well as garage parking. Garage parking in the townhome units, surface parking for the balance.

Mr. Sirmons went through most of this already. And here's the plat. And again, it just serves to, to unify all of the parcels, 'cause remember, this was an assemblage of a number of parcels that were previously underutilized.

And so, we are very, very, very, very excited to bring this project, this residential project, to the City of Riviera Beach. We have been at this for over two years. I'm sorry, over one year, not two years and we are just hoping to move forward tonight to bring this market rate product to the City of Riviera Beach at a time when we know that housing is so very, very important.

So, with that, again, we're happy to answer any questions. And as we've read the conditions of approval, we understand them and we have been working with community development and the neighbors to bring you this project.

Thank you.

Chairperson Lawson: Thank you for your presentation, Ms. Calhoun.

Madam Pro Temp.

Chair Pro Tem Lanier: Yeah.

I just wanted to ask about the issue that the residents had, that.., surrounding that area. How did you address those issues they had? In terms of sidewalk, in terms of…

And then also too, when you talk about something with this type of density, water quality? You addressed the transportation piece with the.., a bus stop. But also, in terms of… Especially out west, the water quality of.., for residents and the surrounding residents.

But just first start with how you're going to address the issues that the residents surrounding that area had…

Ms. H. Calhoun: So, the two.., I think Mr. Sirmons said it earlier, the two issues that were raised by the residents that came to our meeting were.., they were concerned about the safety of the children who already live in the area and where the existing public school bus stop is.

So, we have agreed to work with Palm Beach County Public Schools to relocate the bus stop to a safer location. As I understand it now, they, in essence, are being picked up, I guess, like, in the middle of the street or somewhere close, that's just not safe.

So, in connection with this development and the redevelopment of the parcels, we are moving the.., we are going to endeavor to move the bus stop to a place that's safe for the children, so they can access it safely.

The other issue raised was about the connectivity from Military down along Leo Lane. And again, as I stated, we are constructing a sidewalk from Military to, to our property line so that there will be connectivity there.

With regard to water quality. So, when the Site Plan.., so, when the Site Plan and the plat are reviewed, all of the departments have to review to make sure that we meet concurrency and that we are meeting the standards for drainage, for water, for all of those things.

And those have all been reviewed and approved and processed, and that's how we were sable to be here this.., tonight.

Chair Pro Tem Lanier: Okay.

I think that, too, I'm also concerned about.., I was concerned about the residents. But also too, what type of.., what type of help.., input that you are having to the infrastructure in that area?

Because, there will be a pull on resources in terms of water, in terms of Public Safety, in terms of transportation.

Ms. H. Calhoun: So, along Leo Lane, we are resurfacing and restriping that roadway. Excuse me. And we are also building a private lift station and upsizing the sewer line along Leo Lane. And then, that will obviously have an impact on the water flow in the area.

Chairperson Lawson: Ms. Miller-Anderson?

Councilperson Miller-Anderson: No.

She… She answered my que'.., the…

Chairperson Lawson: Mhmm.

Councilperson Miller-Anderson: …the one question I was gonna ask about the bus stop but she answered that already.

Chairperson Lawson: Yeah.

The bus stop was one. I also had the question about Leo Lane, so thank you about that as well.

The MEAHOP, Mr. Sirmons, I just wanted to ask a few more questions about the MEAHOP just so I can understand. You said that we have to finalize the policy for them to go ahead and get the permitting for the MEAHOP.

Development services Director Sirmons: They will have to finalize the.., essentially, contract. But it would be a Resolution brought before City Council, that will be a development agreement that they would need to abide by during the construction of the project.

Ms. H. Calhoun: If I may? If I may?

It's not the policy that has to be finalized, 'cause you all, as you know, adopted, or amended, your Code recently. You have a policy in place. We're actually going above and beyond your existing Code.

We are participating in the MEAHOP program by having a minority participation component. And, we are also making a contribution to the City's affordable housing fund.

What Mr. Sirmons is referencing is an agreement that memorializes what we are doing in connection with the development of the project.

Chairperson Lawson: So you knew where I was next, Ms. Calhoun.

Ms. H., Calhoun: You're welcome.

Chairperson Lawson: So, thank you.

Ms. H. Calhoun: [Chuckle].

Chairperson Lawson: Minority participation, affordable/workforce housing component, and the contribution.

Mr. Sirmons, what type of contribution are we looking like for the.., for the MEAHOP in regards to the affordable housing component? And, is that gonna go into the Florida Housing Trust?

Development Services Director Sirmons: It would go into the City's Housing Trust…

Chairperson Lawson: The City's…

Development Services Director Sirmons: …that was…

Chairperson Lawson: I'm sorry, the City's Housing Trust. Yeah.

Development Services Director Sirmons: Right.

Which was established by the Ordinance when, when you recently amended it. The applicant is making a contribution to it. I don't have that agreement, which is underworks, in front of me with the, the number proposed and the applicant may have that figure.

But yes, there would be a contribution to the, the City's Housing Trust Fund but they would also have very specific requirements in the hiring for their workforce of the construction of this project, that they would have to meet during the duration.

So, this.., one of the, the main things this agreement accomplishes is, what does that reporting look like? How will they verify what employment rates that they have met? What happens if they don't meet those?

All of those things would be outlined in this development agreement that is underworks. And again, we are working closely with our Legal, and, the applicant's legal to hammer out all of the, the details of that agreement.

Chairperson Lawson: How soon will we have that before us?

Development Services Director Sirmons: [Sigh].

I would say likely January, based on the rate we're going at right now. We had a draft that we sent to the applicant. They sent us some comments. And, right now, it's in the applicant's hand.

I think we were just about to close all of the daylight in between us. So, I would say it's very reasonable that we have this in front of you in January.

Chairperson Lawson: Okay.

I just don't want us to be the hold up in regards to the comments. I wanna get this done so that we can address… Because it sems like that they're willing to answer the cries of addressing our housing crisis, of making sure that we're using local minority participation.

And also, contributing to our Housing Trust, which is gonna allow us to build additional housing.

But we do need to stockpile some land 'cause we're gonna have these funds available but not have anywhere to actually build some housing components. We're addressing the housing crisis that we have but one of the first conversations that we've had at the very beginning, was in reference to the affordable component.

And, I know that your applicant wanted to do a fee simple product with.., and then also a market rate product. But, we have to build out that program. So, Mr. Evans, with the dollars that's going into that trust fund, we have to make sure that we have a plan in place to really address the housing crisis for the workforce component as well.

'Cause we're gonna have three hundred and fifty-five doors, which we can, we can hang our hats on, which is an excellent accomplishment. But, the workforce and affordable component needs to be addressed in our community as well.

Thank you. That was all the questions I had.

Pro Temp? Ms. Miller-Anderson?

[Pause]

Chairperson Lawson: Thank you, Ms. Calhoun, for the presentation.

Ms. H. Calhoun: Thank you.

Chairperson Lawson: We appreciate it. And thank you for contributing and investing into Riviera Beach.

And, Mr…

Ms. H. Calhoun: Thank you.

Chairperson Lawson: …Sirmons, great work on this one as well. This was done in a very timely fashion. It was able to get across our desk at a expedited rate. So, thank you.

Madam Clerk.

Interim City Clerk Hall: Councilperson Miller-Anderosn?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: Unanimous vote.

Ms. H. Calhoun: Thank you very much.

Have a good night.

Chairperson Lawson: Thank you.

11f. <u>ITEM NO. 11F</u>

Chairperson Lawson: Final Item, 11f.

Interim City Clerk Hall: 11f.

Interim City Clerk Hall: RESOLUTION NUMBER 151-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING REPLAT APPLICATION (PA-22-0005), FROM 7920 RIVIERA BEACH HOLDINGS, LLC; TO REPLAT 7 PARCELS, +/-15.77 ACRES OF CONTIGUOUS LOTS OF RECORD, (ACCORDING TO THE PLAT'S TABULAR DATA) INTO TRACT R, TRACTS OST1-OST6, TRACT W, TRACTS F1- F2, PARCELS A, B, C TRACTS RW AND +/- 60 LOTS TOTALING APPROXIMATELY +/- 15.77 ACRES (+/- 686,885 SQUARE FEET) OF LAND AREA, REGARDING PROPERTIES GENERALLY LOCATED 7982 NORTH MILITARY TRAIL, 7920 NORTH MILITARY TRAIL, 7880 NORTH MILITARY TRAIL, 7940 NORTH MILITARY TRAIL, 4411 LEO

LANE, 4123 LEO LANE, AND 4279 LEO LANE; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

Interim City Clerk Hall: Mr. Chair, we do not have any public comment cards for this Item. The acceptance of public comment cards for this Item is now closed.

Chairperson Lawson: Can I have a motion?

Councilperson Miller-Anderson: So moved.

Chair Pro Tem Lanier: Second.

Chairperson Lawson: The motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening, one more time, Members of council.

This Item is the plat associated with the project that you just heard.

Staff has no additional presentation for this Item. We recommend that it be approved on the condition that all final Staff comments are resolved before recordation.

And that concludes Staff presentation on this Item.

Chairperson Lawson: Thank you for your comments, Mr. Sirmons.

Chair Pro Tem Lanier: Chair, I just…

Chairperson Lawson: Pro Temp…

Chair Pro Tem Lanier: …wanted to thank and commend Mr. Sirmons for his work tonight. I think most of the Agenda was his Items. And…

Chairperson Lawson: [Chuckle].

Chair Pro Tem Lanier: …he did an excellent job, with Ms. Deirdre Jacobs and oversight. We really appreciate the fact that a lot of these Items that have been languishing in your Department, you've brought them forward.

So, we really appreciate your hard work, and your Staff.

Development Services Director Sirmons: Thank you so much.

Chairperson Lawson: And I would agree with those comments. And, Mr. Sirmons, the, the work that I've seen that you've put in and the additional help and support that you've received to really just bring this Department up to this level.

Thank you for tonight's presentation and all the work you are doing.

Thank you.

Development Services Director Sirmons: Thank you.

Councilperson Miller-Anderson: I agree with that as well.

Development Services Director Sirmons: Thank you so much.

Chairperson Lawson: Madam…

[Applause]

Chairperson Lawson: Madam Clerk.

Standing ovation.

Madam Clerk.

Interim City Clerk Hall: Councilpersons Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk Hall: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk Hall: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk Hall: Unanimous vote.

Chairperson Lawson: Thank you.

12. ITEM NO. 12

DISCUSSION AND DELIBERATION

Chairperson Lawson: Discussion and deliberation.

13. ITEM NO. 13

DISCUSSION BY CITY MANAGER

Chairperson Lawson: Mr. Evans?

City Manager Evans: None from Staff, Mr. Chair.

14. ITEM NO. 14

DISCUSSION BY CITY ATTORNEY

Chairperson Lawson: Madam Attorney?

City Attorney Wynn: No comments, Mr. Chair.

15. ITEM NO. 15

CITY COUNCIL COMMITTEE REPORTS

Chairperson Lawson: Comments from the Board. Committee reports?

Councilperson Miller-Anderson: None.

16. ITEM NO. 16

STATEMENTS BY THE MAYOR AND CITY COUNCIL

Chairperson Lawson: Statements by the Mayor and City Council.

Pro Temp Lanier.

Chair Pro Tem Lanier: I just wanted to say that this Friday, December 1st is World AIDS Day. This is our 3rd Annual recognition of World AIDS Day for the City of Riviera Beach. I want people to come out to this. This an important cause.

We have about eight to 9,000 individuals in Palm Beach County that are HIV positive. But, the cases of.., the new cases for, for Palm Beach County, especially in Riviera Beach, is about seventy to eighty percent.

So, it is still a struggle to ensure that people recognize HIV, know and understand what it means. And also, know that there is treatment that is available for them.

So, this Friday, here at the Marina, we'll be cele'.., not celebrating but we'll be recognizing World AIDS Day. It starts at 5:00 p.m.

Chairperson Lawson: Thank you for your comments.

Ms. Miller-Anderson?

Councilperson Miller-Anderson: None.

Chairperson Lawson: Thank you.

And, just to all of our residents out there, just, during these holidays, just hold onto your family, love on your family. We've had too many losses in our community over the last few weeks and prayers out to Reverend Adams, to the entire Mount Zion Church. Prayers to our, our staffers and employees, the losses that they've had. Ms. Simone and everyone else that's lost a loved one during these holidays. Many prayers to every single one of you and hold on close during these holidays.

Ms. Miller-Anderson.

Councilperson Miller-Anderson: I'm sorry.

I did want to say thank you to all of you that have been reaching out to me regarding my mom. Everybody that knows her has kinda reached out to me in terms of her being in the hospital, sick.., very, very sick for a while.

She's coming along. So, thank you all so much. I certainly appreciate Ms. Paulk. You have been contacting me just about two or three times a day. So, I appreciate it. And everyone else, as well as Ms. Wynn and Ms. Deirdre Jacobs, and Mr. Evans as well.

Thank you all so much.

ADJOURNMENT

Chairperson Lawson: With no further business of the City, the meeting…

Councilperson Miller-Anderson: Mr. Lawson, and Mr. McCoy. Sorry.

Chairperson Lawson: This meeting is adjourned.

[Gavel]

[End Of video]

City Employees, Public Comment Speakers and Others

Assistant City Manager Deirdre Jacobs	Assistant City Manager Jacobs
Assistant County Administrator Todd Bolarron	Mr. T. Bolarron
Palm Tran Director of Transit Yash Nagal	Mr. Y. Nagal
Palm Tran Director of Support Services Christian Londono	Mr. C. Londono
Special Events Manager Aladia Franks-Edwards	Special Events Manager Franks-Edwards
Sergeant Harrison Crenshaw	Sergeant Crenshaw
Development Services Director Clarence Sirmons	Development Services Director Sirmons
Operations Manager Grace Joynce	Operations Manager Joyce
Mary Brabham	Ms. M. Brabham
Chuck Jones	Mr. C. Jones
Cindy March	Ms. C. Marach
Lloyd Brown	Mr. L. Brown
Kevin Homer	Mr. K. Homer
Sage Homer	Mr. S. Homer
Felicia Servance	Ms. F. Servance
Karen Robinson	Ms. K. Robinson
Margaret shepherd	Ms. M. Shepherd
Fane Lozman	Mr. F. Lozman
Doretta Paulk	Ms. D. Paulk
Delsia Brooks Hamilton	Ms. D. Brooks Hamilton
Detective Jannifer Jones	Detective Jones
Torcivia Law – Tanya Earley, Esq.	Ms. T. Earley
Dunay, Miskel and Backman – Hope Calhoun, Esq.	Ms. H. Calhoun

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Debrah Hall-McCullon, Acting City Clerk

Through: Jonanthan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Minutes of the Regular City Council Meeting held on Wednesday, October 4, 2023**

Date: January 17, 2024

CC: General Public

Background:
Attached are the Minutes of the Regular City Council Meeting held on October 4, 2023.

City Goals:
The City-wide Goal is to Accelerate Operational Excellence.

Fiscal/Budget Impact:
N/A

Recommendation:
Staff recommends approval of the Minutes of the Regular City Council Meeting held on Wednesday, October 4, 2023.

Attachments:
1. October 4 2023 Regular City Council Meeting Minutes.pdf

CITY OF RIVIERA BEACH
REGULAR CITY COUNCIL MEETING
October 4, 2023
6:00 p.m.

PRESENT AT MEETING[1]:

MAYOR RONNIE FELDER .....MAYOR FELDER

CHAIRPERSON DOUGLAS A. LAWSON- .....CHAIRPERSON LAWSON
DISTRICT 5.....

CHAIR PRO TEM SHIRLY D. LANIER.....CHAIR PRO TEM LANIER
DISTRICT 3

COUNCILPERSON TRADRICK MCCOY .....COUNCILPERSON MCCOY
DISTRICT 1

COUNCILPERSON KaSHAMBA.....COUNCILPERSON MILLER-
MILLER-ANDERSON – DISTRICT 2

COUNCILPERSON JULIA A. BOTEL- .....COUNCILPERSON BOTEL
DISTRICT 4

CITY MANAGER JONATHAN EVANS .....CITY MANAGER EVANS

INTERIM CITY CLERK TAWANNA D. SMITH .....INTERIM CITY CLERK SMITH

CITY ATTORNEY DAWN S. WYNN.....CITY ATTORNEY WYNN

TRANSCRIBED BY:

Legal Transcription On Call
(561) 856-0957

[1] List of City Employees, Public Speakers and Others on Page 87

CALL TO ORDER

Chairperson Lawson: …call to order our Regular City Council meeting. The date is October 4th. The time is 6:00 p.m.

ROLL CALL

Chairperson Lawson: Madam Clerk, roll call, please.

Interim City Clerk King: Mayor Ronnie Felder?

Mr. Chair, let the record reflect, the Mayor did send in correspondence today that he wouldn't be here tonight.

Chairperson Lawson: Thank you, Madam Clerk.

Interim City Clerk King: Chairperson Douglas Lawson?

Chairperson Lawson: Here.

Interim City Clerk King: Chair Pro Tem Shirley Lanier?

Chair Pro Tem Lanier: Here.

Interim City Clerk King: Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

Interim City Clerk King: Councilperson KaShamba Miller-Anderson?

Councilperson Miller-Anderson: Present.

Interim City Clerk King: Councilperson Julia Botel?

Councilperson Botel: Here.

Interim City Clerk King: Jonathan Evans, City Manager?

City Manager Evans: Present.

Interim City Clerk King: Tawanna King, City Clerk is present. Dawn Wynn, City Attorney?

City Attorney Wynn: Here.

Thank you, Madam Clerk

INVOCATION

PLEDGE OF ALLEGIANCE

Interim City Clerk King: Mr. Chair, tonight we have our Pledge of [stammer] Allegiance recited by Ms. Marlee Whipple.

Chairperson Lawson: Thank you, Madam Clerk.

If we can have a moment of silence followed by our Pledge of Allegiance. It'll be led by Marlee Whipple.

Her mother is here with her tonight, Ms. Campbell. Marlee, she attends JFK Middle School and she's an honor roll student. She's also a Safe School Ambassador and a part of the Newspaper Club. She even participates on the flag team with the band.

When she gets older, she wants to be a lawyer attend Harvard Law. But, for today, she's gonna keep striving for greatness.

Welcome, Ms. Marlee and thank you. If you can, lead us in the Pledge of Allegiance.

[Moment of silence]

Ms. M. Whipple: I pledge allegiance…

All: …to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

Chairperson Lawson: Thank you, Ms. Marlee.

[Applause]

AGENDA APPROVAL

ADDITIONS, DELETIONS, SUBSTITUTIONS

Chairperson Lawson: Madam Clerk, do we have any [stammer] additions, deletions, or substitutions from you or Staff?

Interim City Clerk King: No. Not…

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel?

Councilperson Botel: Sorry.

Just asking if we could move Resolution Number 143-23, Item 11b to Consent? It's an acceptance of a grant.

Chairperson Lawson: 11b.

Councilperson Botel: B as in boy.

Chairperson Lawson: Thank you.

Board Members, are we okay with that?

[Pause]

Chairperson Lawson: I was also gonna inquire if we could move Item 11a to Consent?

Councilperson Botel: That's fine with me.

Chairperson Lawson: Board?

Councilperson McCoy: Well…

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: I.., so, my concern is with 11a. I, I, I guess.., is there nothing… This is the actual expenditure but we've already accepted, more or less, the grant.

Chairperson Lawson: It's…

Councilperson McCoy: Correct?

Chairperson Lawson: Yeah.

We accepted the six hundred, so there's the difference of about a $105,000 of our expenditure. So, the grant was, I believe, $600,000.

Councilperson McCoy: Well, I, I would like to, to kinda ask a couple questions on that, if you don't mind?

Chairperson Lawson: Certainly.

We'll leave it as is.

So, we can only move 11b to Consent. Board?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, please.

City Manager Evans: I, I would ask that the Board indulge Staff to allow for me, under discussions and deliberations by the Manager, to obtain direction from the Board on a couple of Items.

One being your Fiscal Year 2023-2024 legislative priorities for both the state and federal government, requests for strategic direction concerning an engagement with the Palm Beach County School District in.., as it relates to the correspondence that I sent to the Superintendent of Schools.

And then, direction on the proposed calendar, or schedule, for the remainder of the year for the City Council, CRA, and Utility Special District.

Chairperson Lawson: That'll be under the City Manager discussion?

City Manager Evans: That is correct, Mr. Chair.

Chairperson Lawson: Thank you, Mr. Evans.

Additional comments from the Board?

[Pause]

DISCLOSURES

ADOPTION OF AGENDA

Councilperson Botel: Motion to approve the Agenda.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made, properly seconded.

Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes unanimously, Mr. Chair.

Chairperson Lawson: Thank you, Madam Clerk.

Interim City Clerk King: Mhmm.

CONSENT AGENDA

Chairperson Lawson: Consent Agenda.

Chairperson Lawson: ALL ITEMS TAKEN UNDER CONSENT ARE ROUTINE IN NATURE AND DISSEMINATED WITH ONE VOTE. IF ANYONE WANTS TO PULL AN ITEM FROM CONSENT, PLEASE DO SO NOW.

1. ITEM NO. 1

MINUTES

2. ITEM NO. 2

BOARD APPOINTMENTS

3. ITEM NO. 3

RESOLUTIONS ON CONSENT

11b. ITEM NO. 11B

RESOLUTION NUMBER 143-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, TO ACCEPT THE VICTIMS OF CRIME ACT (VOCA) GRANT NUMBER VOCA-C-2023-CITY OF RIVIERA BEACH POLICE DEP-00067 FOR THE VICTIM ADVOCATE PROGRAM AWARDING FUNDS IN THE AMOUNT NOT TO EXCEED $205,948.00, FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, TO CONTINUE WITH CRISIS RESPONSE SERVICES FOCUSING IN AREAS OF HOMICIDE, DOMESTIC VIOLENCE, CHILD DEATHS, AND ELDERLY VICTIMIZATION; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE GRANT AGREEMENT; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP THE BUDGET IN FUND 226; AND PROVIDING AN EFFECTIVE DATE.

MICHAEL COLEMAN, CHIEF OF POLICE, 561-845-4128

[Pause]

Councilperson Botel: Motion to approve the Consent Agenda as amended.

Chairperson Lawson: Motion's been made.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Ts: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

Interim City Clerk King: You're welcome, sir.

END OF CONSENT

4. ITEM NO. 4

UNFINISHED BUSINESS

5. ITEM NO. 5

PETITIONS AND COMMUNICATIONS FOR FILING

6. ITEM NO. 6

AWARDS AND PRESENTATIONS

Chairperson Lawson: We'll go down to awards and presentations.

6a. ITEM NO. 6A

Chairperson Lawson: 6a.

Interim City Clerk King: Item No. 6a.

Interim City Clerk King: VOLUNTEER ASSOCIATION AND FUND OF FLORIDA AND FLORIDA RISING HONORING POLICE CHIEF MICHAEL COLEMAN.

DEIRDRE M. JACOBS, ASSISTANT CITY MANAGER, MPA, 561-812-6593

Interim City Clerk King: And, Mr. Chair, this Item is presented by Ms. Deirdre Jacobs, Assistant City Manager.

Chairperson Lawson: Welcome, Ms. Jacobs.

Assistant City Manager Jacobs: Thank you. Good evening, Chairperson Lawson, other Councilpersons in your respective places, City Manager Evans, City Attorney Wynn, and Mrs. Smith, City Clerk. My name is Deirdre Jacobs, and I'm the Assistant City Manager here with the City of Riviera Beach.

On this evening, there is a nonprofit organization that wanted to recognize our Police Chief, Chief Coleman. The name of the association is Volunteer Association and Fund of Florida and Florida Housing.., I'm sorry, Florida Rising honoring Police Chief Michael Coleman.

[Applause]

Assistant City Manager Jacobs: There was.., one of our police officers explained that the particular organization would be here tonight but it appears as though they were not able to make it.

So, we apologize for the inconvenience.

[Applause]

Chairperson Lawson: Well, we have no problem celebrating and honoring our Staff. And, Chief, thank you for the work you've done and this amazing award on behalf of the City of Riviera Beach.

Thank you.

Councilperson McCoy: Thank you.

Councilperson Miller-Anderson: Thank you.

Chairperson Lawson: Chief.

7. ITEM NO. 7

PUBLIC HEARINGS

8. ITEM NO. 8

ORDINANCES ON SECOND AND FINAL READING

9. ITEM NO. 9

ORDINANCES ON FIRST READING

9a. ITEM NO. 9A

Chairperson Lawson: Madam Clerk, 9a.

Interim City Clerk King: ORDINANCE NUMBER 4237: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (ZA22-0003) FROM J.S. 12 REAL ESTATE HOLDINGS LLC (APPLICANT); REQUESTING A ZONING MAP AMENDMENT TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY FROM THE DOWNTOWN GENERAL (DG) ZONING DISTRICT TO THE DOWNTOWN CORE (DC) ZONING DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, 561-845-4062

Interim City Clerk King: Mr. Chair, we do have public comment cards on this Item. The acceptance of public comment cards for Item 9a is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4237.

Chairperson Lawson: Motion's been made and properly seconded. I'm sorry. Do we have a second?

Councilperson McCoy: Second.

Chairperson Lawson: The motion's been made and properly seconded.

Mr. Evans.

[Pause]

Chairperson Lawson: We'll go right into Mr. Sirmons.

Development Services Director Sirmons: Thank you, Mr. Chair. Good evening, Members of Council, Madam Attorney. For the record, I am Clarence Sirmons, Director of Development Services for the City of Riviera Beach.

I will move into the presentation for the Item just read into the Agenda. There are two parts to this project that are included in the Agenda that, that was just written into the record, as well as a, a second application for abandonment.

My presentation will encompass both of those Items for clarity purposes.

The project location is indicated by the red dot on the screen before you now.

The image now before you, shows a closer aerial version of the property in question, and it is surrounded in a red square.

The image to the left is a view to the property from the northeast. To the right, is a view from the north of the property in question.

To the left on this screen, is a view from the southeast looking at the property. And then, finally, a view from the south looking at the property.

The petitioner has submitted this application to request several applications to allow a 30,358 square foot, two story boat dealership with an [stammer] outdoor boat storage area. The existing site is vacant except for a vacant building.

The Parcel IDs are indicated on the table on the screen. And the lot is approximately 4.01 acres. The current Zoning is Downtown General, as well as Downtown Core. The Future Land Use Designation for the property is Downtown Mixed Use.

On the screen before you now is the current zoning of the area. To the right, in the pink color is the Downtown Core zoning area and to the left is Downtown General. The applicant is re'.., requesting to rezone the entire block to Downtown Core, which would allow a continuous zoning throughout the properties and for the desired uses to be allowed throughout the entire property.

The request also requires an abandonment of an existing twenty foot alley that crosses through the property in two different locates. Herre. And here. The abandonment of this alleyway would allow the applicant to replat the entire block into one parcel to allow the desired use.

This project has been reviewed by multiple departments, operations, and outside entities before coming before you today.

Staff has reviewed the rezoning request against the eight rezoning review standards and found that the application meets those standards.

Additionally, Staff has also reviewed the abandonment application against the City's roadway abandonment criteria and found that this application satisfies the criteria.

The project was also reviewed as it is in the CRA by the CRA Board and found to be in compliance with the CRA Master Plan.

This pro'.., project was noticed according to state and City regulations, and all notices and evidence of those notices are provided in your backup.

Staff received two points of community feedback from this project in the way of emailed letters. Both were letter is opposition. Those persons attended the Planning & Zoning Board meeting for this project and provided feedback.

There were additional conditions added to this project regarding screening based on that. I understand, even since the Planning & Zoning Board meeting, the applicant met in good faith with those same community members and additional changes were made that I'll identify in a moment.

But, for the purposes of that, to orient you to how the site would be laid out if it moves forward…

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, I would respectfully ask that we don't go into the Site Plan. Because, what you're doing is, you're giving us two separate Items that we're voting on. Number one is the rezoning and then, the second being the abandonment.

I think it's very premature to take the Site Plan at this point. And I do wanna ask a question in regarding the, I guess, the communications that you got in opposition. But I think that's not ripe before the Board at this point.

And I think before it's actually properly presented, you could create a situation where you're going to have Members that could be potentially prematurely prejudiced by reviewing a Site Plan before it's formally presented.

So, I, I.., if we could take a step back. The two.., two communications that you got in opposition, what exactly were they opposing? The Site Plan? The abandonment or the rezoning?

Development Services Director Sirmons: And, the reason I included those because, to your point, the Site Plan is not before you. Typically, when we get community comments, they

don't often distinguish between which application that they are specifically commenting on, and they'll respond to the project as a whole.

Staff thought it inappropriate to omit these community responses just because they may have mentioned specific as aspects of the proposed Site Plan. Ma'.., many of the comments also reference the use itself, which is in question tonight because the Zone change that is being proposed would allow for that use to take place throughout the parcel.

The, the reason that, that.., that visual that was just on the screen is included, because those conversations with the community members who were initially opposed to it, discussed screening measures that would allow for them to maintain what they believe is a better quality of life if this use moves forward.

So, again, those comments are included because they are in regard to the use that is being proposed here. And the use is in question through the Zone change Ordinance that's being proposed.

The Site Plan is not.., and, to your point, Councilman, that is not a part of the review criteria for a zone change or an abandonment but the community comments were in regards to the neighborhood being screened from the proposed use.

Councilperson McCoy: Mr. Chair, follow up.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Okay.

And it's very important to distinguish that, Mr.., Mr. Sirmons and I think you did a great job. But specifically, because there's a provision in our Code that speaks to *ex parte* communications, if that is going to be presented or proffered, or even mentioned, then it needs to be provided a part of the record.

And, for all intents and purposes, when we get to that point of actually hearing a Site Plan, I would expect that those communications be provided to the Board because of the quasi-judicial nature of a Site Plan.

Perhaps not the abandonment but certainly, the Site Plan. And that Section is 2-46. And that pretty much speaks specifically of the procedure and, and those documents being made a part of the record.

So, that's why I would ask that we don't go into the Site Plan because, unless you're gonna give me those communications, which we're not gonna vote on tonight, [stammer] I think is kinda im'..,; improper.

Development Services Director Sirmons: The, the communications are included in the backup for this Item.

Councilperson McCoy: Right.

But, we're not voting on the Site Plan. If they're relative to the actual use, arguably, you know, we don't have to consider it but, certainly, if you're considering the Site Plan or any elements thereof, or you're gonna show us a rendering of the Site Plan, I think that's the portion that becomes almost like we shouldn't even discuss it until it's before us.

Development Services Director Sirmons: If I may, I just opened the community comments as we were speaking and they do specifically mention the Zone change application. So, it, it…

Councilperson McCoy: Okay.

Development Services Director Sirmons: …it is appropriate to include …

Councilperson McCoy: Okay.

Development Services Director Sirmons: …their conversation.

Councilperson McCoy: Alright.

Thank you.

Development Services Director Sirmons: Yes.

Chairperson Lawson: Thank you, Councilman.

Mr. Sirmons.

Development Services Director Sirmons: But, again, as we make it a point to induct the community comments and feedback into any.., a review process, we have included those comments and noted that shoes community members, many of their concerns were addressed if the applicant.., or, if the use that is provided there has sufficient screening.

So, without.., and I'll skip passed the visual of the proposed layout. With that, there were two conditions that are related to the Zone change and the abandonment. As these are Ordinances, they are not subject to conditions.

However, these conditions would be attached to future applications for the Site Plan if this moves forward. One, being the condition that, for the abandonment, the privilege fee of $114,246.36 associated with Abandonment Application AB23-0001, shall be paid within thirty days of approval by City Council or the Site Plan shall become null and void.

Again, that's connected to the privilege fee that is required of abandonments, so a condition would be included in that if this moves forward.

And then, subsequently, the Condition Ten, that would be attached to the, the future document would be regarding the fencing and what was discussed between those residents and the applicant, and also at the Planning & Zoning Board meeting.

And, it, again.., it's connected to this application because those.., based on those conversations, the community members felt that, with proper screening being a, a wall in this instance, that the use could be acceptable for those living near it.

And, aside from that, Staff recommends approval of this application. And, of course, I am here for any questions that you may have. The applicant is also here and has prepared a presentation for you.

Chairperson Lawson: Thank you.

Let's hear from the applicant.

Mr. W. Richards: Good evening…

Chairperson Lawson: Let's hear…

Mr. W. Richards: …Wayne…

Chairperson Lawson: …from the applicant.

Mr. W. Richards: Thank you. Good evening. Wayne Richards, for the record. Mr. Chairman, Council Members, Staff. Very happy to be here today.

We will not give a presentation. The presentation, unless you so desire. The presentation that your Staff gave was very thorough. We do not wish to discuss the Site Plan.

The good news is this, two wonderful community individuals showed up at the Planning & Zoning Board meeting. And, they had concerns. They were not very upset. They said, 'We want more screening.'

My client wholeheartedly agreed. We meet with them in my office and they promised to be here tonight. They said they would be here to.., in support, but they're not here. The good news is, they're not here complaining. But they do support it. And we have built.., we have agreed to additional fencing on their behalf.

So, the community is not against it. They told me they support it, it's consistent with your plans. And we ask that you please approve it. It's a phenomenal project. But I don't wish to go over the Site Plan today. Hopefully, we'll go over it in two weeks. The entire team is here if you do want a presentation. If you have questions, we're here at your disposal.

Thank you.

Chairperson Lawson: Thank you, Attorney.

Any public comment, Madam Clerk?

Interim City Clerk King: Yes, Mr. Chair.

We do have one public comment card.

Mr. Loyd Brown.

Chairperson Lawson: Let's hear from public comment first.

Councilperson Botel: [Inaudible]. Doug, tell him what he has to do to get…

Mr. L. Brown: How ya doin'? My name is Lloyd Brown and I'm exercising my First Amendment rights. Freedom of speech, press assembly, and the right to petition the government for a redress of grievances.

And, you know, I'm talking about all these Items you got here. 'Cause, for one thing, they're not doing anything for a person like me. And so, instead of me coming up here giving you a comment, which is not a comment. That's what you wanna call it.

I have problems. And the people that come in here have problems. And when they come in here and they tell you their problem and you're talking about, 'Thank you for your comment,' that's just your asinine way to say, like, you accepted what they're saying and.., but you're not gonna do nothing about it.

And, like, I know what's covered under the First Amendment. So, like, if you got anything to say about what I'm doing, go ahead. There's a couple lawyers looking at this right now.

And let me just tell you about the first thing about… Okay. The First Amendment, it protects speech, religion, press, assembly, and the right to petition the government, which is you people.

And I'm gonna tell you the honest truth, profanity is not even.., it's covered under the First Amendment right. Like, if I shot a bird at ya'll, you couldn't do nothing about it. So, like, if you wanna put me down, 'cause these last few seconds I got, I'm just gonna stand here and listen to Umar Johnson on my radio.

'Cause I'm not thinking about .., you don't do nothing for us, for the people like me. And then, what in the heck this place coming in here that you're talking bout right now? How is that gonna affect an individual like me? Not at all. Not at all.

So, like, I'm not talking about what you're talking about because I'm using my First Amendment rights. And they say, 'Oh, you know we got this place moving in over there on 13th Street.'

And then, you subcontract [chuckle] out 8th Street to some company who were the Public Utility was doing. And then I'm saying, now that's stupid. Isn't that Riviera Beach, right there at S Avenue, the Public Works don't do that no more. You got some immigrants coming in doing that.

So, you're talking about the company that came over there. Alright, they hired. That's two steps forward and thirty steps backwards.

And I'm gonna tell you like this, for my [stammer]… I got a couple cards in there. And you're not gonna hear what I really gotta say until I get to the public grievance, not comment. It's a public grievance. It's not a comment.

And, if you wanna tell one of these officers to sit me down, I'm glad. Ya'll ain't seen nothing Lozman done to you. Come on and put me down. If you don't like what I'm saying, sit me down. Send the man over here and let him grab me and put me in my seat. And I will.

You think you got a lawsuit. You had one bigger than that. And I'm gonna tell ya, I'm just gonna come here and I'm not gonna say nothing 'cause you don't get nothing done by talking.

Chairperson Lawson: Thank you for your comments, sir.

If you wanna make a comment, you have to submit a public comment card. So, actually, see the young lady over here and she'll give you a public comment card. Chris, can you give this gentleman a public comment card, please? Thank you.

Any additional comments, Madam Clerk?

Interim City Clerk King: No, sir.

That's it.

Chairperson Lawson: Thank you.

Board Members?

[Pause]

Chairperson Lawson: Comments from the Council?

[Pause]

Chairperson Lawson: Madam Clerk, roll call.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

We are gonna actually go back. We do have a presentation for Chief Coleman but we will actually have that right after we dispose of this oth'.., second Ordinance.

Mr. Sirmons did give a presentation for 9b but we do need to dispose of the Item as well.

9b. <u>ITEM NO. 9B</u>

Chairperson Lawson: So, let's go into Ordinance 4238. And th'.., if it's the pleasure of the Board, if we can go back to Mr.., awards and presentations.

Madam Clerk.

Interim City Clerk King: ORDINANCE NUMBER 4238: AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A REQUEST FROM J.S. 12 REAL ESTATE HOLDINGS LLC (APPLICANT); REQUESTING AN ABANDONMENT (AB-23- 0001) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 20 FOOT ALLEY RIGHT OF WAYS, UTILITY EASEMENTS AND REQUIRED RIGHT OF WAY DEDICATIONS ALONG BROADWAY AND AVENUE E; IN RIVIERA BEACH, FLORIDA ("ATTACHMENT A"); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, 561-845-4062

Interim City Clerk King: Mr. Chair, we do not have any public comment cards on Item 9b. The acceptance of public comment cards are now closed.

Councilperson Botel: Motion to approve Ordinance Number 4238.

Councilperson McCoy: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

Interim City Clerk King: Excuse me, Mr. Chair, I apologize. We do have one public comment card.

Chairperson Lawson: Thank you, Madam Clerk.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Mr. Chair, Staff does not have an additional presentation for this Item.

Chairperson Lawson: Thank you.

Development Services Director Sirmons: But we are available for questions, of course.

Chairperson Lawson: Abandonment, Board Members.

We do have a public comment. We'll go into public comment first.

Interim City Clerk King: Yes.

Mr. Lloyd Brown.

Chairperson Lawson: Thank you.

Mr. L. Brown: I'm just gonna stand here and listen to this thing I got on my ears, 'cause I'm protesting 'cause you don't do nothin' for nobody. Especially people like me. You get up here every Wednesday, the first of the month and you talk big and you express all these ideas…

Chairperson Lawson: Mr. Brown, abandonment…

Mr. L. Brown: Say look…

Chairperson Lawson: …is the…

Mr. L. Brown: Wait a minute.

Chairperson Lawson: …discussion.

Mr. L. Brown: Wait a minute now. Wait a minute. Wait a minute.

Chairperson Lawson: Yes, Mr. Brown.

Mr. L. Brown: I'm exercising my First Amendment right. So, if you want the man to come and take me off, then do that. Don't talk while I'm talking.

Chairperson Lawson: It's [stammer]…

Mr. L. Brown: It's not your turn.

Chairperson Lawson: …germane…

Mr. L. Brown: It doesn't matter.

Chairperson Lawson: …to the Item, Mr. Brown.

Mr. L. Brown: It's not your turn.

Chairperson Lawson: Abandonment, sir.

Mr. L. Brown: I got three minutes. I got…

Chairperson Lawson: Well, talk about…

Mr. L. Brown: …three minutes.

Chairperson Lawson: …abandonment or you can stand in silence.

Mr. L. Brown: Hey look.

Chairperson Lawson: Either one.

Mr. L. Brown: I got three minutes. Well, I'll talk then.

Chairperson Lawson: I understand.

Mr. L. Brown: Let me talk. No.

Chairperson Lawson: Go ahead…

Mr. L. Brown: Just be…

Chairperson Lawson: …and talk.

Mr. L. Brown: …quiet, man.

It's my three minutes.

Chairperson Lawson: Absolutely.

Mr. L. Brown: Well then, just shut up.

Chairperson Lawson: Yes, sir.

Mr. L. Brown: Shoot.

Chairperson Lawson: Thank you…

Mr. L. Brown: You don't like…

Chairperson Lawson: …Mr. Brown.

Mr. L. Brown: …what I'm saying? Then get another job.

Chairperson Lawson: Understood.

Mr. L. Brown: Go somewhere else and screw up a City. Get out of this one.

So, don't come up here telling me what I got.., I can't do and I can do. I know my rights. I might not look educated or wear a tie and suit, but I got more knowledge than you would think. So, don't come telling me about your problem.

Chairperson Lawson: Germane to the Item, Mr. Brown.

Mr. L. Brown: Hey, I don't have to talk on an Item. I'm protesting…

Chairperson Lawson: You, you do…

Mr. L. Brown: …your Item.

Chairperson Lawson: …Mr. Brown.

Mr. L. Brown: No, I don't.

Chairperson Lawson: Or, you can…

Mr. L. Brown: If I'm here protesting…

Chairperson Lawson: …or you can remain silent.

Mr. L. Brown: Nah.

You tell the lawyer that out there who listening.

Chairperson Lawson: Understood.

Mr. L. Brown: I'm protesting.

I have the right to protest in any way I want to. If I wanted to stand on my head right here, saying I'm protesting, you can't do nothing about it. That's my First Amendment right. That's how it is in America.

I don't where you' from. So don't come up here with this b.s. telling me about what I need to do. You just listen. 'Cause that's your job.

Don't tell me anything. Anytime. Anymore. Like I say, you're here and you don't do nothing for the people like me. You're just here. Yeah, I would leave too.

And you know what? What I gotta do? I gotta come back over here in a different uniform when I ask ya'll a question about helping me out for different problems? I've been here ten years asking the Council Members to do something. I don't really care now.

But I'm gonna tell you like this, don't ever tell me about what I can't do on my First Amendment right. If you're gonna do anything, just send one of them officers over here and make me rich. That's all I'm telling you. Just send one of them over here.

Other than that, you need to be quiet 'cause it's not your three minutes. They are my three minutes. And I don't' work for you, you work for me. So I don't wanna hear that b.s., you tellin' me about what I should do.

If you're mad, I'm sorry. You just have to sit on it.

Chairperson Lawson: Thank you for your comments, Mr. Brown.

Let the record reflect KaShamba Miller-Anderson left the dais at 6:28 p.m.

And before we go on, let me just remind our public, decorum, civility. This Board has adopted rules of decorum for operations for civil meetings. While we accept and we adopt free speech, we allow for discussion to be freely held.

This is a elected Board that will be respected. And, understanding that you can always speak your mind with an Item but we're here just doing a job for the people of this community so, please, have a respect and sense of decorum and civility for your elected officials.

Board Members, let's go into discussion, please.

[Pause]

Chairperson Lawson: Madam Clerk.

Mr. L. Brown: [Inaudible from audience].

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.,

Interim City Clerk King: Mr. Chair, also, let the record reflect that Ms. Miller-Andersson returned at 6:30.

Chairperson Lawson: Thank you, Madam Clerk.

Interim City Clerk King: You're welcome.

AWARDS AND PRESENTATIONS (con't)

Chairperson Lawson: Board, if we can go back and revisit the awards and presentations.

Chairperson Lawson: VOLUNTEER ASSOCIATION FUND OF FLORIDA AND FLORIDA RISING HONORING POLICE CHIEF MICHAEL COLEMAN

[Inaudible comments]

Dr. M. Senatus: Good evening, Councilpersons. Good evening, Chair. My name is Dr. Martine Senatus, board certified psychiatric mental health and family nurse practitioner. I, and the board of Volunteer Association and Fund, in collaboration with.., collaboration with Florida Rising, would like to honor Chief Coleman tonight with an award for his service within the community.

Chief Michael Coleman is an exceptional individual with a caring heart and commitment to work within the community. We sincerely appreciate your commitment to our organization.

And, on behalf of the Board of Directors, and our partner organization in the Haitian American community, we thank you for keeping the vision alive.

May the Lord bless you, your family, and all your endeavors.

Thank you so much.

Police Chief Coleman: Thank you.

[Applause]

[Pause]

Chairperson Lawson: And on behalf of the Board, we wanted to thank you for honoring our amazing Chief and thank you for continuing too our City.

9c. <u>ITEM NO. 9C</u>

Chairperson Lawson: Madam Clerk, Ordinance 4196. 9c.

Interim City Clerk King: ORDINANCE NUMBER 4196: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 27, PLANNING, ARTICLE II, ADMINISTRATION, SECTION 27-31 ENTITLED "CREATED; MEMBERS; QUORUM; TERM; VACANCIES; REMOVAL", IN ORDER TO CHANGE THE TITLE OF THE SECTION; PROVIDE GUIDANCE ON PROCEDURES FOR APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS; ESTABLISH THE NUMBER OF MEMBERS AND ALTERNATE MEMBERS; AND ESTABLISH GENERAL QUALIFICATIONS FOR BOARD MEMBERSHIP; AND AMENDING CHAPTER 27, PLANNING, ARTICLE II, ADMINISTRATION, SECTION 27-33, GENERAL DUTIES, BY AMENDING THE REFERENCE TO THE PLANNING BOARD AND ADDING BOARD MEMBER PARTICIPATION IN TRAINING TO THE LIST OF GENERAL DUTIES OF THE BOARD; PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561)845-4062

Interim City Clerk King: Mr. Chair, we do have public comment cards on Item 9c. The acceptance of public comment cards for Item 9c is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4196.

Councilperson McCoy: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening again, Mr. Chair, City Council, and Madam Attorney.

The Item before you now has been discussed multiple times. And the genesis of it was the last few reappointment hearings for member of the Planning & Zoning Board. And, there were concerns and, and dissatisfactions expressed from the Board to Staff about the appointment, or reappointment, process for the Planning & Zoning Board.

So, for over a year now, Staff has been working on an amendment to the Code that governs the Planning & Zoning Board to provide something that would be satisfactory to Council. I mean, we hope this document is that.

The main changes that we are looking to accomplish with this amendment are, one, create equity and district representation across the City so that elected officials have the same number of appointees and to ensure that there is someone appointed from each district that is.., that the City is divided amongst for representation.

Also, to refine the criteria for selection of a Planning & Zoning Board members, appointees, and volunteers so this criteria would provide some guidance which did not exist before, and what qualifications should be sought or looked for.

And, finally, to provide required training for members of the Planning & Zoning Board. And, we've discussed this individually and at previous meetings, so Staff is happy to ask any questions that there may be on this Item.

Chairperson Lawson: Madam Clerk, public comments.

Interim City Clerk King: Yes, Mr. Chair.

We have Mr. Lloyd Brown and Mr. Fane Lozman. Mr. Lozman, you submitted two cards for the same Item, so if you wanna change the Item number on the second one, you're more than welcome.

Mr. L., Brown: Since you're telling me… My name is Lloyd Brown.

Since you're telling me I gotta conform, let me tell you something. This is a meeting. And the Constitution and all that, it protects me. So, like, whatever you think I should say or what I should be saying to you, has nothing to do with what I'm talking about.

And I'm not talking about anything that you're putting up here or whatever. I'm going for my three minutes and those are my three minutes. You need to look on the web and find out what happened to other people in other places, bigger cities like Los Angeles, where this man, he was talking like I am.

Go ahead, put me out. Do what you wanna do. I'm ready for it. Like, like I said, I could use the money. I really can. I'm gonna be honest with you.

Chairperson Lawson: Mr. Brown…

Mr. L., Brown: 'Cause it's terrible.

No. It's…

Chairperson Lawson: Make sure…

Mr. L., Brown: …terrible what…

Chairperson Lawson: …it's about the Item…

Mr. L., Brown: Hey.

Chairperson Lawson: …Mr. Brown.

Mr. L., Brown: I'm talking.

It's terrible that I can get up here for my three minutes and say what I wanna say. Because, I'm not up here to talk about your Agenda Item. I'm protesting the government that you have over here.

Chairperson Lawson: Mr. Brown…

Mr. L., Brown: So, I don't know. I'm protesting the government. Now, if you keep it up, then I will have a…

Chairperson Lawson: Walter…

Mr. L., Brown: …lawyer to come.

Chairperson Lawson: Walter, please pause his time.

Mr. L., Brown: Yeah.

Go ahead, walk me out. Where you at?

Chairperson Lawson: Walter, please pause this gentleman's time.

Mr. Brown

[Inaudible comment]

Councilperson Botel: [Inaudible]

Chairperson Lawson: Your time was paused at one forty.

Mr. L., Brown: Now, let me talk about the Agenda Item.

Chairperson Lawson: Mr. Brown, under general public…

Mr. L., Brown: Let me talk about…

Chairperson Lawson: …co'…

Mr. L., Brown: …the Agenda…

Chairperson Lawson: Mr., Mr…

Mr. L., Brown: …Item.

Chairperson Lawson: …Brown, I paused your time and I will be…

Mr. L., Brown: Hey.

Chairperson Lawson: …clear so…

Mr. L., Brown: Let me talk…

Chairperson Lawson: …you can…

Mr. L., Brown: …about the Agenda Item.

You know why…

Chairperson Lawson: Mr., Mr. Brown.

Mr. L., Brown: …it sucks?

Chairperson Lawson: No, No.

Let me understa'…

Mr. L., Brown: No.

I don't…

Chairperson Lawson: Thank you, Mr. Brown.

Mr. L., Brown: …[inaudible].

Chairperson Lawson: I understand.

Thank you, Mr. Brown.

Mr. L., Brown: [Inaudible].

Chairperson Lawson: Mr. Lozman, welcome.

Mr. L., Brown: People like me, so I don't wanna hear it.

Chairperson Lawson: Thank you, Mr. Brown.

Mr. L., Brown: You just need to [inaudible].

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Mr. Fane Lozman.

Chairperson Lawson: Thank you.

Mr. F. Lozman: Fane Lozman.

Just a point of order. It's disorderly conduct to talk about an item on.., to talk about something else when it's an Agenda Item. That's actually considered almost a criminal offense and you can be arrested [chuckled] and removed from a meeting. So, if we're talking about 9c and somebody decides to talk about putting a new roof on the building, you can't do that.

During non-Agenda public comment, you can talk about whatever you want to but you gotta be careful 'cause the courts have ruled that if you're off topic, you can be removed. If you don't wanna leave, you can be arrested for disorderly conduct.

Or, if you go beyond your three minutes. So, just be careful about that. Now, if there's a point of order, if the Board is doing something wrong, you can take a couple minutes at the beginning before you get into your Agenda item.

Like, like the Chair went and read some rules here. Before I get into the Agenda Item, you said, no clapping. Well, we just had a bunch of clapping from the audience when the Police Chief got an award.

So, what determines when you can clap and what determines when you can't clap? You can have no clapping from the audience or you have clapping but, but you can't have a double standard in the rules of decorum.

As a matter of fact, in some courts, these rules of decorum have been found to be unconstitutional but I'll talk about that at another time.

Relative to the Agenda Item. First of all, administerial process. A lot of people don't have Word on their computer. They don't have the ability to open a Word document. So, most of the exhibits that the Development Services put on the Agenda, you can download are in pdf, Adobe pdf.

But, in 9.., okay, I'm looking at 9e. It has a doc'… Yeah. Right here. The revised membership list is in Word file.

So, we need to make sure, from an administerial standpoint, that all the documents can be opened up in pdf 'cause people just don't have Word. Word you have to actually pay, you know, hundreds of dollars to buy the program and they don't have it.

So, if you're gonna put something on the Agenda online, put it in a pdf format where people can read it.

Number two, about this thing that bothered me. What about term limits? We have term limits for the City Council. Are there term limits for the P&Z Board? You know, why don't we get some new people on there?

I've seen some people been on there a really long time. Am I just.., haven't seen the term limits? Are there no term limits? If there are not no term limits, why can't they be similar to the term limits that the five of you serve under?

Interim City Clerk King: Mr. Chair, that concludes public comments.

Chairperson Lawson: Thank you, Madam Clerk.

Board Members?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

Mr. Sirmons, Mr. Manager, Ms. Attorney, Mr. Mayor, so I see that you guys have been eliminated as *ex officio* members. And particularly, I, you know, I, I know it's very rare that I've ever seen the Mayor participate.., well, let me speak to the former Mayor, participate in a Planning & Zoning Board meeting.

But, perhaps I coulda understand why but, in the event that the Manager or the City Attorney chooses to participate, or has good reasons to participate, which I've kinda urged the Manager for his attention with, you know, the operations of the Planning & Zoning Board [stammer], I, I guess, why would they not be permitted to do that?

Or, what's your reasoning for removing them from, from this Ordinance?

Development Services Director Sirmons: Mr. Chair, if I may?

Chairperson Lawson: Mr. Sirmons, go ahead.

Development Services Director Sirmons: Yes.

This one of the, the minor changes to the language. It was viewed as antiquated language and it, it was, to your point, not utilized in, in any recent history that we are aware of. But if there's a desire for that language to stay, Staff has no opposition to it.

Councilperson McCoy: See, but, but here's my.., my, my problem with it. I've literally watched a number of advisory boards where there should've been an attorney providing guidance and advice to the members of the board.

This Ordinance, as it already exists, allows for an attorney to participate. What you're essentially doing is removing the attorney from that process.

Wouldn't you agree?

Development Services Director Sirmons: Not really.

Our, our legal representation that we have at Planning & Zoning Board meetings is something that we hold to, just to ensure that the City is being proper and orderly in the hearings. So, we don't view this language as the authority to have legal representation.

In the past, almost four years, there's only been one occasion where there was not an attorney present and that was not intentional. But otherwise, Staffs make, makes a point to ensure either the Assistant City [stammer] Attorney or, as recently, the outside legal support that the City has, is present for the Planning & Zoning Board meetings.

But that's not the understanding of this language as Staff is concerned. But, to that point, we can leave it in there just to make sure that there's no lack of clarity to the fact that we do our best to always make sure we have legal support at these meetings.

Councilperson McCoy: Okay.

Well, we can take it out but I just want some assurances that there's gonna be an attorney, or some sorta legal guide or advisement at the meeting. I mean, I, I don't think I need to even go into why I think it's important but certainly, I, I think we would agree that, you know, members need to have the ability to ask questions of legal nature and be able to get a, a, a answer before they deliberate on it.

So, if you're gonna provide or submit to us that there's gonna be some sorta legal advice available for the members, then it's fine with coming out unless the Manager so chooses to be a *ex officio* member [chuckle]. I just wanna make sure that there's still that legal aspect to the meeting.

The, the next thing is, I think you did great with this Item in terms of providing for a lower required number of members to constitute a quorum. However, I've not seen how this

Ordinance addresses the situation of redistricting which, I believe, is gonna be contemplated to occur before the end of this year.

So, if you potentially have boundary lines that's gonna be changed this year, which probably goes into effect next year, you're potentially gonna have a situation where you could have multiple members…

I mean, it's just gonna.., it could potentially skew everything that you're doing or saying each Council Member gets to appoint a person.

So, I, you know, I'm.., I have a lot of reluctance regarding that part.

Development Services Director Sirmons: Mr. Chair, if I may?

Chairperson Lawson: Mr. Sirmons.

Development Services Director Sirmons: To the.., to your first point, Staff a hundred percent agrees about having legal representation at the meetings. And, and we are acutely aware of how litigious land development matters are. And even the procedural aspect of the hearing.

So, we definitely will continue to make sure that we have that at the Planning & Zoning Board meetings.

As far as the representation, looking at that Section 277-31, I think there's some language that states that each Council District shall be represented by one or.., one regular member and one alternate member on the Planning & Zoning Board.

So, I, I think that.., if there's a situation where redistricting resulted in there being six districts instead of five, I think that line there would support makings sure that additional district is also represented.

However, we can amend this language to better contemplate that situation if it occurs, if it's the, the pleasure of the Board. But, again, that is a.., that line in there does state that each Council District shall be represented by one regular member and one alternate member.

Councilperson McCoy: Follow up, Mr. Chair.

Chairperson Lawson: Go ahead, Mr. McCoy.

Councilperson McCoy: So, so…

Chairperson Lawson: Councilman.

Councilperson McCoy: …Mr. Sirmons, there.., I don't think there's ever a situation that we can expect that redistricting is gonna result in a new, or a creation, of a district. That's set by Charter. But what redistricting would do, potentially is, if you had one regular member and one alternate member in District 1, if those lines get redrawn, you could potentially have three members of the Planning & Zoning Boad that literally exist in District 1.

So, that's what I'm saying. I, I just don't think this contemplates the fact that boundary lines for redistricting changes every ten years. And, with this new legislation that just occurred in this most recent legislative session, counties and particularly [stammer] municipalities are prohibited from drawing lines with any kinda consideration of where the candidate, incumbent, or the, the existing elected official is.

So, I, I just don't understand how we're accomplishing that because you're gonna create a situation where that question is gonna come up, well, what happens? Do we attrition the members?

And I'm telling you this from experience. It was at one point the Board had nine members. Seven of them were from District 1 and the remaining were from District 4. And, partly because we couldn't get anyone else to participate.

So, I just think.., me personally, I just can appreciate if they came from Peanut Island, if they wanted to participate and they were enthusiastic and, you know, they put in the work, I mean, they can come from really whatever.

I just don't think that we need to bound ourselves by saying that you have to have each District having one member and one alternate. One regular and one alternate. I think that's gonna restrict it and it's gonna create a problem 'cause nobody knows how redistricting is gonna end up.

So, certainly, I don't wanna throw rain on it. If you go ahead and kinda see my, my position and try to, you know, see what can.., you can work with, I, I'd be happy with that. I just wanted to make sure I brought that to your attention.

That's all I have.

Chairperson Lawson: Thank you, Councilman McCoy.

Board?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: I'm sorry, Mr. Evans, go ahead.

City Manager Evans: One thing that I think the Board should consider as it relates to the ex'.., *ex officio*. I don't think the.., the Mayor's obviously not here and I don't think he should be excluded from that, that opportunity, especially when he's not present.

That can be something that he still remains as the *ex officio* member. There's been times where myself and, and Scott Evans, that there's items with respect to the Planning & Zoning Board Staff and the Board have been gracious enough to allow for us to have conversations with the board.

So I'm not too concerned about the, the Manager or the Attorney, for that matter, being *ex officio* members. But I think it would be good to still re'.., have the Mayor serve in that capacity.

One of the things, to Councilperson McCoy's point that I do want to reiterate is, that Planning & Zoning boards are.., it's a very complicated assignment. And, most cases, most government entities have a very hard time filling those vacancies.

And, it is more so persons that have the wherewithal, the skillset, and the abilities, and the desire to wanna serve in those capacities. And in most cities, they don't have it where it's based on districts. It's based on qualifications, experience, and the person's ability to serve in that particular capacity.

So, I do want you to know that it is definitely not common practice [inaudible] district specific, this was Staff's attempt to try to address some of the items that were brought forward from the Board.

But the other side to it is, and, and I know the Board's had conversation is, you don't want a situation where it can conceivably be one person, you know, everybody is in the same

neighborhood or lives in the same condo, or lives in the same, you know, apartment building, or what have you.

So, those are some things to, to provide a little bit of context. But that board is a very important board for the City. And so, Staff took an attempt to try to encapsulate what was discussed by the Board.

But, I did want to, to provide those bits of comments.

Chairperson Lawson: Thank you, Mr. Evans.

Pro Temp Lanier, go ahead.

Chair Pro Tem Lanier: Chair, I just wanted to ask, what does that mean if you don't use districts? How is that determined if you have individuals that, you know, if I say you can apply for the position or another Councilperson says apply for the position, how is it determined that those individuals are even chosen or not chosen?

What is the process for that? Because if it's just, you know, non-district, how is it then measured in terms of who gets on the Board? Is that something that comes back to us or is that something that's made at a Staff level?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: And the, and then I'll defer to Director Sirmons.

Usually, in what most cases is, the Board is the, is the entity that appoints. So, what the application would come in and they would have all their credentials, resumes, experience, or what have you, and then, ultimately, the Board would have the final say on who is the persons or, or persons that they would appoint.

And, in most cases what I've seen in my past experience, is they are conscientious of where persons reside as part of the application process. So that's a.., through a process of elimination.

And then, you all, collectively as a Board, you may decide that you have two people that are land planners that happen to live a block away from each other. You may say that skillset is valued on the Board you may want to have more persons from that specific district on that Board. Or, you may want to not have that because they live in close proximity.

But that's a policy decision. We'll bring the applications forward and then you all would make the decision as to who are the persons that would sit in that Board, if there is no district specific appointments.

And, Director Sirmons, anything else you wanted to add to that?

Development Services Director Sirmons: No.

I'll just further add that, in this Ordinance, we have added language to be considered for criteria for candidates. We are adding that they must be a resident of the City, which is consistent with just about all of our boards, and any other Planning & Zoning Board you would find.

But also, the types of credentials that are valued, either being knowledgeable in the field of land development and, and zoning or knowledgeable about the community, or civically engaged in the City.

Just to provide additional guidance for the.., for Council to consider when appointments are being made, but I guess, as the Manager stated.., said, ultimately, the appointments are made by this body via a vote so that would not change.

But we, we have oriented it so that each district, it is clear that each district shall be represented by a person on the Board to create a, a equity in representation on the Planning & Zoning Board for the whole community.

That is the goal of it. But, it does not preclude someone from serving for a district if they don't live there. That is not a mandatory requirement, but it is guidance to help us ensure that we spread out the representation.

Chair Pro Tem Lanier: Chair?

Chairperson Lawson: Thank you, Pro…

Chair Pro Tem Lanier: This is the last…

Chairperson Lawson: …Temp. Go ahead.

Chair Pro Tem Lanier: …question.

I just wanted to see how you dealt with the issue of term limits. We were having that conversation before about members who had been on the Board ten, twelve years. And I don't think there's anything wrong that but it do'.., it does leave a problem with alternates who don't get an opportunity to become full members.

So, how did you deal with that?

Development Services Director Sirmons: Yes. That is correct.

There are no term limits and we're not proposing term limits in this. And, we do believe that there is value in, in long serving members with land development. [Stammer] a lot of times it does help to have a long memory of what has transpired, land development wise.

That can be added but right now it is not proposed. There.., one of the things we did look to address with this is that, the alternate members were not aways promoted when there was a vacancy for a voting seat.

That's why we have increased the number of [stammer] alternates and associated them with districts so that if there's a vacancy in a voting seat for District 1, the alternate for District 1 can easily be promoted through that process.

And, we've added language stating that, that the Board may preference to promote alternates into voting seats as they see fit, where there was no language regarding what happens with alternates.

Actually, there was no language for alternates at all in the previous Ordinance. Only a required minimum, seven members. So, we think this helps address that. And again, allowing Council to, by preference, promote those person who have been serving already.

Chair Pro Tem Lanier: Thanks

Thanks you.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you.

In the backup, under Planning & Zoning Board, the document that has.., that's titled, probably, probably board, City Board, just I don't have the title of it. It lists a three year term. Do we just not abide by that? Is it just not a mandatory three year and then you're, you're replaced? Is it.., is that just a suggestion?

Development Services Director Sirmons: The terms last for three years but you can be reappointed.

Councilperson Botel: Okay.

So, there's no term limit? The terms are three years but there's no term limit?

Development Services Director Sirmons: Correct.

Councilperson Botel: Right.

Chairperson Lawson: Thank you, Dr. Botel.

Boad Members? Councilman McCoy, go ahead.

Councilperson McCoy: So, you said the Board can consider how long a person has been an alternate. You were speaking of the actual Board or this Council? Because that's very interesting that you said…

Development Services Director Sirmons: Sorry.

Councilperson McCoy: …Board.

Development Services Director Sirmons: Council.

Councilperson McCoy: Okay.

Development Services Director Sirmons: Council.

Councilperson McCoy: Has there been a situation, and this is probably one that I would think that probably deserves some exploring but, truthfully, right? Once we appoint members, I mean, I don't know that I have any regard to whether a person is a regular or alternate.

We should probably consider allowing the Board to make that determination themselves. I mean, what's the harm in that? Because, truly, right? They keep track of attendance, they keep track of the regular members. If someone was to fall out, why do we need to create another issue, Mr. Evans, where Staff now needs to bring that back when you have two regular members who are out, let the Board decide to automatically substitute those who.., those current alternates into those regular voting positions.

I mean, I think that probably makes more sense than to have, you know, Staff work on an item to bring it back just to substitute two alternates members back into that regular two vacancies? Allow the Board itself to handle that.

That, that's just something to think about. Because I know that, in itself, was a process, that would be probably a month and a half, just.., a month and a half, at minimum, when a, when a Board member leaves, it's a month and a half, a a minimum before it gets back on the City Council Agenda to substitute an alternate into those regular member slots.

So, I like the idea that Mr. Evans brought up to keep the Mayor on as an *ex officio* member. So, Mr. Chair, I wanna be recognized when we're done with the Board Member's comments to include that provision that the Mayor should still continue to serve as a *ex officio* member.

Chairperson Lawson: Thank you, Councilman.

Board Members,? Any additional comments?

[Pause]

Chairperson Lawson: Coouncilman McCoy?

Councilperson McCoy: Mr., Mr. Chair, I move to include the Mayor into the Ordinance as an *ex officio* member.

Chairperson Lawson: Do we have a second?

Councilperson Botel: Second.

Chairperson Lawson: Second, Councilwoman Botel.

Additional comments?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Council per'…

Chairperson Lawson: We…

We're gonna be disposing of the motion that Councilman McCoy added, and then disposing of the Item.

Councilwoman.., I'm sorry. Madam Clerk, go ahead.

[Chuckles]

Interim City Clerk King: Councilperson…

Councilperson McCoy: Eh.

Disposing of it? We're voting on the…

Chairperson Lawson: I'm sorry.

Councilperson McCoy: …amendment.

Chairperson Lawson: We're voting on the amendment for the Item.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderosn?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

Councilperson Botel: And now we're voting…

Chairperson Lawson: Madam Clerk…

Councilperson Botel: …on the…

Chairperson Lawson: …now we have to vote on the Item.

Interim City Clerk King: Yes, sir.

Any further discussion?

Councilperson Botel: No.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chair Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

Interim City Clerk King: You're welcome, sir.

9d. <u>ITEM NO. 9D</u>

Chairperson Lawson: Item 9d.

Interim City Clerk King: Item 9d.

Interim City Clerk King: ORDINANCE NUMBER 4243: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,

FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 31, ZONING, SECTIONS 31-1, 31-61, 31-117, 31- 137, 31-141, 31-157, 31-161, 31-177, 31-187, 31-192, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, AND 31-536; CREATING SECTIONS 31- 560, 31-561, 31-562, AND 31-563; AMENDING THE DEFINITION OF FAMILY; ADDING DEFINITIONS FOR THE TERMS ASSISTED LIVING FACILITY, COMMUNITY RESIDENCE, HOSPITAL, NURSING HOME, RECOVERY COMMUNITY, RECOVERY RESIDENCE, SPECIALTY MEDICAL FACILITY, AND SPECIALTY HOSPITAL; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, 561-845-4062

Interim City Clerk King: Mr. Chair, we do have public comment cards on Item 9d. The acceptance of public comment cards on Item 9d are now closed.

Councilperson Botel: Motion to approve Ordinance Number 4243.

Councilperson McCoy: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I could have the Director of Development Services, Mr. Clarence Sirmons to make this presentation.

Development Services Director Simons: Thank you, Mr. Manager. Good evening again, Mr. Chair, City Council.

The Item before you now is to address some gaps in our Land Development Code as it relates to medical uses and housing for those with certain disabilities. Tho'.., the main issue is that many of the uses governing these types of facilities, many of those uses and definitions do not exist in our Code and it has proven to be a big challenge for Staff and to, to regulate such uses.

So, what we've done with outside legal over the past several months, is work to develop a, a list of criteria, definitions, uses, and regulations, and justifications for all of these uses and

how we believe they should operate in the City, and bringing them forth to you for your consideration.

For the presentation, I would like to introduce Attorney Tanya Earley of Torcivia, Donlon, & Goddeau, who's worked closely with Staff in developing the Ordinance before you.

Ms. Earley.

Ms. T. Earley: Thank you, Mr. Sirmons. Honorable Chair, Members of the City Council, and City officials, good evening. It's my pleasure to be here and to speak with you about proposed Ordinance 4243.

I prepared a brief presentation and I will try to go as quickly as possible to use your time efficiently.

So, to summarize the changes that have been made to Chapter 31, Zoning, we've added all of the definitions that you see on the screen right now. The, the definition of family existed previously but it has been updated and amended. And, I will note that you did receive a packet containing the proposed Ordinance.

There will be one change that Staff would like to bring forward with regard to the definition of family, and that would be a desire to add a reference to domestic partnerships, as defined by the Palm.., Palm Beach County Code of ordinances.

I won't read the definitions to you but they were provided in your backup as part of the draft Ordinance.

And, I will jump right into some of the major changes that you're going to see. And that's going to be a definition of community residences, and some of the main characteristics. Now, community residences have been divided into two types per the proposed Ordinance.

Type one has up to six residents, and type two has seven to fourteen. Both type one and type two residents may have.., residences, may have residents that fit under the categories that you see on the screen right now.

Disabled or failed adults.., frail adults, physically or disabled or handicapped persons as defined by Florida states Chapter 760, persons with mental illness, children, and also persons suffering from addiction.

And, person suffering from addiction also.., not just suffering from addiction but residing in recovery residences. Excuse me.

Councilperson McCoy: I'm sorry.

Mr. Chair?

Chairperson Lawson: Mr., Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

Ms. Earley, thank you for that. If you could take a step back to that previous…

Ms. T. Earley: Yes, sir.

Councilperson McCoy: …slide.

Let me make sure I understand what I'm looking at because I, I, I don't understand that to be in the Code. Are you demonstrating this just for example purposes? Because that's not language that's in this Code.

Ms. T. Earley: So, that language should be in .., I'll find the.., I will find the subsection for you. It sh'.., it should be listed as just after the preamble.

Councilperson McCoy: Right.

So, I thought we were creating and establishing definitions.

Ms. T. Earley: Mr. Chair, and Council Member, if I may?

Chairperson Lawson: Please.

Ms. T. Earley: So, if you look at the backup materials that were provided, the definitions have been added to Section 31-1. And there are additional characteristics that are described later in the Ordinance. So…

Development Services Director Sirmons: If I may, Mr. Chair?

Chairperson Lawson: Mr. Sirmons, go ahead.

Development Services Director Sirmons: On Page 21 of 26, and actually at the very bottom of the page just before that, it gets into the standards for community residences. And those listed types of persons that could be included in a type one or two community residences residence, are listed in, in the, the corresponding state statutes.

Ms. T. Earley: And.., thank you, Mr. Sirmons for saving me through.., paging through all those pages. Those are examples of persons that could live in such residences. There is not a requirement that a resident have any one or the.., or, any of the above. Just to be clear.

Councilperson McCoy: Mr. Chair?

So, so…

Chairperson Lawson: Councilman, go ahead.

Councilperson McCoy: What I wanna understand, Ms. Earley and Mr. Sirmons, so, is this an exhaustive list? Because, you said may include. So certainly, I, I got a lotta concerns with this because, if someone's operating currently as one of these similarly situated facilities and we're now here redefining it and saying what characteristics they are, I think, you know, from a procedural process standpoint, we're literally changing almost the use, currently, of, of, of these kind of arrangements that's already existing without really having a seat at the table with them.

Ms. T. Earley: So, I will.., can I address that question in…

Councilperson McCoy: Please.

Ms. T. Earley: …parts, sir.

So, the first part of this is, you asked whether or not this is an [stammer] exhaustive list.

The answer to that is, it is not. These are given by way of example. Hence, the wor'.., use of the word 'may'. When it comes to establishments that are operating right now, at the time that this Ordinance is put in place, to the extent they are nonconforming uses, they would be able to continue to operate as such in accordance with how nonconforming uses are treated within your Code.

So, we're not gonna be shutting down anybody. Or, the Ordinance does not propose shutting down anybody that is legally operating as of today.

Councilperson McCoy: Yeah.

But if it's not an exhaustive list, it seems like, to me, that they can always come back in their previous form. I mean, there's a lot of subjectivity to this. Because, I mean, I know, specifically, I, I don't.., I'm not sure that I can support this.

Because, I know there are members in this community, and then even some that we know that serve that operates facilities and, what I don't wanna do is be.., [stammer] you know, I don't wanna change…

I, I don't.., I've not seen.., like, you guys have now created and gave us the findings. Absolutely not. Under no circumstances should Staff ever make findings for the Board. The Board makes findings for itself.

I mean, that's almost like a judge in a hearing, who's required under statute, to make findings and, you know, we proffer them up for the judge. I think, more or less, I don't think that this is something that I can support.

Because, you know, it's not my interest to protect individuals with a disability as a Member of this City Council Board. Because I didn't created this language. And I think when you present this in such a fashion, and I'm speaking of what's on Page 20, that's kind of not true.

That's not, that's not representative of this Board. That's not our scope.

Ms. T. Earley: Mr. Chair, if I may respond?

Chairperson Lawson: Please, go ahead.

Ms. T. Earley: Okay.

Council Member, I understand that. What's presented to you is a proposed Ordinance for the adoption of the Cit council. You are the policymakers. The drafter of the Ordinance is not the policymaker.

So, to the extent that you wish to change any of that language where, where it comes to legislative findings, you are within.., it is within your purview to do so.

Councilperson McCoy: Well, well help me understand.

Why would Staff recommend it? Is there something greater that we are not aware of as to why it's necessary that we have legislative findings?

Ms. T. Earley: So, I will tell you, it helps to have legislative findings on the record in the event that the Ordinance is ever challenged in court. So, especially when it comes to these types of residences, they are typically residences that are occupied by persons with disabilities.

And, there are limitations that the ADA, and the Fair Housing Act, will place on the City when it comes to regulating these types of establishments. And so, when you have legislative findings on the record, whatever those findings may be, it will help the City in terms of defending any potential challenges.

And again, these are presented for your consideration. You are the policymakers.

Councilperson McCoy: Right.

But, these legislative findings seem to be pretty heavy-handed. And I would hope that we would have more opportunity to understand what these findings are. And clearly, what's not indicated here in this Ordinance is something that you said regarding the treatment of ADA and Fair Housing and its applicability.

That's not stated anywhere in this Ordinance. So, what you're saying to me, you're passing me an Ordinance and expecting us to adopt it as is, and even to adopt Staff's, Staff's legislative findings, when that's not representative of the Board.

And we haven't even had the opportunity to divulge this information. Because, too often, I understand and I recognize that we make decisions based off of what Staff put in front of us. But that's really not the legislative intent of this Board.

Because, I don't know here and how that we become to take… We only have two options, yes or no. So, I certainly wanna give every Member, Mayor included, the opportunity to understand what this legislative findings means and what the implications are, other than to just vote on a twenty-six page Ordinance with only two options, yes or no.

And, right now, respectfully, Ms. Earley, I'm, I'm leaning towards no. Because, there's a lotta implications. And I can tell you, there are a number of different facilities that's throughout this City, be it drug treatment facilities, being it…

You know, what's very interesting is, assisted living facilities, even sober homes. But I don't wanna go, walk into this blindly, more or less, and then have some unintended consequences that come out later, is because we never hashed out what Staff's actual purpose is.

And it's like I'm extracting it from you through an interrogation. And I just think we need to have a workshop instead of forcing us to accept some sort of findings. Findings are

supposed to be well thought out by the Board. And that's supposed to be deliberative. Not something that that's just brought before us.

So, Members, I just don't' know that this is ripe. I would.., you know, we spend a lotta time working on other Items but I can't ever, in our time of four years here, recall a twenty-six page Ordinance being as massive as this.

I mean, the title in itself just tells you this needs time so that we can work on it. So, I just can't support this. And I think we have to be prudent and diligent in our, in our efforts to try to make sure we understand and know what's going on here.

Because, this has lot of implications.

City Attorney Wynn: Mr. Chair?

Chairperson Lawson: Attorney Wynn, go ahead.

City Attorney Wynn: If I can shed some light. And I don't know if it'll helpful to Mr. McCoy or not but maybe it will to the rest of you.

If you start initially in the whereas clauses, we talk about the Florida Association of Recovery Residences and their findings and certifications. That's where all of these finds come from.

Staff doesn't really have the capability to make findings as it relates to recovery residences, but FARR does. And so, as you look through the Ordinance and all of the findings, those come from FARR, and they're all set out for you.

And so, basically, when you adopt these findings, you're adopting the findings of the FARR.

Chairperson Lawson: Thank you, Attorney Wynn.

Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Ms., Ms. Wynn.

I don't even see that in here.

City Attorney Wynn: If you look on Page 2, Mr. McCoy, the second whereas clause, it's the City Council find that the FARR certifications aide in the standardization and safe.., safe operation of recovery residences.

And it goes on to clarify what the FARR certifications are. And then, as you go over back to the page where you were, Section 31-560, it's the City Council finds as follows. And it talks about the legitimate public interest in protecting individuals with, with disabilities, including those recovering from addition.

And, if you go down to subsection (d) there, it also ta'.., talks about the FARR and their certifications of those facilities.

And so, that's again, FARR is the expert agency, if you will, that we get those.., these certifications and findings from. We don't make them ourselves. I mean, we just.., we would never.., it's, it's delegated to them, to that state.., to that agency.

Councilperson McCoy: Right.

But, no Member knew about this prior to this, other than in the whereas clauses. So, FARR can make findings, Staff can't. But then, you're asking S'.., the Council to accept those findings.

City Attorney Wynn: So, adopt the FARR findings. That's what they are.

Councilperson McCoy: But see, we're not.., that's not what we're doing, Ms. Wynn. We not…

City Attorney Wynn: I just…

Councilperson McCoy: …just adopting the FARR findings, we're making our own findings.

City Attorney Wynn: No, you're not.

Councilperson McCoy: Yes, we are.

If you go back to the page that I just read, it's.., gave the legislative intent and findings.

City Attorney Wynn: If you go to that second whereas clause that I just read, it's…

Councilperson McCoy: Yeah.

But I'm speaking…

City Attorney Wynn: It…

Councilperson McCoy: …of the Ordinance, the actual Ordinance that's gonna be codified inn Municode. The whereas clauses aren't codified in Municode, Ms. Wynn.

City Attorney Wynn: You adopt it and made it part of the Ordinance. Yes.

Councilperson McCoy: No.

City Attorney Wynn: You incorporate it by reference.

Councilperson McCoy: Ms…

City Attorney Wynn: And that's in Section 1 of the recitals.

Councilperson McCoy: Ms., Ms. Wynn, when you go to Municode currently, there are no whereas clauses. So, unless a person actually goes back to the Clerk's office and pulls that… But that's.., that's not what.., I, I…

City Attorney Wynn: That's correct…

TM : Ms. Wynn.

City Attorney Wynn: …Mr. McCoy, but Municode is not the official documentati'… It's, it's the codified version of the Ordinance and that's why it doesn't have the whereas clauses.

The official record, is that.., this document was fully held in the Clerk's office. And you are correct that you won't know what the whereas clauses are unless you go to the Clerk's office.

Councilperson McCoy: Okay. Alright.

Well I, I just don't think that this proper for us to, to take a twenty-six page document and accept everything as facts and [stammer], and particularly, findings.

So I, I just can't support it and I would ask that we bring this back for a more detailed review. Especially considering that, you know, it was brought up that these are connected and inn, largely, due to Fair Housing and ADA.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Thank you.

Councilwoman Botel.

Councilperson Botel: Thank you.

I think it's really important that we begin to take a stand about what we will allow and will not allow with regard to sober homes, recovery centers, whatever. And, if we.., if we're gonna abide by the FARR regulations, and this is the way to do that, then I'm in support.

But I would like you to explain, in very simple layman's terms, what's the benefit to our community of an acting Ordinance like this? What, what do our citizens get out of this if we say, 'Yes, we anna take this approach??' What, what, what , what safeguards will they see as a result of this?

I know there's at least one of my [stammer] residents in the audience who wants to know, how do we control these.., this.., I think it doesn't but [chuckle] does this control the proliferation? Or, maybe it does control the prolifer' [stammer] proliferation.

It probably doesn't do anything about the existing ones but it may control proliferation going forward.

And that, that's the question I have.

Chairperson Lawson: Please, go ahead.

Ms. T. Earley: Mr. Chair?

That's exactly.., well said. Going forward, this will give the clear guidance to Staff as to where these types of residences can be located with the Ci'.., within the City, and as to the specific standards that apply to them.

So, right now, you basically have nothing in your Code to guide Staff. And so, that, that I believe was the goal. Again, I don't wanna speak for Mr. Sirmons. I, I don't wanna speak for City management.

I don't' advocate one way or another for this Ordinance. It was simply our task to draft it. So, I hope that answers your question.

Councilperson Botel: Well, it does. Mr. Chair, if I may?

So, what you're saying is, the benefit to our citizens is that it helps us control the spread of any.., any, any that don't abide by the FARR requirements, for example. That would be one way that we can help contain the, the, the number growing, going forward.

Ms. T. Earley: Correct.

It, it is an attempt to do that, while also recognizing that individuals who reside in these types of places do have…

Councilperson Botel: Of course.

Ms. T. Earley: …disabilities and we…

Councilperson Botel: Of course.

Ms. T. Earley: …have to be cog'.., cognizant of that.

Councilperson Botel: Right.

Ms. T. Earley: So, it's an attempt to thread that needle.

Councilperson Botel: Okay.

Thank you.

Chairperson Lawson: I did have a question in reference to the resident types. When it says, the last line, recovery residence, is that a registered.., states registered FARR facility or.., what, what is a recovery residence?

Ms. T. Earley: It, it would be FARR certified. And it is defined in your.., in the definitions. So…

Chairperson Lawson: And…

Ms. T. Earley: Um…

Chairperson Lawson: If the resident is not a FARR certified, with a person suffering from addition, what classification would that fall under?

Ms. T. Earley: So, in, in order.., if it falls under the category of a community residence…

Chairperson Lawson: Mhmm.

Ms. T. Earley: ….and, they're operating as such, they must be FARR certified. There's no option for them not to be. If they lose their certification, they will have to.., under the.., the way the Ordinance is written right now, they will have to stop operating and vacate the premises within sixty days.

Chairperson Lawson: And what determination do we set for them to be a community residence? What are the regulations for that?

Ms. T. Earley: So, if I can continue through…

Chairperson Lawson: Please.

Ms. T. Earley: …the next few slides, I can…

Chairperson Lawson: Thank you.

Ms. T. Earley: …talk a little bit about that.

So, the key standards for type one community residence. The proposed Ordinance defines community res'.., excuse me. Thank you.

The proposed Ordinance defines community residence as follows: 'Community residence means a form of permanent housing for groups that do not meet the definition of family, consistings of pers'.., [stammer] consisting of persons who, by reason of a disability, requires supervision, assistance, and/or care by supportive staff and which meet the requirements of Article IV, Section 31-560 of this Chapter.

So, what you see on the screen right now are essentially some of the key standards that are set for in that Article and that Section 31-560.

For community residences that have six residents or fewer, they are considered type one. Such establishments must be separated. There are distance requirements. They must be separated by 1,000 feet of.., when it comes to type one community residences and 1,200 feet when it comes to type two. Again, as I said before, they must be FARR certified.

And, these are the zoning districts that they.., where they are recommended to be permitted by right. So, it's gonna be RS-6, single family dwelling; RD-15, two family residential; RML-12, multifamily dwelling; and RS-8, single family dwelling.

A type two community residence, again, is that same definition of community residence. However, if they're gonna have between seven and fourteen people living in that type of establishment.

The spacing requirements are more stringent. They must be separated by 1,200 feet from one another, and by 1,200 feet from a type one residence. They also require FARR certification. And again, going back to the earlier slide, all of these types of persons may live in either a type one or a type two.

The key distinction is the number of residents. So, it's zero to six and seven to fourteen. That's the key distinction.

Here is your zoning for type two community residences. In all of these areas, they are allowed by special exception, whereas type one are allowed by permitted as a right. So, RML-12, multifamily dwelling; RM-15, multifamily dwelling; RMH-15, multifamily hotel.

Now, a third category that we've defined is the recovery community. In the proposed Ordinance, a recovery community is defined as follows: Recovery community means a facility consisting of multiple dwelling units in a single multifamily family structure, that are not held out to the general public for rent or occupancy, that provide a drug free and alcohol free living arrangement for people in recovery from drug and/or alcohol addiction which, taken together, do not emulate a single biological family and are under the auspices of a single entity or group oof related entities.

Recovery communities include Land Uses for which the operator is eligible to apply for certification from the State of Florida. When located in a multifamily structure, a recovery community shall be treated as a multifamily structure under building and fire codes applicable in the City of Riviera Beach.

So, recovery communities, to summarize, are going to be mul'.., they're gonna be, by def'.., definition, located in multifamily dwelling units. They're gonna be run by a single operator and your residents in such establishments are going to be persons who are trying to live drug free and alcohol free.

Key standards for recovery communities are on the screen. The maximum occupancy is gonna depend on the zoning. There are.., they are subject to the 1,200.., to a 1,200 foot spacing requirement between such establishments. And that 1,200 feet is measured by linear feet from the property line of the nearest existing community residence.

They also have to be FARR certified. And again, as with the other type one and type two residences, if they lost their certification, they have to stop operating within sixty days.

The zoning for recovery residences is on the slide. They are allowed by special exception wherever they are allowed. And that's gonna be an RM-12, mult', multiple family dwelling; RM-15 multifamily hotel; RM-20, high density, multifamily dwelling and by Residential Planned Unit Development.

So, as far as the, the Planned Unit Development is concerned, that would have to be something that would be approved at the time that Council is approving the PUD.

Now, in June of this year, the City Council adopted a new section to Chapter 31 Zoning. That's Section 31-9. Section 31-9 allows for reasonable commoda'.., reasonable accommodations and was.., is the vehicle by which anyone that doesn't meet any of the criteria that I described before for a type one community residence, for a type two community residence, or for a recovery community, they can go ahead and request a reasonable accommodation if, in fact, they are suffering from a disability.

This is to ensure compliance with ADA and Fair Housing.

In addition to the facilities that I've already discussed, Staff identified a need to also define certain establishments that have more intense medical uses that would not be appropriate for a residential.., for residential area.

And, therefore, we now have definitions for a specialty medical facility, and that is a facility that offers medical treatment. That is just day treatment, no overnight stays. It's got.., there are special hours that apply. And, there are distance requirements. One has to be at least two hundred and fifty feet away from residential uses.

Your zoning classifications are on the slide. And again, they are all in commercial, industrial, community facility, or the Downtown General District. For the most part, they are.., they would be allowed by special exception.

The next is specialty hospitals, which are, as the name would imply, hospitals that are designed for a specific purpose, or to treat a specific thing. They are also subject to distance requirements, at least five hundred feet from residential uses. Overnight stays are permitted. May be open twenty-four hours.

There is an additional requirement, in terms of siting, that they have to be on, on sites that are, are of a minimum of three acres.

They have to have a well-designed traffic flow for emergency vehicles. They have to provide a perimeter security plan at the time of approval. And also, outdoor recreation and/or passive space for both patients and visitors.

Your zoning is as noted on the slide. Again, for the most part, allowed by special exception. And, in one instance, in your Downtown General District, permitted by right. Again your, your gonna see these in commercial, industrial community facility, and Downtown General District.

The last category is hospitals which, believe it or not, although they are listed as a use, there's no change to the zoning as far as hospitals are concerned. I don't believe they were previously defined in the Code, therefore, that was created.

And there is a distance requirement of five hundred feet from residential uses. And, not surprisingly, would be open twenty-four hours a day. And, requirements for traffic control and security must be submitted as well.

So those are.., that is a very, again, very basic overview of what's in the Ordinance. I do understand that it is.., it is a very long Ordinance. And, there, there's a lot to.., for the Council to consider.

So, to the extent I can answer any'.., anymore of your questions today, I'd be happy to do so.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Let Councilwoman Lanier go and the…

Councilperson Botel: Oh, sure.

Chairperson Lawson: …Councilwoman Botel.

Development Services Director Sirmons: But, Mr. Chair, if I may?

Chairperson Lawson: Mr…

Development Services Director Sirmons: Mr. Chair, if I may add one more thing before you go into questioning.

I would like to note that the, the second reading for this wouldn't be at least until a month from now so there is time between now and second reading to digests this due to our, our calendar.

So, an concerns about the length of it, I just wanted to note that for the Council as well.

Chairperson Lawson: Thank you, Mr. Sirmons.

Pro Temp Lanier, go ahead.

Chair Pro Tem Lanier: Yeah.

I think that this is something that we've actually been looking for. We've had conversations in the past, numerous times, in regards to the proliferation of sober housing and proliferation of these type of facilities.

I think that we need something that is going to safeguard the community but also welcome those type of, of, of businesses but also make sure it, it protects the community.

I know that the conversation that we did have was re'.., in regard to how the City of Lake Worth Beach got inundated with sober housing and had to kind of catch up their Code to be able to kind of regulate them.

So, I really appreciate the, the work that has gone into making sure that we cover all the bases in regards to how we are looking at these types of facilities in the City of Riviera Beach and that we're not trying to dissuade them from being here, but also to welcome them and regulate how they are and how they appear in our community.

Chairperson Lawson: Thank you, Pro Temp.

Councilwoman Botel.

Councilperson Botel: Thank you.

Do you have the ability to pull up the map that we looked at in our Agenda review?

[Pause]

Development Services Director Sirmons: I think maybe…

Councilperson Botel: And my ques'…

Development Services Director Sirmons: …Walter is on it.

Councilperson Botel: And, and I, I guess I have a couple of questions about, in our Agenda review, I think I might have asked for [stammer], and you'll see it when you pull up the map. It's very difficult to actually see where the facilities are on the Island because they're so densely clustered. And I wondered if I could have a list of the addresses of those?

Because, people, people frequently ask me, you know, 'Oh, there's a sober home in our neighborhood and they're.., the guys are hanging out outside, et. cetera.' And I wanna be sure that people are actually identifying real legitimate sober homes and not just somebody's house that they've let out as an Air B&B and there's some people hanging around there that maybe are up to no good.

So, it would important for me to know where exactly they are. And it's difficult to see on the map, in the backup. And if you can pull that up, I'll, I'll show you. And also, when you look at the map, you can see… He's getting there.

When you look at the map, you can see the, the overlap, and particularly on the Island, also on the mainland, I think but especially on the Islan d, the overlap where they're much, much more densely clustered.

As we've said, you know, people like to be on the beach [chuckle], whether you're trying to recover from addiction or just trying to enjoy the, the beach [chuckle], you like to be near the beach so I can understand why they, why they're there. But, nevertheless, it seems like there are so many of them.

Can we not.., I guess, my question is, can we not do anything about the ones that are there already? Particularly, in the cases where they seem to be bothering the neighbors a lot. I mean, does that come into Code Compliance? Does that come into policing? How, how do we..,

how do we deal with the sober homes that are there and are causing a nuisance in the neighborhoods?

There. Yeah. Look, look at the Island. It's.., I can't even count how many blue stars there are in the middle, never mind the red starts down to the south, which is the ones I think right on Blue Heron.

It's almost impossible to tell how many there are 'cause they're so.., it's so dense.

Development Services Director Sirmons: If I may, Mr. Chair.

Chairperson Lawson: Pleases, Mr. Sirmons.

Development Services Director Sirmons: To.., and one of the challenges with this is that we didn't have definitions for the different types of uses. But, the circles and.., the blue circles, the red circles, and the yellow dots indicate different types of uses.

And, most of them, except one, we did not have defined in our Code. So, sober homes, to your example, was not.., is not language that was previously in our Code. We had to utilize our partnership with the Police department and the calls that they respond to, to best identify where these operations are because they are not legally approvable in the City right now.

So, this Ordinance would, again, give a title to it and give standards to those uses so that moving forward, if one of those businesses come forward to establish itself or get its Business Tax receipt, we will have a zoning and licensing and other standards and requirements that we can evaluate them against.

So, to that question. Those blue dots on.., are, in most cases, are not established as sober homes or recovery residences, as this Ordinance would describe them in the City right now. So those are, are things that we, moving forward, would look at.

Councilperson Botel: Okay.

But.., so, I guess what… If I may, Mr. Chair?

So, what I'm saying is, you.., there's no way to retroactively say we don't want that one or that one or that one? There's.., they're there, they have to stay there. And only if they were to come to the City to get a Business Tax Receipt, and at that point we can say we can regulate them?

Ms. T. Earley: Mr. Chair?

Chairperson Lawson: Yes.

Ms. T. Earley: Madam Council Member, so, there are legal concerns when it comes to lawfully oper'.., lawfully.., the key is lawfully operating establishment and applying zoning codes retroactively.

To the extent one of these establishments is operating though, they should be getting a BTR. And, when they come for the BTR, I would think, at that time, it would be incumbent upon Staff to determine whether or not they're properly certified.

So they are still gonna have to be certified going forward, however, to the extent they don't meet the distance requirements right now, if they're otherwise lawfully operating, I think there would be issues applying that retroactively.

So, that, that would be my short answer. It's gonna kinda be case by case, depending on how the establishment is operating, whether or not they are, you know, if they're doing other things that violate your Code, they're not immune from Code Enforcement either.

Councilperson Botel: So, it really becomes an issue of policing rather than.., or, or Code Enforcement or policing, if this.., if they're make'.., if a place is unsightly, whatever. If it's overgrown, that's Code enforcement.

But, the issue of people hanging out outside smoking dope, that's policing. There's nothing we can do about changing… If they, if they exist already, we can't do anything about prohibiting them from doing business?

Ms. T. Earley: That.., Mr. Chair, Madam Council Member, that would not be lawful…

Councilperson Botel: Okay.

Ms. T. Earley: In most cases, that would not be lawful and it would be a law enforcement issue.

Councilperson Botel: Okay.

But I do need a list of the addresses. Just so that I can tell people, you know, hey, you may be complaining about something that you think is a sober home but is actually just somebody's Air B&B and, you know, it's not really a sober home. So, that would be helpful.

Thank you very much.

Thank you, Mr. Chair.

Chairperson Lawson: Thank you.

Board Members? Councilman McCoy, go ahead.

Councilperson McCoy: So, Ms. Earley, Mr. Sirmons, so am I correct in understanding that Florida Association of Recovery Residences regulate or, in other words, certifies sober homes and assisted living facilities?

Ms. T. Earley: So, that's.., the FARR certification is specific to sober homes. Assisted liv'.., I'm gonna say sober homes but they're not defined as such in the proposed Ordinance. They're actually defined as recovery residences and recovery communities.

So, FARR regulates those to the extent that they provide a voluntary certification. This Code goes above and beyond that by saying that you have to obtain that certification in order to operate in the City.

Nursing homes and assisted living facilities, to the extent they are operated by the state, would fall under a different ca'.., category or a different statute. And again, they still have to have all of their proper certification from the state in order to operate.

So it's not just the FARR certification that's required. If there's anything else that the State of Florida requires an organization to have in order to operate as such, they need to have it under the Code the way that it is drafted at this time.

Otherwise, they must cease operations.

Councilperson McCoy: Okay.

So, just let me make sure I understand this because I.., you, you gave me more than I asked for.

Ms. T. Earley: Okay.

Councilperson McCoy: So, FARR is a voluntary certification, but we're gonna require, as a requirement, that they go and register for something that's voluntary?

Ms. T. Earley: That is the way the Code is written, yes.

Councilperson McCoy: That's, that's, that's really hard to make sense of. It, it really is. So, we're exceeding the voluntary requirement to make it a mandatory requirement? To be registered? Or, to be certified, I should say?

Development Services Director Sirmons: Yes. That is correct.

It is.., there are multiple examples… And, and I will start with saying that we would not be the first city to do so. We studied multiple municipalities and their regulations regarding these uses to develop this Code. So, we would not be the first city to require this.

But, to, to the second part of your question. There are [stammer] numerous cases and instances where these types of operations have not been managed well and…

Councilperson McCoy: Okay.

Development Services Director Sirmons: …has resulted…

Councilperson McCoy: But.., alright. Let's stop right there. Let's stop.

Development Services Director Sirmons: Okay.

Councilperson McCoy: I just wanna.., like, I'm, I'm trying to get to understanding, and you're talking about whether they've been managed correctly.

So, if I can understand this correctly, we're requiring mandatory registration, which is otherwise voluntary? And you had said yes. However, my next question is very simple. So, if that is the case, this doesn't even affect those that are currently existing, only those that become legally.., I guess, that go out of conformance?

Is that correct? So, this is only going prospectively.

Ms. T. Earley: I would interpret the certification as something that's going to have to be an ongoing requirement.

Councilperson McCoy: My, my question is, if there's a sober home or recovery residence, or recovery community that's already existing within the City of Riviera Beach, this Ordinance has no effect on them unless they become not operable?

Ms. T. Earley: So…

Councilperson McCoy: And it's either a yes or no, Ms. Earley.

I'm not.., I'm just trying to get to a point of clarification and I don't want a dissertation. [Inaudible audience comment]

Ms. T. Earley: So, Mr. Chair? Again…

Chairperson Lawson: Please.

Ms. T. Earley: I believe the certification…

Councilperson McCoy: This is why a workshop is necessary.

I, I mean, like, are we regulating those that are currently existing or is this gonna be for new recovery residences?

Ms. T. Earley: The way, the way that I'm reading the Ordinance as proposed, in order to get a BTR and continue operations, existing establishments would have to get certification.

Of course, it, it is.., if it is the pleasure of this Council not to have that requirement apply, you can certainly, between first and second reading, direct Staff…

Councilperson McCoy: Alright.

Thank you…

Ms. T. Earley: To…

Councilperson McCoy: Thank you. I reclaim my time.

I, I don't know why it's so difficult to get a, a very straight answer. And seems that Staff doesn't know. And, if it's your intent, which you certainly have prerogative to propose whatever it is that you want the Board to consider. But, if it's your intent that this goes into effect upon adoption, that every sober home or recovery residence in the City has to now be certified with FARR, then I think it should just be plainly stated. I'm okay with regulations and governance.

I want full disclosure though. And it seems like I'm squeezing to get a straight.., what should be a yes or no answer, which leads me to believe that this not really fully cooked and you guys don't even.., can't even plainly and clearly say the applicability of it.

I mean, help me out. I mean, what.., the decisions that we make, Ms. Earley… Thank you. This is the first time that you got to experience, you know, Mr. McCoy, but, like, we make decisions that determine whether people live or die.

So, if you're gonna present something to me, I just wanna know, you know, what kinda scrutiny I'm gonna have to deal with when I go out to the grocery store because now I've just voted on something that's changed someone's total livelihood and whether it goes into effect currently or only for new businesses, or new recovery residences? And that's all I'm just trying to clarity on.

And then, you know, [stammer]… You know. I raise my white flag because I just give up. It seems like it's just hard to get a, a clar'.., plain answer. That's why I can't support this, Mr. Chair.

Chairperson Lawson: Thank you, Councilman.

And I, I would agree that I just think we need to need to have more discussion and just a little bit more dialogue and understanding.

I do wanna understand though, what is the definition of a sober home, based upon this Ordinance?

Ms. T. Earley: So, the Ordinance does not use the phrase sober home. It would be a recovery residence as defined in the Ordinance. Or, in the case of one that's located in a multifamily structure, a recovery community.

Chairperson Lawson: So, under a type one, six residents or less, is a recovery residence, and then that would require… A six residents or less, that is a recovery residence. And, I just want, I guess, clarity in layman's terms as to what a recovery residence is.

'Cause the scenario would be if I brought in a friend of the family and his wife who's suffering or struggling with recovery, would now my household be considered a recovery residence because I've taken in these two individuals?

City Attorney Wynn: Mr. Chair?

A recovery residence is more than three. So, if you take in two, then no.,

Chairperson Lawson: Does it say that in…

City Attorney Wynn: Yes.

Chairperson Lawson: …FARR definitions?

City Attorney Wynn: Yes.

Chairperson Lawson: But, I, I guess I would agree with Councilman McCoy that it is a voluntary legislation with FARR versus what we'd be enacting, which is a mandatory policy we would be setting. And, I'm, I'm a little concerned based upon ADA and Fair Housing Act.

And also, understanding a little bit about the sober home community that, we have to be very cautious with how we actually regulate and what we put into this Ordinance. And I think that we just wanna understand a little bit more and go a little bit more in depth.

So, I couldn't support it currently, and I wouldn't actually wait for second reding. I would want us to hold off on that, is my personal opinion to just get some more insight.

This was a discussion I had today. And that's, that's my issue. And it's, it's not that we wanna kick this down the.., can down the road but it's been a discussion, as my colleague said, that we want to address and take a firm stance on but I also wanna get it right.

But, go ahead, ma'am.

Ms. T. Earley: Mr. Chair, I completely understand and I.., if you.., to the extent that you wanted to workshop this, I, I understand that too. This is a lot that's being presented before Council.

As far as.., as far as recovery residences are concerned, yes. The, the Code does have a definition as Ms. Wynn pointed out, that refers to.., it, it's a type of community residence that provides lodging for more than three unrelated persons suffering from addiction occupying the whole, or part, of a dwelling as a single housekeeping unit, sharing common living, sleeping, cooking, and/or eating facilities.

So, I understand your concern that informal types of arrangements might somehow inadvertently fall into this category.

Chairperson Lawson: Right.

Ms. T. Earley: But, I'll repeat what I said at the beginning and, at the risk of sounding like a broken record, you are the policymakers. So, if there is anything in this document that you don't like, it is within your purview to change it. And I do think…

Councilperson McCoy: Mr. Chair?

Ms. T. Earley: …that it…

Chairperson Lawson: Councilman McCoy?

Councilperson McCoy: I just wanna respond as soon as she's finished.

Chairperson Lawson: Thank you, sir.

Go ahead.

Ms. T. Earley: I do, I do see, after having discussion and hearing the feedback from Council, it's clear that we need to add a subsection specifically addressing nonconforming uses. And we specially need the guidance of the Board as far as how you want those to be handled.

If you don't want the certification requirement to apply retroactively, that can be written into the Ordinance.

Chairperson Lawson: Okay.

Councilman McCoy, go ahead.

Councilperson McCoy: Well, thank you for.., Ms. Earley, for that.

But, you know, I, I would agree. You keep insisting that we're the policymakers. In fact, I, I don't think nobody up here would dispute that. We were sworn in.

But you know what that tells me? You're literally giving us the biggest piece of legislation that we've ever worked on and saying we're the policymakers, you guys decide what you wanna keep and what you wanna get rid of.

That's what I'm understanding because you said it maybe three times, at least. And, not only that, I'm looking at.., I think this is Page 4 of the Ordinance, I've never ever, in my life, seen this in terms of state statute, Ms. Wynn, if I can have your attention on this, as well as in local, I've never seen, in my life, any piece of legislation that ever referenced unmodified portions of section have been excluded for brevity.

That doesn't make sense whatsoever to me. I've not ever seen that. And it's underlined to suggest that this is gonna be added into the actual final language.

So, if.., for, for the intent, this is much larger than it really is. The document is really more than twenty-six pages because, clearly, we've left off portions that have not been modified. But certainly, if we're the policymakers, give us the full clip. Don't give me just a portion of it.

This is no way proper. And I just am afraid that if we adopt this, I can already see it now.

The other thing that came to mind is we had a property swap, Mr. Jonathan Evans, with this gentleman, with the expectation of going out in the industrial area on the corner of MLK and Military Trail.

And specifically on those slides, that Zoning District was not called out. That Zoning District called for a special exception. There are very strict standards to a special exception, Mr. Evans.

I mean, we, in good faith, entered into a, what should've been a fee simple deal with the expectation that he was going to be able to build a facility on there. We could not guarantee him approval.

And I think there was a whole conversation about giving him preliminary site plan approval. But now, with these new zoning regulations, that could very well tank his whole plan of, you know, developing that pro'.., property and opening up, I think it may have been a recovery residence that he's contemplating there because that Zoning District wasn't even called out. And it if was, it's under special exception only.,

So, there's a lotta implications with this. And I just don't know that we're ready to have a discussion on it. I can't think of any other piece of legislation or policy Ordinance that's been this big since we've been here.

And this is very detailed. And I don't want the responsibility of being able to only have two options, and that's a yes or no. And being asked to do it in such a short meeting.

That's all I have, Mr. Chair. Thank you.

Chairperson Lawson: Councilman.

Board, can we go into public comments and then continue with the discussion? We have two comment cards.

Thank you.

[Inaudible comment]

Interim City Clerk King: Ms. Paige Parker and Ms. Cindy March.

Chairperson Lawson: Thank you.

Ms. P. Parker: Good evening.

So, this is a very, very important matter and I have very specific experience with this. I am fortunate enough to have been a property owner in Riviera Beach for twenty-eight years. I worked very hard at a very young age. And, am a proud resident.., proud property owner for over twenty-eight years.

Unfortunately, almost half of those years were spent living across the street from a gentleman that ran a sober home with no regulation. It was very sad. It was sad for the residents in that facility that were trying to get help, that were promised help.

It was sad for the neighbors wo were exposed to the emotional toll of watching a beautiful home go into disrepair, watching ambulances come, taking people away that have OD'd. Just watching drug dealers come into the neighborhood. So obvious.

And, it's happening. Everyone knows what's going on, on Singer Island. Everyone knows what's going on, on Singer Island, specifically. These sober homes, these treatment facilities, they come in, they shut.., the sell the dream.

'Bring us your insurance, bring us your loved ones. We're gonna take them to the beach. We're gonna do yoga, we're gonna go paddleboarding, it's gonna be great.' Well, I'm sure

you've all seen the Palm Beach Post article that was on September 24th about this poor child, this poor young man. And, I'm sorry to be blunt, Mr. McCoy, you wanna go to the grocery store?

This poor man rotted in the bushes at Publix, from one of the sober homes that kicked him out. He went over the bridge, bought drugs on Broadway, did his drugs, died in the bushes. Sat there and rotted for four months. So, when you say about going to the grocery store or whatever your comment was…

And, about having mandatory requirements. Why wouldn't they want to say, hey yes. I took that certification? Yes. We pass all these regulations. Why wouldn't they? As a business owner I signed up for every course there is.

Every regulation. I wanna be the shining star. I will be the first one. I don't care if it's voluntary or mandatory. If it's a guideline that's gonna make me look more responsible as a business owner, I'm all for it. Why not?

So please, I ask that you give this serious consideration. And don't be fooled by the ADA regulations. They are there for a certain specific reason and these certain owners, most of them, that I have dealt with in my twenty-eight years of being a property owner, they know how to hide behind the ADA.

They know the loopholes. They are good at it. They make a lotta money. Talk to Aronberg about his taskforce on this, read this. I'll leave it for you. Please, give this a lot of attention. And, as soon as possible.

Chairperson Lawson: Thank you for your comments, Mrs. Paige.

Ms. P. Parker: Thank you.

Interim City Clerk King: Ms. Cindy March.

Chairperson Lawson: Welcome, Ms. March.

Ms. C. March: Hi. Good evening, Council.

We didn't.., we do need a facility for mental illness and sober people. But let me tell you something. Every time we say put something on Singer Island, it always gotta be a problem about lift up somebody's nice, little peaceful home.

But ya'll don't think twice when you wanna put fire stations on the west side of town. Not just one or two. We hear the same noise that Singer Island hear. This is one City and we need to start treating it like one City. I'm all for mental illness because I was once one of them. I am one. But you got to do it the right way.

I'm a hundred percent with Tradrick McCoy. I will say it over again. You might not like his demeanor but he tells the truth and he gets all the loopholes the way they need to be done. You all need to stop letting these people come up here and dictate what they wanna do with our City.

We hire you all by voting for you all. We want you all to represent us as citizens of Riviera Beach. If you do for one part of the City, do for the whole part of the City. Every time they want something on Singer Island, "Oh, it's gonna lift up their home.' You got drugs dealers everywhere. Not just on, on, on the westside of town. It's most dope dealers in.., on Singer Island without the sober homes.

So, whatever these people want, I'm not saying give it to them but they can't come in here with that old half writing and half information and misleading people. Good thing we have Tradrick McCoy. We need a few more Tradrick McCoy on this Board to understand the terminology what these people provide in front us that we don't know.

Because enough is enough.

Chairperson Lawson: Thank you for your comments, Ms. March.

Councilperson McCoy: [Chuckle].

Chairperson Lawson: Pro Temp Lanier, go ahead.

Chair Pro Tem Lanier: Yeah.

I just wanted to say that I certainly support this Item. I also have a personal story about where I live in Federal Gardens and have had to deal with these type of facilities that have not been regulated for years.

I had a.., my neighbor, which is a previous Councilperson, Liz Wade, would call me all the time asking about the property across the street. But, don't get me wrong, these are some of the programming that we need for the City of Riviera Beach in terms of mental health, in terms of addiction.

But, it has to be regulated. And, I'm afraid that if we pass this opportunity up to be able to do that, then it, it appears that we are not serious about it. And also, you know, when you're having conversations about, about these.., the, the language that's in it, you know, you speak to people in a certain manner. You respect people. You are able to disagree with them without badgering them or demeaning them.

So, I just really want to know that we have a opportunity here to voice our concerns, to be able to talk to people like they're human beings, to be able to disagree respectfully. But also, to make sure that we are looking at all the pieces of this.

But I certainly, because of my personal history with this, and just not, just in front of my house but in fr'.., in my neighborhood, these things are not regulated and I'm afraid that if we do not regulate them, then we will be just like Lake Worth Beach, trying to catch up to our Ordinances to regulate these type of properties here in the City of Riviera Beach.

And I think that we need them but we we also need to regulate them.

Unk. Audience: Right.

Chairperson Lawson: Thank you, Pro Temp Lanier.

Additional comments from the Board?

Councilperson Botel: yes, Mr. Chair.

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: I'm in favor of moving forward on this, this evening, given that we know we have at least a month before the next reading will take place. It would seem to me that's plenty of time for us to ask any questions, modify this in any way we see fit, have a workshop if that's what the majority of the Board thinks we need.

But, get.., let's get moving on something. We now have nothing. We have nothing that regulates them in the way that we feel they should be regulated. I think they all should a'.., abide by the FARR standards. I mean, it's about time we set some standards for the people to abide by.

So, I'm in favor of moving forward tonight and then making any changes we see fit before the next reading.

Chairperson Lawson: Thank you, Councilwoman Botel.

Councilman McCoy, go ahead.

Councilperson McCoy: Mr. Chair, I wanted to revisit.., the Item, it's early first mentioned about expanding the definition of family to include domestic partnerships. If we don't have any other comments, Mr. Chair, I wanna be recognized to offer an amendment to include that.

Chairperson Lawson: Thank you, Councilman.

Councilwoman Miller-Anderson or any other Board Members?

[Pause]

Chairperson Lawson: No?

Councilperson Miller-Anderson: I'm in support of it because, you know, this has been something that we've needed for a while. Many people have complained about it not being regulated. So now that we have something, I do think we need to move forward.

And, and like Dr. Botel said, if there's anything that we need to do to correct anything or fix anything, or modify anything, they'll have time to do so. So, I'm ready to move forward.

Chairperson Lawson: Thank you.

Councilman McCoy, go ahead.

[Stammer]

Chairperson Lawson: I'm sorry.

Councilman, are you making your motion or can I…

Councilperson McCoy: No.

I was…

Chairperson Lawson: …just take a…

Councilperson McCoy: …gonna make a statement.

Chairperson Lawson: Okay.

Go ahead, Councilman McCoy.

Councilperson McCoy: I'm okay with that.

To my colleague, Miller-Anderson. I'm okay with that. But, don't you think, as policymakers, which Ms. Earley specifically referred to us at least three times, that if I ask a questions as to the applicability, between Ms. Early, Mr. Sirmons, perhaps even our Legal, someone should be able to address when this applies and is it applicable prospectively?

I mean, that's a fundamental question that we should be able to ask. And, for any Member, that should create some unreadiness if Staff is not even certain.

So, I certainly believe in regulating but I certainly have a lot of reservations if Staff is not even one hundred percent certain and they're shifting the burden onto us and we only have two options. That's either yes or no.

And, I'm okay with addressing it. But, I mean, Board Members, we see too often that we deal now with problems from previous Councils because of their failure to act. And, in many cases, they acted and probably they did not explore all of the options.

So, certainly, that's all I'm asking that we be very thorough in, in our work here. So, Mr. Chair, whenever your done with.., I would like to offer up that amendment.

Chairperson Lawson: Thank you…

City Attorney Wynn: Chair?

Chairperson Lawson: …Councilman.

Pro Temp.., Pro Temp Lanier, please go ahead and then Councilwoman…

Chair Pro Tem Lanier: Yeah.

I just…

Chairperson Lawson: I'm sorry, the…

Chair Pro Tem Lanier: …wanted to, to say…

Chairperson Lawson: …, then the Attorney.

Chair Pro Tem Lanier: …quickly that we need to.., this is the most important part of this. These regulations are here to protect the people who are in these facilities. It is about them. It is about people who are having issues with addiction, mental health, and having an.., a, a place to go that is regulated, that protects them as the client, as the human being.

So, we need to make sure that when we look at these type of facilities, that we are regulating them based on the fact that we are making sure that people who come to these facilities are protected.

Chairperson Lawson: And, just to those comments.

I, I agree, understanding that I'll be outside legal, with Mr. Sirmons, just to discuss it between the first and second reading. 'Cause, as Ms. Miller-Anderson stated, I want us to make sure we get this right.

We have a duty to protect these residents but we also don't wanna make it restrictive to where we're not giving them support that they need. And just get it right the first time.

And, I, I, I actually agree with all my colleagues' concerns. So, I, I appreciate the constructive criticism and the, the healthy debate and discussion.

So, if we can move forward, I, I would allow for Staff to set up a time… Mr. Evans, if you can set a time for us to have this addressed, whether it's a discussion item, workshop, or just individual one on ones to further go into detail, I think that gives us an opportunity to really dissect this before our next meeting where this will be presented to us.

Councilman McCoy, if you wanna go ahead with your amendment, please?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman, go ahead.

Councilperson McCoy: I wanna mend this Ordinance to include in the definition of family, domestic partnerships.

Chairperson Lawson: Do we have a second for that?

Chair Pro Tem Lanier: Second.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Any discussion?

[Pause]

City Attorney Wynn: Excuse me? If I could just…

Chairperson Lawson: I'm sorry.

City Attorney Wynn: …for some…

Chairperson Lawson: Go ahead, Attorney.

City Attorney Wynn: …clarification.

Chairperson Lawson: Please.

City Attorney Wynn: Mr. McCoy, we took into consideration your comments that you made at your Agenda review and the language will say domestic.., included in the definition of family is domestic partnerships, as defined in the Palm Beach County Ordinance.

Councilperson McCoy: Okay.

So, does that mean I don't need to do the…

Chairperson Lawson: So, is that…

City Attorney Wynn: No.

That.., no. I'm just letting you know that that is the way it will read.

Chairperson Lawson: Okay.

So, when it comes…

Councilperson McCoy: Okay.

Chairperson Lawson: …back to us…

Councilperson McCoy: Most definitely. I would agree. No other way.

I mean, I think, you know, somebody can have a domestic partner every week, more or less. So, certainly, it has to be one that is actually registered as provided in the Palm Beach County Ordinances. Yes, sir…

City Attorney Wynn: Okay.

Councilperson McCoy: Yes, ma'am.

That's perfect.

City Attorney Wynn: Thank you.

Chairperson Lawson: Discussion?

[Pause]

Chairperson Lawson: Madam Clerk, if we can vote on the amendment.

Interim City Clerk King: Yes.

Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

And can vote on the Ordinance, please?

City Attorney Wynn: Mr. Chair?

Chairperson Lawson: Attorney Wynn.

City Attorney Wynn: If I might.

I know you requested a workshop or something between now and second reading. You may wanna just give it some thought, but you can tell us now if you want or just at the.., whatever the discussion item is going to be, whether or not you want to grandfather in those existing.., that already exist in the City so that they don't have to comply with the FARR requirements or?

And, and I.., that would be my recommendation. And that you do it going.., require the FARR registration prospectively.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: Could I just ask why?

City Attorney Wynn: Number one, I don't think that it.., it may not be legally defensible.

Councilperson Botel: Okay.

City Attorney Wynn: To put a new requirement on those already existing. That's the main reason.

Chair Pro Tem Lanier: Yeah.

I don't.., I wanted to say that, I thought that when she talked about registration or, or registering this business in the City, that they would have to provide that then. That…

City Attorney Wynn: New businesses, correct.

Chair Pro Tem Lanier: New businesses, right.

But, if the person had to come back for recertification and was not under those auspices of FARR, then they would have to, at the time of their renewal, to do that.

City Attorney Wynn: So, I'll give you an example.

Let's say there was a.., one.., a recovery residence already existing. And then, for some reason, they became nonconforming, or they went out of business for a certain period of time, or their BTR lapsed and they had to come back and, and recertify, then, the new requirements would kick in.

However, if you have a current recovery residence that's.., and they never go out of noncompliance, they're always conforming, they never had FARR before because we didn't require it, you still wouldn't require it now.

Councilperson Botel: That was my understanding of what she said. So, yeah.

[Inaudible audience comment]

Chair Pro Tem Lanier: Mm.

Chairperson Lawson: Additional comments from the Board?

So, Attorney Wynn, that will be part of the discussion, whether it's workshopped or we do one on ones or have this as a discussion item on the next Agenda. Thank you.

Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: No.

[Inaudible audience comment]

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: No.

Interim City Clerk King: That vote passes, Mr. Chair, with both Councilperson McCoy and Chairperson Lawson dissenting.

Chairperson Lawson: Thank you, Madam Clerk.,

COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS (Three Minute Limitation)

Chairperson Lawson: We're gonna go into public comments.

Residents, if you have any public comment cards, please submit them now.

Chairperson Lawson: PUBLIC COMMENT SHALL BEGIN AT 7:30 UNLESS THERE IS NO FURTHER BUSINESS OF THE CITY COUNCIL, IN WHICH EVENT, IT SHALL BEGIN SOONER. IN ADDITION, IF AN ITEM IS BEING CONSIDERED AT 7:30, THEN COMMENTS FROM THE PUBLIC SHALL BEGIN IMMEDIATELY AFTER THE ITEM HAS CONCLUDED.

PLEASE BE REMINDED THE CITY COUNCIL'S BOARD HAS ADOPTED RULES OF DECORUM GOVERNING PUBLIC COMMENT DURING THE OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE FRONT DESK. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THEE RULES ARE NOT ADHERED TO, THE CITY COUNCIL CHAIR MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE REMOVED FROM THE PODIUM, FROM THE MEETING OR THE BUILDING. PLEASE GOVERN YOURSELVES ACCORDINGLY.

Chairperson Lawson: Madam Clerk, public comments.

Interim City Clerk King: Mr. Chair, we're gonna call Mr. Eric Ward.

Chairperson Lawson: Welcome, Mr. Ward.

Mr. E. Ward: Thank you. Hi. I'm Eric Ward. I've been a resident of Riviera Beach since 1985.

A few months ago I spoke here about the flooding on Durall Way in Lone Pine and I talked about how the fire hydrant in our.., across the street has, a couple times, been submerged in water, although usually, it only gets maybe halfway up.

After that meeting, the.., one of the City Engineers came up to me and said that that had been fixed decades ago. I told him that, still, every five to eight years or so, maybe it doesn't get all the way to the top but it goes, like, halfway up the fire extinguisher.., I mean, fire hydrant. But he didn't believe me at the time.

Anyway, this last Sunday's flood may not have been the deepest one that we've had there but it was different from the previous ones. The water was seventeen inches deep at the fire hydrant, which I have a picture of here. Almost.., almost to the top. And, that was seventeen inches at the fire hydrant, about twenty inches, actually, at the storm drain, which is really just a few feet away from it.

There's two, two by four foot storm drains across the street from each other there. With two..,. with two feet of water over them, there should be a torrent of water going in there, as I said previously. Last time, I mentioned there's just a gentle flow of water going in.

What was different this time, is that it started with the general flow but as the water got higher and higher it slowed down to the point where the flow was imperceptible. And I have a picture right here that shows the storm drain. And it's clear, there's nothing.., no debris blocking it but there's no flow at all that you can sees in the picture or that I could feel standing in the water there.

What that shows is that the canal level is too high. The canal level is only a couple feet below the street. You know, if you look in the pipe, you never could see the bottom of the pipe. The water is always just a few feet down.

So now, the water level was several feet above the street level. It means that the canals just can't handle this much runoff.

The issue with the proposed neighborhood now coming in, which should've been a moot thing but seems to not wanna go away, they're now talking about taking this area where the water seeps into the ground, raising the area up higher, paving over a big portion of it.

And then, catching that water and funneling it with their own direct pipes into the canals, giving them preferential access to the canal and, therefore, raising the level more to slow down our water coming in.

So, it really shouldn't be done that way. You know, they shouldn't be coming in at all but it., if so, not…

[Timer]

Mr. E. Ward: …like that.

Chairperson Lawson: Thank you for your comments, Mr. Ward.

Mr. E. Ward: Thank you.

I have these pictures if anyone wants to see them.

Chairperson Lawson: Mr. Ward, if you could, just leave them with the Cleark. She'll hand it out to the Board. Just leave them with the Clerk or give it to Chris here. Either one.

Interim City Clerk King: Mr…

Chairperson Lawson: Thank you.

Interim City Clerk King: Mr. Bill Wolitich.

Mr…

Mr. B. Wolitich: Good evening everybody. Can you hear me alright?

Chairperson Lawson: We can, Mr. Bill.

Mr. B. Wolitch: Yeah. Okay.

Chairperson Lawson: Welcome.

Mr. B. Wolitch: I attended the D.R. Horton meeting last night in regards to the Lone Pine golf course. And.., but what follows what I'm gonna say, can possibly apply to other properties in Riviera Beach.

We got the same sales pitch about the golf course. D.R. Horton's attorney claims that if we don't go with their plan for development, any builder, not D.R. Horton, will build according to Live/Local and cannot be stopped.

D.R. Horton is claiming that they have a better plan for development. In order words, D.R. Horton is trying to get the residents of Lone Pine to side with them to rezone the golf course.

The local.., the Live/Local law does not, in the entire documents, state that the.., that the land zoned recreational, is eligible under Live/Local. If I understand D.R. Horton's attorney correctly, they are claiming the following.

Since the golf course property owner has a commercial license to run a business, the land is commercial an thus allowing the development according to live.., Live/Local. Again, the Live/Local law does not, in the entire document, state that land zoned recreational is eligible under Live/Local.

Their interpretation is inserting the word recreation into the law. This is their interpretation of the law. I'll bet we can get many other different interpretations from other attorneys that would say something completely different.

What concerns me the most is how the Council will react to the Live/Local law according to D.R. Horton. Before anything continues, the Council should have a clear understanding of the law, definitions, and an accurate interpretation.

If you go along with one interpretation of the law, this opens up a can of worms for other developers to [stammer].., to define Live/Local their way and start developing without an'.., without any inference from the [stammer].., without any interference from the local government.

If you can get clarification from the state, this would solve the major issue of interpretation. By letting one non-state entity's interpretation dictate li'.., Live/Local, is letting the developer run the City, not the elected officials who represent the constituents. Think about that.

Another Live/Local issue came up, and another interpretation is submitted and this can go on and on with no concise definition. This is why it is important for the Council, and other City officials, to get direct interpretation from the state.

This way, there will be a clear understanding of the law and eliminate interpretation guesswork. If the D.R. Horton interpretation is adhered to, and development starts and the state comes back and says that [stammer] D.R. Horton's interpretation is incorrect, probably too late to stop the development.

By this premise, you can see the issues this would cause in the community. Development would start that would be completely wrong. As I stated previously at all other meetings, develop the real estate that is already zoned in accordance with the Live/Local.

Chairperson Lawson: Thank you for your comments [audio skipped].

Ms. B. Wolitich: Isn't this what Live/Local is all about?

Thank you…

Chairperson Lawson: Thank you for…

Ms. B. Wolitich: …and sorry…

Chairperson Lawson: …your comments.

Ms. B. Wolitich: …I went over.

Chairperson Lawson: [Chuckle].

Thank you, sir.

Interim City Clerk King: Mr. Chair, Mr. Grayon LaGear [sp] has pulled his card.

Chairperson Lawson: Thank you.

Interim City Clerk King: Mhmm.

Ms. Rochelle Baker Hughes and Ms. Annette Dragon.

Chairperson Lawson: Welcome, Ms. Hughes.

Ms. R. Baker Hughes: Good evening.

First off, I want to thank the following. Ms. Lanier, who's not here, Ms. Botel, Mr. McCoy, Mr. Lawson, Ms. Deirdre Jacobs for the ribbon cutting this past Saturday at Lone Pine Park,.

It was, it was great. And I gotta tell you, I had the most fun with the animals. With the, the petting zoo. So, thank you very much for that.

Going from that, as we were at the Lone pine Park doing this, we noticed all the standing water. And we also told the officials, you know, drive around our neighborhood 'cause there's a lot. We get it, there was rain.

However, Saturday evening, my husband went outside and he was about knee deep in water in front of our house. Sunday morning, he called me and said, 'Have you been out in front our house?' And I said, 'No.' He goes, 'You better come out.'

I was knee deep in water. And he couldn't get home, he had to park somewhere else to carry the groceries home. Sunday, late afternoon, same thing. We have a drainage issue. As we have said over and over again, we have a drainage issue. And we need to do something about it because the standing water that it was, and I will tell you, my neighbors two doors down were coming home.

They had three children with them, two adult'.., three adults and one of those children has [stammer] has a, a disability. And I walked over to Lockmore, and I walked to meet them and I told them walk down the middle. Even though the water was still probably shin high just so that they didn't walk down the sidewalks 'cause you really couldn't pass them.

So, we do have a drainage issue that needs to be addressed. I have contacted Ms. Jacobs who has been so kind to respond back to me with stuff.

So, then you get to the golf course, and I'll do this really fast. That golf course cannot have any development, of any kind, to lose the grass that we have and everything, because it would have to be built up higher than us, cement.

Guess where all that water's gonna go? Into us. And it's gonna be worse than what Mr. Ward pointed out, and what any of us… We all have pictures. I think you've been inundated with pictures, if I'm correct.

So, yeah. We do have a drainage issue that I hope we all can get together. I don't' care if we have a committee to discuss the drainage issues but we do have drainage issues.

Thank you.

Chairperson Lawson: Thank you for your comments, Ms. Baker Hughes.

Interim City Clerk King: Ms. Annette Dragon, and then Mr. Lloyd Brown.

Chairperson Lawson: Thank you.

Welcome, ma'am.

Ms. A. Dragon: Hello everyone.

I'm gonna echo what Rocky just said about the event at Lone Pine last Saturday. It was delightful. Thank you all for coming out. Also, thanks to Richard Blankenship, who actually spent a lot of time making it happen for our park.

Going on from what, what Bill, my husband, said and what Rocky has just said, this drainage system is ridiculous. It's based on an Archaean system of measurement, that was developed fifty, sixty, seventy years ago or more.

It obviously needs revamping, rebuilding, and looked at. And I would suggest that the City Manager, the Public Works Manager, the City Engineer, and Council appropriate some funds to actually revamp the entire system before they even look at putting any new development anywhere in the Lone Pine area.

Or, in fact, anywhere in Riviera Beach, which has been suffering the same kind of [stammer] drainage issues all over.

I've read a whole lot of stuff about this on, on the Nextdoor website, I've seen stuff on the news, I hear stuff in the street when I'm out. And, on top of that, I run every day in our neighborhood and I've noticed that, as a result oof this severe rain that we've had over the last few days, that some of the roadway has actually started lifting.

Now, whether that's due to burst pipes from the drainage system or anything else, I don't know but it really needs looking at. Pleases do something to protect our community and, and the drainage system.

Chairperson Lawson: Thank you for your comments, ma'am.

[Clapping]

[Inaudible audience comment]

Interim City Clerk King: Mr. Chair, before Mr. Brown makes his comments, let the record reflect that Ms. Lanier left at 8:07 and returned at 8:14.

Chairperson Lawson: Thank you.

Interim City Clerk King: You're welcome, sir.

Chairperson Lawson: Welcome, Mr. Brown.

Mr. L. Brown: My name is Lloyd Brown.

I don't apologize for the [chuckle] first time I came up here. So, don't look for no apology. And I'm just here right now because, you know, I see that the City, like, the Public Works Department done subbed out 8th Street. You know?

So, like, all them young kids who don't have no skills and could do those jobs, you know? You done subbed it out to a guy that, I'm gonna say, Ninja. I'm not gonna say the word he said, but he said that he's a rich Ninja. He don't care nothin' about no poor Ninjas.

So, you know what I'm trying to say. I'm not gonna say the 'n' word but that's what I mean.

Same guy that you got over there, subcontracting, he look different. I ride that way every day. And you know what? They doing a terrible job over there. You shoulda left Public Works in there because they can hire more kids in the neighborhood who don't have skills, who can't go to college playing basketball, who don't have education in their head, you know, to do something else besides manual labor.

Why would you subcontract out something when you said these people on 13th Street, they hired these people in, then you go subcontract [chuckle] out 8th Street, and then you subcontract out S Avenue.

And, you know, you got all them people that go to that park on S Avenue, a lotta those kids, they, they can't do anything, you know, like, mathematically in school or whatever. They're not really smart but they can do labor.

But see, ya'll seem like ya'll don't care. You're subbing it out to some people who won't even come in the neighborhood. The same thing with the churches. The churches, they get people to do jobs when they got their congregation that can do these jobs .

And they'll hire somebody else and these people don't even come to that church. They won't even show up. And you got your congregation that's got kids, who probably don't make it through school, and even if they get in trouble, you give them an option, say, 'Well, you know, we're gonna try to find you a job. Just go ahead on.'

You know, because now in school, I think all you gotta do is be there. You don't have to have a.., don't have to make, you know, no 'As or Bs, just showing up.

And I think the City, it's ya'll obligation [chuckle], to make sure that these young kids, I'm talking about not me, I mean, it's too late now for me. But, these young kids out here they need some help.

And, you know, another thing, First Amendment right means that I can talk. You know what? Some people that I know in the street told me, why did I put them down? Well, bring your behind over here and then you, you, you don't have to worry about me saying anything about you.

If you're out there now listening, I'm gonna turn my back again. It's not on them because you're not over here saying anything to them about nothing. So, I'm gonna turn my back on ya'll. Not the Council but ya'll. So, forget it,.

[Audience chuckles]

Chairperson Lawson: Thank you for your comments, Mr. Brown.

Interim City Clerk King: Mr. Fane Lozman and Ms. Margaret Shepherd.

Chairperson Lawson: Mr. Lozman?

Interim City Clerk King: Mr…

Chairperson Lawson: Fane Lozman.

Interim City Clerk King: …Fane Lozman.

Chairperson Lawson: Yes.

Interim City Clerk King: And then, Ms. Margaret Shepherd afterwards.

Chairperson Lawson: Yes.

Welcome, Mr. Lozman.

Mr. F. Lozman: Fane Lozman.

I'm not sure where to start. Somebody made a good point. The five final policymakers, you set the policy for the City. You don't have.., you've never set a policy that it's okay for your Staff to violate the Americans with Disabilities Act.

So, some of your individual employees under you, have done that. It's despicable and there's a, a federal remedy to see if they can have a finding of fact, where it can come back to you and you can say, 'Okay. You violated the ADA Act.'

We cannot have people working for the City that do that, and then you can take action, hopefully, to terminate these employees.

Earlier this year, I filed a lawsuit saying that the City Manager did not have the authority to hire the Police Chief. If you look at the Charter, that used to be a responsibility of the five elected officials.

And then, they changed that by Ordinance, the Charter, that the City Manager could do that pos'.., could do that hiring. I said.., talked to a lotta people, did my research, that state law says that that change must have had to go to the voters. It never happened, so it's void *ab initio*.

The City has come back and argued, their attorney, that, 'Oh well, the statute of limitations ran out.' There is no statute of limitations when something was changed illegally that couldn't be changed that way. It's like it never happened.

So, the five of you, as far as I'm concerned, have the authority to hire or fire the Police Chief and you actually do the selection process, which you.., which you would wanna do. You don't wanna have all this power stuck in one individual.

Well, what's happened now, is that I'm being retaliated against by the City Manager through the Police Chief, that I'm not getting police services. Somebody came and ripped down my sign, you know, on my property. Threw it in the garbage.

Dan Taylor called up police, they never came to take a report. Dan Taylor he couldn't be here tonight, he has been threatened two dozen times, twenty-four times, by Summers, that Summers would arrest Taylor, take him to the county lockup on a weekend where he can catch COVID.

Osgood said, Summers has to leave the Island. Botel fought for Summers and ultimately, Evans micromanaged Osgood and kept Summers on the Island. Summers has threatened me repeatedly, that he would take me and arrest me on a Friday, to county jail, so I would get COVID over the weekend. Okay?

One day, I may get my head blown off by Summers. Okay? I don't feel comfortable going to my property when Summers is still on the Island. Nor does Taylor. Okay? We filed Internal Affairs complaints.

The Police Chief has done nothing about it. The Police Chief was supposed to meet with me months ago. He's not doing anything about it. I've had other incidents with police officers that they think they are emboldened just to ignore me and to ignore the complaints that Dan Taylor has done.

There's a remedy for that type of behavior. We're gonna…

[Timer]

Mr. F. Lozman: …pursue those remedies.

Thank you.

Chairperson Lawson: Thank you for your [stammer] comments, Mr. Lozman.

Interim City Clerk King: Ms. Margaret Shepherd, and then Ms. Evelyn Harris Clark.

Chairperson Lawson: Welcome, Ms. Shepherd.

Ms. M. Shepherd: Welcome, Mr. Chair. Margaret Shepherd, Riviera Beach. Before I start, Happy Anniversary, sir. We're proud of you, young man.

I'm here today because I think the last time I was here, the subject came up about Mr. Abe Elam. I don't know Mr. Elam. I, I don't know him and I've been here a little over forty-five years. I, I know I'm acquainted with his mother.

But, I do know Ms. Aladia Franks Edwards. When I first ca'.., come here, Summer was just four years old. A little bitty thing. And I was terrified of letting Summer get on the bus and go down to Opa-locka, Liberty City, 'cause I went down there and I was scared myself.

But, Mrs. Franks came to me and John Lee Williams, they reassured me that when my baby got on that bus, she will be protected.

So, I did go a couple times and I did notice that they had a plan. John take the boys and Ms. Franks takes the little girls. And, they didn't have no handiwipes or gloves or anything, and Ms. Franks had to go into the bathroom and sometime help the little girls.

So, if she had a charge on her or whatever, and down through the years I found out this was going on, I, I would be flabbergasted.

But, Mr. Elam, I understand what happened at [stammer] Notre Dame. I had people really explain it to me, so I understand. But, we have to be careful. I think I heard somebody say that they would go over to another program.

And you gotta be careful because the FBI said they were watching. I don't think the FBI go away. They allow you to go and do whatever you do, and then they come and reel you back in.

I just want you all to be very careful. Two good families has been hurt, the Elam Family, which I don't know him but I know his mother and to Ms. Franks, I knew her mother and her father and all her sisters.

And I was very hurt because I did not know all this was going on. Unfortunately, I, I don't get into chitter chatter like some women do and try to make it their destiny to take you down.

But if I can say one thing to those two families, I am so sorry this has happened to you. I apologize from the bottom of my heart because someone made the mistake that Mrs. Franks, this was her job to vet out people, I think, Mr. Chair, I'm not sure, who comes into the City.

I'm very proud because my granddaughters, both of them, I put in the hands of Mrs. Franks and John Lee Williams. And John did not play. And neither did Ms. Franks. They protected those children.

When they got on the.., and Ms. Gwen Oaks and K.P., they protected those children going down the way.

I thank you. And once again, I am so sorry to, to these two families.

Thank you.

Chairperson Lawson: Thank you for your comments, Ms. Shepherd.

Interim City Clerk King: Ms. Evelyn Harris Clark, Ms. Delsia Hamilton.

Chairperson Lawson: Welcome, Ms. Clark.

Ms. E. Harris Clark: Yes. 133 West 11th Street. Good evening, Council.

I would like to speak on behalf of J.S. 12 Real Estate Holdings, LLC. The applicant was here earlier. They have been at the CRA meeting and the Board has passed the.., a lot of their requests.

But, let me go ahead and speak. This is in regards to that applicant requesting a 30,403 square foot, two story boat rental.., a boat dealership with an outdoor [stammer] boat storage area. And, the [stammer] subjected property is located at the southwest corner of the intersection of West 12th Street and the Broadway corridor.

I was here with another resident, Ms. Phyllis Adderley, but she had to leave so I'm speaking on behalf of her. On behalf of those concerned residents who's neighborhood is going to feel the impact of the new Marina boat dealership, we extend our appreciation to the developer who heard us out.

The only entity interested, and kept their word to bring all parties together, to listen, discuss, and figure out how commercial and residential can coexist under the Downtown General Zoning District.

The applicant has agreed to incur and spend additional dollars to go beyond the basic security metal fencing, and add an attractive six feet high stucco wall around it's property perimeter, facing our residential homes to compliment the up and coming neighborhood.

I say to the residents of Riviera Beach, don't become complacent, frustrated, or dismayed, depending on others to manage your concerns. Until you leverage smartly, your energies towards a win/win solution for all parties involved, it will not happen. The few properties owners, we approve their application with said promised considerations mentioned above.

And just lastly, in regards to recovery homes, sober homes, we understand mental illness and we understand addition, it is the property owners that are unregulated, mismanaged these individuals.

When they get kicked out of their sober home recovery program because of lack ins'.., of insurance, it's not until one of those individuals send u in the front of your house, in your flower bed, unconscious, and possibly dead, that you have to deal with it.

So, I'm hoping that you really look at what you need to do to get this under control because it is the residents who ultimately see these situations other people left behind, living behind your house, falling unconscious in your flower bed or breaking into your property.

Thank you.

Chairperson Lawson: Thank you for your comments …

[Timer]

Chairperson Lawson: …Ms. Clark,.

Interim City Clerk King: Ms. Delsia Brooks and Ms. Cindy March.

Ms. D. Brooks Hamilton: Good evening, Council, Mr. Chair, City Manager. My name is Delsia Brooks Hamiton. And, I am the owner and CEO of Pangea Grill.

The reason I am here is because I started this process, and I know a lot of people know me. You know, the community knows.., know me as well. I've been coming to these meetings and events since 2015.

And, I know you guys always hear me say, my persistence and determination, you know, pays off. Well, it has paid off. Because now, I have the opportunity as a minority, black woman, businessowner, to put a four star, two story, waterfront restaurant on the Marina.

And, I know that the community is also very excited to see me participate in this process because I think it's long overdue. And, I deserve it. My consistency has now paid off. And, I remember back in, I think it was August 28th when Tony Brown said, 'Ms. Brown.., Ms., Ms.., Ms. Brooks should have plat site number two.' Which, it was, back then, it was plat site B. And, I always questioned him, why have site B? He said, 'Don't' worry about it. You will, you will find out why.' So, I just wanna thank him today for selecting me, back then, and now he has the opportunity to finish the job that he started.

And I also have the opportunity to finish the job that I started back then with Tony Brown . So, I wanna commend him for his consistency, persistent, and determination to get the job finished, that was not completed. But now, he has the opportunity to do so. I also had the opportunity, alongside with, with that team to get the job done as well.

So, I wanna commend Council for moving forward with Marina Phase 2 project, because it's long overdue. The City needs to be on the map. We need to produce new entrepreneurs. We need to be selected as black owners in this City.

And, I am here to say that I appreciate you guys for moving the project forward. And, I am so happy, I'm so ecstatic. It's been a long haul. It's been very stressful. I go to sleep thinking about it, I wake up thinking about it.

So, I just want everybody to know that it's been a long haul. And, I haven't taken it lightly. I'm ready to go. And the time is now. And, and I need to be, to be recognized.

So, thank you very much.

Chairperson Lawson: Thank you for your comments, Ms. Brooks.

Interim City Clerk King: Ms. Cindy March, and then Ms. Williams.

Ms. C. March: God evening again, Council.

I wanna first say congratulations to you. I see you coming up here fighting all the time. Won't He do it? I'm glad for you.

Number two. I don't really wanna elaborate so much on Elam but the only reason why I'm saying what I'm saying, I'm like Ms. Shepherd, I don't know the story. Both families hurt. The only reason why I spoke out the week that I spoke out because Randy called my phone.

I guess he's married to the young lady that worked over here or whatever. My fight ain't everybody's fight. I'm not fighting for nobody. I'm a leader, I'm not a follower. But, when Randy called me and tried to get me to spill about it…

And, and trust and understand where I'm coming from, Elam is some kin to lady's son. Have nothing to do with it. When you're right, you're right, when you're wrong, you're wrong. I can't determine whether that man was wrong or right.

But what I can determine if the phone call that I received about ousting Evans. And you all know I don't.., and Evans, you know for yourself, I have came to this podium s'.., plenty times and spoke against Evans.

But what I'm not gonna do is trying to bring somebody down that have done nothing to me. That's called personal vendettas and you're going [stammer] against a grain of salt that you don't know nothing about. That's not who I am.

Yes. I have said some things about several of you all up there, because I call it the way I see it. But when I got to call it the right way, I have to call it the right way. So, I just straight up told Randy, when you cross all your 't's' and dot all your 'i's', then you can come to me.

But, to tell me, 'Get on board and help get rid of Evans,' for this kinda foolishness that I don't know nothing about, I'm not on board with that. It's just not me.

And another thing about these sober homes, my story is somebody else' glory. I'm not ashamed because, the personal relationship I have with my God. Yes, we need a mental illness place. Yes, we need a domestic violence place.., shelter. Yes, we need a sober home place. We can be up today and down today.

But, what I'm saying, stop letting these few people come up here and dictate to us when we don't know the terminology of what's going on.

And Tradrick don't need no cheerleader. Btu, Tradrick McCoy, I just wanna say if don't nobody else appreciate you, I appreciate. Because I'm the one go and knock on these people' doors and I've been doing it for over thirty years.

I don't' tell people who to vote for, I tell them to learn your candidates for yourself. You understand me? Whether you're looking at TV or you're in here, watch how crowded this get when it's time to vote.

That don't mean a hill of bean good. If, if you.., the City of Riviera Beach not in your heart and you're not coming real with it, if you're coming for, a, a, a show, you don't need to be in this building.

Because the City of Riviera Beach is a place where we would love to live, work, and play.

Chairperson Lawson: Thank you for your comments, Ms. March.

Interim City Clerk King: Ms. Williams and Ms. Doretta Paulk.

[Pause]

Interim City Clerk King: Ms. Williams.

Ms. D. Williams: [Inaudible in audience].

Chairperson Lawson: Ms. Williams, go ahead.

Ms. D. Williams: Alright.

To the Mayor in his absence, to my Chairman, and the Council, I would like to give honor to the Police Department. I guess we all heard the shooting in Riviera Beach today, right? It was terrible.

And, did you know it was right on my street? Right on my street, with that.., what they call it? AK-15 or whatever. Geezus Christ Almighty.

And to the members of the City, where I thank the Police Department coming from there. But, I wanna tell you how good God is. I heard all the shooting. I just came back from a pantry. I pick up stuff to give to different people.

And I as gonna turn and back in my driveway. But, God say, 'Drive straight in.' Went it's straight in, I heard all the shooting and the car was speeding… I mean, that car got shot up and it speed' to they shot the bumper off, everything, off. And the tires and holes all in it. Just drug a.., from the top of the hill, all the way down to the end.

But I just thank God for God being God.

And Mr. McCoy, I wanna give it to you too. You.., I don't care what come up on this board in here, and they be saying things. You, you.., what they say? You're no chicken pick it out. You pick the truth out. And I thank God for you too.

And, [stammer] I got here late by Amazon. I see.., remember, that's right down the street from me, on 13th Street. That was supposed to been done three years ago. This is not being done 'cause a [stammer].., voting time' coming up again. Three years to get it. But thank God it's here.

I would like comment if they're gonna do a sober house? You.., is that gonna built over on Singer Island?

[Pause]

Ms. D. Williams: Okay.

But you say we got such a bad area over here with drugs and stuff, you put one over there too, and you put one over on the westside. Build it just the same. There's a lotta sober people need that.

I work with them right there. I feed them. I can tell you how bad those people.., not bad to hurt nobody but they are desperate and need help. So, we just wanna do a double.., do a double tr'.., double. Build one on our side and build one over there too.

Make it be… I don't want them to be like you did the school.., one of the schools, they fixed up Kennedy. And then, they built one further down and it made it better. But we want 'em both to be the same.

And the people do need help. Whatever the rules and regulation is, I've been out to the county jail, forty years, and I see those people coming in, incarcerated, going out and coming back. Help them all you can.

But don't be trying to [stammer] them or put them down 'cause the do need help. And some of them fallin' from grace like many of you are profession, and giving up, and they're terrible out there. And they need our help.

[Timer]

Chairperson Lawson: Thank you for your comments, Mrs. Williams.

Interim City Clerk King: Ms. Doretta Paulk, and then Ms. Mary Brabham.

Chairperson Lawson: Welcome, Ms. Paulk.

Ms. D. Paulk: Good evening, Board. My name is Doretta Paulk and I'm a citizen of Riviera Beach. And my deepest condolence goes out to Mrs. Flora Goldberg. She was a retired educator in the Palm Beach County School system. She also was a member of our Park Manor Association.

But she also strived, diligently, for the Lindsey Davis S.T.A.R.S. Program. And S.T.A.R.S is.., stands for striving.., stimulating activities for remarkable seniors. Stimulating activities for remarkable seniors.

She did many things over there at Lindsey Davis before her passing. And all she ever wanted was for the betterment of Lindsey Davis for all the seniors that come into the center. And may she rest in peace.

And, I went to an amazing ribbon cutting at Lone Pine last weekend. It wase very lovely. Sponsored by our Pro Tem, Ms. Lanier. And, it was really wonderful to see Ms. Aladia there. It was really wonderful.

It was a very nice… And then, Ms. Botel, Councilwoman Botel, she brought in some spinach and a very.., and a, a tomato plant, which they would cul'.., hopefully, plant out there in the park. Because it was a very lovely gesture.

Now, I just wanna talk about, the last meeting, it was stated that a possibly a raise for all you Councilpeople. And, I'm not saying that you are not deserving, but how could you consciously even think about giving yourself a raise when our water bill is increasing?

And, especially for the seniors. And, there's myself and other seniors in, in the City of Riviera Beach. And every senior in the City of Riviera Beach. So, what it to do? You get a.., what about all the.., I wouldn't say it was personal.

What about all the allowance that you all get? Car allowance and other things? Mr. Evans, if you can look into what other city's council people get for.., when they get raises? Are all of those things included? I just don't think this is the time to even venture to approach a raise.

Because, a lotta seniors are having a lot of hardships.

[Timer]

Ms. D. Paulk: And I thank you very much.

Chairperson Lawson: Thank you for your comments, Mrs. Palk.

Interim City Clerk King: Ms. Mary Brabham.

Chairperson Lawson: Welcome, Ms. Brabham.

Ms. M. Brabham: Ms. Mary Brabham. Good evening, Board, Chair, and Board Members.

October is breast cancer month, and not only for the women's, as well as the men's as well.

I was engaged today with various management and leadership up in North Palm Beach. I sat at the table today. And, first of all, I'm gonna tell you something here. Sometimes people in organizations.., 'cause see, I've been there.

The City of Riviera Beach got the best of my employees, that stayed here for numerous of years and they retired. They was under Ms. Brabham auspice. I believe in putting people in the right places.

Because, sometimes they are not destined in the places that we put them in because they cannot, literally, rise to their full potential, because we put them places where they shouldn't be. And it's okay to move you out so that you can grow where you need to grow. That's one thing.

Ms. Elizabeth McBride, the Deputy City Manager, I do, as well as other, wish her a speedy recovery. As well as Ms. Ernestine Gordon, that has been a true servant of this City for fifty plus years.

And I want you all to know, she will be fine. Just fine. You can bank on that. That's who she is and that's who.., where she will remained.

Twenty-six pages here. In this eight mile stretch of city territory here, what asinine minds of leadership would you do this? Six months ago, a sober home came into my neighborhood. Nobody is on guard. Where are the officers?

10th Street, over there, have been busted numerous of times for drugs. She was right. Publix over there, four months. The guy laid there four months. The customers complaining about the smell. The undertaker kept, kept coming into the Publix, letting them know that a dead body was there.

A police went over there. He didn't see anything. But guess what? The dead body was there.

If we talk about regulating these things here, what, what, what leadership does this when we're trying to move our City in a positive direction? I got 'em down the street from me. I got 'em in the back of me.

She talk about all this shooting in here, where are you all minds at as leadership? We are a eight mile stretch of territory here. Do not do that. We're watching you. Do not do this asinine craziness for this City here. Do not do that.

[Timer]

Ms. M. Brabham: Thank you.

Chairperson Lawson: Thank you for your comments, ma'am.

Interim City Clerk King: Mr. Chair, that concludes public comments.

Councilperson McCoy: Congratulations on your engagement.

Chairperson Lawson: Thank.., thank you, Madam Clerk.

Mr. Evans, you wanna comment on any of the, the comments from the public?

City Manager Evans: Mr. Chair, very briefly.

With regards to the, the drainage. Obviously, I think we've seen all throughout the county and, and throughout the region, based on the number.., the volume of rain and the saturation levels in the ground.., in the ground water table, that's where we have localized flooding throughout the City.

And, I think every city dealt with that because of the, the issues that we did have. In some cases, the water is still receding and making its way. And so, there's.., you know, we understand that it was an inconvenience for a lotta person but the drainage infrastructure, just amount of volume, couldn't handle it that particular time.

And, you know, it's no different than the incident that they had in Fort Lauderdale that was basically the thousand year flood that they had, that actually flooded out the airport.

And so, obviously, Staff was, was responsive to the complaints that we have. Even law enforcement.., or, Public Safety… The Fire Department did respond to Lone Pine based on some of the calls for services.

But, it was definitely a drainage issue and not necessarily an infrastructure issue. It was just the amount of rain that we did receive at that particular time.

It also was referenced earlier about the Amazon facility. They have had a.., their first employment workshop here in the City. And I think they're going to do another one. But they are set to open right before the holidays.

And so, one of the things that they did want to invite the Board for an opening ceremony. And so, information will be coming out with regards to that.

And so, that concludes my comments, Mr. Chair.

Chairperson Lawson: Thank you, Mr. Evans.

Board?

[Pause]

Chairperson Lawson: Alright.

9e. <u>ITEM NO. 9E</u>

Chairperson Lawson: Ordinance 4236.

Madam Clerk.,

Interim City Clerk King: ORDINANCE NUMBER 4236: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 28, "SIGNS," TO UPDATE THE DEFINITIONS AND REGULATIONS PERTAINING TO TEMPORARY SIGNS; AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, 561-845-4062

Interim City Clerk King: Mr. Chair, we do have public comment cards on this Item. The acceptance of public comments cards for Item 9e are now closed.

Councilperson Botel: Motion to approves Ordinance Number 4236.

Chairperson Lawson: Second.

Madam Clerk… I'm sorry. Mr. Evans. [Chuckle].

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening, Mr. Chair, Members of Council.

The Ordinance before you looks to make some amendments to the City's sign Code. These amendments were deemed necessary because of changes in law, particularly case law related to signage and Freedom of Speech.

Staff has worked closely with outside legal from Torcivia, Donlon & Goddeau on crafting this Ordinance. And, to provide you with more details on what's contained in it, I would like to reintroduce Attorney Tanya Earley.

Ms. Earley.

Ms. T. Earley: Thank you, sir. Good evening again.

So, in 2015, the [stammer], the United States Supreme Court decided Reed v. Town of Gilbert. In that case, the court held that regulation of signage based on content is subject to strict scrutiny in determining whether or not such regulation is constitutional.

Strict scrutiny is, is a very high burden, and a difficult one to meet under the law. And it was determined that at least one area of the existing Code should be updated to ensure compliance with Reed, and that was specifically with regard to the definition of election…

Councilperson McCoy: Mr. Chair?

Ms. T. Earley: …signs.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Ms., Ms. Earley, can you speak a little bit closer to the mic because the, the audio doesn't work very well up here.

Ms. T. Earley: Yes, sir.

So… Can you hear better now?

Councilperson McCoy: Yes, ma'am.

Ms. T. Earley: Okay. Wonderful.

So, with regard to Section 28-1, which is your definition section, the prior definition of political sign, which might potentially be construed as referring to the content of the sign, has been deleted and it's been replaced with something that purported to be content neutral.

So now, an election sign is defined as a temporary sign, other than a real estate or construction sign, that is displayed during the forty-five day period immediately preceding a local, state, or federal election.

A temporary sign is further defined as one that is not permanently affixed or installed, or one that is displayed for as limited period of time.

There were additional amendments to Chapter 28. They are as follows:

The title to Section 28-109 has been amended from real estate signs to temporary signs;

There's been a preamble added, as indicated on the screen. And, that they are indicating that temporary signs are allowed only as delineated in that Section. And it creates new sec'.., subsections (c), (d), and (e) regarding election signs;

Subsection (c), applies to residential properties;

(d) applies to nonresidential properties;

And, (e) applies to all.

Subsection (f) was added with regard to enforcement;

Subsection (d), as I said, deals with residential properties. And, for residential properties, you may have free standing signs or you may have signs that are attached to a window. They cannot be.., not attached but showing through a window.

They can't be affixed to building walls, fences, utility poles, or equipment, et. cetera. They cannot be placed in the public right-of-way or on utility easements. They can't interfere with street, sidewalks, medians, drainage, ditches, swales, or utilities. And, no more than three election yard signs may be displayed per residential parcel.

There's a limitation as far as the square footage of the sign, as they should not exceed two square feet, nor four feet in height.

With regard to the next subsection (d), nonresidential property, many of the conditions are similar. However, notably, the signs must be free standing. They cannot be displayed in a window as with residential property. Furthermore, there's.., there are limitations as far as one election sign per street frontage may be displayed per parcel.

And, finally, there are different standards when it comes to the dimensions of such signs. They can be much larger, up to sixteen square feet per parcel less than one acre and up to thirty-two square feet for parcels greater than one acre. The height limitation is gonna be eight feet on those.

Subsection (e), this is the language of that entire subsection. It just says.., it reiterates what's in the previous subsections, that they can't.., election signs cannot be placed in a median or a public right-of-way, or on public property.

As afar as enforcement is concerned, the new subsection deals with violations. It says the City shall haves the right to remove any temporary signage in violation of this section. And, any failures to comply with these regulations may result in an enforcement proceeding through Chapter 162 Florida statutes.

That's basically saying that the.., any violator of this new Code could be sent through the Code Enforcement process, and have to see a sp'.., have to see a special magistrate. And that's basically it.

The goal of the Ordinance was just to do some cleanup and to ensure that the, the City's Code of Ordinances is in compliance with the caselaw that's come down from the U.S. Supreme Court.

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: Do we have any public comments, Madam Clerk?

Interim City Clerk King: Yes, sir.

You do.

Chairperson Lawson: I'll take public comments first and then questions from the Board.

Interim City Clerk King: Ms. Paige Parker and Mr. Fane Lozman.

Ms. P. Parker: Good evening again.

I was hoping we were gonna talk more about not only election signs but all signs in general that are noncompliant, where people are just tacking up signs on street signs, light post, wherever they can find a spot.

I'm sure we all now know where we can buy a French dog bull puppy, we can get a DJ. These type of signs, not only are eyesores to our beautiful City, they're also dangerous and they promote dangerous business practices.

People that are advertising for labor, construction help, we don't know if they're licensed. If you are a licensed professional in those trades, you have to display your license number.

One of my favorite ones came up this weekend. I don't know if ya'll saw it but 'We rent three bedroom, pool homes.' So, I called the sign, as a realtor. I was very curious how much they were gonna rent their house for.

And, this homemade, handwritten sign, with little pinwheels on the side, with duct tape in the middle of the median, was definitely not Code compliant with the City regulations for signs, or as a realtor for the state, for the county.

So, I called. They weren't renting.., they weren't offering a house to rent, they wanted to rent your house. They wanted to sublease your house, you sign a lease as the homeowner, and they're gonna go rent your house, nightly, weekly, monthly, whatever they want.

Very, very dangerous. And legal in the State of Florida but on a very fine line. So, they can sublet your house to whoever they want, you sign a year lease with them. They can get as much money as they want.

They don't have to pay short term taxes, the owner does. Does the owner know that? Probably not. And also, these people can do improvements to your home. A contactor can come put a lien on your home, even though this sublet person did this.

It is a big, scary scam. And just one example of how illegal signs promote illegal and dangerous business practices. So, I hope we're really putting our eyes on this.

Thank you.

Chairperson Lawson: Thank you for your comments, Mrs. Paige.

Interim City Clerk King: Mr. Fane Lozman.

Chairperson Lawson: Welcome, Mr. Lozman.

Mr. F. Lozman: Fane Lozman.

In.., at the 2021 election, signs were placed.., Botel's campaign signs were placed on my property at 5101 North Ocean Drive, and they were placed on the property on the northside of Pine Point Road.

Dan Taylor, who's the principle for Taylor Realty Group, he has the Adopt-A-Highway pro'.., program on North Ocean Drive. And one of his responsibilities is to pick up litter. In exchange for picking up litter, he can post that he adopted that highway.

So, Botel had put her campaign signs in the median, in the right-of-way, and on private property. She and her assistant there, Sammie Brown.

So, we went and we removed those sign. And then, Summers, that's when he started.., well, he had started it earlier but he started coming and threatening us that he was gonna arrest us for removing the signs.

First of all, the signs were on property that I own, property that Taylor owned. And they were also in that state road where you're not allowed to have campaign signs. And we were tasked with the responsibility of removing them.

Ultimately, it morphed into a lawsuit where Taylor was the lead plaintiff and I was the follow up plaintiff. And, we had the then City Clerk, and she confirmed that campaign signs are not allowed on public property, or in public right-of-ways. Or on state streets.

Now, one of the confusing things that I saw in the presentation, here it says, 'Cannot interfere with streets.' What does that mean, 'cannot interfere with streets'? That, that was up on the PowerPoint. That makes no sense to me.

You either can have a sign… Can you have a sign on a street that's not a state street, like at alternate A1A? You know what I'm saying? That, that's a City street? You know, where exactly are you gonna put these signs?

But, we.., during the elections, you go over to, what? Wells Park there. You see signs, you know, a thousand signs all wrapped around that street there. Are those all illegal now because that's technically public property, where Well's Park is? Or, if you go along this old City Hall street, there's a ton of signs.

So, it's not clear to me what they mean for streets. When, when you are under state law, you can't put any signs on alternate A1A, North Ocean Drive. We clarified that right off the bat. But, what about all these other signs that are being put out?

And I guess the other question is, what about enforcement? Like, we.., Dan Taylor put up a couple big real estate signs on our property, on North Pine Point Road. Matt Lynch went and cut 'em down.

And he said, 'Yeah. I cut 'em down 'cause you're not allowed to have a real estate sign over on that piece of property, 'cause he said it was zoned special preservation or something. First of all, that's not his decision to make.

But, when somebody admits to cutting down a sign and the police take no action, what remedy should a property owners have when somebody cuts down a real estate sign? Okay?

So, there's, there's a few questions as far as enforcement, signs that are the City streets, signs that are on private property. What remedy do people do on those topics that I addressed there?

Chairperson Lawson: Thank you for your comments, Mr. Lozman.

Board Members? Discussion?

Councilperson McCoy: Yes.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I don't know where to start but let's go with the most obvious and this is one I've already addressed with… Seemingly, nobody has responded. And, Ms. Earley, thank you for your efforts but I gotta say, 'Coach, we got us one.'

Because, clearly, I don't know who puts this stuff together but there is too much Staff time wasted on stuff that's fundamentally and factually illegal. And I won't be supporting this Item for several reasons.

But, the most glaring one is the one that this says, 'Violations. The City shall have the right to remove any temporary signage in violation of this section.' Well, let me tell you what I experienced from a constituent call.

A few months back.., well, about a year and a half ago, a gentleman reached out to me because he had burglaries on his properties, trespassing's on his properties and he made a police report.

And, the police informed him that he needs to post No Trespassing signs on his property. He did so. And let me guess.., let's guess what happened. Code Enforcement came by and seen a vehicle, his work truck, parked on his commercial property.

Contained in his property, were also no trespassing signs, which were conspicuously displayed on all sides of the building. And had been for at least the last year and a half. So, they decided to go onto his property, despite the no trespassing signs, tag his vehicle.

Well, that's not the worst. About sixty days later, because he was traveling back and forth to New York, Code decided to go back onto his property, with the police, and to illegally tow his vehicle off of his own private property, despite the no trespassing signs.

I don't know where we live at but there is clearly constitutional protections against unlawful search and seizure. So, there's no way that I can support a Ordinance that the very first violation is that we can embolden citizen to walk.., I'm sorry, embolden employees to walk onto someone's private property to remove a sign. That's not right.

The police can't walk onto someone's.., can't go into someone's vehicle, they can't go into someone's house. How are we gonna allow Code to sit here and go onto someone's property?

And this is the kinda stuff that you don't like what I say but you gotta appreciate it because it's signs today. What about it's your personal property tomorrow that government is coming onto your property to take it?

All because somebody didn't make sure that they checked the box when reading and approving these Ordinances. That sounds like the most bazaar thing I've ever heard in my life. And clearly, you spoke about this, this constitutional case with Reed, going up to the Supreme Court.

I don't even know how that have possibly come up, Ms. Earley, that Staff can be permitted to go onto private property and remove a sign. Under what way, without any kinda search warrant, can you do that, Mr. Reed? I'm sorry, Ms. Earley?

Ms. T. Earley: So, Mr. Chair?

Chairperson Lawson: Attorney Earley.

Ms. T. Earley: Council Member, can I make a suggestion based on what I heard? Might you consider…

Councilperson McCoy: No, no.

I want you to answer the question.

[Inaudible dais comment]

Councilperson McCoy: Because I don't know how we can even arrive at this. And there's so many checks. I'm still dealing with a gentleman that calls me weekly about him paying a tow bill because the City can break the law.

But, had it been him going onto the City's private property, he would be certainly reprimanded. So, how is this in.., even in the Ordinance?

And that's my question.

Ms. T. Earley: So, generally speaking, Code Enforcement can enter private property to abate a.., to abate a nuisance. There's a procedure for that. I can.., I think that you make a good point and perhaps it might make sense to amend the language such that the City can remove signage that is placed in City right-of-way, on City property.

Or, something of that nature. Or, blocking an easement, or for public safety. Maybe you would wanna include qualifying language. That would make it more defensible.

Councilperson McCoy: Okay.

So, you would agree that that's not reasonable? To go onto someone's property, despite there being no trespassing signs? Because truly, I mean, no trespassing should apply to government or to, to the state.

Ms. T. Earley: I'm, I'm not sure how.., I'm not sure how to answer that question. All I can say is, if you would like the Ordinance to be rephrased, we would be happy to assist with that.

Councilperson McCoy: The, the, the next item is, [stammer], I, I don't like in there period. Let me say that.

But, the next item that just jumped out at me was particularly, we referred to election signs. I don't like that we're targeting election signs. And more or less, because you don't refer to it as political, does not eliminate or remove, Ms. Wynn and Ms. Earley, the protected free speech.

Because I see more Code Enforcement signs during the.., when there's violations on property. So, you're telling me that a Code Enforcement sign can exist but the person that's a, a.., make'.., what's the saying? You know.., you should know what it is? 'Make America Great Again'?

Or, or [chuckle]. Whatever the sign is.

[Chuckles]

Councilperson McCoy: So, I mean, a person can literally have a Code Enforcement sign placed on a piece of property that is legal but you can't have a Make America Great Again sign? That seems, to me, that you're completely eliminating one form of speech in exchange for another. Even if it's a notice.

So, what's your.., how, how do you reconcile that, Ms. Earley?

Ms. T. Earley: So, the proposed Section 28-109 relates to temporary signs. And, it lists the types of temporary signs that are available, and that are permit'.., permitted, excuse me,

within the City. And they are listed in there as real estate signs, construction signs, and election signs.

The election signs are not.., the, the goal is not to have content based restrictions. The goal is to restrict based on other factors, including visual clutter, et. cetera. And so, the reason why the language, as amended, as it applies to election signs, I believe would be legal is because there's no reference to the content of what is on the sign.

I don't believe this Or'.., this particular Ordinance contemplates signage that might be utilized by City Staff, for example, posting a property that's coming up for a, a change, you know, that's, that's coming up for a zoning change or something like that, or a Code Enforcement sign saying your, your property is being cited, et., cetera.

I think that's outside the scope of this Ordinance. And to the extent it needs that language qualifying it, it.., that could also be added.

Councilperson McCoy: I mean, it's semantics. You say potato, I say potato. So, you call election speech. Nonetheless, it's still.., election signs. Nonetheless, it's still political free speech.

Would you agree, Ms. Earley?

[Pause]

City Attorney Wynn: Mr. McCoy?

I mean…

Chairperson Lawson: Ms. Wynn…

City Attorney Wynn: …Mr. Chair, if I can?

Chairperson Lawson: Attorney Wynn, go ahead.

City Attorney Wynn: Right.

I think.., I mean.., and I'm, I'm sure you heard her and I don't mean to continue to repeat but it's not about the content. So, when you say election sign, we know what they are and you can say whatever you want on election signs.

But, this regulates, for…

Councilperson McCoy: [Stammer]…

City Attorney Wynn: ….instance…

Councilperson McCoy: We don't know what they are…

City Attorney Wynn: The size.

Councilperson McCoy: …Ms. Wynn.

City Attorney Wynn: The size of the signs. Those type of things.

Councilperson McCoy: Right.

But…

City Attorney Wynn: And, and, and.., and, just to address another point that you made earlier, we added the section on election signs. And then, signs on residential and nonresidential property. However we've [stammer].., we've always had the Ordinance dealing with all these other signs. Snipe signs, directional signs.

These are just amendments to those three small.., not small, those areas. But we've always had the sign.., the sign Code.

Councilperson McCoy: Okay.

So, if I can finish, Ms. Wynn?

City Attorney Wynn: Of course.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, what I'm saying to you is, you, you've added it but it.., there's no definition of what election sign is. The only thing it says is, 'During the forty-five day period immediately preceding a local, state or national election, temporary signs may be placed on the residential property subject to the following limitations and requirement set below.'

But what is an election sign? This Ordinance does not even define what an election sign is.

City Attorney Wynn: The definition is on Page 5. 'Election sign means a temporary sign, other than a real estate sign or a construction sign, that is displayed during the forty-five day period immediately preceding,' as you stated, 'any state, local, or national election.'

Councilperson McCoy: And that's my point.

So, if you're outside of the fort-five days, then technically it's not even an election sign. Under the Code. Under what you're proposing here, if I place an election sing to, to, to my good friend over here, 'Reelect KaShamba Miller-Anderson for District 2.' And, I post it up in December. So, by that very definition of the Code, then technically, it's not an election sign.

And that's the point that I'm, I'm, I'm getting at. You're defining an election sign by the.., by the number of days that it is before the election and not what it.., its main characteristic is? To encourage a person to vote for a candidate or?

Ms. T. Earley: I think the reason that it was written that way was to ensure compliance with the Supreme Court caselaw. Because, the Supreme Court has said you almost can never regulate signs based on content only. It will be subject to strict scrutiny.

So, in order to avoid any reference to the content of the sign, this just says, 'All temporary signs, other than a construct ion sign and other than a real estate sign, displayed within forty-five days of [stammer] of an election.'

It is an attempt at content neutral regulation.

Councilperson McCoy: Sure. I got it.

But, my question is, one hundred and twenty days out, a reelect John Smith, or elect John Smith sign, is that considered an election sign under this Code definition?

Ms. T. Earley: It is not and it would not permitted unless it fell under some other category that was allowed. So, the answer is no. The short answer is no. It's not an election sign.

Councilperson McCoy: Okay.

So… See, because I, I guess I don't understand. It's not an election, so there's no other definition for a sign outside of forty-five days? That encourages someone to vote for a candidate?

Ms. T. Earley: That's the way that the Ordinance…

Councilperson McCoy: okay.

Ms. T. Earley: …is drafted.

Yes, sir.

Councilperson McCoy: Alright. I got it.

And this is what the Clerk has been working on with you guys?

Ms. T. Earley: I, I, I'm not gonna bring the.., I, I don't know…

Councilperson McCoy: Well…

Ms. T. Earley: …that the Clerk…

Councilperson McCoy: Well…

Ms. T. Earley: …has worked on this at all.

Councilperson McCoy: Well…

Ms. T. Earley: Sir.

Councilperson McCoy: …she specifically had it a part of her goals for the new Fiscal Year. So certainly, I just wanna make sure I know who all is involved in this.

Because clearly, this is another piece of half-baked [pause] Ordinance.

I mean…

Chairperson Lawson: Board Mem'…

Go ahead. I'm sorry, Councilman.

Councilperson McCoy: I, I, I would assume that there's gonna be an action to modify it, based on the violations?

Ms. T. Earley: Mr. Chair?

Chairperson Lawson: Ms.., go ahead.

Ms. T. Earley: Mr. Board Member, it.., or, Mr. Council Member, excuse me. If it is the direction of the Council to do so, then absolutely, we can modify the language.

Councilperson McCoy: Right.

Ms. T. Earley: Yes, sir.

Councilperson McCoy: But, it, it shouldn't be a direction of the Council. Fundamentally, it's illegal what you're a'.., you're, you're suggesting, to go onto someone's property to take something. Why should it be the direction of the Board and not the attorneys that drafted it?

Ms. T. Earley: Sir, I…

Councilperson McCoy: Thank you, Mr. Chair.

Chairperson Lawson: Thank you for your comments, Councilman.

Pro Temp Lanier, did you have any…

Chair Pro Tem Lanier: Yeah.

Chairperson Lawson: Please.

Chair Pro Tem Lanier: I just wanted to say that I do have a little issue with this in regards to enforcement. I think that.., it's, it's gonna take a lotta resources to enforce this. That's number one. Because I think that, you know, during previous election cycles, you have Public Works that are going out every day picking up signs from different places. Which is fine.

But I think it's going to deplete a lot of the resources that we have.

But that's not the, the, the main for me. The main one for me is, is possible legal challenges to it. I think that a lot of municipalities have tried to enact sign legislation, especially as it relates to election and politics.

And, I wanna say, somewhere, like, in Juno or Jupiter there were signs that have, like, just red MAGA hat signs that kinda went to court and people said that no, they can put what they want to in their yard, and if they want to, in an appropriate place in the City.

So, there may be some legal challenges to that as well.

And also too, when you co'.., when you talk about election signs, you have to remember that there are a lot of grassroots, nonincumbent election political candidates who may want to jump into the race but do not have the money, as an incumbent, or be funding as an incumbent to be able to keep up with that in a sense.

So, that really is going to put a hinder on just getting people who want to be involved in their political government, who want to say, 'I wanna get in this race but don't have a whole lotta money,' I think that signs go a long way.

So, there are some issues that I kind of, you know, kind of have with this. And then too, just the fact that.., just the temporary nature of political signs is something that we need to look at.

So, I have a little heartburn with it and I think that we can tweak it some. And, no slight to all of your work that you have done but, you know.., and, the City of Riviera Beach, the election cycle is brutal.

[Staple sound]

[Chuckles]

Chair Pro Tem Lanier: That was right on queue.

[Chuckles]

Chairperson Lawson: Or like a standing ovation.

[Chuckles]

[Inaudible comments]

Chair Pro Tem Lanier: So…

Chairperson Lawson: Go ahead, Pro Temp.

Chair Pro Tem Lanier: Yeah. That was brutal.

So, yeah. It, it's very brutal. So, I think that we have to be very careful in how we word this and how we look at this. And I think that we need a little bit more input. Not just from this Board and Staff but the community as well.

Chairperson Lawson: Thank you, Pro Temp Lanier.

Board Members? Thank you.

Councilperson Miller-Anderson: Um…

Chairperson Lawson: Ms. Miller-Anderson…

Councilperson Miller-Anderson: Mr. Chair…

Chairperson Lawson: …go ahead.

Councilperson Miller-Anderson: I, I would just like to go on record that this seems to come about every three years…

[Chuckles]

Councilperson Miller-Anderson: …during this time.

I just wanna make sure that we realize that this comes at a certain time, every time. And, I, I'm.., I just don't have anything to say about that. I really don't. 'Cause it's exactly the same timing. Literally, every three years.

And I have said before, we need to do this when we do not have any elections coming up so that nobody feels that this is being done for a purpose. I mean, we have a year, every three years, where no one has an election. That would be the perfect time to do this, so that no one feels slighted.

But this.., [stammer]. Yeah.

Thank you.

Chairperson Lawson: So, I did have a question in reference to election signs.

And, we outline size, dimensions, location but content is based upon whether.., what actually constitutes an election sign. How do we determine if it's an election sign or not? And, how do we preface it?

'Cause I have a sign that's been on my building for five years that could be considered an election sign, which technically, it is. It was one of my original election signs. But, it's also been a staple on my business.

So, how doe we determine and constitute.., and, for personal edification, is that gonna be something that I have to take down based upon this, with it being outside of the forty-five days?

Ms. T. Earley: Mr. Chair, it's gonna be.., election sign is not defined by its content. And, that's on purpose, as I stated before. So, it is a temporary sign that is displayed during the forty-five days immediately preceding an election.

So, it's content could be anything, essentially. It's any temporary sign displayed during that time period that is not a real estate sign and not a construction sign. So, whether or not the sign that you're speaking of is going to violate the Code is gonna be determined by whether or not it's temporary in nature.

A temporary sign, as defined by the Code, is one that is not permanently affixed or installed, or one that is displayed only for a limited period of time.

So, I think the goal of the Ordinance was to address, you know, the signs that are stuck in the ground that are really and truly temporary in nature, not something that's been affixed to a building for an extended period of time.

City Manager Evans: Mr. Chair, if I…

Chairperson Lawson: So then…

I, I guess as a follow up. Hold on, Mr. Evans. And then.., I guess just to follow up in regards to that signage. So, it doesn't have to do with content but if I just put in my front yard or if I put in, in, in an easement or an access area that actually I have personal ownership to, that I wanna say, 'KaShamba Miller-Anderson's the best,' outside of these forty-five days, that is a legal sign that I could put out then?

Ms. T. Earley: It would, it would not..,. it would not be under the Code. It would be a temporary sign that falls outside of the three criteria that the Code section allowed. So, if it's not an election sign, if it's not a construction sign, if it's not a real estate sign, then it doesn't fall under the criteria.

Chairperson Lawson: And, I guess we're basing the election signs upon what state requires for signs to have on them as election information? I just wanna be clear with what signate has to ha'.., what it has to have content wise.

Because I could create or, or reference or preface something to determine it being outside of real estate, election, just so that I could still get my message across and, it's still gonna be counterproductive to what Ordinance we're trying to imp'.., implement.

So, I, I just wanna make sure that we're clear with what we're moving forward with.

Ms. T. Earley: The temporary nature of the sign…

Chairperson Lawson: Mhmm.

Ms. T. Earley: …plus the, the timing of when it is displayed. And that is what the Ordinance seeks to regulate. Because, what we were trying to do is get away from targeting specifically political signs of any.., in any way, shape, or form.

Chairperson Lawson: Understood, understood.

Ms. T. Earley: [Inaudible].

Chairperson Lawson: Mr.., Mr. Evans, and then…. Go ahead.

City Manager Evans: Yes, Mr. Chair.

One of the things that I wanna make sure is, is clear as a result of this discussion is that, I, I can tell you during the time in which the election process occurs. There is a lot of calls that are provided to Staff about the placement of signs on City property.

In medians, they stay up for months. The candidates don't pick them up. They get into the roadway, they get into the drainage canals. They become a issue that Staff has to deal with for a prolonged process.

And so, the intent behind the Item that you're here, is to, to try to get some type of control and compliance of the process, similar to that of thirty-nine other municipalities that have something on the books that provide for a better management of the process.

And so, if it is a situation where the Board doesn't feel comfortable in it's current iteration, Staff would certainly recommend that we pull the Item for the purposes of more substantive discussions with the Board.

But it is definitely something that we want to put something in place because I.., and, and you all know that it gets to a situation where Staff is on their phones at the Property Appraiser's website, looking at a swale and is it private property? Is it public property? Is it FDOT's? Is it ours? Is it the county? Is it the state or what have you?

And so, it becomes very concerning for Staff. And then, Staffpersons don't want to end up touching the signs or removing the signs because of the issues that are associated with that.

And so, we're trying to get clarity with respect to this particular process and try to have something that provides for more understanding of what the expectation is. So, if it something that the Board wants to table or have a more robust conversation about it.

But I can tell you that we get conver'.., the residents call us all the time and say, 'If it's on City property, if a sign's on City property, are you endorsing this candidate or that candidate? And then the other side of it is, if it is, in fact, open season when the tattoo parlor, or the CBD Company wants to put a sign and there's no regulations in place, it provides for that much more challenging for us to manage.

So, you know, the Board can, can handle it as they, as they deem fit. But certainly, some clarity and some direction would be appreciated. If you wanna have this as one of your topics for discussion, we can set it for a, a more robust conversation and, and clean it up at a later date.

Chair Pro Tem Lanier: [Inaudible].

Chairperson Lawson: Council'.., Councilwoman…

Chair Pro Tem Lanier: [Inaudible]

Chairperson Lawson: …Miller'.., I'm sorry. Pro Temp Lanier, then Councilman McCoy.

Chair Pro Tem Lanier: I think that…

[Inaudible dais comment]

Chair Pro Tem Lanier: Yeah.

This needs to have some more conversation about it. It, it.., you know, you.., it's like you're regulating political content but not really saying you're regulating political content. But then also, you are using it as a temporary.., saying it's a temporary sign.

So, it's kind of confusing. And, I think that, really, the, the biggest issue here is just enforcement. You know, one of the main reasons in terms of after, after the election is those signs that are leftover. And also, during the election of people putting signs where they want to.

So, I think it's just more of an enforcement issue. But we also just need to come back and look at this again, because really, it's just too vague in a sense… And, and then too, it's not really regulating political content but really it is.

So, I think we kinda need to go back to the drawing board and look at this a little, a little further. And, and also as our Councilwoman said, you know, just do it in an off year because it does look as if it's being forced because it's an election coming up.

Chairperson Lawson: Ms. Miller-Anderson.

Councilperson Miller-Anderson: I just had a question about the.., it says a total of no more than three election yard signs in the yards. I mean, I know when you all have an election, that's four people that run. So, technically, somebody wouldn't be able to put somebody's sign out.

I'm just saying, 'cause they are typically…

Chairperson Lawson: [Chuckle].

Councilperson Miller-Anderson: Right?

I mean, typically, you would have that. So, I'm just thinking, if we're gonna talk about something, that would be one of the things to try to address, 'causes somebody will get left out. Right?

Chairperson Lawson: Thank you, ma'am.

Councilperson Miller-Anderson: You know?

I, I, I can't comment on this 'cause this is…

Chairperson Lawson: [Chuckle].

Councilperson Miller-Anderson: Yeah.

Chairperson Lawson: Councilman McCoy.

[Inaudible dais comments]

Councilperson McCoy: Yes.

I, I would agree. It is an enforcement issue. But, fundamental'.., fundamentally, right? It goes beyond that, Ms. Earley and Ms. Wynn. This is a private property rights issue. I mean, how do you go onto someone's property and be able to tell them that their speech is now considered an election sign and, therefore, you're gonna regulate it?

But, you can treat real estate signs and construction signs differently? You can call it what you want but I'm in the same position.., well, I'm not in the same position but I share the same thoughts as Pro Tem.

But, you know, in, in terms of enforcement, I can tell you, there's a guy around town who's really good with that enforcement piece. His name is Winston Russell. He stole my campaign signs and he was caught on camera. He's the husband of Shirley Lanier.

And, that's your enforcement arm right there.

Chair Pro Tem Lanier: Um [chuckle].

Chairperson Lawson: [Stammer].

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Yes.

Chair Pro Tem Lanier: Chair, let me just respond.

Chairperson Lawson: Go ahead, Ms…

Chair Pro Tem Lanier: Actually…

Chairperson Lawson: …Councilwoman.

Chair Pro Tem Lanier: …I, I'm not married so that kills that.

But, you know, this.., you know, Mr. McCoy, if he does not agree with someone or something, he denigrates into personal attacks which is not constructive for trying to do business for the City. That's just how it's supposed to go. It is something that we were supposed to do as a Board, and also it is something that cannot be personal, which Mr. McCoy [chuckle] all the time makes it that way.

With that being said, I think that it, it only should apply to public property, not someone's home because, if you look at the four individuals who are coming up, you also have about two bond issues that are gonna be on the, on the ballot.

So, you certainly.., but that'll be six signs if you voted yes or no for those candidates or for those bond issues. So, I really think that it has to come back to us in some form, where we can look at it where there is not an election coming up.

And also too, when it talks about private property, how you regulate that because I think it's very difficult to regulate what someone puts on their private property.

Chairperson Lawson: Ms. Miller-Anderson.

Councilperson Miller-Anderson: Aside from just the comments that I made previously, I do think we need something. You know, I agree with you, the signs get out of control. They really do but I just think we need to really take a look at what we're seeing in here and then the timing of it.

And, and I guess I'm, I'm.., it really is a issue for me because this has literally happened. I've been here almost nine years. This literally happens every three years, the cycle comes up.

So, yeah. I, I do feel that this is being done during those times. And I've said this probably three other times. But, I do agree, we need to have something, but we do need to have a discussion as to how this rolls out.

And, I would like to know, did we look at other municipalities in terms of, like the.., 'cause I think one part of it talks about the signs could be no higher than four feet or ta'.., no taller than four feet and most places are, like, six feet or eight feet. So, I would like to see how this ties in, or how this compares to other municipalities.

But, I, I, I agree. We do need something because I think sometimes, not just our local elections, some of the, like, congressmen elections. I mean, they will put their things here and you never see them anymore.

Their signs will stay forever. And, it's like they forgot they put them up here. And so, they don't typically pick their things up. And then, they put them any and everywhere because we technically don't have something to regulate as well as other municipalities.

Some places I know, like Wellington, you can only put it in certain little spots and everybody has to put all their signs on top of each other basically because they only give them , like, a five by five area to put all their signs.

So, I, I don't know that we need to be.., wanna be that strict but we do need something. But, like I said, it's.., it's, just for me, right now, is just the timing of when these thi'.., when this Ordinance always comes around because it comes around at the same time almost every three years.

Thank you.

Chairperson Lawson: Thank you.

Madam Clerk, do we have public comments?

Interim City Clerk King: I believe you already had…

Councilperson Botel: Didn't we have [stammer]…

Interim City Clerk King: …your public comment…

Chairperson Lawson: We had those?

Interim City Clerk King: …cards.

Councilperson Botel: We had, we had them already.

Chairperson Lawson: It's been a while. Okay.

[Chuckles]

Chairperson Lawson: Any additional…

Councilperson Botel: I'm…

Chairperson Lawson: …com'…

Councilperson Botel: I'm…

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: I'm happy to withdraw my motion if it helps us move toward a place where we can have further discussion and a workshop or something.

Chairperson Lawson: I would agree that we just need to have some further discussion.

Councilperson Botel: I mean, I, I agree that it's.., I'm, I'm with KaShamba, it, it seems.., it does seem to come around [chuckle] every.., just before every election.

But we, we do need to do something about it. I mean, the, the way the signage litters the City, everybody complains about it. So, we've gotta have some regulation. But, it seems to me, by the.., hearing the conversations, it.., we need a little more dialogue about it.

So, I'm happy to withdraw the motion and we can maybe decide to put this on at a later date.

Chairperson Lawson: Okay.

Board? Councilwoman Botel has withdrawn her motion. I withdraw my second.

Mr., Mr. Evans, do we wanna just go ahead and bring this back at a later date? You wanna…

City Manager Evans: Mr. Chair?

Chairperson Lawson: …have some discussions one on one with the Board? How do, how do you wanna proceed?

City Manager Evans: Yeah. Yeah.

We can set this Item for three years from today.

[Chuckles]

City Manager Evans: We…

[Inaudible dais comment]

City Manager Evans: We can have it, we can have it as a, as a workshop Item.

Councilperson Botel: Yeah.

City Manager Evans: And it can be something that's…

Councilperson Botel: Yeah.

City Manager Evans: …that's actually considered for adoption, you know, in the off year, or what have you.

Councilperson Botel: Yeah.

City Manager Evans: But yeah.

We can.

Chairperson Lawson: Thank you, Mr. Evans.

City Manager Evans: Mhmm.

Councilperson Botel: Okay?

Chairperson Lawson: Madam Clerk.,

10. ITEM NO. 10

ITEMS TABLES

REGULAR AGENDA

11. ITEM NO. 11

RESOLUTIONS ON REGULAR AGENDA

11a. <u>ITEM NO. 11A</u>

Interim City Clerk King: You're onto 11a?

Chairperson Lawson: Yes, ma'am.

Interim City Clerk King: RESOLUTION NUMBER 135-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF A MOBILE COMMAND CENTER FOR THE CITY'S POLICE DEPARTMENT, AUTHORIZING THE USE OF OMNIA PARTNERS COOPERATIVE PURCHASING CONTRACT NUMBER 128867, AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT IN THE AMOUNT OF $705,598 TO FARBER SPECIALTY VEHICLES FROM PROJECT NUMBER 24007; AND PROVIDING AN EFFECTIVE DATE.

MICHAEL COLEMAN, CHIEF OF POLICE, 561-845-4128

Interim City Clerk King: Mr. Chair, we do have public comment cards on this Item. The acceptance of public comment cards on Item 11a is now closed.

Councilperson Botel: Motion to approve Resolution Number 135-23.

Chair Pro Tem Lanier: Second.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair, Members of the Board, I'll turn this presentation over to Police Chief, Mr. Michael Coleman.

Police Chief Coleman: Good evening, Chairperson , Councilpersons, City Manager, Jonathan Evans.

We are trying to [inaudible].

Chairperson Lawson: Chief, microphone.

Police Chief Coleman: Alright.

Chairperson Lawson: It's just the residents at home need to hear you.

Police Chief Coleman: Yeah.

I'm gonna turn the presentation to.., over to Chief Madden. He's gonna do a presentation.

Chairperson Lawson: Thanks, Chief Coleman.

Welcome Chief Madden.

Assistant Police Chief Madden: Good evening, Chair Lawson and Council.

This Item seeks the Board's approval for the purchase of a mobile command center. As you know, back September 6th, we received approval from the Council to execute the grant contract with the Florida Department of Law Enforcement.

So, we have been awarded the grant in the amount of $600,000. We also received an additional $125,000 in the FY2024 Capital Improvement Plan. So we're seeking to purchase a thirty-eight foot Freightliner mobile command center in the amount of $705,598.

This is a fully equipped, customized mobile command center with all, you know, the latest satellite, WiFi, network hardware, generators, and the equipment we need to operate. We are purchasing the I'.., we are purchasing the mobile command center under a cooperative purchase agreement, the Omnia Partners.., excuses me.., the Omnia Partners contract number 128867.

And, we can answer any questions the Council has.

Chairperson Lawson: Thank you, Chief Madden.

Councilman McCoy, I know you had some questions earlier.

Councilperson McCoy: Thank you.

So, I, I don't understand. Was, was it not an option to use the forfeiture funds? Because I know I looked at the statute. It specifically allows for specialized equipment to be purchased under forfeiture funds.

So why would we not use that option instead of our capital improvement dollars?

Assistant Police Chief Madden: Our current balances wouldn't support thi'.., that additional fund.

Councilperson McCoy: So why not, you know, deplete that first before you go into the capital [stammer] capital plan? I'm sorry, Capital Improvement Plan dollars? Because those monies can be used elsewhere. I guess this is a Finance question but I don't know what the balance is but I'm just kinda curious to know.

Because, here's why. If that fund is specifically statutorily limited, why not use that first and then go to the capital improvements later? Just seems like the real easy thing to do. And that's my, my request.

I mean, we, we do have a lot of capital needs. And I think I shared with the Manager, I mean, we have.., and I don't know whatever came of the capital request that we considered for equipping Code officers with cameras but I thought this was probably a better swap.

City Manager Evans: Mr. Chair, if I may?

DLL: Mr. Evans, go ahead.

City Manager Evans: The request to outfit our Code Compliance officers, which Staff provided me with the information as of today, is about $43,000. So, they're making funds available to be able to be.., to utilize that.

But I think with regards to the forfeiture funds, it would still have to be a, a two step process because we would have to deplete that account and then there's still a, a funding deficit

that we would have to come back before the Board to be able to facilitate the, the capital expenditure.

And then, what is the lead time with respect to moving forward with this acquisition? And, and what will the delay cause as it relates to getting the, the unit in hand?

Assistant Police Chief Madden: Yeah.

We are under a very tight time constraint on this. That's the reason we're using the cooperative agreement. We, we did talk to several vendors and there were very few that could deliver this vehicle within the grant timeline, which is by June 30th of 2024.

Councilperson McCoy: Mr. Evans, I'm not sure what that has to do with anything. This is done on a reimbursement. So, they were gonna purchase it and then the grant dollars were gonna come in. So, why is that important?

City Manager Evans: Well, in, in order to expend the monies from the forfeiture funds, we would have to bring that to the Board. And then also, to be able to find.., identify the remaining balance from the capital budget is a two step process that would have to facilitate, coming before the Board.

Plus, I don't know if the Chief has any other expenditure needs for forfeiture monies. It could be for other equipment and other purchases that he has for operational needs. And so, that's why that was asked for as part of the budget process, to be able to provide the Chief flexibility for other equipment's and needs he may have.

Chief, I don't know if you wanted to speak to that?

Police Chief Coleman: Thank you, sir.

I'm not sure the, the balance of our forfeiture dollars, so I can't talk about on how mu'.., how we'll use those funds in that forfeiture line item.

Councilperson McCoy: Right.

Well, thank you for when you do decide. It's a recommendation because the statute says the governing body, or the Board, has to authorize it. But clearly, I'm just, like, if we commandeer money, valuables, and it goes into this fund, why not put it back on the streets to do some goo instead of taking monies out of the taxpayers' dollars?

You know.., you know, I guess in this reverse situation, use the bad money and turn it into good money. But instead, you know, we're being asked to approve dollars that's coming out of taxpayers' pockets when I would much rather be doing some other critical services for those. Like, we just had those folks in here talking about the drainage issues in Lone Pine.

I mean, this is what policy making is about. I mean, you don't have to like my approach but Shirley Lanier's husband did steal my signs and say, 'Call my wife.' I mean, that's what he said. I, I've seen it. So, I mean, that.., that's what this is about. So.

That's all I have.

Chairperson Lawson: Board Members.

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Mr. F. Lozman: [Inaudible from audience].

Interim City Clerk King: Oh, I'm sorry. You're right.

Mr. Lozman.

Chairperson Lawson: Welcome, Mr. Lozman.

Mr. F. Lozman: Fane Lozman.

Thank you, Mr. McCoy. You made a very good point. For the last seventeen years, going back to 2006, when I was arrested the first time at the dais back in November 2006. 'Cause I had advocated for the Sheriff's office to take over police servicing in Riviera Beach.

I've said it dozens of times, or, maybe a dozen times, maybe more over the years. And here's the perfect example why. The Palm Beach Sheriff's Office has all kinda command vehicles. They have helicopters, they have seven or eight boats right there at Phil Foster Park. They provide police services in Lake Park.

The provide police services, the Sheriff's office, in Lake Worth Beach where 36,000 people live. 4,000 people less than live in Riviera Beach.

The point is, why are we buying a seven hundred and some odd thousand dollar command vehicle? If we had the Sheriff's office in here, they would integrate most of the.., most of the police officers, the men and women would be integrated in.

Maybe a third of them wouldn't. Guys like Summers would never make it in the Sheriff's office. But, the point is, they have so much more capacity than we have as a little city. Helicopters, boats, command. I mean, narcotics.

It's such a superior.., it's, it is such a superior alternative to having your own police department. Many municipalities have figured that out. Here's an example, why do we need a $700,000 command vehicle when the Sheriff's office already has that capability?

Has anybody ever sat down in a workshop and said how much money is our police budget costing us versus what, what capability can the Sheriff's office bring to Riviera Beach? Has anybody sat down and looked at that?

The quality of officers, the training, all the different departments the Sheriff's office has that we don't have? Has anybody bothered to do that? You know, when my floating home was vandalized, where it was totally tore apart on my property here, earlier in the year?

The Riviera Beach police boat didn't go out there and the report, the sheriff's boat had to go out there. It's like a part time gig for the Riviera Beach police boat to be out in the water but they have six or seven boats ready to roll twenty-four hours a day, right at Phil Foster. 'Cause the sheriffs had to come out and take the police report. Okay?

So, I, I just.., I just look at this. It's just another example, over seventeen years, seven hundred and some odd thousand dollars. At the end of the day, that capability would be more than matched if we had the sheriff running the Police Department.

There's been a lot of scandals over the years in the Riviera Beach Police Department. Go back too Darden and, and.., what went on in the old days. You get a better product, a cheaper product, going with the Sheriff's office.

And I would say, we need to take a look at that again.

Chairperson Lawson: Thank you for your comments, Mr. Lozman.

Madam Clerk, any additional comments?

Interim City Clerk King: No, sir.

That's it.

Chairperson Lawson: And, I guess just for clarity sake.

What.., Chief Coleman, the amount that we're expending is $705,000. But, I believe $600,000 was received as a grant from the state?

Police Chief Coleman: Yes, sir.

Chairperson Lawson: Okay.

So, our cost is only just one ‘o’ five?

Police Chief Coleman: Yes, sir.

Chairperson Lawson: Okay.

So, I guess for clarity, we received that grant as a.., one of the legislative priorities that we received from the state. So, that one ‘o’ five that we’re spending… I agree, Councilman McCoy, forfeiture funds.

I want us to get an update on where those expenditures are, what’s the amount that we have and make sure that we’re getting them back out into the street with positive and good programming.

So, I do wanna leave those funds with you available so that you can actually have them to do good programming, which you will do, and continue with the process. So, I’m gonna support this Item.

Thank you, Chief.

Board Members?

[Pause]

Chairperson Lawson: Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk,.

Last Item was moved to Consent.

12. ITEM NO. 12

DISCUSSION AND DELIBERATION

Chairperson Lawson: Discussion and deliberation.

13. ITEM NO. 13

DISCUSSION BY CITY MANAGER

Chairperson Lawson: Mr. Evans, it is now 9:40. I know you have three items that you wanted to address. I'm not sure if the Council is going to be going past extension. So, can I get comments from the Board first, before we go into your comments?

City Manager Evans: Yes, Mr. Chair.

Or, I can answer any questions that the Board may have on these items.

Chairperson Lawson: I know we just have them… I.., we, we just got them on our desk so we haven't really had a chance to review them in detail. I can ask the Board if they're interested in extending past 10:00 but…

Councilperson Miller-Anderson: [Inaudible].

Chairperson Lawson: …typically, no.

I will let the Board comment first and then we'll go into your items, and if we wanna extend, we can.

I'm gonna go into discussion and deliberation, starting with…

14. ITEM NO., 14

DISCUSSION BY CITY ATTORNEY

15. ITEM NO. 15

CITY COUNCIL COMMITTEE REPORTS

Councilperson Botel: Ok.

Chairperson Lawson: I'm sorry.

Councilperson Botel: Reports.

Chairperson Lawson: Committee reports.

Councilwoman Botel.

Councilperson Botel: Just.., I'll try to make this quick.

On September 21st, I attended the Mayor's Literacy Lunch to kick off the Read for the Record campaign that's sponsored by the Palm Beach County Literacy Coalition.

And, this year, Read for the Record is October 26th. If you're not familiar with that, many people may not be, this is a day when municipal leaders, business leaders, all across the county, read to children one particular book.

I have that book for each of my colleagues, a copy. I'll pass that along. This year it's With Lots of Love by.., thank you.., by Jenny Torres Sanchez. And, I'm asking that we take some time.

I know that many of us will be out of the City on October 26th but Walter Stephens has agreed to videotape us if we wanna take some time, maybe we can each take a section and Walter can tape us reading the whole thing and then he can piece it together so that we make a little video of all of us reading.

And then, the IT Department has agreed that they can put something up online so that kids can click on that and be read to by City Council. So, I think it would be a nice thing to do if, if you wouldn't mind.

If you're interested in reading, contact Walter and let him know what day you might be available to be taped. If people watching are interested in reading, they can contact our children's library and Sharman Arnold. And her number is 561-845-4195.

On September 21st I also attended the Florida Leagues of Cities Executive Committee meeting and the general session.

I attended, on September 26th, the Palm Beach North Chamber of Commerce Resilient and Connective Taskforce meeting, as well as the Economic Resilience Work.., Tri-County Economic Resilience Work Group meeting.

On the 27th, I chaired the Palm Beach County League of Cities Board meeting and general session.

On the 28th, I attended the Palm Beach North Chamber of Commerce Economic Development Committee meeting.

On the 29th, I attended the Intergovernmental Issues Forum. And that's a very..,. we're gonna take on a very important topic as an intergovernmental forum, and that's the ability of the county to charge us, as municipalities, for lighting that goes on county roads.

So, I'll be asking Mr. Evans to give us some advice from our own Engineering Department on that topic.

And then today, I attended the District 1 lunch for the Palm Beach County League.

I have a couple of comments if you want me to continue.

Chairperson Lawson: Thank you.

Any other committee comments from the Board?

Councilperson Miller-Anderson: Yes.

Chairperson Lawson: Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: So, for the Palm Tran Advisory Board, I'm not sure if Ms. Posey [sp] Barker reached out to each Councilperson but I know they did send an email to Mayor Felder because they're looking to have a.., about ten minutes on one of our upcoming City Council meetings to talk about the services changes that will be happening here in the City.

I think I had mentioned before, they were looking at doing something like a on-demand type thing where they could.., basically, you can get an Uber. And so, this is something that they're looking at doing so they want to be able to come and present the changes that are being made.

I mean, looking at the memo that Mr. Evans sent out, I guess, if we go by this, the next Council meeting wouldn't be until November 1st. So, I can reach back out to them and see if they wanna do the CRA meeting or if they want to wait until November 1st to do.., get on the Agenda for about ten minutes.

But there are some changes that they are looking to make that will impact some of our residents. But, I, I think it could possibly work in a good way but it is a change, so they do want to be able to present that.

That's it. Thank you.

Chairperson Lawson: Thank you, Ms. Anderson.

Committee reports?

[Pause]

15. <u>ITEM NO., 15</u>

STATEMENT BY THE MAYOR AND CITY COUNCIL

Chairperson Lawson: Statements by the Council and Mayor.

Starting with Dr. Botel.

Councilperson Botel: Well, I.., on September 21st, I attended the Housing for All Committee. I think I mentioned in the past that Riviera Beach is being used as a model for the county housing plan. So, we have a, a group of about four or five subcommittees that are working through the various components of the county plan to see the status of Riviera Beach with regard to those components. And that's.., that work is moving along well.

And, I also wanna let people know that the Palm Beach State College slash City of Riviera Beach College Credit Certificate Program is alive and well but really in need of more students.

So, if you're interested in a free college education and you qualify for financial aid, please contact Valerie Grimsley or Mary Small. Valerie Grimsley is vgrimsley@giriverabeach.org, Mary Small is msmall@rivierabeach.org for details.

It's free and it's college, and it's right here in Riviera Beach.

That's all I have. Thank you.

Chairperson Lawson: Thank you, Dr. Botel.

Pro Temp Lanier.

Chair Pro Tem Lanier: Yeah.

The past weekend at Lone Pine Park, a grand opening was held. The residents were able to engage with, and enjoy, newly installed workout equipment and a repaved tennis court. It was a very, very well attended event. The residents who were there in Lone Pine supported the project.

And there's still more to come in terms of making sure that their park is a represent'.., representation of the people here in the City of Riviera Beach.

But, I also want to, to say this. Mr. McCoy constantly attacks me personally in these Council meetings. I have filed no less than five police repots against Mr. McCoy in regards to his constant.., and it seems as if it's, it's women in general, and black women in particular that he attacks.

And, it has gotten to the point where the last police report that I filed, I was in fear of my life from this man. Fearful. I am a black woman and men are very misogynist, like Mr. McCoy is.

And these type of things are making me nervous coming to meetings. Because it is his constant attack. The lies that he tells. I don't have a husband, so.., but he still says these things. And the venom in which he says them. It is not what he says, it's how he says it. I can feel the vibe from way over here.

And I'm very fearful of that. And I wanna put on record of how fearful I am and the five police reports that I have written against him. I report it to the Chief of Police, both of them, the City Manager, the City Attorney. Because it's getting out of hand and I'm very fearful.

So, I want that to be known and put on record. That it is misogyny and it is a.., an attack on black women in particular.

And Chair, you need to.., you know, if you want to regulate the public, you also have to regulate this Board in terms of having a civil conversation with each other. We are here to do the business of the City. That is it.

It is for the business of the City. We don't have time to.., I don't have time to make remarks like this because this is about the business of the City but I am afraid, and I want it to be on record that that is so.

So, if we're gonna have these kind of conversations, these personal attacks, Chair, you need to regulate that just as much as you regulate the public when they attack us up here.

So, thank you.

Chairperson Lawson: Thank you, Pro Temp.

Ms. Miller-Anderson.

Councilperson Miller-Anderson: I have none.

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: Of course I got something to say. My name is Tradrick McCoy. I got one, Coach.

Mr. Evans, I'm getting a bad report, both from members of the Police Benevolent Association collective bargaining union regarding the negotiations.

And, it really startled me because I got reports from the International Fire, IAFF, International Association of Firefighters, members about negotiations occurring which really don't occur. They show up, the City's not ready.

We've not gotten a report back on where we are with collective bargaining but it seems to be a pattern here and we've not heard anything for at least a few months.

Can you give us a report on what's going on? Especially if members are leaving from.., you know, they do those twenty-four on schedules and then they come in to negotiate in good faith and, for whatever reason, representatives of the City aren't prepared for whatever reason?

And I still reserve, Mr. Chair.

Chairperson Lawson: Thank you, Councilman.

Go ahead, Mr. Evans.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: I, I can provide something to the Board in writing with respect to the status of those within the next twenty-four hours. I know that there is ongoing conversations. I believe there was a meeting this week with regards to IAFF

And, as you can imagine, union negotiations go back and forth, specifically as it relates to Fire. Because, what Fire has proffered is something profoundly different than what we've ever done with respect to level of service and, and hours.

And so, there is a lot of calculation. And so, there is some touch and go with respect to that.

PBA, we've had multiple conversations with regards to that. And I think Mr. Sherman did provide an update that they are calculating some information.

And so, we anticipate, hopefully, being able to resolve all those issues before the end of the, the calendar year. But I can provide you all with writing, with respect to that and then set up individual sessions with you all for the purposes of bringing you up to speed on those two labor unions.

Councilperson McCoy: Okay.

I would appreciate that.

But, what, what.., how do you.., I mean, what's your report or what can you offer us in return as to what happens when they go to a collective bargaining union meeting and Staff is either not prepared or not there or delayed?

It's like.., you know, they, they walk into here pessimistic about having a fruitful outcome if that's the way the City's treating it? Or, the representatives of the City.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: If I can allow for the Assistant City Manager to speak up, who's the Administration representative on the union negotiations for PBA. And then, Chief Curd can, can provide some spe'.., some specificities on the Fire side.

I don't get involved in the union negotiations until we get close to what the terms and conditions of the contract are but Staff can provide an update with respect to the conversations and discussions, or the, the remarks that are being made by the union membership to Board members.

Chairperson Lawson: Welcome, Ms. Jacobs.

And, before we do, Board, do we want to entertain extending this meeting? The time is now 9:55.

Councilperson Miller-Anderson: I'll extend.., make a motion to extend to 10:15, so that we could…

[Inaudible dais comment]

Councilperson Miller-Anderson: I know you all don't want to have all of these meetings so I think it's important that we talk about this and the legislative priorities.

Chair Pro Tem Lanier: Fine.

Councilperson Miller-Anderson: Alright.

10:15.

Chair Pro Tem Lanier: [Chuckle].

Councilperson Botel: [Inaudible].

Chairperson Lawson: Motion's been made. Do we have a second?

Chair Pro Tem Lanier: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Madam Clerk.

Interim City Clerk King: Councilperson Botel?

Councilperson Botel: Yes.

Interim City Clerk King: Councilperson Miller-Andersson?

Councilperson Miller-Anderson: Yes.

Interim City Clerk King: Councilperson McCoy?

Councilperson McCoy: Yes.

Interim City Clerk King: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

Interim City Clerk King: Chairperson Lawson?

Chairperson Lawson: Yes.

Interim City Clerk King: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

Welcome, Ms. Jacobs. Welcome, Chief Curd.

Assistant City Manager Jacobs: Thank you, Mr. Lawson. If it's okay?

Chairperson Lawson: Please.

Assistant City Manager Jacobs: Thank you, Mr. Evans, for the opportunity with regards to the PBA contract.

We did have an.., there was an internal meeting this afternoon amongst Staff and our outside legal counsel. We'll be going before.., or, meeting with the PBA representatives on October the 24th regards to the statement that the Staff is not prepared.

Not to re'.., refute that in any manner, at great length but, I would, in my position, it is just the opposite in terms of who's prepared when we get to the table to discuss those issues.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Well, you know, I've asked this before, can we be provided with an update? I wanna know what articles are outstanding because, obviously, if we're at an impasse, which this is probably the longest collective bargaining negotiations that I've seen or heard of.

I wanna know what those issues are and it should come back to the Board for us to be the, the authority that makes the decision on whether or not we're gonna, you know, decide to move passed that.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: We can, we can provide some, some commentary with respect to that in a, in a memorandum to the Board. But I can tell you that there has been contracts that have been proffered by the City.

And, Ms. Jacobs can speak in more specificities. Have we received a contract from PBA or a response to a contract on article.., with respect to that.

Assistant City Manager Jacobs: Based on my recollection… May I?

Chairperson Lawson: Please, Ms. Jacobs.

Assistant City Manager Jacobs: Thank you.

Based on my recollection, there are only a couple of items that are pending still between the City and the, the PBA representatives.

Councilperson McCoy: Okay.

So, do I need to get a meeting with the appropriate people to find out what they are? Because that's what I'm asking. What, what is possibly taking… You know, this has now been over a year and a half of negotiations.

Assistant City Manager Jacobs: So… Sorry.

Chairperson Lawson: Go ahead.

Assistant City Manager Jacobs: Mr. Evans.

With regards to Mr. City Manager's Evans' comments, I think it probably would be more productive for us to memorialize something to you in writing.

Councilperson McCoy: Okay.

But, that…

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: And, and certainly, we don't wanna engage in negotiations in a public setting because, obviously, you know, we are still working through the contract language. And, and certainly, if, if unions members are communicating with Board Members, that is really outside of what the purview of the collective bargaining process is because we don't come and share with the board unless in an executive session to talk strategy about a union contract.

And so, we can sit down and provide some updates with you all. But, we can provide you something in writing. But, it would be Staff's recommendation that we don't get into

negotiations or discussions with sp'.., with respect to specific provisions in the contract that there may be left un'.., unresolved.

Councilperson McCoy: Okay.

Is there anything to share with us on IAFF?

City Manager Evans: Chief Curd, if you…

Fire Chief Curd: Yes, sir. There is.

Good evening, Chair, Council. I'll try to make this quick.

We had workshops early on with IAFF. What they are proposing is so different, it's only being done by a few departments. It has huge implications on staffing, finances, benefits. So, there's a lot of research that needs to go into this.

And I won't be rushed. I won't let the City be rushed into bargaining into something that we can't vet and make sure that it is in the best interest of the Firefighters and our community. So, we're in the process, right now.

We met on Monday. We've also met yesterday… Was that today, Mr…? It felt like yesterday. I'm sorry. We met today and we're also meeting with the union again. The last time we met with them, they put their proposal out there and it was so big and so comprehensive, we had to take it back with us just to digest it.

We are now gonna send back our counterproposal. And, if this new revolutionary staffing model don't work, we go back to the table and negotiate a normal contract.

So, it's not that we're not ready, it's we're doing our research and our due diligence to make sure that we do it right. And we're doing it as fast as we can.

And let's not be mistaken, there were meetings proffered that they cancelled as well. So, in all fairness, we are working as hard as we can and we're just a couple days past what the deadline would've been because this is, this is a big deal.

Councilperson McCoy: Okay. Next thing, Mr. Chair.

Mr.,. Mr. Evans, I have some outstanding public records. Particularly, the Mayor made it a point to say that the Chief vetted out Abe Elam and I'm waiting on the results of that. And I've still not been provided.

I'm waiting on public records from earlier this year regarding Shirley Lanier's and her text messages. So, like, like, what is happening with public records? Is there a desire to fulfill the statutory obligation of furnishing these public records or it's just gonna be complete disregard and a requirement to bring legal action?

City Manager Evans: Mr. Chair?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: With regards to.., I, I'm not the Custodian of Record. I don't have those records. And so, I will get with the City Clerk immediately following this meeting and find out what the status on that and they will provide you a follow up correspondence tomorrow, Councilperson.

Councilperson McCoy: Okay.

Lastly, thank you for sharing with everybody that you filed five police reports because that should say something. If you [stammer] filed five of them, clearly, nothing has occurred. And I'm not sitting up here telling you what I heard, I'm telling you what I know from firsthand observations, that your husband stole my signs…

Councilperson Botel: Geezus Christ.

Councilperson McCoy: …and then stated specifically, went to the investigating officer, 'Call my wife, Shirley Lanier.'

That's all I have, Mr. Chair.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: I, I, I can't be quiet any [chuckle] longer.

I'm, I'm gonna ask the City Manager to, to do.., I was gonna say a meeting but I think it would do us all a favor. I think we have to have some set of rules by which we play this game, by which we behave up here.

I too have been bullied. You don't have.., black women don't have a.., don't have the whole.., don't take the whole thing. It's women, and maybe it's all women. I don't know. I too have been bullied.

I have made complaints to HR about the behavior of one of my colleagues. And, it is not easy to sit here and see Staff be bullied, to listen to colleagues be bullied. Something has to change.

People will not want to work here any longer when they see the behavior of certain people from this dais. And, I think we need a set of guidelines by which we should operate. Things cannot continue to go on this way.

I am afraid as well. [Stammer], and you know, I sympathize with Councilwoman Liner. I, I just think that we need to have at least some set of guidelines that people have to adhere to when they're elected to serve on this body, such that they're bullying Staff.

There's a way to make your opinion known, there's a way to express yourself, and it doesn't have to be through bullying.

And that's all I'm gonna say on that.

Thank you. Have a good evening.

Chairperson Lawson: Thank you, Councilwoman Botel.

Question, Mr. Evans. The ribbon cutting for Lone Pine. The communication. What.., who, who was in charge of sending that communication out? 'Cause, thank you to Ms. Jacobs and Ms. Collins, I got it last minute notice and I was able to kinda show up towards the end after I finished up a prior business.., prior obligations.

But, who was responsible for sending those out?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: That is handled through Communications.

I believe that it was in concert with the original date that was set forth, and then there was a conflict for the residents and the members of the HOA so the date changed. But, it's the Staff's responsibility of disseminating that information.

Chairperson Lawson: If I can ask again, I believe that we've had the support from my colleagues but if I can get the support again to just give clear direction to Mr. Evans.

Any event or activity that the City's hosting, a email communication is sufficient. I [inaudible] know that my colleagues wanna have an opportunity to be at everything we're doing. If it's a mixer with you and the Mayor, if it's police event, any activity that's happening in the City, I, I just wanna be notified when it's going out so that we can know and have an opportunity to attend and just kinda support the Staff and support our residents.

I, I don't wanna have to miss anything or hear about it last minute notice. And, I got a phone call from Ms. Jacobs the night before. I didn't have my phone with me. And then, I got a call that morning form Ms. Collins.

So, that's really the only way that I knew about that ribbon cutting that, that morning.

So, if we can just make sure communications, as soon as they have the flyer. I don't wanna see it on social media. I wanna know that we've been notified about it before it goes out to anybody else.

City Manager Evans: [Inaudible] Mr. Chair?

Chairperson Lawson: Feedback received from my colleagues. Respectfully, I ,I agree and, and understand the First Amendment right. I understand Congress shall make no law but I also do agree with my colleagues when it comes to a sense of decorum.

We set the precedence here on this Board and I just wanna make sure that we can disagree without being disagreeable. Personal conversation and dialogue and personal attacks just do not lay any place here on this Board, on this dais.

And we're trying to move this City forward. If we expect the residents to have some type of sense of decorum and respect, we have to have the same and lead by example. There's been a lot of back and forth with all of us as colleagues.

And, I was hoping that we were starting to turn the corner because the City was seeing such great accomplishments. I want us to get back to that because, when we first got here, we started with the holding hands and we moved forward the divided dissentions, support of other people and going back and forth and it didn't actually do anything for our community.

We're seen as electeds and we don't need to be going back and forth with the semantics, with the attacks, with the personal politics. They get in the way of moving the City forward. Everybody was elected duly. And I just think that we need to do that.

So, feedback from councilwoman Pro Temp Lanier, I will be governing these meetings effectively and efficiently within the rules and regulations of Robert's Rules and make sure that I hold them accountable for every person that speaks on this dais. And I received that.

And, just moving forward, colleagues, if we just can remember that we lead by example. The entire City's looking at us to lead and we have to be held at the same standard we expect of everyone else.

I did have some feedback on some of the items. Mr. Evans, we've only extend 'til about 10:15 so I wanted to take the lead with the meeting schedule. If we could move December 13th's meeting, the CRA meeting, colleagues, if there would be an objection to possibly moving that to December 6th, having the City Council and the CRA meeting on the same night so that we could just have the rest of December off?

That would give us an opportunity to close out both meetings, if that's feasible, Mr. Evans. And that would be my feedback for the consolidated meeting structure.

City Manager Evans: Mr. Chair?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: That, that would.., with the pretense that that will be an extremely long evening because there's a lot of things that we've had to shift and move from some of the meetings that we haven't been able to get some of the [inaudible].

So, if it's the pleasure of the Board, nothing is outside of our ability to be able to execute. But it will be a, a long evening. We can.., we're gonna be also intentional about the Items that, that…

Chairperson Lawson: Yes.

City Manager Evans: …we bring before you.

So, we, we can make it work if that's.., if that's the Board's pleasure.

Chairperson Lawson: If we can eliminate the.., for that meeting, possibly any presentations, any awards. Anything that will take up any time outside of the Ci'.., business of the City.

And then, any Items that could possibly be Consent Items that we could discuss moving, leading into that meeting. And be prepared.

I think the Board does need a break. A few of my colleagues have said that they need some time to just kind of get away, disconnect and be with their families. So, that may give us an opportunity with ha'.., maybe having a [stammer].., longer meeting.

And colleagues, just being prepared to know that we may have to go past 10:00 that night. And if we're okay with that, I would actually like to take that December off for the, for the Board, just to refresh so we can start the New Year well.

Councilperson Miller-Anderson: Question?

Chairperson Lawson: Any other comments from the Board?

Councilperson Miller-Anderson: Yes.

Chairperson Lawson: Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: The.., when is National League of Cities? That's not one of the…

Chairperson Lawson: National League of Cities is November… I'll pull it up real quick.

Councilperson Miller-Anderson: Like, the middle?

Chairperson Lawson: It is November 16th.

Councilperson Miller-Anderson: Okay.

Chairperson Lawson: 16th, 17th, 18th.

Councilperson Miller-Anderson: Okay.

Chairperson Lawson: So, any Board.., any feedback for that December meeting? 'Cause that was the only thing that I saw on that schedule that I think would.., that might help us. 'Cause then that gives us a full month.., a month and a week off.

Board? KaShamba's okay.

Councilperson Miller-Anderson: Yep.

Chairperson Lawson: Pro Temp's okay?

McCoy? Miller-Anderson?

Councilperson McCoy: Yes.

Chairperson Lawson: Good?

So, Mr. Evans, if we could, we'll.., we are realizing that it'll be a longer meeting that night but we'll just try to make it work within the timeline. And then also, with the Items that you put on there.

City Manager Evans: [Inaudible]

Chairperson Lawson: Thank you.

Any additional comments from the Item.., bulletin from Mr. Evans in regards to dates? Are we good with that schedule?

[Pause]

Chairperson Lawson: Good? Okay.

Mr. Evans, legislative priorities?

City Manager Evans: Yes.

Mr. Chair and Members of the Board, I put together a list of legislative priorities, as well as the priorities that we were receiving from departments for the purposes of a legislative appropriations.

So, this is an opportunity for the Board to provide any additional feedback or commentary with regards to this.

In this document, it also enumerates your state priorities, as well as your federal priorities. This is a culmination of a lot of the conversations that the Board has had and Staff has been writing notes with regards to those items for the purposes of tracking them.

So, the real meat and potatoes of this is the projects that identified on this list, is the Board in concurrence that these are projects that we are to provide to our lobbyist for the purposes of seeking appropriations.

The other items that are legislative public policy initiatives, those can be changed and modified and tweaked. The projects are the ones that we go ahead and provide to Mr. Pittman and his team for the purposes of attempting to secure funding. And then, we also will send these projects to our lobbyist in Washington, D.C.

And, I do have Staff available for any questions on the specific projects.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Mr., Mr. Evans, I'll be in Washington, D.C. with FAST Fly-In so if.., maybe you and I can meet before I leave and go over these in case there's something you want me to say to anybody in particular.

Chairperson Lawson: Councilwoman Botel, what's that date you're gonna be there?

Councilperson Botel: I think it's the 17th and 18th. Let me look.

Chairperson Lawson: October?

Councilperson Botel: Yeah.

Chairperson Lawson: Yeah.

And, sa'…

Councilperson Botel: [Inaudible].

Chairperson Lawson: …same with me, Mr. Evans.

I'll be there October 23rd. So.., I'm sorry, 24th. So, 23rd, 24th. So, if we can have a, a one on one meeting with you.

Councilperson Botel: Yeah.

Chairperson Lawson: Assistant City Manager, Ms. Jacobs, and any other Staff that you think would be a priority.

Any additional comments for legislative priorities?

[Pause]

Chairperson Lawson: And…

City Manager Evans: The…

Chairperson Lawson: School District.

City Manager Evans: Yes, Mr. Chair.

Pursuant to the direction provided by the Board, I did send a correspondence to the Superintendent's Office. The Superintendent's Office provided correspondence, which I provided to the Board, that stated that, at their Board meeting, they were not inclined to support a discussion with the Riviera Beach City Council citing that this would something that they would have to have the conversation, or the potential conversation, with thirty-nine municipalities.

The other alternative that was proffered by the School District was providing for an opportunity for senior level Staff to allow for, at certain meetings, to have the educators and the principals provide an update from each of the educational institutions.

Staff has not responded, not accepted, that particular request. From the purposes, I didn't think it complied with what the Board's desire was with respect to the conversation because we know, and we've done it in the past, we always welcome our principals to be able to share how our students are doing.

But, I thought the Board wanted to get into more substantive public policy discussions with respect to the state of the educational status of our students here in Riviera Beach.

And so, 'I'm seeking direction from the Board as to how you wish to proceed. I do have a list of questions or opportunities for discussion. But, if the Board can provide me with direction, I can move in, in the fashion that is complimentary to the Board request I can push on the S'.., Superintendent's Office.

One of the things I think we should consider, Mr. Chair, if the Board would indulge me, is that since our schedule for the holidays does provide for some flexibility, I think it would be a good opportunity for a field trip, to go to the School District.

I think it's, it's more compelling that if the Board has a unified approach with regards to what is happening in our school system, I think it would share a clear and distinct message as well.

One of the things I also think the Board should consider is the adoption of public policy, from the City Council of Riviera Beach, stating your desire to see the academics in this community improve.

And, improve to where the day where all of our schools are A schools. Because, I think if the Board was to present a Resolution that is adopted by the Riviera Beach City Council to really mobilization the partnership and the desire to see our students succeed, I think it will go a long way.

And so, I'm seeking direction from the Board as to how you wish to proceed with regards to this item moving forward.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: I, I answered your questions already.

Number one, no. We're not accepting the proposal. From my point of view, not accepting the proposal. To proceed, we can speak with the principals at any other time, no.

Number two, yes. We should be engaged in a policy level. We should persist in our quest for a higher level engagement. And, and I love the idea of going to them personally.

Number three, yes. We should have a community mobilization strategy, we should initiate a community [inaudible] campaign to draw attention to these educational disparities.

Number four, yes. We should collaborate with elected representatives. We know that Edwin Ferguson, and, and other Board members, School Board members, are interested in seeing our children do better.

And, and whatever other strategies you can come up with, I'm sure that he's gonna come up with a few and I, I, I certainly don't think it's sufficient to have the principals come and speak with us.

Just my opinion…

Chairperson Lawson: Board Members, the time is now 10:15. No…

Councilperson Botel: I am so tired.

Chairperson Lawson: So, we'll meet individually with Mr. Evans to go ahead and go further into discussion with leg'.., with the priorities for the School District.

City Manager Evans: Mr. Chair?

Chairperson Lawson: Mr. Evans?

City Manager Evans: Can I just really briefly, before we conclude?

Is there.., you would like for me to correspond based on the conversation that I'm saying with the School District, that we want to have a more robust conversation?

Chairperson Lawson: I would be in agreement with that.

Board?

Councilperson Botel: Yes.

Chairperson Lawson: Yes.

Councilperson Botel: Yes.

Councilperson Miller-Anderson: Yes.

Chairperson Lawson: Okay.

ADJOURNMENT

Chairperson Lawson: No further business of the City?

[Pause]

Chairperson Lawson: Meeting is adjourned.

[Gavel]

[End Of video]

City Employees, Public Comment Speakers and Others

Marlee Whipple	Ms. M. Whipple
Assistant City Manager Deirdre Jacobs	Assistant City Manager Jacobs
Development Services Director Clarence Sirmons	Development Services Director Sirmons
Wayne Richards, Esq.	Mr. W. Richards
Lloyd Brown	Mr. L. Brown
Dr. Marine Senatus	Dr. M. Senatus
Police Chief Michael Coleman	Police Chief Coleman
Fane Lozman	Mr. F. Lozman
Torcivia, Donlon & Goddeau – Tanya Earley, Esq.	Ms. T. Earley
Paige Parker	Ms. P. Parker
Cindy March	Ms. C. March
Eric Ward	Mr. E. Ward
Bill Wolitch	Mr. B. Wolitch
Rochelle Baker Hughes	Ms. R. Baker Hughes
Annette Dragon	Ms. A. Dragon
Margareet Shepherd	Ms. M. Shepherd
Evelyn Harris Clark	Ms. E. Harris Clark
Delsia Brooks Hamilton	Ms. D. Brooks Hamilton
Delores Williams	Ms. D. Williams
Doretta Paulk	Ms. D. Paulk
Mary Brabham	Ms. M. Brabham
Assistant Police Chief Michael Madden	Assistant Police Chief Madden
Fire Chief John Curd	Fire Chief Curd

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Debrah Hall-McCullon, Acting City Clerk

Through: Jonanthan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Minutes of the Regular City Council Meeting held on Wednesday, September 6, 2023**

Date: January 17, 2024

CC: General Public

Background:
Attached are the Minutes of the Regular City Council Meeting held on September 6, 2023.

City Goals:
The City-wide Goal is to Accelerate Operational Excellence.

Fiscal/Budget Impact:
N/A

Recommendation:
Staff recommends approval of the Minutes of the Regular City Council Meeting Minutes held on Wednesday, September 6, 2023.

Attachments:
1. September 6 2023 Regular City Council Meeting Minutes.pdf

CITY OF RIVIERA BEACH
REGULAR CITY COUNCIL MEETING
September 6, 2023
6:00 p.m.

PRESENT AT MEETING[1]:

MAYOR RONNIE FELDER .....MAYOR FELDER

CHAIRPERSON DOUGLAS A. LAWSON- .....CHAIRPERSON LAWSON
DISTRICT 5.....

CHAIR PRO TEM SHIRLY D. LANIER.....CHAIR PRO TEM LANIER
DISTRICT 3

COUNCILPERSON TRADRICK MCCOY .....COUNCILPERSON MCCOY
DISTRICT 1

COUNCILPERSON KaSHAMBA.....COUNCILPERSON MILLER-
MILLER-ANDERSON – DISTRICT 2

COUNCILPERSON JULIA A. BOTEL- .....COUNCILPERSON BOTEL
DISTRICT 4

CITY MANAGER JONATHAN EVANS .....CITY MANAGER EVANS

INTERIM CITY CLERK TAWANNA D. SMITH .....INTERIM CITY CLERK SMITH

CITY ATTORNEY DAWN S. WYNN.....CITY ATTORNEY WYNN

TRANSCRIBED BY:

Legal Transcription On Call
(561) 856-0957

[1] List of City Employees, Public Speakers and Others on Page 87

[Begins at 23:40]

[Gavel

CALL TO ORDER

Chairperson Lawson: I'd like to call the Regular City Council meeting. The date is September 6th. The time is 6:21 p.m. We're calling this meeting to order.

ROLL CALL

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Mayor Ronnie Felder?

Mayor Felder: Here.

City Clerk Smith: Chairperson Douglas Lawson?

Chairperson Lawson: Here.

City Clerk Smith: Chair Pro Tem Shirley Lanier?

Chair Pro Tem Lanier: Here.

City Clerk Smith: Mr. Chair, let the record reflect that Ms. Lanier is attending virtually. Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

City Clerk Smith: Councilperson KaShamba Miller-Anderson?

Councilperson Miller-Anderson: Present.

City Clerk Smith: Councilperson Julia Botel?

Councilperson Botel: Here.

City Clerk Smith: City Manager Jonathan Evans?

City Manager Evans: Present.

City Clerk Smith: Tawanna Smith, City Clerk is present. Dawn Wynn, City Attorney?

City Attorney Wynn: Here.

City Clerk Smith: Mr. Chair, tonight we have our Pledge by Ms. Sarai Lamonious [sp].

She is a student of Palm Beach Gardens High School.

Chairperson Lawson: Thank you, Madam Clerk.

INVOCATION

PLEDGE OF ALLEGIANCE

Chairperson Lawson: If we can have a moment of silence everyone, if everyone can please rise. I do have one of our students from here in this community, Ms. Sarai, if you can come to the front and join us.

Sarai Lamonious is a fourteen year old young lady here from Riviera Beach. She was born December 12, 2008. Her parents are Kiera Tipton and Various Lamonious. Sarai is a bright nineth grader, Palm Beach Gardens High School. She's enrolled in the magnet program.

Her dream is to become a doctor. Her mother is a volunteer with the Riviera Beach Chargers football team, and Sarai has been a Riviera Beach Chargers Squad for three years, which is one of her natural loves, she loves to dance.

She loves cheerleading, dancing, track, and hopes to help others.

Ms. Sarai, thank you and welcome to the City meeting. If you can lead us in the Pledge of Allegiance, please.

Ms. S. Lamonious: I pledge allegiance…

All: …to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

[Applause]

Chairperson Lawson: Thank you so much Zaranious, Ms. Sarai.

AGENDA APPROVAL

ADDITIONS, DELETIONS, SUBSTITUTIONS

Chairperson Lawson: Do we have any additions, deletions, and substitutions?

City Manager Evans: None from Staff, Mr. Chair.

DISCLOSURES

Chairperson Lawson: Disclosures by the Board.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: I have, in the past, had conversations with representatives from Safe Harbor.

Chairperson Lawson: Thank you.

Councilperson Miller-Anderson: Chair?

Chairperson Lawson: Councilwoman Miller-Anderson?

Councilperson Miller-Anderson: I also have had meetings, some time ago, with them as well.

Chairperson Lawson: Thank you, Councilwoman.

And I've had meetings with residents and also members from Safe Harbor.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: I received communications and contact from agents of Safe Harbor. I've also received communications and contact from resident of Lakeview. And then, counsel for some residents from Lakeview.

Chairperson Lawson: Thank you, Councilman.

ADOPTION OF AGENDA

Chairperson Lawson: Motion to adopt the Agenda.

Councilperson Botel: So moved.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes. Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you.

CONSENT AGENDA

Chairperson Lawson: Consent Agenda.

Chairperson Lawson: **ALL ITEMS LISTED UNDER CONSENT ARE CONSIDERED 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.**

1. ITEM NO. 1

MINUTES

1b. ITEM NO. 1B

MINUTES OF THE SATURDAY, JULY 12, 2023, BUDGET WORKSHOP

TAWANNA SMITH, CITY CLERK, 561-845-4090

2. ITEM NO. 2

BOARD APPOINTMENTS

3. ITEM NO. 3

RESOLUTIONS ON CONSENT

3a. ITEM NO. 3A

RESOLUTION NUMBER 119-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE CASE OF BRANDON MARADEO V. THE CITY OF RIVIERA BEACH, CASE NO. 502023CA000748; AUTHORIZING PREFERRED GOVERNMENTAL CLAIMS SOLUTIONS TO MAKE PAYMENT IN THE AMOUNT OF ONE HUNDRED NINETY THOUSAND DOLLARS AND ZERO CENTS ($190,000.00) AS FULL AND FINAL SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.

DAWN WYNN, CITY ATTORNEY, (561) 845-4069

3b. ITEM NO. 3B

RESOLUTION NUMBER 120-23: APPROVING THE TRANSFER OF THE OCEAN MALL LEASE FROM RH 2401 OCEAN, LLC TO OCEAN WALK OWNER, LLC

SARA K. MAXFIELD, ECONOMIC & BUSINESS DEVELOPMENT MANAGER, (561) 882-1810 STAFF

3c. ITEM NO. 3C

RESOLUTION NUMBER 132-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA AND

THE CITY OF RIVIERA BEACH, FLORIDA; APPROVING THE DECREASE OF THE PROJECT BUDGET BY $53,000 TO A TOTAL AMOUNT NOT TO EXCEED $245,077 AND REALLOCATING $15,000 FROM CASE MANAGEMENT/SUPPORT SERVICES TO CATEGORY OF OPERATIONAL EXPENSES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORIE BULLARD, JUSTICE SERVICE CENTER DIRECTOR, (561) 840-3143 S

3e. ITEM 3E

RESOLUTION NUMBER 134-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE TEMPORARY CLOSURE OF NORTH OCEAN AVENUE FOR SEVERAL AMATEUR ATHLETIC EVENTS; AND PROVIDING AN EFFECTIVE DATE.

RICHARD BLANKENSHIP, PARKS AND RECREATION DIRECTOR, (561) 845-3411

3f. ITEM NO. 3F

RESOLUTION NUMBER 130-23 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 INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY TO ACCEPT VOUCHERS FROM THE COUNTY'S DROWNING PREVENTION COALITION PROGRAM FOR REDEMPTION FOR PAYMENT OF SWIMMING LESSONS PROVIDED BY THE PARKS AND RECREATION DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

RICHARD BLANKENSHIP, PARKS AND RECREATION DIRECTOR, (561) 845-3411

3g. ITEM NO. 3G

RESOLUTION NUMBER 121-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING REPLAT APPLICATION NUMBER (PA-22-0007) FROM THE COMMUNITY DEVELOPMENT CORPORATION (CDC) OF THE CITY OF RIVIERA BEACH (APPLICANT); TO ALLOW FOR A PROPOSED RESIDENTIAL DEVELOPMENT CONSISTING OF 28 RESIDENTIAL LOTS; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES. D

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

3h. ITEM NO. 3H

RESOLUTION NUMBER 122-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING SITE PLAN APPLICATION NUMBER (SP-22-0022) FROM THE COMMUNITY DEVELOPMENT CORPORATION (CDC) OF THE CITY OF RIVIERA BEACH (APPLICANT); TO ALLOW FOR A PROPOSED RESIDENTIAL DEVELOPMENT CONSISTING OF 28 RESIDENTIAL UNITS WITH ASSOCIATED PARKING AND AMENITIES; WITH 26 OF THE PROPOSED UNITS CONSISTING OF 2-STORY TOWNHOMES, WITH ONE SINGLE STORY DUPLEX STRUCTURE ACCOUNTING FOR THE REMAINING TWO UNITS; THE PLAN INCLUDES 2 PARKING SPACES PER UNIT AND 11 GUEST SPACES; FOR A TOTAL OF 67 SPACES WITH A 2,416 SQUARE FOOT RECREATION AREA CENTRALLY LOCATED BETWEEN THE PROPOSED UNITS; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

3i. ITEM NO. 3I

RESOLUTION NUMBER 129-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SUBMITTAL OF THE STATE AID TO LIBRARIES GRANT APPLICATION AND AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF STATE AND THE CITY OF RIVIERA BEACH, FL.

ADAM BRODY, LIBRARY DIRECTOR, (561) 845-4196

3j. ITEM NO. 3J

RESOLUTION NUMBER 142-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING MULTIYEAR FUNDING IN THE AMOUNT OF $540,000 OVER THREE (3) YEAR PERIOD FOR THE CONTINUATION OF INTERVENTION/PREVENTION YOUTH SERVICES FROM OCTOBER 1, 2023 TO SEPTEMBER 30, 2026; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

VALERIE GRIMSLEY, ASSISTANT TO THE CITY MANAGER, (561) 707-8345

3l. ITEM NO. 3L

RESOLUTION NUMBER 127-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, TO ACCEPT A STATE FINANCIAL ASSISTANCE GRANT APPROVED BY THE FLORIDA LEGISLATURE AND EXECUTIVE OFFICE OF THE GOVERNOR IN THE AMOUNT OF $600,000, FOR THE PURCHASE OF A MOBILE COMMAND CENTER FOR THE CITY'S POLICE DEPARTMENT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE GRANT AGREEMENT; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP THE BUDGET IN PROJECT 24007; AND PROVIDING AN EFFECTIVE DATE.

MICHAEL COLEMAN, CHIEF OF POLICE, (561) 845-4128

Chairperson Lawson: Does anyone wanna pull any Items from Consent?

[Pause]

Chairperson Lawson: Motion to…

Chair Pro Tem Lanier: Yes. Chair?

Chairperson Lawson: Madam Pro Temp.

Chair Pro Tem Lanier: I'd like to get some information on the Item in regards to the $800,000 for the [inaudible] I think.,

Chairperson Lawson: Yes, Madam Clerk.

I believe that's Number 3k?

Chair Pro Tem Lanier: Yes, sir.

Chairperson Lawson: We're gonna pull that from Consent.

Any additional requests to pull anything from Consent?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy?

Councilperson McCoy: Yes.

I wanna pull 1a, please. And that's…

Chairperson Lawson: For 1a. I'm sorry. Minutes?

Councilperson McCoy: That's correct.

Chairperson Lawson: Yes sir, Board Members, any additional?

Councilperson McCoy: Yes, Mr. Chair.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Let's go with Item 3d.

Chairperson Lawson: That's the Parks & Rec Plan?

Councilperson McCoy: Yes, sir.

Chairperson Lawson: Thank you, Councilman.

Mr. Evans, before we pull and vote on these Items, are these Items time sensitive?

City Manager Evans: No.

Chairperson Lawson: We wanna get to these right after Consent, moving to the end of the Agenda or postpone them to another meeting? What would be your recommendation, Mr. Evans?

City Manager Evans: Mr. Chair, those Items are Items that Staff can provide a brief explanation so it shouldn't conceivably take a large amount of time to answer any questions the Board may have.

Chairperson Lawson: Thank you, Mr. Evans.

We're gonna move them right after Consent.

Can we have a motion to adopt…

Councilperson Botel: Motion to approve...

Chairperson Lawson: …Consent.

Councilperson Botel: …the Consent Agenda.

Chairperson Lawson: With changes?

Councilperson Botel: With changes.

Chairperson Lawson: Motion's been made.

Do we have a second?

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Do we have any public comment cards for Consent?

City Clerk Smith: Yes, Mr. Chair.

We do have two public comment cards, both on Item 3b as in boy.

Chairperson Lawson: Go ahead with the reading of the first name.

City Clerk Smith: Mr. Wayne Richards.

Mr. W. Richards: [Inaudible].

Chairperson Lawson: Thank you, sir.

Resolution Number 127-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, to accept a State Financial Assistance Grant approved by the Florida Legislature and Executive Office of the Governor in the amount of $600,000, for the purchase of a Mobile Command Center for the City's Police Department; authorizing the Mayor and City Clerk to execute the grant agreement; authorizing the Director of Finance and Administrative Services to set up the budget in Project 24007; and providing an effective date. Michael Coleman, Chief of Police, (561) 845-4128 Staff r

City Clerk Smith: I'm gonna spell this one Y-I-Z-H-U-L-E

Mr. Yizhule: [Inaudible].

Chairperson Lawson: Thank you so much. Thank you, Madam Clerk.

Motion to adopt the Consent has been made and properly seconded.

Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

END OF CONSENT

1a. ITEM NO. 1A

Chairperson Lawson: We're gonna to into Item 1a. Minutes.

Madam Clerk.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD ON WEDNESDAY, AUGUST 2, 2023.

TAWANNA SMITH, CITY CLERK, 561-845-4090

City Clerk Smith: Mr. Chair, this Item here, on the title of the Agenda it reads Minutes of the Special City Council meeting held on Wednesday, August 2, 2023 and it should read Minutes of the Regular. But the regular Minutes are att'.., the correct Minutes are attached.

So, it's a change to the title.

Chairperson Lawson: Thank you, Madam Clerk.

City Clerk Smith: You're…

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: Thank you, Mr. Chair. And, I appreciate that, Madam Clerk.

That's actually.., thank you for bringing that to our attention. But that's not why I actually pulled it. I pulled it because I notice that you made reference to Chair Pro Tem appearing virtually.

And I looked at the YouTube video for this meeting, she also was virtual at that meeting as well. And, the record does not indicate that.

City Clerk Smith: Yes, sir. You're correct.

And, moving forward, we will reflect that on the record.

Councilperson McCoy: Well, my, my recommendation is to correct these Minutes to reflect just what you did today, that she was not appearing in person. Because, clearly, there must have been some reason for you to clarify or distinguish that Pro Tem is appearing virtually today.

So, there must be some sort of precedent or reason that you're doing that and I'm simply asking that the Minutes be modified to reflect that the August 2nd meeting, she was appearing virtually.

That's my motion, Mr. Chair, for an amendment.

Chairperson Lawson: Motion's been made to amend the Minutes to reflect that Councilwoman, Pro Temp, has been appearing virtually.

Do we have a second?

Councilperson Botel: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Discussion?

[Pause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Can we have a roll call for adoption of the Minutes, if there's no further discussion?

Councilperson McCoy: So moved.

1a, please.

Chairperson Lawson: 1a.

Councilperson McCoy: The amendment.

Councilperson Botel: Second.

Chairperson Lawson: Motion's been made and properly second.

Madam Clerk.

This is to actually adopt 1a, with the changes. That Councilman McCoy made the motion for. Madam Clerk.,

City Clerk Smith: Yes.

Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

City Clerk Smith: You're welcome.

3d. <u>ITEM NO. 3D</u>

Chairperson Lawson: 3d, Resolution 124-23.

City Clerk Smith: RESOLUTION NUMBER 124-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; ACCEPTING THE PARKS AND RECREATION AMENDED MASTER PLAN; AND PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

RICHARD BLANKENSHIP, PARKS AND RECREATION DIRECTOR, 561-845-3411

Councilperson Miller-Anderson: So moved.

Chairperson Lawson: Motion …

Councilperson Botel: Second.

Chairperson Lawson: Motion's bene made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Parks & Recreation, Mr. Richard Blankenship, answer an questions the Board may have with regards to this particular Item.

Parks & Recreation Director Blankenship: Good evening, Chair, Mayor, Council. Richard Blankenship, Parks & Recreation Director here to answer any questions you may have regarding this Item.

Chairperson Lawson: Thank you.

Councilman McCoy.

Councilperson McCoy: Thank you, Mr. Chair.

Mr. Blankenship, Members, Administration. So, my reason for pulling this Item is because I have concerns about amending our Parks Master Plan to substitute Inlet Grove into the Plan, which was not originally contemplated, specifically because, not only Item 3d but Item 11e also is a related Item.

And particularly, the reason is because we don't even have so much as of an MOU with the School District of Palm Beach County and the overall investment fifty-five to $60 million in two parks on something that's not going to generate any ad valorem tax revenue, to me, seems like another waste of resources and an additional tax on our taxpayers.

So, for that reason, I pulled this off of there but I cannot support this without having not even a conceptual agreement, a MOU, with the school district. And to now levy another $60 million on the back of the taxpayers, without having one iota of any kinda agreement or any possible ad valorem tax revenue to be generated off of a fifty-five to $60 million tax, I respectfully can't support this.

That's all I have, Mr. Chair.

Chairperson Lawson: Thank you, Councilman.

Board Members, any other questions?

[Pause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderosn?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: No.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote pa'…

Chairperson Lawson: Thank you…

City Clerk Smith: That vote passes, Mr. Chair, 4-1, with Mr.., Councilperson McCoy dissenting.

Chairperson Lawson: Thank you, Mr. Blankenship.

Thank you, Madam Clerk.

3k. <u>ITEM NO. 3K</u>

Chairperson Lawson: 3k. Resolution 140-23.

City Clerk Smith: RESOLUTION NUMBER 140-23: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE APPROVAL OF $800,000 IN ADDITIONAL FUNDING FROM THE FY 2022-2023 BUDGET FOR THE CITY'S HOUSING PROGRAMS FOR AFFORDABLE AND WORKFORCE HOUSING, ALSO INCLUDING A PROGRAM UPDATE AND PROVIDING FOR AN EFFECTIVE DATE.

ANNETTA JENKINS, DIRECTOR OF NEIGHBORHOOD SERVICES, CRA, 561-844-3408

Chairperson Lawson: Thank you, Madam Clerk.

Councilperson Miller-Anderson: So moved.

Councilperson Botel: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have Ms. Annetta Jenkins, the Director of Neighborhood Services for the CRA, to answer any questions the Board may have concerning this Item.

Chairperson Lawson: Thank you, Mr. Evans.

Welcome, Ms. Jenkins.

CRA Neighborhood Services Director Jenkins: Thank you. Good evening, Chair Lawson, Com'.., Councilpersons, Mr. Evans, City Attorney. Annetta Jenkins, Director of Neighborhood Services.

I'm here to present the item regarding the Reclaim and the Rennaisance Program, which was authorized back in January. And, as we provided regular updates, we have quite a wait list for this program.

We provided regular updates to the Council, as well as to the CRA Commissioners. And this Item is adding an additional $800,000 in funding, helping us to address some of the elderly residents on the wait list.

So I'll see.., answer any questions you may have.

Chairperson Lawson: Thank you, Ms. Jenkins.

Chair Pro Tem Lanier: Chair?

Chairperson Lawson: Councilwoman Pro Temp Lanier, go ahead.

Chair Pro Tem Lanier: Yeah.

I think that one of my.., one of my questions was to ask… A lot of times when we have these type of programs and program'.., programming in general, we very rarely get a timeline of when these .., when these.., when the.., when the rehab is going to start, when it's going to end.

And I understand that I, I remember back in May that I got a list of all the individuals who had participated in the program in regards to how much they got and where they lived. But, I'm more so interested in a timeline of how long this is going to take to be able to get done.

I know that there was some conc'.., questions or there was discussion about Ms. Jenkins telling us that, you know, they.., there's a process that individuals have to go through to get to the point where the work actually gets started.

But I think I want to have a little bit more information because now, at this point, we were talking about, you know, $1.6 million and I want to be able to make sure that we have a timeline of when this work starts, when it stops, what happens to the individual once they get this rehab in place.

I just really wanna have more information about how this process works. And the timeline regarding it. Because this was.., you know, I think this was early part of the year that we got this funding for it.

And then, there's an $800,000. Now, don't get me wrong, I think that the funding is sorely needed. I just wanna be able to have a timeline to be brought in the loop in terms of where it is, how long it takes for a resident to get this done, and the end point for it.

Chairperson Lawson: Thank you, Pro Temp Lanier

CRA Neighborhood Services Director Jenkins: Just…

Chairperson Lawson: Go ahead.

CRA Neighborhood Services Director Jenkins: Just to briefly state.

The process is a rolling application process. We're not taking any new Reclaim applications because we have scores of people on the wait list. We do have the ability to address additional homeowners within the CRA, or a few additional home buyers within the CRA.

Within the memo, you could see that the Reclaim funds from the City are one hundred percent committed. We go through a process, which is outlined in the program guidelines where, once an application is approved and notice is given to the homeowner, for instance, with Reclaim, the application is assigned to an inspector.

We go through a, a…

Chair Pro Tem Lanier: I, I don't mean to interrupt you, Ms. Jenkins.

Chair, I don't.., she gave…

Chairperson Lawson: Go ahead, Pro…

Chair Pro Tem Lanier: …that information…

Chairperson Lawson: Go head…

Chair Pro Tem Lanier: …I don't…

Chairperson Lawson: …Pro Temp.

Chair Pro Tem Lanier: She gave the information to us. I don't need her to go through the whole thing. I just wanted to make sure that we have a timeline in terms of when this process starts and when it.., and when it ends. And to keep us in the loop in terms of where we are with it.

I think the biggest thing for me is to just to make sure that this is done in a timely fashion, and that we don't be here this time next year talking about this same program and people haven't gotten work done.

And I'm not saying that that's going to happen. I just wanted to ensure that it doesn't.

Chairperson Lawson: Thank you, Pro Temp.

So, fr'.., from my understanding and just to make sure we're clear, you just wanna get updates on the status of where we are and a steady timeline on the expenditures that we have for the dollars we've already put out, and what we're allocating tonight?

Chair Pro Tem Lanier: Yeah.

And, and then too, at this point, 'to just provide the Council with an estimated timeline.

Chairperson Lawson: Yes, ma'am.

Thank you, Pro Temp.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Councilwoman Miller-Anderson, go ahead.

Councilperson Miller-Anderson: I just wanted to follow up, in terms of people.., when they are approved for the application, whatever it is, that's included in there for the work to be done, that work is completed.

I [sigh]. For example, I understand there was a person who was approved for a certain amount of things to be done. Like I said, the work hadn't been completed for whatever reason within a certain timeframe, the prices went up and then they were told that they weren't able to get some of the things done.

Is that.., is it.., when you have the application and get it approved, isn't it something in there that says this is what we're gonna do.., this is what we're gonna do, not linger on for two to three years or whatever, and then the prices go up and then say you can't get it done?

I mean, is that our fault or would that have been their fault?

CRA Neighborhood Services Director Jenkins: If you're talking about rehab, and I believe I know the instance that you're referring to, the person added additional work.

Councilperson Miller-Anderson: Okay.

CRA Neighborhood Services Director Jenkins: So, once we get a, an inspection report, that inspection report is developed into a scope of work, which is put out for bid. Once the contractor is selected and they give us a price, they hold that price for a reasonable period of time.

As you know, we've not been able to do additional Reclaim homes because, on the Cityside, we had quite a demand and we only had $200,000, which is about four homes. So, for instance, right now, we've completed a number of inspections. There are about ten packages that are out for bids that, hopefully, we're able to move ahead with if the money is allocated tonight.

Councilperson Miller-Anderson: Okay. Okay.

I just wanted to know…

CRA Neighborhood Services Director Jenkins: Yes.

Councilperson Miller-Anderson: …going forward, how that operates.

CRA Neighborhood Services Director Jenkins: Yes.

Chairperson Lawson: Thank you, Ms. Miller-Anderosn.

Councilman McCoy.

Councilperson McCoy: Thank you, Mr. Chair.

Ms. Jenkins, you mentioned to the CRA. This is $800,000 out of the City's fund. This is solely dedi'.., dedicated for properties not contained within the boundaries of the CRA.

That is correct?

CRA Neighborhood Services Director Jenkins: That is correct.

Councilperson McCoy: So, what's the allocation of this $800,000 goes to Rennaisance and then the other portion… What's the allocation between Reclaim and Rennaisance?

CRA Neighborhood Services Director Jenkins: Because and, and the demand, we're allocating $700,000 for Reclaim and $100,000 for Rennaisance, within the City limits, outside of the CRA boundaries.

Councilperson McCoy: Okay.

So, let's talk about Rennaisance. $100,000, and that's more or less in terms of downpayment assistance for a potential [stammer] first-time homebuyers?

CRA Neighborhood Services Director Jenkins: Yes, sir.

Councilperson McCoy: I mean, you would know this better than anybody in this room because you're the housing Zar but help me understand. What are we talking about? $10,000? $25,000? Is it these [stammer] specific, how many people do we have waiting in the hopper, in terms of waiting on Rennaisance funding?

CRA Neighborhood Services Director Jenkins: We have eight in the mortgage process closing pipeline right now.

I could tell you that, in the ones we've closed already, the downpayment closing cost assistance has ranged from $30,000 up to the max of $50,000.

Councilperson McCoy: Okay.

So help me out. If you're saying you got, how many waiting in closing?

CRA Neighborhood Services Director Jenkins: Eight.

Councilperson McCoy: Eight.

That's gonna give us twelve applications?

CRA Neighborhood Services Director Jenkins: Approximately.

Councilperson McCoy: I'm sorry. It's not twelve… $12,000 if we just parse them out.

So how.., I mean, what are we talking about? Because that really doesn't seem like that's gonna go very far.

CRA Neighborhood Services Director Jenkins: We do first come, first served, first ready.

Councilperson McCoy: [Inaudible].

CRA Neighborhood Services Director Jenkins: …and, until the dollars are expended. So, we can only spend what we have.

Councilperson McCoy: And what or who, or, is there is a criteria to determine what a person's need'.., what a person need is, in terms of that funding…

CRA Neighborhood Services Director Jenkins: Yes, sir.

Councilperson McCoy: …assistance?

CRA Neighborhood Services Director Jenkins: There is criteria.

For instance, with a buyer, let's say that there are requirements that we use, that the county uses, that lenders use, in terms of maximizing the first mortgage, and that's their guidelines for that.

Then, to participate in the program, a person has to bring at least three percent of their own money to the table. So that's accounted for. We also have other partnerships, where we look for additional downpayment assistance.

For instance, through the Homebuyer's Club, there's an opportunity to get up to $5,000 additional.

Some of the people who apply have monies from the county. And, we've had a few that have accessed up to a $100,000 for downpayment assistance. Then, whatever that missing gap is, if we're able to fill it, that's how we determine what we bring.

We don't overs subsidize deals. We only bring what is absolutely necessary to the table.

Councilperson McCoy: So…

CRA Neighborhood Services Director Jenkins: Un'… Yes.

Councilperson McCoy: …Mr. Chair, if I can follow up.

So, in theory, you could have a buyer that is in the gap of $100,000 and that's one person that you help fund. I mean…

CRA Neighborhood Services Director Jenkins: [Stammer]…

Councilperson McCoy: based off of..,

CRA Neighborhood Services Director Jenkins: Our program, as you recall, only goes up to $50,000. And let me also reiterate, for anybody who's listening who is thinking and adding up all of the money, that the median price of housing in this county is about $500,000.

And we have homes, in some of our neighborhoods that are for sale from $295, if you can find it to over $400,000.

Councilperson McCoy: Interesting.

So, I thought also, Rennaisance was set aside for us to do.., providing assistance with homes that we're looking to.., to bring to market on some of these vacant properties, or vacant lots I should say, that the City has.

Is that not also the case? That that's what Rennaisance was set aside for?

CRA Neighborhood Services Director Jenkins: It's possible.

But we've not allocated money for that purpose.

Councilperson McCoy: Well…

CRA Neighborhood Services Director Jenkins: The guidelines allow you to do something like that, yes.

Councilperson McCoy: Right.

Well, I, I really appreciate the good work that you've done and I.., you reminded me last week, so I'm, I'm not gonna forget that but I just wanna talk about a much larger conversation offline, Ms. Jenkins and Mr. Evans, like, what is our capacity? What are we gonna be looking at, trying to fund this program in terms of, to try to do Rennaisance first-time home building for some of those vacant lots going forth for future fiscal years?

Because, I don't know how far you're gonna get with $100,000. I mean, realistically. And then, if we recognize this is something that's not sustainable, then perhaps we need to look at other avenues.

So, I think it's a good program but I wanted to, very much, get clarity on that these $800,000 that's being asked for are exclusive to properties that are not within the CRA boundaries.

CRA Neighborhood Services Director Jenkins: Yes, sir.

Councilperson McCoy: And last question.

On the Reclaim, how many do we have waiting, or ready I should say, that the additional $700,000 is gonna go to?

CRA Neighborhood Services Director Jenkins: That will allow us to do fourteen to eighteen additional homes.

Councilperson McCoy: Wonderful.

And then, are those persons ready?

CRA Neighborhood Services Director Jenkins: Once we get the inspection reports. We have some of the inspection reports. Others are out in the field. That means that the inspector is trying to make an appointment with the homeowner. They have to write up the scopes, et. cetera, and we're waiting on those to come back.

And additional step that we do, because we're being good stewards of the money is, we run an owners and encumbrance title report on the properties as well.

We also…

Councilperson McCoy: Thank you, Ms. Jenkins.

CRA Neighborhood Services Director Jenkins: Okay.

Chairperson Lawson: Councilman McCoy, thank you.

Thank you, Ms. Jenkin, for the presentation.

CRA Neighborhood Services Director Jenkins: Thank you.

Chairperson Lawson: Any other questions from the Board?

[Pause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: Thank you, Madam Clerk.

CRA Neighborhood Services Director Jenkins: Thank you.

Chairperson Lawson: Thank you, Ms. Jenkins.

4. ITEM NO. 4

UNFINISHED BUSINESS

5. ITEM NO. 5

PETITIONS AND COMMUNICATIONS FOR FILING

6. ITEM NO. 6

AWARDS AND PRESENTATIONS

7. ITEM NO. 7

PUBLIC HEARINGS

8. ITEM NO. 8

ORDINANCES ON SECOND AND FINAL READING

Chairperson Lawson: Going into our Regular Agenda, ordinances on second reading.

8a. ITEM NO. 8A

Chairperson Lawson: 8a.

City Clerk Smith: ORDINANCE NUMBER 4231: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (ZA22-0002) FROM SAFE HARBOR MARINAS REQUESTING A ZONING MAP AMENDMENT FROM A "DR" DOWNTOWN RESIDENTIAL DISTRICT DESIGNATION TO A "DM" DOWNTOWN MARINE DISTRICT DESIGNATION AND A SMALL PORTION OF DOWNTOWN CORE "DC" TO DOWNTOWN MARINE "DM"; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

CLARENCE SIRMONS, DIRECTOR OF DEVELOPMENT SERVICES, AICP, (561) 845-4062

City Clerk Smith: Mr. Chair, we do have forty-four public comment cards on this Item. And the acceptance of public comment cards for Item 8a is now closed.

Councilperson Botel: Motion to approve Ordinance Number 4231.

Chairperson Lawson: Motion's been made.

Do we have a second?

[Inaudible audience comments]

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Residents, before we get started, please, the noise travels to the front and we're gonna need everyone to please keep it down during the presentation so that the Board can hear all the questions.

[Inaudible audience comment]

Chairperson Lawson: If you do wanna speak to each other, you can step outside.

City Clerk Smith: Excuse me.

Chairperson Lawson: Mr. E'…

City Clerk Smith: Mr. C hair?

Chairperson Lawson: Madam Clerk, go ahead.

City Clerk Smith: I apologize.

It's twenty-seven on 8a.

Chairperson Lawson: Yes, ma'am.

Twenty-seven?

City Clerk Smith: Yes.

Chairperson Lawson: Okay.

Board Members, do we wanna keep the time at three minutes or drop it down to two minutes for this because we have six Items here to speak on and public comments?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Madam.., Councilwoman Botel.

Councilperson Botel: I would ask that we drop it to two.

Chairperson Lawson: Two minutes?

Any other feedback from the Board?

Councilperson Miller-Anderson: Second.

Chair Pro Tem Lanier: I'm fine with that.

Chairperson Lawson: Okay.

Madam Clerk, I believe it says that the.., we can drop it down to two minutes for readings of residents. You will have two minutes to speak on this Item, moving forward, to discuss the Item about zoning.

And we're gonna very intentional about the discussion, where it's gonna be germane to the Item of zoning for this project.

Mr. Evans. Or, Madam Clerk, go ahead.

City Clerk Smith: Done public comment cards on Number 8 [inaudible].

Councilperson Miller-Anderson: She ready?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Mr. Chair and Members of the Board, at this time, if I can have the Assistant City Manager, Ms. Deirdre Jacobs, to introduce this Item.

Assistant City Manager Jacobs: Good evening. Thank you, Mr. Evans. For the record, my name is Deirdre Jacobs. I'm the Assistant City Manager here with the City of Riviera Beach.

This Item is involves… Well actually, what we're gonna do is, we have a procedure that's been established amongst Staff where we can anticipate making it the flow of the applicant, Safe Harbor Marina's application process flow relatively simplistic so, we're going to ask Christy Goddeau. She's the attorney that's assisting with the process.

If she would explain to you how we're gonna go about, logistically, with proc'.., proceeding with the process as we move forward to start with the.., your consideration of their applications.

Thank you.

Chairperson Lawson: Thank you, Mr. Jenkins.

I'm sorry. Ms. Jacobs. [Chuckle]. Thank you, Ms. Jacobs.

Assistant City Manager Jacobs: [Inaudible].

Chairperson Lawson: Welcome, Ms. Christy.

Ms. C. Goddeau: Thank you, sir. Mr. Chair, Council Members, Mr. Mayor. My name is Christy Goddeau. And, I'm here to talk with about.., you, with the Safe Harbor Items for tonight on the Agenda.

We're gonna take these Items one at a time. As you may know, the first Item up is the rezoning on second reading, for final adoption.

The next Item will be the Future Land Use Map Amendment, an amendment to your Comprehensive Plan.

The third Item is a text amendment to the city Landscape Code.

The fourth Item is an Ordinance that is approving.., seeking approval of the abandonment of right-of-way.

The fifth Item is a Resolution approving the replat for the area of concern.

And finally, the last Item is the Site Plan.

And these are all brought forward by Safe Harbor as the applicant.

What I wanna talk with you briefly about is the process for tonight. As I mentioned, we're gonna address each Item individually. Part of the reason for that is three of the Items are legislative decision and three of the Items are quasi-judicial decisions.

The legislative decisions are the rezoning, which we'll hear first, the Comprehensive Plan Amendment, which we'll hear second. And then, the text amendment, which we'll hear.., I believe that's third. Yes.

The quasi-judicial Items are the remaining three Items, the abandonment, the replat, and the Site Pan.

As I've mentioned before, with the legislative decision, you are setting policy. Anytime you are amending a Comprehensive Plan, that is coupled with the rezoning.., so, the rezoning requires a Comprehensive Plan amendment, that's a legislative decision. Because you are making policy for this area in the City.

Likewise, a text amendment to your Land Development Code, which includes your Landscape Code, that's also a legislative decision because you're making a decision for the entire City so you're setting policy.

The remaining Items are quasi-judicial because you've, in essence, already set the policy and you're applying to your decision. So, the replat, the Site Plan, and the abandonment, you have criteria that you're applying to those applications and then making your decision.

So that is, essentially, the difference between the decisions you're gonna be making tonight. In conversation with the City Attorney, what we have talked about in terms of logistics for the process for the initial item the rezoning first, we have received a, a notice from a party intervenor, meaning that that's a nearby affected property owner.

So, for the rezoning, there will be three presentations. One from the City Staff, one from the applicant, and one from the party intervenor. Due to the nature of the rezoning, we would recommend ten minutes for each of their presentation.

The next Item, for the Comprehensive Plan Amendment, there should be a shorter presentation there so we're recommending five minutes each, for the same parties, for their presentation.

Likewise, with the Landscape, the text amendment, the quasi-judicial hearings that will then occur on the abandonment, the replat, and the Site Plan, again, we would recommend ten minutes.

But, since your Code allows another quasi-judicial procedure rebuttal, that they can then take those ten minutes and reserve some time for a short rebuttal.

So, that is our recommended process for tonight, to try to keep things orderly and moving forward.

Are there any questions?

Chairperson Lawson: Thank you, Ms. Goddeau.

Ms. C. Goddeau: You're welcome.

Councilperson Miller-Anderson: If we run into 7:30 with public comment, do.., are we able to stop or we have to finish until…

Chairperson Lawson: It is the pleasure of the Board.

I would like to finish the Item 'cause we have twenty-six items, where we're gonna go through this, each presenter has ten minutes, which is gonna take us right to 7:30 and then we can take public comments, dispose of the Item, and then go into public comments after we dispose of this one, which'll bring us to about 8:30.

So, instead of public comments being at 7:30 tonight, it's gonna be about 8:30, after we finish this Item up. Give or take.

Alright?

Mr. Evans, we just start out with the presentation. We're gonna start with, I believe, our Staff?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: [Stammer]…

Councilman McCoy, go ahead.

Councilperson McCoy: So, the time scenario you just laid out here, I mean, practically speaking, if we're going to have.., how many intervenors do we have, Ms. Goddeau? One? And then we have the applicant, and then we have Staff. That's thirty minutes in…

I mean, how long does Mr. Sirmons anticipate on his presentation?

Assistant City Manager Jacobs: We don't antici'…

Chairperson Lawson: So…

Assistant City Manager Jacobs: I'm sorry.

Chairperson Lawson: Two minute public comment, plus the thirty minutes…

Councilperson McCoy: I was…

Chairperson Lawson: …between the…

Councilperson McCoy: I was speaking…

Chairperson Lawson: …three.

Councilperson McCoy: Excuse me.

I, I was trying to see if he had a response.

How long is your…

Chairperson Lawson: Ma'…

Councilperson McCoy: …presentation on zoning?

Chairperson Lawson: Ms. Jacobs, go ahead.

Assistant City Manager Jacobs: We…

Chairperson Lawson: Or, Mr. Sirmons.

Assistant City Manager Jacobs: It's okay.

May I?

Chairperson Lawson: Please.

Assistant City Manager Jacobs: Thank you.

We've decided that we won't take long… We won't take the entire ten minutes to make the presentation. Possibly, half of that amount of time for each of those.

Councilperson McCoy: So things don't get confused, and this why I'm asking. Not just because I hear some emotions in the crowd but at what point do I get to ask questions? Are we going to allow a hour and a half to pass by before the Members of the Board gets to ask clarifying questions between…?

Chairperson Lawson: Councilman McCoy, I thought I was clear.

I said, we're gonna through this Item, dispose of this Item and then go into public comments.

Councilperson McCoy: Okay.

That's not what I heard. I heard you say…

Chairperson Lawson: I understand.

And I'm repeating it so you can hear it. We're gonna dispose of this Item and then go into public comments.

Councilperson McCoy: You said we're gonna go in at 8:30.

Chairperson Lawson: Give or take.

We will go into public comments after we have disposed of this Item.

Councilperson McCoy: And my question.., I'll repeat again if you don't mind me.., allow, allow me to…

Chairperson Lawson: Of course, Councilman.

Go ahead.

Councilperson McCoy: At what point will I be permitted to ask clarifying questions?

Is that gonna be during the presentations of the Staff? Is that going to be during the time of the applicant? Is that gonna be during the time of the inter'.., of the intervenor?

Chairperson Lawson: It, it would be a, a standard presentation like we've been doing since we've been on this Board, Councilman. So, you can do it any time during the presentation.

Councilperson McCoy: Okay.

Thank you.

Chairperson Lawson: Thank you, Councilman.

We will be going in the order of Staff first. Thank you.

Mr. Sirmons.

Development Services Director Sirmons: Good evening, Mr. Chair. Clarence Sirmons, for the record, Director of Development Services. I am here to give the Staff presentation of this Item.

Excuse me. Good evening, Mr. Chair…

Chairperson Lawson: Good evening.

Development Services Director Sirmons: …Members of Council, Honorable Mayor, and Madam Attorney.

This item, as was described, this presentation will include only the zone change Item that was mentioned by our, our outside legal. I will not read the header into the record and I will get into the presentation.

As you can see, indicated by the red dot on the screen, the location of the property or project in question is indicated as such.

This is a closer review of the project in question. A boundary around the subject property area, as well as each parcel identified [stammer] numerically in the project.

This is a view looking north from Broadway at the project area.

A view looking east to East 22nd Court from Broadway.

A view looking east to East 22nd Street from Broadway.

View looking south to Avene B from East 22nd Court.

Existing conditions: The applicant, Safe Harbor Marinas is seeking to redevelop multiple parcels of land to assemble a new campus to operate their boat repair and maintenance business. Currently, about half of the land area is already under the operation of the applicant.

The existing conditions consist of a mix of vacant and developed parcels. Again, there are thirty-one parcels involved in this project and they are listed on the next screen, as well as the image previously shown.

The approximate size of the project area is 21.8 acres. The current Zoning is Downtown Core, Downtown Residential, Downtown Marine. And the Future Land Use is Downtown Mixed Use, Working Waterfront.

Again, the parcels involved in this project. As mentioned, again, there are a total of six applications submitted by the applicant. Right now, we are focusing on the third one, which is the ZA22-0002, Zoning Map Amendment.

The, the existing zoning, is shown on the image to the left. A large portion of the property is currently Downtown Marine. The other portion is Downtown Core. And then there is a small portion that is Downtown Residential.

The proposed rezoning would designate the majority of the properties as Downtown Marina and retain a strip along Broadway as Downtown Core to allow for a variety of current and future Land Uses on those properties.

This Item does require public notice. Staff has perfected a notice as required by state and City Ordinances. And those items are located in the backup.

Staff…

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Excuse me [inaudible].

So, Mr. Sirmons, this is exactly why I wanted to ask these questions. So, I think I just seen three different maps. So, if you can help me out and go back a little bit. I wanna make sure I get this right.

Thank you, Mr. Chair, for indulging me.

Chairperson Lawson: Thank you, Councilman.

Councilperson McCoy: Okay.

So, specifically.., so, I'm looking at the existing zoning and the red area over at proposed zoning. That's the Downtown Core, over on the left side under proposed zoning. What's

particularly standing out to me is, right at the corner of 22nd Street and US-1, there is the Locksmith Shop, there's the Boat Owner's Warehouse, and then, I think, immediately to the south of that, is also Dee-s Tee's.

What's being proposed here, and if you jump back one more slide.., go back one more slide. One more. One more. If you look very closely over at that shaded area, there appears to be a carve out right there. That little.., over on the left hand side. Move the cursor… Right there.

I believe that's Dees Tees. And then, if you slide up just a little bit further, that corner that's open, is the Locksmith Shop. So, here's where I'm concerned. I'm not sure what you're showing.

Is this the area that's a part of the project? Because, I believe it is. Because, your next slide shows that we're rezoning the Locksmith Shop, as well as Dee-s Tees. And, even more so, if you scroll back down three slides to where you were before, that shape doesn't look like the same shape.

So, my question to you, Mr. Sirmons, ultimately is, is Safe Harbor Rybovich proposing to rezone Dee's Tees, as well as the Locksmith Shop? Because that's exactly what the second proposed map is showing.

So, if you scroll back down, you can definitely see the dispar'.., arrangement of that.

Development Services Director Sirmons: The answer to your question is no.

Councilperson McCoy: Will you help me out because clearly, that's what that picture shows. And, Mr. Sirmons…

Development Services Director Sirmons: If I can go back here. Sorry.

Okay. The image before you now, shows the properties in control of the applicant. It's a total of thirty-one.

Councilperson McCoy: Thank you.

But that is the properties that's in control. That is not what's being proposed for zoning change.

And here's why I'm asking this question, Mr. Sirmons. It's because, in your Staff report, there's no indication of the total acreage that's being proposed to be amended, the zoning that's proposed to be amended.

When I look at this, I'm reading it from the title that says project location. I understand all of those properties that's contained within red are going to be the replatted area when, when, when we get to that. The final replat is gonna look that.

It's snot gonna cover the Mahoney's at Dees Tees, and it's not gonna cover Joe and Kim Webb at the Locksmith Shop. But if you go over to that next map, the Zoning Map that you just proposed, that was on the righthand side, clearly shows that there is no interruption in that left hand boundary.

So… Keep going. Right there. Perfect. That, on the righthand side, does not show a carve out for Dee's Tees and the Locksmith Shop. So, for all intents and purposes, I'm trying to find out, specifically, is the address 2120 Broadway and the other address, 2200 Broadway, because there seems to be something in conflict here.

And, it appears.., you're creating a situation where you're gonna have reverse spot zoning. Because, you're carving out just those two parcels. And I can tell you, I may not always be right but I'm never in doubt.

I looked at the applicant's Page 4, and if you look at their Zoning Map, they have contemplated to rezone 2120 Broadway and 2200 Broadway. So, what I'm being presented with, there's a number of conflicts here, is Safe Harbor and Rybovich proposing to rezone properties that don't' belong to them?

Councilperson Botel: [Stammer] Mr. Chair?

Could I ask a follow up to that? To clarify for myself before he answers?

Thank you.

Chairperson Lawson: Please.

Councilperson Botel: My question is, is that being proposed, that strip along Broadway? Is that being proposed to be rezoned or is it being proposed to remain Downtown Core, as it is already?

Chairperson Lawson: And if you could address Councilman McCoy's, and then, if, if it's line with Councilwoman Botel's as well after? Or, if it's a separate response, please.

Thank you.

Development Services Director Sirmons: To address Councilman McCoy, no.

The applicant is not proposing to rezone any property that are not within their control.

Councilperson McCoy: Um…

Development Services Director Sirmons: On the images.., on the screen, the one to the left shows existing zoning. All of this area in red is currently zoned as Downtown Core. This is the existing Zoning Map of the City.

This is what the applicant is proposing. So, as you can see, the area in red, along Broadway, is remaining red. So, it's currently red. If their proposed rezoning passes, it will remain red.

So, the two carve outs that you mentioned are already zoned as Downtown Core and, if this zoning amendment is passed, they will remain Downtown core.

So, yes, Councilwoman Botel, you are correct.

Councilperson McCoy: Wait a minute.

Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Can you zoom in on that? 'Cause clearly, I don't see any deviation for those two parcels, 2120 and 2200. Can you zoom in on the proposed zoning? And the reason I'm saying that, because I went to Page 4 of the final combined submittal files and it clearly shows a very clear delineated red box around 2120 Broadway and 2200 Broadway.

So, perhaps it may not be your understanding but through their own submittal, they have a box here on Page 4 of their submittal that clearly outlines the entire section.

Development Services Director Sirmons: And I think what's taking place here is, these exhibits, to your point, are misleading in that all of the.., everything on the screen that's in color is not necessarily under the control of the applicant.

What's under control of the applicant is what is in the exhibit that I showed you previously on the slide that had the enumerated parcels, under the ownership and control of the applicant.

This particular exhibit shows the existing zoning of the entire area, and what the zoning of the entire area would be if this Ordinance is passed.

So, I can understand your point that a couple of the parcels right here are not under ownership control, it's the exhibit is showing the entire area. But, that is what is taking place here.

But no, they.., they are not.., they do not have the ability to rezone someone else's parcel [stammer] unless that owner gives them the, the authorization to apply on their behalf. And, and that is not what's taking place here today.

Councilperson McCoy: Okay.

I appreciate your explanation. I'm not saying I agree. So make sure that there's a distinction. But somebody's gonna have to justify Page 4 of why you would literally highlight a complete section to say this is going to be the new proposed Downtown Marine District. I mean, help me out. I'm literally lost at this because it appears, from their own submittal, that they are proposing to incorporate Downtown Marine into 2120 and 2200.

And perhaps they could've done a better job but, Mr. Sirmons, looking at it from here, and I have it very close with some readers on, there is no carve out. There's no carve out for 2120.

Not to mention, even if I go back to the previous documents, I'm not sure where I've seen this before but why is there not a legal description attached to it? Was that too much?

Development Services Director Sirmons: Generally, a legal description of the zoning area isn't included in the packet. Only the, the property boundaries. But again, I, I do understand this…

Councilperson McCoy: But that…

Development Services Director Sirmons: …exhibit [stammer]…

Councilperson McCoy: Well, that's the very issue.

I'm looking at the property boundaries and Joe, way up at the Locksmith Shop and Dee's Tees are in the property boundaries. So, you're gonna have to help me out with that one, Mr. Sirmons.

Alright. That's all I have for now.

Chairperson Lawson: Thank you, Councilman.

Madam Cler, Mr. Sirmons' time, he's gonna go back into his presentation. How much time does he have left?

City Clerk Smith: He has seven minutes.

Chairperson Lawson: Thank you.

Mr. Sirmons, if you go back into your presentation, please. You have over seven minutes. Just a little over seven minutes.

Development Services Director Sirmons: Thank you, Mr. Chair.

The public notice was executed for this Item. As, as Staff often.., or almost always, encourages with items of rezoning, we encourage applicants to reach out to the community surrounding the project to see if there's any community input that should be considered with the process. We did no different with this project.

The applicant held four community meetings. The attendance of those meetings is on the screen. There was information collected during those community meetings that was also included in your information.

All of them, not necessarily related to zoning so I won't get into detail on those right now. But there were four community meetings and a multiple of responses were collected during them.

A summary. A.., a summary of those community concerns can be seen on the screen. A lot of them were related to traffic circulation, drainage, open space, landscaping and beautification, sidewalk improvements, speed bumps and traffic turnarounds, air quality, and parcel numbers.

In response.., and related to community involvement, the residents to.., of the neighborhood to the north of this project, did enact Section 31-5 of the City Ordinances related to a, a formally protested zone change, in that they were able to acquire twenty percent signatures of twenty percent of the parcels in the buffer area of this project.

And again, just a brief overview of what that Section says. There are three different criteria that can be met to allow for a contested or protested zone change. The applicants met.., I'm sorry, the community met the requirements of number one.

This is the buffer area that Staff looked at going at.., going up five hundred feet across the street of the area to be rezoned. Staff looked at the number of parcels in it, which as eighty-eight or 17.6. And they produced enough signatures, such that the.., to approve this zone change, it would require a super majority vote of City Council.

Staff recommends approval of this Item. Because the project is consistent with the Comprehensive Plan Policy 1.2.13, Comprehensive Plan Policy 1.2.21, Comprehensive Plan Policy 1.8.1, as well as Policy 1.3.5 also the Downtown Mixed Use future Land Use District of the Comprehensive Plan.

Additionally, the project is consistent with the, the CRA Plan as evidenced by the, the vote of that Board.

Number three. The project meets four out of the seven purposes and intents of the Downtown District's Code. And I, I won't read all of those to you but all of this went into the Staff review and formed our recommendation for approval of this Item.

And that concludes the Staff presentation.

Chairperson Lawson: Thank you, Mr. Sirmons.

Any questions from the Board?

[Pause]

Chairperson Lawson: We're gonna have the applicant give us the next presentation. And you do have ten minutes present, not encompassed from any questions from the Board which will stop your time if there are any questions during your presentation.

Mr. R. Pinsky: Anything you say, Mr. Chairman.

Chairperson Lawson: Thank you.

Mr. R. Pinsky: Mr. Chair, Council Members, Mayor [stammer] Felder, and Jonathan, City Manager, and Dawn, City Attorney. Richard Pinsky on behalf of the applicant, Safe Harbor.

I know you pay attention to everything I say every time, so you took note in the past presentations.., I labelled them all a different title. This one is called, 'Realizing the possibilities.' I know you're excited about that. We are.

And the.., this is the Safe Harbor facility in, in Riviera Beach.., I mean, in West Palm Beach and we're moving to West Palm Beach that we've seen several times. So, let's quickly talk about how we got to where we are now.

January 1st, Safe Harbor purchased the Rybovich boatyard in West Palm Beach. And in March, Safe Harbor announced the relocation to move their facility to Riviera Beach. This is a significant date, quite frankly, because, between January and March, not that there's any one person, you didn't have Ms. Maxwell on as your Economic Development person yet.

But, we had numerous conversations with City Council Members, Administrators, Staff about what a great thing this would be to come to the City. Safe Harbor had other choices, up the road actually.

We convinced Safe Harbor that Riviera Beach was going to be the best place to land to develop their international headquarters for a super yacht repair facility.

October, we started our meetings withs Development Services. In December we presented our first concept plan. We wanted to do it in phases. We met right here in this building, as a matter of fact, and then again in February, right here in this building. And in June, we finally submitted a complete Site Plan Application.

Then, from the submittal, is when public input began. In September, we h'.., we, we started [stammer] receiving Site Plan review comments and, at the same time, we, we planned and held our first neighborhood meeting with the Lakeview Park Neighborhood Association. February.., if I'm talking fast, it's because I'm on the clock now. So, I apologize.

February, we hosted a second meeting. Again, with the Lakeview Park neighborhood residents. And then in February, we held a Citywide.., some.., and most of you attended at Inlet Grove.

And then, in April we held another meeting with the Lakeview [stammer].., Lakeview Park Neighborhood Association.

From that public input, Staff assembled those comments and, and that is how Staff started, with our responses, came up with not in the order of tonight but the Comp Plan Land Use change, recommended approval; rezoning, recommended approval; the landscape text amendment, recommended approval; roadway abandonment, of course, always has conditions, the plat, with conditions; and the Sites Plan with conditions.

Then, from that Staff recommendation, then we were ready to come and speak to the elected officials. The first actually started with the Planning & Zoning Board, and we're proud that in May, we actually received unanimous approval from the Riviera Beach Planning & Zoning Board, which was an official public meeting.

In June, we received our unanimous support from this Council, sitting as the CRA. And, in July, we received our consent from the Council to move forward for second reading.

So tonight, we're gonna specifically talk about the Zoning Map Amendment from Downtown Residential to Downtown Marine District. And, hopefully, Councilman McCoy, we can clear up some of the questions that you had.

So, what we wanna talk about is, of course, the current zoning designation. Uh-oh. Sorry. The light. Which, which one is the light? I need the pointer. Is that one.., Clarence, is there a light on that one?

Development Services Director Sirmons: No pointer with that.

Mr. R. Pinsky: No pointer? No wonder. Staff gets the good one but the applicant gets the… Okay.

So, this is what we're talking about. This currently is Downton Core. So, the properties, Councilman McCoy, that you were talking about, are already in Downtown Core. They already exist in this Downtown Core.

This is what the significant zoning change is. And, of course, the Downtown Marine that we're suggesting go just to the east of those Downtown Core.., Broadway corridor. This is important.

Because, the Downtown Marine, by right, as well as Downtown Core, by right, allows us to do, today, exactly what we're doing today. Nothing changes. God forbid, I didn't even wanna speak it but, if we do not approve Downtown Residential, we're continuing to operate. Nothing changes.

This parcel right here is what we're talking about. Why? Because we wanna build out the world class, premier facility that brings people from all over the world. To do that, we want to take that.., we wanna take that parcel and rezone it for Downtown Marine.

Now, what does this zoning designation represent? That little parcel that I just explained to you is only eight percent of our total property, of which we own. We're not asking for anybody else's zoning change, or anybody's Land Use change.

That is only eight percent of the total property. It's also the property between [stammer] 22nd Street and 22nd Court. The location, as I said, that we're in right now, is current and future use by right, that remains. Nothing changes.

What we're gonna be using that area for is, as we've explained before, the Site Plan, when we get to that part is.., will show storage and internal use only. In addition, it's gonna include the ability to do major boundary and internal improvements that the neighborhood, I know, is going to look forward to.

So, here's the re'.., so, here's the recommended zoning change. Here's your Downtown Core, that remains. Here are your properties, Councilman McCoy, that you pointed out before. Dee's Tees, B.O.W, the Locksmiths.

What we're asking for is this parcel to be included in Downtown Marine, and then you would be doing this anyway to be consistent. Although, we're not changing any of the uses. This is really what we're talking about.

Now, what does that remaining eight percent.., what do you get for that eight percent? By approving eight percent tonight, what do you get? Well, you get an existing property owner to use one hundred percent of their property. Thank you. Hopefully, you will do that.

You are also gonna be securing a major publicly traded company into the City. $25 billion value of this company. You're also gonna be [stammer] fostering the marine industry as a key economic engine.

It's one of.., it's a the third largest, fastest growing industry in the State of Florida behind tourism and construction industry.

Currently, we have two hundred and seventy full time jobs that are gonna be relocated into this.., into this facility, into this footprint. We expect, with that eight percent, with that zoning change, we're also gonna be able to finally add eighty new jobs with that ability to bring in some more.., some more vessels to the south, bringing our total workforce up to three hundred and fifty.

Again, the eight percent. It's new business opportunities for locally based subcontractors. We do business now with bu'.., with folks, vendors, and subcontractors headquartered in Riviera Beach.

But we also do business with folks outside of Riviera Beach. This is an opportunity for Ms. Maxwell, your Economic Development person to recruit those businesses. They all want to come to Riviera Beach and open at least a store front so they can operate and don't have to go back and forth to Fort Lauderdale or Port St. Lucie.

What do we do with our subcontractors? On an average, $40 million is paid each year to subcontractors…

City Clerk Smith: Excuse me.

Mr. R. Pinsky: …that we do…

City Clerk Smith: Mr. Pinsky?

Mr. R. Pinsky: …business with.

Chairperson Lawson: Madam Clerk.

City Clerk Smith: There is a minute and thirty seconds left on his presentation.

Chairperson Lawson: Thank you, Madam Clerk.

Go ahead, Mr. Pinsky.

Mr. R. Pinsky: And, of course, the job training program, which… What else do you get for the eight percent? You're gonna get $420,000, over and above what you are receiving now as a City? New revenue, $420,000 in new ad valorem.

Indirect multiplier of approximately $75 million to the City. Part of that comes from the youth.., the yacht crew impact. We do over five hundred transports currently, of a thousand passengers to.., a week.

You are developing your Marina Village, this is a perfect synergy to shuttle people from here to your Marina Village, to eat in the restaurants. When, when, when folks who operate the boats, own the boats, they wanna stay in a hotel, you're now gonna have it.

Also, you'll now have direct connectivity through these shuttles to the Ocean Mall and the beaches. But the biggest, which I had.., wish I had more than thirty seconds is, the national and international branding opportunities that Riviera Beach has.

I'm telling you, this is significant. Right now, West Palm Beach, no one even heard of West Palm Beach. Now, in the super yacht industry, they even did a TV show trying to do filming in the West Palm Beach facility. Riviera Beach is gonna be on the map.

Here's who we do business with.

[Inaudible audience comment]

Mr. R. Pinsky: These are all Riviera Beach businesses that we do business with right now. And, we, we love working with them and they're great.

[Timer]

[Inaudible audience comment]

[Applause]

Mr. R. Pinsky: There's…

Chairperson Lawson: Thank you…

Mr. R. Pinsky: …more.

Chairperson Lawson: …Mr. Pinsky.

Mr. R. Pinsky: There's more.

Chairperson Lawson: Thank you.

If we have questions from the Board, we will be asking them.

Next presenter, Madam Clerk. [Pause]. Mr. Evans, who's our next presenter?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: At this time, it would be thew appropriate venue for the party intervenor to present on their behalf.

Chairperson Lawson: Representative, do we have a name for the party intervenor who's gonna be presenting?

Mr. R. Hartsell: Good evening and thank you for having me. My name is Robert Harsell, and I represent Ms. Brandy Davis Balsamo and Lake Park Civic Group. These are the group of neighbors that live within fifty feet of what's happening, of the zoning change, the Future Land Use change, the Site Plan, the Rybovich Marina.

And, they have endured Rybovich being a neighbor, Safe Harbor being a neighbor for numerous years. They have made certain investment backed expectations to live in an area which was designated a Downtown Core.

A Downtown Core.., and I don't know if you can pull that map up again, that Councilman McCoy was inquiring about but that, that entire Downtown Core area was designed so that for redevelopment of a commercial center, for downtown, for vibrant pedestrian friendly, mixed use, that's what it's designed for.

It was not designed to be a full scale marina repair shop, which detracts from the rest of your Downtown Core area. And yes, there .., they have indicated that there is.., that they're gonna preserve part of Broadway.

And, when we get to the Site Plan we'll see that, essentially, they're just doing Marina, they're calling it, Downtown Core, or Broadway corridor.

Now, your, your form Policy 1.2.212 says the downtown must be reestablished.., reestablished. It's not established now. This is wha your CRA is doing. As a pedestrian friendly main street with store fronts and arcades lining the streets.

It's not singular. It's not Broadway. It's the streets around it. The streets that you have included that are now going to be absorbed into this zoning change. That's wrong. That's not what you intended to do with your long range planning for a short term gain today.

The, the other issue is.., and, and I bring this up and, and Goddeau and I go at it sometimes with disagreement but this is a quasi-judicial hearing, under Section 163. This is supposed to be considered quasi-judicial and it's a major distinction between a legislative policy issue.

It's what the evidence shows you rather than a policy decision. That's extremely important. And, I would say that, and Ms. Goddeau had, had made the issue that there's caselaw that says, 'Yeah. If it travels with a plan amendment, then it is considered,' and, and I don't mean to get to into a lot of legal jargon, but, 'If it travels with it, it's legislative.'

That's only.., that mean a Comprehensive Plan under the [inaudible] case is legislative.., always legislative, even if it travels with zoning. It did not say that zoning, rezoning, which you have here and you're considering legislative, becomes legislative if it travels with an amendment.

That is not true. That's not what other jurisdictions do, it's not what your Supreme Court of Florida says you gotta do. The Floridia Supreme Court has said in Snyder case that zoning changes are absolutely quasi-judicial.

And I believe that this reversible error.

We're gonna d.., most of… And, and I'll tell you what? I'll give you an example of why that's important. Right? 'Cause today, right now, you're going to consider.., you're going to vote on a zoning change that's inconsistent with your Future Land Use Map, because of the order.

You can't look at this and say, 'Hey, it's consistent with our Future Land Use Map,' which is one of the considerations you have to give. You can't because you haven't even adopted the Future Land Use Map that they applied for.

So, it's inconsistent as we sit here today. And if you vote on it, it's already inconsistent with the Future Land Use Map.

So, that's, that' the reality. That's how it works in real life and how a Comprehensive Plan is.., that's the, the, the static, semi-dynamic thing. And everything has to be consistent with the Comprehensive Plan.

And here, the residential Zoning District is inconsistent with [inaudible]Policy 1.., 1.221(2) by establishing that core downtown area.

[Timer]

Mr. R. Hartsell: Stick with it... You have it, stick with it.

Is that my timer?

City Clerk Smith: No, sir.

Mr. R. Hartsell: Okay.

We're gonna.., we're gonna reserve the rest of our time for the Site Plan and Future Land Use Map.

Thank you.

[Applause]

Chairperson Lawson: Thank you for your presentation.

If we can go into public comments, Madam Clerk.

Councilperson McCoy: Mr., Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Wait, wait, wait.

Mr. Robert Hartsfield.., or Hartswell said he's gonna reserve his time. That's not permitted, is it?

Chairperson Lawson: No.

He doesn't get to stockpile that time, so he can uses his full ten minutes or, or not.

Councilperson Botel: Mr. Chair, I had a question.

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: I had a question for this gentleman.

Chairperson Lawson: For Mr. Hartsell?

Councilperson Botel: Yeah.

Chairperson Lawson: Please.

Councilperson Botel: Thank you.

I just wanna be clear about something you referenced. So, if, if the Downtown Core area was not changed to, to Marine, it still remains in the ownership of Safe Harbor and they would still continue to do the work that they're doing.

Are you suggesting that they somehow make it into restaurants and shops and things because you think that that satisfies the Plan? The Comprehensive Plan?

Mr. R. Hartsell: When it comes to zoning and Comprehensive Planning, there are five people that make that decision of what they do with their land. Those are you guys, here today. Board.

Those people make the decisions on what you want to see. You can downzone a property, if you want. That's permissible by law. And I'm.., your counsel will back me up on this. You're allowed to downzone property and tell people, 'Yes. If you're not using the property, we're allowed to [stammer] downzone it.'

You don't have to upzone anybody's property. If you have a Plan, they purchased it and they knew.., most of those houses residential. They knew they were in a Downtown Core. They knew you had a Plan for it when they bought it. They were on notice.

In 2013 is when it was adopted. Everybody knew, when they bought their land, exactly what the zoning was and what the Future Land Use was. Now, do they have to do retail and shops? They can do whatever they want within the confines of what you guys say they can do.

[Stammer]… And, and that's how.., that, that's how zoning works. Otherwise, everybody goes, you know, 'I, I bought a house, I should be able.., abele to put an apartment building.' Yeah, but it's not compatible with the, the, the neighbors. It's not compatible with the Plan that we have to have a single family residential area.

Councilperson Botel: Thank you.

I think my, my question may, may be better addressed to Mr. Sirmons.

Thank you…

Chairperson Lawson: Go ahead…

Councilperson Botel: …sir.

Chairperson Lawson: …Councilwoman.

Councilperson Botel: Appreciate it.

Mr. R. Hartsell: Okay.

Thank you.

Chairperson Lawson: Thank you…

Councilperson Botel: Mr…

Chairperson Lawson: …Go head Councilwoman.

Councilperson Botel: So, Mr. Sirmons, is the use of that property that's considered Downtown Core, currently being put to that use? It's, it's legitimate use for that property as it is zoned now? The, the way they're using it now, even though it's Marine.., a marine industry

business, they're using that Downtown Core to do the operation that they're doing, and that's legitimate?

Development Services Director Sirmons: So, the Downtown Core Zoning District does allow certain marine uses, primarily offices that support the manufacturing uses. But, Downtown Marine is the Zoning District that would be needed for the full scope of operations in terms of boat repair.

Councilperson Botel: Okay.

So, that's why they have to change it from Downtown Core to Downtown Marine because they wanna do the kinds of things that they do in the, in the eastern most portion of their property?

Development Services Director Sirmons: Correct.

Councilperson Botel: Okay.

Chairperson Lawson: Thank you, Councilwoman.

Madam Clerk, we're gonna go into our comments for Item.., ordinance 4231. This is just gonna be comment cards. We are going to being two minutes for residents to speak on behalf of this Item.

City Clerk Smith: Mr. Chair, if I may?

When I call your name, I'm gonna indicate if you're at the left podium or the right podium. So, the left, if you're facing the sign, this would be the left and that's gonna be the right.

Mr. Noel Martinez, left podium; Mr. Frederick James, right podium.

Chairperson Lawson: Welcome, Mr. Noel.

Mr. N. Martinez: Hi. Good evening. For the record, Noel Martinez, President and CEO of the Plam Beach North Chamber of Commerce, 5520 PGA Boulevard. Good evening, Mr. Mayor, Mr. Chair, Council. Thank you so much for the opportunity to be here tonight.

So, I'm here tonight to express the Chamber's full support of the Safe Harbor Marina project. I'd like to start by acknowledging that there is a clear cut economic advantage that this project brings to the table.

Studies conducted back in 2013, and '19, for the Rybocich facility in West Palm Beach revealed an annual economic impact of approximately $600 million.

As we consider the future landscape of Riviera Beach, projections indicate a conservative annual economic impact of at least $300 million by the end of 2025. That's a lot of money. That's a huge figure. One that represents not only an economic boost but also an investment in the City of Riviera Beach.

As a community centered organization, Safe Harbor has already taken the steps to integrate into the local fabric. They've become.., they've begun assembling a team of local construction and development firms for the Marina project already.

That is a collaborative approach that not only fosters local businesses but also creates job opportunities right here in our backyard. About a hundred jobs are expected to be generated during the construction phase, a two year period that promises to further growth and development of our region.

Those people are gonna shop in our stores, get gas in our gas stations, eat in our restaurants.

The application put forth by Safe Harbor is in complete alignment with the Palm Beach North Chamber's mission. We advocate for economic initiatives that not only [stammer]promise financial growth, but also aim to enhance the quality of life for our communities.

For those reasons, we strongly recommend that the Council follows the Staff recommendations and approves this game changing project.

Thank you for your time, your service and your consideration.

Chairperson Lawson: Thank you for your comment, Mr. Noel.

[Applause]

Chairperson Lawson: And residents, please be reminded, while our speakers our speaking that.., to keep the chatter down and the personal conversations 'cause it does travel up front.

Welcome, Mr. James.

Mr. F. James: Good evening, Commissioners, City Administration. Frederick James, 2525 Avenue M, Riviera Beach, Florida.

I don't think there is anybody in Riviera Beach that is more pro-progress, in Riviera Beach, than me. I'm extremely proud of our City and the direction that we are headed in. This project spearheads and is the prime example of what we are to expect and create the face and, and the new Riviera Beach.

I have.., I collected substantial amount of signatures in support of this project over the weekend. Extremely fast. There are a lot of people in that community, around that area, that are in favor of this project, and excited about the City moving in a positive direction.

So, I'm here just to represent that and, and encourage you all to continue moving forward.

And, thank you very much.

Chairperson Lawson: Thank you for your comments, Mr. James.

[Applause]

City Clerk Smith: Kristen Herbert, left podium, Lloyd Brown, right podium.

[Inaudible audience comment]

City Clerk Smith: Delray Cousins [sp] is gonna also be at the left, and Martha Mulligan is also at the right.

[Inaudible audience comments]

Chairperson Lawson: Residents, if you can, please keep the chatter down and if your name was called, please walk up to the podium so we can keep the public comments going.

Residents, if you can, please keep the chatter down.

Welcome, ma'am.

Ms. K. Hebert: Hi. Good evening. Kristina Hebert, Ward's Marine Electric, 999 West 17th Street.

We have been…

Chairperson Lawson: I'm sorry. Hold on one second, ma'am.

Ms. K. Hebert: Sure.

Chairperson Lawson: Residents, please. We do have a long meeting tonight with a lot of comments. We wanna get through them so we wanna make sure that every resident is heard. So please, keep the chatter down.

I'm sorry about that. Go ahead, ma'am.

Ms. K. Hebert: That's okay. Kristina Hebert, President and CEO, Ward's Marine Electric.

We've been a business in Riviera Beach for twenty years, a family business for seventy-three years, 999 West 17th Street. We're also a tenant at Rybovich for the last three years.

Couple of comments. One, as a President of the Marine Industry Association of South Florida, I'd like to kinda dovetail off the comments of the gentleman from the Chamber. This has been a long time in planning.

I don't know all the dates, and I'm sure somebody will come up and correct me but I do believe that it was part of the Working Waterfront plan to be able to protect businesses. Despite contrary popular belief, the marine industry struggles.

You cannot service and repair vessels that are not along the water. They have to be able to get onto the water to get onto the [inaudible] to get them. A facility like Riviera Beach.., I mean, like Rybovich in Riviera Beach, is not just a boatyard.

It is the single boatyard in the eastern coast of the United States, the biggest in the world, that will allow boats that will never go to any other country to be able to get that work done. And they bring that to the City, they bring it to the tri-county area, they bring it to our state. The economic impact is one thing.

Now, let's talk about people. I'm a third generation business owner. My brother is back there. He's part of that. My nephew is back there. Fourth generation. We plan on being around for our hundredth anniversary and we hope to be able to bring jobs to that as well.

Again, this is not just about the, the money or the rich people against somebody else, this is about the economic impact, bringing in jobs. All of my employees, one hundred percent, except for Chase which he's gonna, own homes and pay property taxes, and we'd love to bring that to Riviera Beach.

Thank you.

[Applause]

Mr. L. Brown: Well, my name is Lloyd Brown and I've been here sixty-nine years. And this place over here where you're talking about building in right now, there used to be a time I could go down those little streets and walk all the way to the coast.

Come back from the coast. The only thing over there now that affect me is the no trespassing sign. No jobs. I mean, what is it gonna do for the people across the track? No jobs. He talking about he's gonna bring all these jobs in.

We got the number two City in the state, as far as crime. And you know why? 'Cause unemployment mean' crime. And, I mean, you're gonna build all this over there and we, we, we on the other side of the track, we ain't gonna get no jobs.

I'd rather have these people who are living over there now. At least we communicate with them. You can go down their streets and they'll talk to you. And you might could even start doing work for them or something.

But this boat thing you're talking about. How's it gonna affect the people on the other side of the track? How's it gonna benefit them? None of this you're doing benefittin' nobody I know.

I mean, it doesn't make sense for this man to come in and talk about jobs and then.., who wanna come down here when you got number two worst City in Riv'.., I mean, Riviera Beach, the number worst crime city in, in Florida? And you think somebody wanna come in and go to a hotel or motel? You're outta your mind.

You gotta get jobs first, for the people who live here. I don't care what this man say over here. I might get killed because, you know, the mafia do all kinda stuff like that. Somebody's getting paid. Somebody's getting paid. Somebody's getting paid.

Are you getting paid, sir? I'm not even gonna look at nobody. But I know he know who I'm talking about. Somebody's getting paid. It's not helping me and my people so I don't really care.

I just know these people over here in a group. We don't do that. Black people don't that. We'll come over here for some stupid stuff like your dog shitting in my yard. Excuse the language. And we'll get all crowded. We don't need dogs in Riviera Beach doing nothing in our yard.

But, when it come to something important like this, look at all these people over here. And they…

Chairperson Lawson: Thank you for your…

Mr. L. Brown: …backing…

Chairperson Lawson: …comments, Mr. Brown.

Mr. L. Brown: …what they want.

Chairperson Lawson: Thank you for your comments.

[Applause]

City Clerk Smith: Martha Milligan, you're gonna be at the right podium. And Delray Cousins, you're gonna be at the left.

Ms. M. Milligan: Good evening. My name is Martha Milligan. I am a resident of Riviera Beach.

And, I have been working with Safe Harbor Marine for six months. And, I just wanna say that Safe Harbor Marine can give a opportunity to people like me, to succeed and be.., and be more.., have more and… I'm sorry.

Safe Harbor can give to us, people like me, a lot of opportunities to move on and be a successful people.

And, I did wanna say thanks to you guys if.., to approve the zoning change. That is the only thing that I wanna say.

Thank you.

Chairperson Lawson: Thank you for comments, Ms. Martha.

[Applause]

Mr. D. Cousins: Good evening. I'm Delray Cousins. I'm a part of this company. I'm here so long. This company do a lot to me and my kids and everybody. And when this opportunity come, it come to help everybody. Everybody from all different angles, under this shipyard and be one big family.

And when I see the growth, we need the growth in Riviera Beach. Riviera Beach is a [inaudible] place where we can build it. If you don't let this thing come into Riviera Beach, we will have nothing in Riv'…

Look all about. Riviera don't have nothing. This boatyard gonna be Riviera Beach. All the people from all over the world come to Riviera Beach now. So you're gonna have hotel building, the shipyard, bring people to out there the restaurant, everything.

I don't see why people are fighting against it. Who have them whom around it? Even coconut them give away. The boatyard give away what? monies, everything, the police, the fireman, everybody come in. Have a cup of coffee.

Nobody live around the boatyard share a coconut with us. I don't see why they wanna stop this progress.

That's just my few [inaudible].

Chairperson Lawson: Thank you for your comments, Mr. Delray.

[Applause]

City Clerk Smith: Bruce Mulligan [sp], you're gonna be at the left podium, and Harrison McFerrell sp, you're at the right.

Chairperson Lawson: Welcome, Mr. Bruce.

Mr. B. Mullholland: Good evening everybody. Good evening, Chair. Good evening, Councilpeople. Good evening, Mayor and City Attorney. My name is Burce Mullholland. I live in Jupiter which.., a little far away up the US-1.

But, I come with a different perspective about Riviera Beach. I've been working with Safe Harbor Rybovich for the past four years now and each day I travel up and down US-1. And what I see in Riviera Beach is progress.

Every day there is a new building being built, high rises, apartment buildings up by the Dunkin' Donuts. I see vacant lots being cleared for possible redevelopment somewhere along the ways. I see progress.

So, I'm here to say that I'm in favor of continuing the progress with the additional zoning amendment change for Safe Harbor. And, as I was reading one of your.., on the Agenda, you say the best waterfront city in which to live, work, and play and I think this is a step towards that.

Thank you for your time.

Chairperson Lawson: Thank you for your comments, sir.

[Applause]

Chairperson Lawson: Welcome, sir.

Mr. H. McFarland: Thank you. I'm a Riviera Beach resident…

Chairperson Lawson: If you could state your name for the record as well.

Mr. H. McFarland: Harrison McFarland.

Chairperson Lawson: Thank you, sir.

Mr. H. McFarland: I've been working for Safe Harbor for over a year now. But, it's had even further of an impact because I'm second generation, where my father's worked there as growing up and being able to afford anything I wanted to do or be able to do, that he could.

And, thanks to this company, I'm able to actually live by myself and everything in Riviera Beach because I can afford it from this company.

And, going up Riviera, the only thing is just the impact of growing businesses and everything so that we can work towards having a great outcome for the City and make it a better place to live in.

Thank you.

Chairperson Lawson: Thank you for your comments, sir.

[Applause]

City Clerk Smith: John Toledo, left podium. Travis.., Travis Cotzil [sp], right podium.

[Pause]

Chairperson Lawson: Mr. John Toledo?

Mr. J. Toledo: Hello. Hi, Mr. Mayor. Hi, Mr. Chairman. I'm John Toledo.

I've been working with Rybovich now for five years. And, this job helps me support my family. It's a great company.

And, yeah. This job does a lot for me. I started as a, a maintenance and I'm now a team lead of the project [stammer] facilitators. And, it's a great company.

And that's all I gotta say.

Thank you.

Chairperson Lawson: Thank you, sir.

[Applause]

Chairperson Lawson: [Inaudible]

Mr. T. Cardell: Yeah. Hello. My name is Traves Cardell. I'm a resident of Riviera Beach and I've been with the company for five years now.

Prior to working for Rybovich Safe Harbor, I worked a lot in general construction and me and my family struggled a lot. Five years ago, I joined the team. And, I know we were talking a lot about job growth. Rybovich didn't just offer me a job, they offered me a career. A well paying career. And we're talk'.., we're talking a lot about that tonight.

Two years ago, me and my wife made the biggest financial decision of our lives and we purchased a house in Riviera Beach. Actually, right across the street. I don't believe that that would have been possible without Rybovich Safe Harbor.

I, I love the decision. I think it's a lot of growth. And I believe it's gonna be great for job opportunities in the City.

Thank you.

Chairperson Lawson: Thank you for your comments.

[Applause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Lucas Mora, left podium. Bill Wolf, right podium.

Mr. L. Mora: Good evening, Council. My name is Lucas Mora.

I actually just started working for the company a year ago. I'm sorry, a week ago. And…

[Audience chuckles]

Mr. L. Mora: I know, big difference.

But, it's a company that I look forward to working since I graduated from welding school. That was 2017. And now, that they have given me the opportunity, you know, it says a lot about how bad somebody can want something.

You know, I came from Columbia, looking for a big opportunity and I feel like this is a company that I really wanna grow with. And, I like the vision. And, I used to live in Riviera Beach, a year ago, actually. And, I know this is gonna be great for the community in, in terms of growth.

Thank you.

[Applause]

Chairperson Lawson: Welcome, sir.

Mr. B. Wolf: Hi. Good evening.

Chairperson Lawson: Good evening.

Mr. B. Wolf: My name is Bill Wolf. I represent an international marine coatings company.

We strongly support the expansion and improvements at Rybovich Safe Harbors. And look forward to directing our international client base to Palm Beach County and Riviera Beach.

Thank you.

Chairperson Lawson: Thank you for your comments.

[Applause]

City Clerk Smith: Cartier Thomas, left podium. Charles Fray, right podium.

Mr. C. Fry: Hi. Thank you for your time. My name is Charles Fry.

I've been a.., an employee of Safe Harbor Rybovich for about ten and a half years. I started there on the trade shop floor as a mechanic after serving in active duty. I can't speak more to this company about the opportunities that have been given to me for growth, to be able to support my family, take care of them.

I've never been part of an organization that is more focused on people. And, we, we talk about revenues for the, for the, for the City. And those things are important but this organization truly takes care of its people and, and takes of the people around it.

I'm a product of that. And, and I'm proud to support the project.

Thank you.

Chairperson Lawson: Thank you for your comments.

[Applause]

Mr. C. Thomas: Good evening everyone. My name is Cartier Thomas.

I've worked for Safe Harbor for about five years now. I started in their security department. Some'.., they saw something in me and decided to promote me up to run the security department in Riviera Bech. Shortly after that, they gave me an opportunity to help run the facilities department.

I su'.., completely support this company and everything what they do.

Chairperson Lawson: Thank you, Mr. Cartier.

[Applause]

City Clerk Smith: Paul Perez, left podium. Gene Lichtman [sp], right podium.

Mr. P. Perez: Good afternoon. Paul Perrez.

I've been with Safe Harbor Rybovich now for one year and it's a amazing company and I respect and I would hope, you guys would approve for project. It's a solid company.

Also, it's done a lot for me. They provided [stammer] a lot of opportunities for future employees. And I think it's gonna be a good thing for the City of Riviera Beach to go ahead and expand.

It's gonna bring a lot, I think, for the economy. And, I'm a full supporter for it and I'm gonna go ahead and be with the company for a very, very long time for that.

Thank you.

Chairperson Lawson: Thank you for your comments.

[Applause]

Mr. G. Whalen: Good evening. I'm Gene Whalen. I'm with Autotality, the Division of Filter Works, USA. We are a contractor that has the pleasure of working with Rybovich, and now Safe Harbor, for a number of years.

And, and what I wanted to speak to is, yes, we're very proud to be part of the expansion, which will allow additional capacity sand the ability to, to do more work and bring more employees into the company.

And, that's really what I focused on because we spend a lot of time onsite doing a number of different projects. We've actually been exposed to the different processes and the focus on, one of the fellows just said before, on the employee and how well they're respected.

The.., I'm very impressed by the safety procedures that are in place. And, you always feel like you're safe on the facility, 'cause they got some huge lots that you have to go passed. And things are done in a way that the, the employees are safe and can go home in the evening to their, to their families.

The other thing is, they embrace the latest technology and we're also blessed to be part of some of those changes that they'll make, that will enhance the.., their ability to do things more efficiently. And then, thus, as I said before, bring more folks into the fold.

I fully support this project and would very much love to be.., continue to be a part of that.

Thank you for your time.

Chairperson Lawson: Thank you for your comments.

[Applause]

City Clerk Smith: Jonathan Feldman, left podium. Charles Rivera, right.

Mr. J. Feldman: Good evening. Thank you for allowing us to be here tonight, Mayor, Chairperson, and Council. My name is John Feldman, another resident of Riviera Beach. I'm a resident of West Palm Beach.

And, one of the aspects that seems to be prevalent here tonight is community. And, I can tell you from somebody who's been a part of the West Palm Beach community for the last twenty years, I too had concerns, and even some issues with the development.., the previous development, Safe Harbor Rybovich when it was Rybovich.

But, after going through the years of development that they've done in West Palm Beach, I can speak as a resident of the community to say that is done nothing but bring betterment to our community.

And, if you're going to have concerns about the local families, the jobs, the opportunities that are available, or could be available, you want to bring a company that focuses on the aspect of community.

And I've been a member of the Safe Harbor Rybocich team for three weeks. I don't know much about them. Okay? I've been a member of the International Yachting Community,

an industry, for twenty-three years. I sought out Safe Harbor Rybovich to, hopefully, finish my yachting career.

And I hope that's a long time. And I hope to do so in the Riviera Beach facility if you approve this. So, I fully support it.

Thank you very much.

Chairperson Lawson: Thank you for your comments.

[Applause]

Chairperson Lawson: Welcome.

Mr. C. Rivera: Good evening, Mr. Mayor, Ronnie Felder, City Council Members and Staff. My name is Charles Rivera. I live in West Palm Beach. I work at Safe Harbor Rybovich in West Palm and in Riviera Beach. That's two different locations.

I come here tonight to talk about Safe Harbor Ry'.., Rybovich's application for expansion. I support the Safe Harbor Rybovich expansion plans because they have worked at other shipyards and boatyards, specifically up in the New York/New Jersey area, the super boatyards up there.

And at this boatyard, this shipyard, this is the finest group of professionals I have worked with. A level of excellence that Rybovich is well known in the boating and yachting community. The one hundred year history of Rybovich in this area is well known. We have inherited that history.

Upon my arrival at Rybovich, I immediately knew I was with great company. This is why I joined the Safe Harbor Rybovich Company. Our clientele, the boating community, are a fine group of professionals whom I daily interact with and enjoy.

Safe Harbor Rybovich expansion will modernize the entire proposed facility. And from this point forward, after your approval, the name Riviera Beach will be on the minds of the worldwide boating community.

With the approval of this necessary expansion, Safe Harbor Rybovich will further the goals of local governing and will ensure a diversified economy, shift ad valorem tax revenues away from other.., overtaxed homeowners and encourage growth and high wages employment.

The increased tax revenue from this expansion will benefit homeowners, Riviera Beach schools, recreational facilities and local businesses.

In summary, I believe this expansion will directly benefit Riviera Beach community and its residents, both economically and socially.

Thank you for your time, Mr. Mayor and City Council Members.

Chairperson Lawson: Thank you for your comments.

[Applause and exclamation]

City Clerk Smith: Keith Hanson, left podium. Edvar Michelle [sp] maybe left podium. I'm sorry, right podium.

[Pause]

City Clerk Smith: Keith?

Chairperson Lawson: Welcome.

Mr. K. Hanson: Welcome. Hi. I'm Keith Hanson. I live in Port St. Lucie.

I've been working for Rybovich for just over twenty-five years. Started as a mechanic, worked on the crane, a lot of sailboat work. They gave me an opportunity to run a hollow crew and the bottom painting team. I've been doing that the last fifteen years or so.

The company is really.., put my daughter through school, landed me a house, beautiful wife, great family. All the guys are treated well. Well respected. It's a great place to work. The turnaround that we do up here in Riviera Beach is what's needed for this county up here.

We did it in West Palm, we need it in Riviera. And I think that's it. Great place to work.

Chairperson Lawson: Thank you for your comments.

[Applause]

Mr. E. Michelle: Good evening, ladies and gentlemen. My name is Edvar Michelle.

I have, last six years, working with Safe harbor Rybovich. And I've been living in the room.., renting room from peoples. And then, after that, I rent my own apartment. And now I'm about to close on a house. After the closing next week. Safe Harbor.

But, it's not only that. I've seen the company on another way, next level. 'Cause, we're talking about business but Safe Harbor doesn't care about only business, they care about opportunities, [inaudible], career.

And, a lot of people that I see, like, they come to Safe Harbor, there was nothing before. Now, they move [stammer].., they move up.

So, if you guys, like, you guys care about opportunity/career and development, why not say yes? Bring it in.

[Inaudible audience comment]

Mr. E. Michelle: that's all I can say because we don't have much time. So, thank you if you guys are doing that.

[Applause]

City Clerk Smith: Thomas McGowen, right podium. Jerry Robertson, left podium.

Mr. R. McGowen: Good evening, Mayor, Cou'.., Council Members. Thank you for allowing me the opportunity to speak with you tonight. My name is Thomas McGowen. I'm the President of a small business called Engineered Yacht Solutions.

We're actually based in, in Fort Lauderdale but we have a service center in Safe Harbor Rybovich and Safe Harbor Riviera Beach. We've been a tenant for approximately two and a half years.

And, what started as a couple of guys in the shop has now grown into sixteen full time employees in Riviera Beach. We expect to increase that by threefold, with the expansion and with the, with the additional yachts that will be able to come to Riviera Beach.

Boats are moving north out of Fort Lauderdale into the Palm Beach and Riviera Beach area because of the access of, of deep waters. And, and that's an issue down in Fort Lauderdale. And, and so that's a key factor for Riviera Beach, you've got the ability to get some of the bigger boats, bigger yachts here.

And, and as.., as time continues, the yachts are getting bigger. What used to be a big yacht was a hundred feet, now it's two hundred feet and two hundred and fifty feet. So, you've got the ability up here to service those yachts and, and that's we're putting so much effort into our staff here.

One key factor, I think, is, is the jobs that we're gonna create but also, the, the careers that we're creating. The gentleman who runs our shop up here, his name is Ricky and he started with us as a driver seven years ago and worked his way up through each department of our company and now is the general manager of our Riviera Beach operation. And so, he, he runs a crew of sixteen on a daily basis and communicates with captains and, and, and customers in the, in the shipyard.

So, we expect to, like I said, increase our employee base from sixteen to forty-eight with the expansion of the shipyard over the next couple years. So, we're, we're very proud of, of the jobs and careers that we're able to offer employees and we hope to be able to continue that here in Riviera Beach.

We work in every shipyard along the east coast from…

Chairperson Lawson: Thank you for your comments, sir.

Mr. R. McGowen: Okay.

Thank you.

Chairperson Lawson: Mhmm.

Mr. R. McGowen: Thank you.

[Applause]

Mr. J. Robinson: My name is Jerry Robinson but everybody call me Jay. I could tell everybody here tonight that I'm a proud employee of Safe Harbor. I've been working there for three months but I plan on being there much, much longer. And it's a good career for me.

I like the opportunities, I like the people that I work with. Do I like my job? Yes.

[Inaudible audience comment]

Mr. J. Robinson: Do I.., am I proud to be there? Yes. Do I continue to work there? Yes. Do I think ya'll should approve what they got going on? Yes.

Thank you. You all have a good night.

[Applause]

City Clerk Smith: Brandy Davis Balsamo, right podium. Julie Logsdon, left.

[Inaudible comments]

Ms. B. Davis Balsamo: Who goes first?

Chairperson Lawson: Welcome, Ms. Brandy.

Ms. B. Davis Balsamo: Hey. Good evening, Commissioners, Mr. Mayor.

Wow. That was a lotta content from a lot of Rybovich employees. I am a resident of Lakeview Park and I am here as a voter. And, as someone who does have vested interest.

I bought that house. I put a lotta money into that house. I put a lotta effort into the neighborhood. I've been engaged in the community and I attended all these meetings. And so, I'm a bit frustrated to site through all these [stammer], you know, people's accounts of why this is gonna be so great and how it's gonna benefit everyone when I very clearly asked for some very specific things that are not unreasonable because this will harm our neighborhood. That is clear. This is bringing industrial.

And someone said, 'It's going to put Riviera Beach on the map.' Riviera Beach is already on the map for industrial. I don't think that's a surprise to anyone. If you look at Nextdoor, people talk about Riviera Beach.

If you live on Singer Island, most people take the back way so they don't have to drive through Riviera Beach. That is sad.

So, I wasn't opposed to this but I don't think that this some amazing thing. And if this was quasi-judicial, we wouldn't have everyone's opinions, we would actually be listening to experts say, 'Hey, I'm a property appraiser, is this going to affect this person's property?'

But instead, we're hearing everyone's opinions. Everyone can pontificate on whether this is a benefit to the City or not but we have no evidence. And we are changing the Comp Plan.

And, that wasn't part of the future. And everyone keeps telling me that, 'Oh, Working Waterfront, this is what we wanted.' You already have a Working Waterfront. Per your Comp

Plan, you have a Working Waterfront that you allotted. And it doesn't seem to be doing that well.

So, [chuckle], if you expand it, I'm not sure that we're gonna get this great engine. And I also disagree that this is an eight…

Chairperson Lawson: Thank you for your comments…

Ms. B. Davis Balsamo: …percent change.

Chairperson Lawson: …Ms. Brandy.

Ms. B. Davis Balsamo: Thank you.

Chairperson Lawson: Thank you, ma'am.

[Applause]

Chairperson Lawson: Welcome.

Ms. J. Logsdon: Thank you. Good evening. My name is…

Chairperson Lawson: Good evening.

Ms. J. Logsdon: …Julie Logsdon. I am also a resident of Riviera Beach.

And, I certainly hope you guys aren't fooled by this dog and pony show because I'm offended, personally. I mean, we're not here to vote on whether Rybovich Safe Harbor is a good employer for their ten new hires or whether they're good to their suppliers.

I mean, [stammer] if, you know, if I had to bring everybody in that worked for me, I could have a thousand people filling up the front two rows too. That's not the point of this evening.

The point of this evening is, you guys are responsible to make sure that we do things that are good for our City. You're responsible to make sure that this residential community is taken care of and that we're not harmed while we do this.

I don't think in the five or six meetings I've been to, one person has said, 'We don't want this to happen.' But you guys have the control. If you vote no tonight, then they have to do some of the acceptable , reasonable changes that we've been asking for.

That's the only way it happens. If you vote yes, nothing that we've been talking about and coming to these meetings for the last five months is gonna happen. And I will tell you, I own several properties on three streets.

I have never been invited to one meeting, I've never received notification. So, all the pretty charts up there showing how many people agreed and what we.., what they did, they have never addressed any of the concerns that we have.., we have brought to your attention and to the Zoning Committee, in the last six months. None of them have been addressed. You don't even ask the questions.

And, there's.., if they would sit down with us, there are probably four or five reasonable things that could change and we could all move ahead instead of having this marketing presentation tonight.

Chairperson Lawson: Thank you for your comments…

Ms. J. Logsdon: Thank you.

Chairperson Lawson: …Ms. Julie.

[Applause]

City Clerk Smith: Travis Bethea, right podium. Colleen.., or is Colin Aldamino [sp], left.

Mr. C. O'Donnell: Good evening.

Chairperson Lawson: Good evening, sir.

Mr. C. O'Donnell: My name is Colin O'Donnell, for the record. I live on 208 East 22nd Court. Council Members, Chairman, Mayor, thank you for your time.

First off, I just wanna say a simple thing here is that Rybovich, I support fully in, in the respect that, number one, they've brought a whole bunch of employees here, that live here, also live outside.

That is no small matter. That pays back big dividends, not only to the City Council Members who make decision but also Police Department, Fire. It makes everybody working here have an income. That's really important.

The other thing too is, I want everybody in this room to consider, in the audience too, what would happen if there was no Safe Harbor in this community? What would happen? Think about the negative impact if they weren't here.

The monies they bring, the jobs they bring, the opportunities they bring, the education they bring. I mean, I, I, I spend enough time over on that campus to know every square inch of that campus and I do it voluntarily.

I don't know a lot of people in this room except.., with the exception of individuals that work there as subcontractors and inhouse employees, that can really rival what I know about. I got [inaudible] to no management and to no security. And, some of the employees… Jay, the, the big tall guy with the red shirt, he was a temporary employee not too long ago. And he did such a doggone good job, they brought him in on full time.

If you want a job in this community, I suggest you start looking at this place right here. Don't tell me there's no jobs here. There's jobs here if ya'll want them. You just gotta get out there and take it, and go to, go to work. Go to work.

Thank you.

Chairperson Lawson: Thank you for your comments.

[Applause]

Chairperson Lawson: Welcome, Mr. Travis.

Before you go, Mr. Travis. Residents, please, another reminder, if you can keep the talking down in the back so that the residents that can be heard are speaking.

Welcome, Mr. Travis.

Mr. T. Bethea: Thank you. Good evening, family. Travis Bethea, 37 East 24th Street. Nineteen.., nineteen years resident.

So, we're really just talking about a zoning change, nothing else. When you look at the map, when I was here nineteen years ago, those were all houses on those properties. This already been a zoning change designed to work with the Working Waterfront and the residents to be together.

Okay? They, they changed the Downtown Core. They put a Downtown Residential area in to be a buffer. So it's already been worked out. That's what the Plan should be and just followed. Okay?

If you guys change everything to Working Waterfront, we don 't know what's gonna happen. I live three blocks away. I smell fumes from there. They like to come out and tell us there's no fumes coming off the property, there's no water escaping the property.

I go there and I watch flood water, every time it rains, pour off of their property, down our sewer drains, polluting our waterways. Okay? We're gonna be famous one day from a spill from these guys and, and that's gonna make us on the map. Okay? National news one day. We don't want any of that.

They're, they're managing here. They're here. We're not getting rid of them but we need a buffer between the residents. Sirmons [stammer] called the sixty.., what was it? Eighty-

eight parcels, the buffer. We are the buffer. Okay? Our neighborhood is the buffer to this community here.

I've driven down Broadway, I can smell the fumes coming down the street there when the wind's blowing the other way. So, it's even gonna be the communities on the west side are gonna be affected. And we're gonna expand this. Okay?

There needs to be some kind of limitation. You can't just open end and give everything to them. Okay? They're supposed to be building restaurants and all that. Yeah. That's what the question was.

When you look at the map up there, the existing, the Downtown Core, there's boats on the property. They're doing work on property that's zoned Downtown Core right now that they're not supposed to be doing. And, and the City lets it happen.

So, we've already been going through expansions, growing pains and it's, like, how much more are we gonna take? When they do this, I'm not leaving but it's slowly gonna be pushing people out. There's always low income houses they've torn down.

Chairperson Lawson: That you for your comments, Mr. Travis.

Mr. T. Bethea: Thank you.

Chairperson Lawson: Thank you, sir.

[Applause]

City Clerk Smith: Jeri Ledbetter, Kemoy Sutherland. Mr. Jerry, you're gonna be at the right podium. Kemoy, you're at the left.

[Pause]

Chairperson Lawson: You called two names?

Mr. Jerry…

City Clerk Smith: Yes.

Chairperson Lawson: …and…

Councilperson Botel: Mr…

Chairperson Lawson: And who's the other one?

Unk.: Jeri Ledbetter.

Chairperson Lawson: Oh.

Councilperson Botel: [Stammer] it's Ms. Jeri.

Chairperson Lawson: Ms. Jeri.

Welcome, Ms.. Jeri.

And who? Tawanna? I'm sorry. Madam Clerk?

City Clerk Smith: K-E-M-O-Y. Kemoy Sutherland. Going once.

Chairperson Lawson: Kemoy. Alright. No Kemoy.

Next person.

City Clerk Smith: Melissam Martin.

Chairperson Lawson: Ms. Martin? Melissa Martin, if you can come to the podium..

City Clerk Smith: Are you gonna come to the mic.

Chairperson Lawson: No?

City Clerk Smith: No Melissam.

Chairperson Lawson: Next one.

City Clerk Smith: Rachel Ortega.

Chairperson Lawson: Rachel Ortega?

City Clerk Smith: Rachel Ortega?

Chairperson Lawson: No.

City Clerk Smith: Okay.

Manny Xavier?

City Clerk Smith: Ortega's…

Chairperson Lawson: Okay.

City Clerk Smith: …here?

Unk. Audience: Here.

Chairperson Lawson: Thank you. Thank you, Mr. [inaudible].

Welcome, ma'am.

Ms. J. Ledbetter: Thank you. Hi. I.., I'm.., I live in the neighborhood. I'm on East 23rd Street. And…

Chairperson Lawson: If you could state your name for the record, please.

Ms. J. Ledbetter: Jeri Ledbetter.

Chairperson Lawson: Thank you, Ms. Jeri.

Ms. J. Ledbetter: On East 23rd.

And, I don't have a problem with Rybocich as it is now but I am extremely against the, the fact of rebuilding.., you know, the expansion. I don't.., my porch faces the south. And, [stammer], I like to sit on my porch. And I don't' wanna sit on my porch and look at a five story parking garage.

And, there's traffic issues. I mean, when.., when there's, you know, traffic backup on Broadway and Blue Heron, people are cutting through on East 23rd Street a lot. And, they're speeding. And I've got grandbabies, you know, that come over. And, you know, and that's a concern, the traffic. And, just all the extra people.

Today I came through onto 22nd Street and, when I got to the end, I had to sit there and wait for three cars coming from the south, you know, just.., before I could pull out. And then the car in front of me went to turn down 22nd Court and, of course, that's a dead end. And, he had to back out and go forward.

And, like I said, it's a small community. My husband and I bought that house as a retirement house. And, you know, to live out.., the last of our days out there. And, I.., we bought it because it was a nice, quiet residential community.

And, I don't, I don't like the idea of it being built up, you know, and all these extra people coming into the neighborhood. And, you know, I mean, that's a concern. It's just… I'm not for it.

I mean, I don't appreciate everybody coming and saying that.., you know, about the great jobs and everything. No offense to ya'll but I, I know that's important but I don't think it's necessary to have the expansion and make it as big as it's planning on doing.

And that's all I have to say.

Chairperson Lawson: Thank you for your comment, Ms. Jeri.

Mr. M. Xavier: Good evening, Council, Mayor.

Chairperson Lawson: Good evening.

[Applause]

Mr. M. Xavier: Manny Xavier. I'm not an employee of Rybovich but I'm a long term resident, forty-five plus years, in Riviera Beach. And I'm here speaking for myself and a couple of other people who couldn't make it tonight.

The reason why we're here for this issue is because their plan is not consistent with the Comp Plan. They need an amendment. You all have the power to reject it. The Comp Plan that we have right now was designed by people fifteen, twenty years ago, numerous meetings.

They knew what we wanted, we knew what we wanted on our downtown corridor. We know we wanted shops, we know we wanted restaurants. Yes, their plan is put up nice buildings along Broadway. That's true.

There is apparently gonna be sixty to seventy parking spaces for those buildings. I don't think that's sufficient. If you wanna have a restaurant, of any kind, that has a decent amount of square footage or a shop, that parking is gonna be an issue. I

I know Mr. Evans, our Manager, has said last time that we were here that the City could probably absorb some of the parking on the west side when you build your City Hall. However, you can use those parking spaces in the garage for shops that are gonna be along that side of the street.

So, I think that this plan needs to be relooked, revisited, redone. As you can see up on their demonstrations and their sketching's, there's boats there. Okay? And, that's not what we wanted. Okay? That's not part of the Plan.

As far as jobs. I've been here all my life. There's been boatyards throughout my lifetime here. I'm not against them. We want Rybovich here. We don't mind if they expand, but within reason. Okay?

We live here. We want nice, safe streets, safe air to breathe, safe water to, to, to go out and enjoy ourselves.

West Palm Beach. They showed you a picture of West Palm Beach. That picture is totally inaccurate. They're not showing you the two luxury towers that are there. Okay? What they wanna bring…

They, they self-sepacude their organization in West Palm Beach to come…

Chairperson Lawson: Thank you for your…

Mr. M. Xavier: …over here. Nobody forced them out.

Chairperson Lawson: Thank you for your comments, sir.

Mr. M. Xavier: Thank you.

Chairperson Lawson: Thank you, sir.

[Applause]

City Clerk Smith: Last name Fleming. And then Rachel Ortega. Is it Abigail Fleming? No? Okay.

Rachel Ortega.

Chairperson Lawson: Rachel Ortega.

Next card, Madam Clerk.

City Clerk Smith: Ella Duckworth, right podium.

Chairperson Lawson: Ms. Duckworth. Ms…

City Clerk Smith: El'…

Chairperson Lawson: …Ellea Duckworth.

City Clerk Smith: Ella Duckworth? Robert Hartsell.

[Inaudible audience comment]

City Clerk Smith: Mike Mahoney.

Chairperson Lawson: Any other cards, Madam Clerk?

City Clerk Smith: Theses were duplicates.

Chairperson Lawson: Okay.

So, Mr. Mahoney is the last speaker?

City Clerk Smith: Yes.

Chairperson Lawson: Thank you, Madam Clerk.

Mr. M. Mahoney: Good evening. Mike Mahoney, 2120 Broadway, 2135 Broadway.

I'm, I'm for development for Rybovich Safe Harbor. I don't have anything against them. I've been here sixty-three years. I've had a business in Riviera Beach probably for thirty years, almost thirty years.

So, you know, as you heard tonight, Mr. McCoy, I, I appreciate him standing up for us, on the zoning issues, our concerns. And my main concern as a business owner, along Broadway, is that we keep the zoning that we have.

Meaning, I guess, Downtown Core. Apparently, I was looking at the map. I think we're gonna stay that way. You know, so we can keep operating what we're doing.

My problem, in the past, and I've heard people talk about Safe Harbor, and like I said at the last meeting, the small boat repair business that's next door to us, and there's another one down on 22nd Court, what I've seen from my standpoint is the problem with the smoke and the fumes and the pollution stuff.

I've been having to deal with it for the last twenty years. And, actually, the, the business, I won't mention it, but the business next door to me, had a permit from the City back in 2003 to move in on a temporary basis only. And, to my knowledge, they've never applied for a new permit. And I brought it up to the City.

So anyway, to make a long story short, I'm looking forward to Rybovich moving in and keeping things, you know.., doing things different. As long as they abide by the City's Codes, you know?

And, and my concern again, under the Code 29-65(a), it talks about parking, zoning, setbacks, et. cetera, and that's my concern, that we get some parking in any areas where they're gonna be doing new buildings where they have to have setbacks. And roads, new road, which apparently they're gonna be doing. And, Utilities.

So, the parking issue for me is a main concern. Of course, new buildings and stuff is a positive thing too.

Chairperson Lawson: Thank you…

Mr. M. Mahoney: So…

Chairperson Lawson: …for your comments, sir.

Mr. M. Mahoney: Yes, sir.

Thanks.

Chairperson Lawson: Thank you for your comments.

City Clerk Smith: Mr. Chair, before you proceed, may I?

Chairperson Lawson: Thank you, Madam clerk.

[Applause]

City Clerk Smith: For the record, Abigail Fleming had two cards, number thirty-seven and forty-one, Ella Duckworth had two cards, number forty and thirty-eight. So those were the duplicates.

Chairperson Lawson: Thank you, Madam Clerk.

City Clerk Smith: You're welcome.

Chairperson Lawson: Mr. Evans, we proceed with just questions from the dais now? Or is there any other presentations?

City Manager Evans: Mr. Chair, Staff is prepared to answer any questions. All the applicants, I believe, have utilized their time for the purposes of their presentations. So, this is now the time for the Board to ask any questions of Staff or the applicant, or the party intervenor.

Chairperson Lawson: Thank you, Mr. Evans.

Board Members? Councilman McCoy.

Councilperson McCoy: Thank you, Mr. Chair.

Mr. Sirmons, can.., I wanna ask a, a question of the applicant. Can you queue up the Agenda Item and specifically go to Item 8a on the Agenda?

UNK: Which one?

Development Services Director Sirmons: I'm sorry.

You wanted the slide for Item 8a?

Councilperson McCoy: No, no.

See? And that's.., so, Members, Attorney, Administration, I want to make sure that we're all clear. What you put up on the slides was really the first time I've ever seen that. The only thing that we've been provided with was the Agenda backup.

So if you can go to rivierabeach.org, select the Agenda and meetings tab that's somewhere in the center of the screen, you'll see the meeting Agenda from September 6. So, if.., do we have internet access on this?

[Pause]

Councilperson McCoy: And, I, I think this needs to be [stammer] resolved. I, I mean…

[Pause]

Councilperson McCoy: Okay. Thank you.

Now, if you scroll down to Item 8a. [Pause]. And, Members and.., of the Board, Administration, and residents, pardon me for this because I am very much confused. And I'm gonna say, one, two, three, four down is final combined submittal files.

And what I understood this to be was the applicant's application. So, Page 1 is good, Page 2, Page 3 is good, Page 4. There we go. Now, scroll back up to Page 4. So, if.., are you able to hold down the ctrl button and scroll up to zoom in just a little bit on that?

What I'm looking at… [Pause]. Just keep scrolling in a little bit. Zoom in just a little bit more.

[Inaudible dais comment]

Councilperson McCoy: Correct. More.

Now, that's exactly where I wanna get at. Right there. So that blue outline is wh'.., is what I understood to be the zoning amendment area. If you look back, that starts, and that line that's in between the middle of the red, is DC on the left.

And, to the right… Is there a pointer? Can I have it? So I can make sure that I'm… Or, Mr. Chair, permission to approach the well.

Chairperson Lawson: Please, Councilman.

[Pause]

Councilperson McCoy: Sorry how do I use it?

And, and this where I'm confused, Members and this is not common that I've came on this side but this is on Page 4. And clearly, I understood the zoning change… In fact, who, who's controlling? Can you scroll up just a inch to the top of this page? Okay. One more. Just a little bit more.

But this paragraph speaks of the, the Site primarily split between the Downtown Core, DC, and Downtown Marina Zoning District.

So, when I read this, and this is the applicant submitting this, this bluish purple box represents the area that's going to be rezoned. And, if I'm not mistaken, this parcel right here is the Locksmith. Just about right here is gonna be Dee's T-shirts.

So, it's really not impractical that my suggestion that I had the impression, based off of what was submitted, that there was an application submitted for zoning. That's why I asked the question, 'Was there a legal description, Ms. Christy Goddeau, that accompanied this?'

And I even further, right? If you go down to the next page, it says almost the same thing. And I'm trying to figure out… And, and, and... Wait. I'm sorry. If you can back up just a little bit.

This text further explains a formal rezoning requests to change the Downtown Residential Core, located. And, it was my understanding, Ms. Goddeau, these zoning changes had to be contiguous. Because, if you just did an outline, that would be more or less by zoning.

Is that not your understanding, Ms. Goddeau?

Chairperson Lawson: Please, Ms. Goddeau, go ahead.

Ms. C. Goddeau: Thank you, Mr. Chair.

My understanding has always been that that the Safe Harbor rezoning application is only rezoning the parcel under its control. I understand, absolutely, your point that perhaps that blue outline is misleading, but, they're only seeking to rezone their parcels.

The Downtown Core area that, that's adjacent to Broadway is not actually being rezoned. So, the parcels that you pointed out are currently zoned that way and nothing's changing right along Broadway, for any of the parcels, whether they're owned by Safe Harbor or third parties.

Councilperson McCoy: Not true, Ms. Goddeau.

East of Broadway is being proposed to be changed to DM, Downtown Marine. So.

Ms. C. Goddeau: I'm sorry.

Where, where is.., where east?

Councilperson McCoy: Unk.

Ms. C. Goddeau: Along Broadway…

Councilperson McCoy: Can, can you grab the pointer there?

Ms. C. Goddeau: Yes.

Councilperson McCoy: And, and, and…

Ms. C. Goddeau: So…

Councilperson McCoy: 22nd Street…

Ms. C. Goddeau: Let me see.

The.., along… This is…

Councilperson McCoy: Okay.

Right there.

Ms. C. Goddeau: …Broadway, right?

Councilperson McCoy: That is…

Ms. C. Goddeau: That's…

Councilperson McCoy: …Broadway.

Ms. C. Goddeau: …Broadway.

Councilperson McCoy: Correct.

Councilperson Botel: Yeah.

Ms. C. Goddeau: Right.

So, the red…

Councilperson McCoy: That parcel right there.

Ms. C. Goddeau: The red is Downtown Core. That's your existing zoning.

Councilperson McCoy: [Inaudible].

Ms. C. Goddeau: Correct?

So, what Rybovich Safe Harbor has proposed is to rezone this area that is your Downtown Residential and this area that's south of that, not all the way to Broadway, but south of that to Downtown Marina, redo.., rezone this area, and little bit up here.

But, the parcels adjacent to Broadway, on the east side of Broadway, are all retaining their current zoning designation as Downtown Core.

Councilperson McCoy: Well, I'm afraid you're mistaken because I actually spent the time to go through and look at the parcel numbers and there are several of them between 22nd and 21st that are proposed to be within the zoning area.

Am I not correct?

Ms. C. Goddeau: I don't believe you are. Because, it's my understanding that, when an issue came up previously about the parcel control numbers. City Staff went back and specifically went through every single parcel to make sure that the list are all the parcels that are under Safe Harbor's ownership and control and that the existing zoning, adjacent to Broadway, is not changing.

Councilperson McCoy: Okay.

Well, if that's true, then why do we have this highlighted in this [stammer].., in, in this fashion? That clearly shows a blue…

Ms. C. Goddeau: And I think you're.., I think you're absolutely right about that issue. I think when.., the way that this was done is that, I think the, the goal was to bring your attention to the project area.

And, it's misleading because it leads you to believe that entire area within the blue is being rezoned. And that's simply not the case.

So I, I absolutely see why you.., why it's misleading.

Councilperson McCoy: Okay. I understand and I, I appreciate you clarifying that.

What I did not see in Staff's report, nor in the applicant's submittal was, what was the total square acreage of the proposal, that's being zoned? That's, that's being proposed for a zoning change?

Ms. C. Goddeau: I'm not sure if they have the exact acreage of the parcels that are in the existing Downtown Residential or the existing Downtown Core that are becoming the Downtown Marina. I don't know if they have those number or if has those numbers. They just didn't make it to the backup.

I, I don't.., that I don't know.

Councilperson McCoy: Thank you.

Well, I appreciate That really.., really.., I really got a good understanding. I think I understand it well now. I appreciate that.

But I do have one question from the applicant. Mr. Chair, if you'll indulge me.

Chairperson Lawson: Councilman McCoy, go ahead.

Mr. R. Pinsky: [Inaudible] on behalf of Safe Harbor.

Councilperson McCoy: Thank you. Well, I wish that would've been resolved much sooner.

I do have some questions for you.

I did highlight, and I got a property appraiser's view of, 2200, and that was the locksmith company that I just pulled up, and then also, 2120 Broadway. Was there any kinda negotiations or considerations with those two property owners? As far as consideration for the adverse impact that that may create to their properties?

And I know you're probably wondering, 'What do you mean?'

Mr. R. Pinsky: I'm not quite.., I don't understand quite…

Councilperson McCoy: Okay.

Mr. R. Pinsky: …the question.

Councilperson McCoy: Great point.

So, if I lived, and I'm gonna just use this for example purposes. At 2120 Broadway, and I have an established business that I've been operating for sixty years, give or take, and now you've just, more or less, completely changed the whole overall zoning for everything to the north and to the s'.., well, to the east of me.

Then, does that not affect, or have some adverse impact on my business to the point that that would be, more or less, to the business detriment?

Mr. R. Pinsky: I think I understand now. Thank you, Councilman.

In, in the first reading, could've been the CRA, I'm pretty sure it was first reading, we had a slide that showed.., matter of fact, the gentleman is here, Eric Hrusska, our Manager of the Riviera Beach facility, contacted every single business on Broadway.

That was first imprompted by the mix up on the PCN numbers. But it did afford the ability to go to each Broadway property owner and discuss the project to find out what other concerns. Beyond the PCN number, there were really no issues at all raised.

So, the zoning that.., and, and Ms. Goddeau is correct, that from this.., if you go take a line from the yellow line straight down, that stuff.., that remains. That's the Downtown Core. We only care about this percent.

To answer your question, there's twenty-three acres, approximately. And this, this Downtown Residential represents only eight percent of the total property. And, I was unable to finish but this is where we're putting the buffer.

So, there's no uses, that we have by right, and I, I, I contend, Mr. Sirmons, other than setbacks, we can do by right, what we're doing right now. Otherwise you'd be citing us. So we obviously can do what we can do.

So, other than setbacks, which would happen when we do the rezoning of this piece. So we only care about this piece. But, because your Staff is cleaning up your underlining Future Land Use Map, it does make sense to go straight across and make it Downtown Marine.

We support that 'cause it will help setbacks. But, we can live.., we can keep going. This is the only piece.., and what is planned for here, is only passive use. If.., and if I could get to the slide, I would show you what that property.

So the, so the comment, and I don't wanna disagree but, the comment about expansion, that area is not being expanded. That area is being reserved for passive use only. We're purposefully not gonna be doing work in that area. Primarily for the neighborhood.

Did I answer the question?

Councilperson McCoy: Yes, you did. And thank you. I, I think that did it for me, and I understand.

Mr. Chair, can I ask a question about him identifying on this map the area of the abandonment…

Chairperson Lawson: You want Mr. Pinsky?

Councilperson McCoy: Yes.

Mr…

Chairperson Lawson: Mr. Pinsky, if you could stay…

Councilperson McCoy: If you could…

Chairperson Lawson: …please. Thank you.

Go ahead, Councilman.

Councilperson McCoy: Not without asking any questions because that's not before us but, relative to the zoning change, where is the abandonment? If you could point it specifically on this map.

Mr. R. Pinsky: If I could get our presentation up. It's a great slide. We spent a lotta time working on it. But… Oh. Here he comes. So, the… [Stammer]. Let's get right down to it. This is where we left off. This is what I don't get to say. Don't get to talk about redoing your 22nd Court, I don't get to talk about the deck.

But, here's the buffer that we were talking about, and the privacy wall. So, this.., I think I have a better view. Wait a second. Let me get there. Okay. So this is a view… We're looking from 22nd Street to 22nd Court.

This was sort of what was going on all along but, because of the Downtown residential zoning designation, residents complained. And they were correct. We were doing storage, just passive storage that, that Downtown Residential would not allow.

So, we pulled all those storage units and moved them to the other side of the property. But, once you change it to Downtown Marine, this is the buffer that's going to go from the main entrance on 22nd Street, which will be the main entry into the, into the facility and [stammer] into

Viking. This is only gonna be… Oh, oh. Wait, wait, wait. Wait, wait, wait, wait, wait. You gave too much away there. I don't want you to see the good stuff yet. Okay.

So, so this is going to be a passive use buffer area. The storge units are eight feet high. They will not be above the wall. And, and so… Oops. I don't know why I'm.., I can't do this. I'm not a big pointer person.

So this is the way it would look, looking at the wall, so you would not see any of the things. But, I'm trying to get to the picture that shows a better view of the buffer. So, this would be.., this is what we're talking about.

Here's 22nd Court, here's 22nd Streeet. Here's where the boats are. See these boats right here? These ten slips. From day one, a year and a half ago, and your [stammer] Administration and your Development Director will tell you, this is all we ever were trying to do.

This is currently operating right now. We need more slips. They're not gonna be here. They're gonna remain on the southside of 22nd Street. We would like to use this but we.., your Site Plan does not allow it. So we are agreeing with the Site Plan for passive use only as an additional buffer, in addition to the additional setback.

Councilperson McCoy: Okay.

And then, lastly, you have listed in here in the narrative, due to the proposed rezoning, there are no special exception uses being [stammer] requested, along with these areas.

It was my understanding, any form of storage or warehousing throughout the City, irrespective of whatever district you is.., you are in, requires a special exception.

Mr. R. Pinsky: Thank you.

So, if we were not getting this zoning, we would be looking for a variance or a special exception.

Councilperson McCoy: Right.

But…

Mr. R. Pinsky: Bu be'.., but because we are going for a zoning change, there's no longer gonna be a need for a special exception.

Councilperson McCoy: Okay.

So, we have a property that's located on.., it's right immediately to the east of 1555 MLK. And if you're from Riviera Beach, you know where that is.

Mr. R. Pinsky: Mhmm.

Councilperson McCoy: That place was a LTL warehouse that did storage. It may have been short term storage but it required a special exception. And that's been true for all areas throughout the City, irrespective of whatever zoning classification you have.

Mr. Sirmons, would you agree with that? That all storage and warehouses have to have.., are only approved by special exception?

Development Services Director Sirmons: Mr. Chair?

Chairperson Lawson: Go ahead, Mr. Sirmons.

Development Services Director Sirmons: I, I would need to double check our Code before answering that.

Councilperson McCoy: Okay.. That's all I have.

Thank you, Mr. Pinsky.

Chairperson Lawson: Thank you.

Any other questions for Mr. Pinsky, the applicant, before he does…

Mr. R. Pinsky: And…

Chairperson Lawson: Madam Pro Temp?

[Pause]

Chairperson Lawson: Okay.

[Inaudible comment]

Mr. R. Pinsky: And just…

Chairperson Lawson: Ma'…

Go ahead, Mr. Pinsky.

Mr. R. Pinsky: I, I just wanted to say that, in the process tonight, as you know, we learned about 6:05 or 6:10 that the C'.., that the Administration was validating a petition. There was no backup handed to us.

We still don't know what parcels were considered as the total universe. And, we don't know if all the population of the [stammer] property owners were included. This has been going on for two weeks. And at the eleventh hour to be told that the petition is valid with no backup, no writing, nothing to go on, you know, I really would like to get something on the record tonight.

We have our attorney here that specializes in this. And, you know, you all know 'cause you are sophisticated and you've been there, this is a state statute that was re'.., repealed. So, the Ordinance is hanging out on its own. And, whether you have the authority to adopt something more stringent than, than state law, is [stammer] certainly another question.

Also why Tallahassee loves preemptions. But, so, we would like the opportunity.., we'll do it now or at some point, but it is not appropriate. And, and, and our position, to be told moments before the meeting, even though we discussed it, not to… We still don't have anything in writing how the, how the decision was made.

We've submitted a legal opinion and we were just asking for equal consideration to show what you are basing it on, in writing. There was a court case that was cited. Totally disagree with the interpretation of that third option.

But, I don't know how we get all that on the record but I would like to.., any potential challenge, we certainly wanna get something on the record tonight.

Chairperson Lawson: Thank you for your comments, Mr. Pinsky.

Board Members, anything for our Staff or for Mr. Pinsky, the applicant? Any additional comments?

I did have a comment, Mr. Sirmons, in regards to the petition. And, the validation of the petition for tonight. We're requiring that this vote has to be a super majority vote of 4-1 to pass?

Development Services Director Sirmons: Yes.

That's correct.

[Inaudible audience comment]

Chairperson Lawson: Okay.

Any other comments?

City Clerk Smith: Mr…

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Mr. Chair, if I may?

At 8:36 p.m. tonight, we received a two.., two pages of documents here of Riviera Beach residents that are in support of the project.

So, the two pages total thirty-six residents.

[Inaudible audience comment]

Councilperson McCoy: So, Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Proceduraly, I'm going to object to that being entered into the record. Simply because this meeting has been very much noticed, well ahead of time. At 8:36, which is nine minutes ago, we've already had Items.

I mean, there's no possible way that we're going to either review that or even consider it for our deliberative process. So, I would object to that being even entered into the record.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: The information was provided in the actual document. It has names, addresses, and phone numbers. It doesn't have any other information with regards to for or opposed to the particular project.

The purpose is just to notify… Oh, it does?

Councilperson Miller-Anderson: Yes.

City Manager Evans: Sorry, Mr. Chair.

I, I stand corrected. Here.., it does say yes or no but there's no other definitive information or description with regards to the project and, and what the project incorporates. So, I think the intent by…

Councilperson McCoy: I don't need… Excuse me. I object.

Mr. Evans, we don't need to speculate to what the intent is. My.., and I'm saying this respectfully, I don't wanna go down this… Because, it's, it's not even timely. There's nothing for any of the voting Members to do with information that has come after we've already started.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: It was merely to just acknowledge that we have received this, and it is a public record. Not to have the Board consider it in your deliberation, just that we have received said document.

Chairperson Lawson: Okay.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: But, to that, to that point, and I, I guess my concern, with Councilman McCoy is, that none of those.., none of the information's been validated, that information as a public record has been submitted as just a piece of paper with names on it. We, we don't have any other information.

And, we can't even agree to submit that to the record. I would agree with Councilman McCoy on that.

[Applause]

Chairperson Lawson: But, Councilman… Councilman Mcoy, go ahead.

Councilperson McCoy: Thank you.

That actually was what I was gonna say. I mean, I might as well write a handwritten note and pass it to everybody inside the City Council meeting if that's the case, because, I mean, I don't know what it is.

And certain, I don't have any intention on going back to revisit this issue again when this is second reading of the City council. Plus, there was also two public hearings done at the Planning & Zoning Board.

So, I would just reject that because…

Chairperson Lawson: Mhmm.

Councilperson McCoy: …it's not timely.

The Clerk can [stammer] certainly take possession being the Custodian of Record but that should not be a part of this record because I have no idea, and haven't seen it. And I'm saying that respectfully because at what point does it stop? Somebody else is gonna walk in at, at 9:00 o'clock and say, 'Hey, add this to the record'?

I think…

Mr. R. Pinsky: Mr. Chairman, with your indulgence.

Chairperson Lawson: Well, we're actually deliberating, Mr. Pinsky. So, if you can…

Mr. R. Pinsky: Well, I just wanted to point out, the young man who spoke…

Chairperson Lawson: Well, if you, if you can, allow for us to deliberate and continue with the discussion, Mr. Pinsky.

Thank you.

Unk. Audience: [Inaudible].

[Applause]

Chairperson Lawson: Mr… Board Members, any additional questions for the Board.., or for.., I'm sorry, for the Staff, for the applicants?

Councilperson McCoy: Mr., Mr…

Chair Pro Tem Lanier: Um…

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: [Stammer]…

Chairperson Lawson: Madam.., let me let Madam Pro Temp go ahead, and then Councilman McCoy.

Go ahead, Pro Temp.

Chair Pro Tem Lanier: Yeah.

I wanted to ask a couple questions in regards to the community meetings. And, and also I heard some of the residents are having some concern about some of the suggestions that were made to.., made to the, to the.., to Safe Harbor in regards to what they were looking for.

They talked about it being a quasi-judicial hearing, and it was supposed to be on the law. So, I wanted to get some feedback from Mr. Pinsky in regards to those concerns from the community, how they addressed them, and how that fits into the quasi-judicial hearing form that we have here.

Chairperson Lawson: Mr. Pinsky.

Mr. R. Pinsky: Richard Pinsky on behalf of Safe Harbor.

So, we agree with, with counsel, Christy Goddeau, on that matter, that it is a legislative matter. It is setting policy and you, as the legislative body, get to decide that policy. And so, the order may be different. You may do Land Use first, you may do zoning but it's the prerogative of yours to set the policy. Yes, that prerogative yours.

Chairperson Lawson: Thank you, Mr. Pinsky.

Madam Pro Temp?

Chair Pro Tem Lanier: No, no.

I was about.., I also too.., there was some concerns form the community, that neighborhood, in regards to that issue. I know that when you had the first reading, you made comments.., Safe Harbor made comments that the issues that were brought up by the neighborhood legally were addressed.

I just wanted to make sure that those items that the neighborhood brought up, legally, were addressed by Safe Harbor.

Chairperson Lawson: Mr. Pinsky.

Mr. R. Pinsky: I thank you, Councilwoman Lanier.

So, earlier today, for the record and we did put it on the record, and it was merely a, a chron'.., chronological representation of the last year and a half of the multiple questions that came from the neighborhood.

Not just from the public meetings but their numerous emails sent to.., I know there's at least three Commissioners that received emails that you then sent them too us. We responded to those and.., so, we distributed today, I think, ten or twelve pages of just ongoing, whether they came Clarence Sirmons.

So, I know there was one resident that said they never get answers. They may not like the answer but issues on fumes.., I mean, the comments that are just not true, we corrected the record, not once, not twice, but dozens of times as was handed to you to document that.

Councilperson Botel: Mr…

Chairperson Lawson: Thank you for your comments.

Councilperson Botel: Well, while he's up there.

Chairperson Lawson: Yes, please.

Councilperson Botel: If I could, Mr. Pinsk…

D: Councilwo'…

Councilperson Botel: …, please don't…

Chairperson Lawson: Mr. Pinsky.

Councilperson Botel: …don't run away from me, please.

Chairperson Lawson: Ms. Botel, go ahead.

Councilperson Botel: So, I.., this is my question.

If we don't approve the zoning change, which really, let's focus on the residential. If we don't approve it, you'll continue to own the property. Right? You won't improve the sidewalk? You won't improve.., you won't put a wall in to block what you've got going on? You won't put the landscaping in? You won't fix the road over there? You won't do the deck?

So, all of those things go away because we say we're not gonna change the zoning?

Un k. Audience: [Inaudible].

Mr. R. Pinsky: That is…

Chairperson Lawson: [Inaudible], please. We cannot have any shouting from the back.

Go ahead, Mr. Pinsky.

Mr. R. Pinsky: Councilwoman Botel, that, that is correct. And…

Inaudible audience comment]

Mr. R. Pinsky: …I don't think there's anybody…

Chairperson Lawson: Hold on'.., hold on one.., hold on one second, Mr. Pinsky.

Residents, please. We are trying to hear up here so we can make a decision. And thank you for your patience.

Go ahead, Mr. Pinsky.

Mr. R. Pinsky: So, I don't think Staff, as elected officials, the neighborhood, no one.., no one, I think, is in favor of continuing to look at that property in its current condition. But that is what has to remain without that change.

That's why the zoning change which, again it's our property. It's such a small portion. But will.., it'll allow to move items that are passive to that area between 22nd Street and 22nd Court.

So, we, we don't have to do that. By right, we don't have to do that. We are.., we put it in our Site Plan, which is the gospel, because we are making that commitment that we do wanna make it [inaudible].

You heard many people tonight, even from West Palm Beach, where we go, we clean everything up and make it look five start. That's what they will be receiving. We, we don't have to do the wide setback with all the plantings, we don't have to do the wall. We don't.., we're doing that on our property.

And so, this great number of benefits, including fixing 22nd Court, including [stammer correcting your, your outfall pipe. Because we're gonna be impacting that. And that's what we're doing.

So, all of that goes away. Yes, we will continue to operate. And, like I said, we're doing it, right now, by right. So, it will continue to look less than desirable and we really do wanna fix up the neighborhood. We want the City to be proud of it.

And the vote yes on zoning will help us do that.

Councilperson Botel: Okay. One, one more question. Maybe.., maybe more than one.

You spoke this evening on a number of occasions about the number of jobs and I think you, maybe more than other peo'.., any other person here, knows how passionate I am about workforce development.

Councilperson McCoy: I renew… I renew my objection.

This is not germane to…

Councilperson Botel: [Sigh].

Councilperson McCoy: …zoning issues.

Chairperson Lawson: Councilman McCoy, I would object to that. Job creation would be germane if stated in regards to the zoning and the improvement to the residents and the community.

So, if Councilwoman Botel is inquiring about jobs, it is germane to the zoning.

Councilperson Botel: Thank you, Mr. Chair.

So, my question is this, how are we gonna guarantee that the jobs are created and that you do the kind of.., you engage in the kind of workforce development that we've spoken about, and that those jobs, at least many of them, will go to Riviera Beach residents?

Mr. R. Pinsky: Great question. And, and thank you, Councilwoman Botel.

Councilperson McCoy: Mr. Chair, I, I…

Mr. R. Pinsky: So…

Councilperson McCoy: …I again renew my objection to the discussion of how the jobs will benefit the community. What we have before us is an Item dealing with zoning change. So, I wanna make sure that I go back again, and if you're gonna [stammer] rule adverse to me, that's fine but certainly, that subject of jobs is not germane to a zoning amendment.

Councilperson Botel: [Stammer]…

Chairperson Lawson: And that is the.., that is the conversation that was had. Your objection is heard, Councilman McCoy.

Mr. Sirmons, if you can give clarity in regards to the job creation when it comes to zoning.

Development Services Director Sirmons: Yes, Mr. Chair.

This conversation, in Staff's opinion, can be germane to the Comprehensive Pol'.., Comprehensive Plan Police 1.9.3 which states that Land Use and Zoning requests that increase

density or intensity, in or adjacent to residential neighborhoods shall be required to demonstrate a benefit to that neighborhood.

And, if the applicant is arguing that jobs are a benefit to the neighborhood, it would be within their bounds to utilize that as one of their requirements to satisfy Policy 1.9.3 of the Comprehensive Plan.

Mr. R. Pinsky: So…

Chairperson Lawson: The cou'…

Mr. R. Pinsky: …so Council'…

Chairperson Lawson: Based on… One moment, Mr. Pinsky.

Based upon that, with Section 1.9.3, I would state the job discussion, in regar'… the question does have germanity with the zoning. So, please, Mr. Pinsky, if you can, go ahead.

Mr. R. Pinsky: So that slide that was up earlier, showing you the ten new boat slips, if we do not get the zoning, we can't put those boat slips in. Why? Because that's where we have to put our storage and the passive uses.

So, the jobs.., and I think you remember from the last meeting, of that two hundred and seventy current jobs, almost seventy percent are already being transitioned up to Riviera Beach. So, we don't have to say, promising and hoping. It is happening right now.

But, we can't expand the additional eighty new jobs, which are gonna be generated by those ten new slips, if we don't get that zoning. So, Dwight Stevens is here tonight, be happy too talk about the construction. But, as far as the zoning goes, we'.., that is directly related to how many in'.., how much of an increase in business we can do, which translates to jobs.

Don't take my work, just go to West Palm Beach and you'll see how we do I

Councilperson Botel: Than you.

Chairperson Lawson: Thank you for your comments.

Board Members, any additional comments?

[Pause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: No.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: No.

[Audience exclamation]

Unk. Audience: Right on.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: No.

[Audience exclamation and applause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: That, that vote fails, Mr. Chair, with Councilperson Miller-Anderson, McCoy, and chairperson Lawson dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

Next Item.

Unk. Audience: Right on.

[Inaudible audience comments]

Chairperson Lawson: Residents, please.

City Clerk Smith: Mr. Chair?

Chairperson Lawson: Madam Clerk, next Item.

City Clerk Smith: We're gonna do public comment cards for general public comments.

Chairperson Lawson: How many public comment cards do we have?

Development Services Director Sirmons: Mr. Chair?

Chairperson Lawson: Mr. Sirmons.

Ms. C. Goddeau: Mr. Chair, I believe it was a motion to approve the rezoning request. So, since that motion failed, we do have to take an [stammer] if there's another motion because, otherwise, there's no action on the petition.

Chairperson Lawson: You have to take another motion to do what?

Ms. C. Goddeau: To…

[Inaudible audience comment]

Ms. C. Goddeau: If the will of the Council is to deny the petition for rezoning, then the motion should be a motion to deny the petition for rezoning because there has to be some affirmative action taken. And since the last motion failed, you'd have to take affirmative action to deny the petition.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: A mot'…

Councilman McCoy, go ahead.

Councilperson McCoy: I was gonna offer up a motion to deny the zoning application requires from Safe Harbor.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly second.

Discussion?

[Pause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: No.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: No.

Ts: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, with Councilperson Botel and Lanier dissenting.

Chairperson Lawson: Thank you, Madam…

City Clerk Smith: You're welcome.

Chairperson Lawson: …Clerk.

[Audience applause]

COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS (Three Minute Limitation)

Chairperson Lawson: Mr… We have public comment.

Madam Clerk, how many public comment cards do we have?

City Clerk Smith: We have a total of fourteen for general public comments.

[Inaudible audience comment]

Chairperson Lawson: Thank you.

City Clerk Smith: And, the acceptance of public comment cards now, for general public comments, are now closed.

Chairperson Lawson: Thank you.

City Clerk Smith: Mhmm.

Chairperson Lawson: Public comment cards, the residents will be called to the front. If you hear your name, please come up and line up along the podium.

Chairperson Lawson: **PUBLIC COMMENTS SHALL START AT 7:30, UNLESS THERE IS NO FURTHER BUSINESS OF CITY COUNCIL, IN WHICH EVENT IT WILL BEGIN SOONER. IN THE EVENT THERE'S CONSIDERED ITEMS THAT GO PAST 7:30, IT WILL BEGIN IMMEDIATELY FOLLOWING THE ITEMS BEING CONCLUDED.**

PLEASE BE REMINDED THE CIT Y COUNCIL BOARD HAS ADOPTED RULES OF DECORUM GOVERNING PUBLIC COMMENT DURING OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE FRONT DESK. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO, THE CIT Y COUNCIL CHAIRPERSON MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE REMOVED FROM THE PODIUM, FROM THE MEETING OR THE BUILDING IF NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY.

Chairperson Lawson: Madam Clerk, public comment.

City Clerk Smith: Are we doing the left and right podium for general comment?

Chairperson Lawson: Please.

City Clerk Smith: Okay.

Mr. Lloyd Brown, you're gonna be at the left. And Ms. Dosha Newbold, you're at the right.

Mr. L. Brown: Hello. My name's Lloyd Brown.

Le me tell ya. I got two dogs, right? And, I feel them. So, whatever I tell them to do, they're gonna do. You know, they're not gonna bite the hand that feed them. Ya'll understand, ya'll workers?

They're not gonna bite the hand that feeds them. And here they go right here. Two dogs. I feed them every day and if they can talk, they would agree on anything I say.

[Audience chuckle]

Mr. L. Brown: And, I mean, them dogs.

And then, you know too, like, jobs I haven't seen but three people that look like me came up here. So all these people you talkin' about hiring, where in the hell are they? Are the coming from Riviera? No.

I mean, honestly, you got a thousand brothers over here don't have jobs and you talking about bringing in something. And then, you got people that work for you coming up here, they kissin' your behind, 'cause that's what they doing.

They come up here and they acknowledge and they, 'It'll be such great thing.' But you ain't hiring nobody like me. There used to be a time I could walk down those streets, over there where you got these boats and go down on the dock and throw a pole out and fish.

I'm sixty-nine and I'll soon be seventy in April. And, I mean, Riviera Beach is the number two worst City for crime in Florida. And you talking about puttin' hotels along there. Them brothers will have a field day.

[Audience chuckles]

Mr. L. Brown: So how you gonna get over there at.., to Rybovich? Ah, well, you gotta take a plane and catch a helicopter up there in Jupiter, it'll drop you off. 'Cause you can't come down Blue Heron.

And then ya'll talking about jobs. Man, there's so many brothers over there don't have jobs. I don't see none of 'em in here. And the two dudes, the three dudes that came up here that look like me, I mean, like my dogs. I feed them so they gonna do what I say.

[Inaudible audience comment]

Mr. L. Brown: See? You ain't gon bite gonna bite the hand that feeds you.

And I'm gonna tell you another things. My friends and them got a door put on. Now, they got a door. They paid $5,000 to get a door put on. The people who put the door on couldn't even speak English.

And so, the girl trynna explain to them what's wrong with door and they had to call on the phone, they got one of them little translators. And the door, you could see all in between it.

Okay. And then, I got forty-two [inaudible] my house. We went up in.., our first time, when up in the attic. You know what the big building inspector gonna tell me? It was a board up in there. I say, 'Well, don't they supposed to look up in there be'.., when the do inspections?' Don't they.. 'They did inspections.' Bull.

I mean, but let me get back this. Those people that live over there, they probably lived over there when I was coming up. They don't want this. Leave it like it is. You already done sold us out.

I mean, you shoulda, you coulda, or you woulda but you didn't. You're not doing anything to help us but I, I agree on the stores. I like that.

You all have a [inaudible].

Chairperson Lawson:: Thank you for your comments, Mr. Brown.

Welcome, Ms. Newbold.

Ms. D. Newbold: Good night. My name is…

[Clapping]

Ms. D. Newbold: Wait. Put my time back. Put my time back 'cause he as still carrying on. Thank you.

Good night. My name is Dosha Newbold, a long time resident in the City of Rivera Beach.

I'm here because I feel like Mr. Evans has dropped the ball and he's not a very good City Manager for us. He's dividing the City, he's created a lotta drama. And I wanna clear the name of Ms. Aladia Franks in reference to the issue with Mr. Elam. I love Mr. Elam, I'm a part of his family. Some of them are my friends, like best friends, his cousin.

So, this has nothing to do with Abe Eliam, what I'm getting ready to address. Mrs. Franks, Aladia Franks, is being accused of being the person to reveal his background. That is not true.

Mrs. Franks was in the hospital fighting for her life the first week of June and got out the first week of September. Mr. Evans took it upon hisself to give him a consultant director's contract for the youth of sports.

He did not notify Council, according to Mr. McCoy saying he didn't know about it. He didn't put the position out to bid. He did not vet him. So now, when it comes down, she's getting accused of it.

She has gotten locked out of her office. They shredded her paperwork. They took her computers, and they gave her another positions as a Director of Special Events. Our special events is through Parks & Recreation.

So, I don't understand with Mr. Blankenship being there why do we need a consultant director of the youth for sports? What was Mr. Blankenship for? So, of course, Mr. Blankenship got the hint and he put in his letter of resignation.

And, by the same token, how can we have someone that's on the list, be affiliated with kids? It's hearsay, he's supposed to be escorted with the police whenever he's around kids. That is appalling. I said hearsay.

So, with that being said, you did not do your job. And this started the debacle that we are going through, through the City. People are being split. We love Abe. Abe one of the few people that came back to Riviera Beach after his professional football career and gave his money to the City.

But, because you did a contract while that lady was in the hospital, August, I think, 22, 2022, made it retroactive June 2022 and you did not do your careful investigation.

You revealed this man' private life. And now you got everybody in this City divided because they want Abe to be over there, but he's dealing with youth. You're putting us in a liability sense.

I mean, people just look for money. It doesn't even have to be a child. Somebody can say that, that he groped them. Now we're getting sued for a million dollars. Like we don't have enough lawsuits.

You did not do your job. You did not follow procedures, you did not follow rules and regulations. And, I'm sure there's a violation of a Florida statute somewhere in here that you did not vet him.

You didn't cou'.., contact the Council. We don't know what the job description is for somebody else to bid on that…

Chairperson Lawson: Thank you for your…

Ms. D. Newbold: …contract.

Chairperson Lawson: …Ms. Newbold.

Ms. D. Newbold: And I'll be back, until ya'll investigate Mr. Evans.

Chairperson Lawson: Thank you for your comments.

[Inaudible audience comment]

City Clerk Smith: Mr. Eric Ward, left podium. Travis Bethea, right.

Chairperson Lawson: welcome, Mr. Ward.

Mr. E. Ward: Good evening. I'm Eric Ward. I've been [stammer] Riviera Bech citizen since 1985.

The issue of the Lone [stammer].., Lone Pine golf course, it seemed like that first phase was finished and then we move on to what a more appropriate usage of the land would be.

But now, the developer has come back. And now they're trying to blackmail us by invoking the [stammer] Live Local Law which, according to them, means that if they wanna put in high rise, low income housing, they can just do it without a zoning change.

However, I've viewed the law. Thank you, Mr. McCoy, for providing it. And, it clearly limits this provision to and that is already zoned for a commercial, industrial, or mixed use.

Therefore, it does apply to this parcel, which is zoned recreational. This was confirmed last month's meeting on August 2nd when Christy Goddeau gave her presentation and stated that.

So this, this law does not override your ability to control the zoning. Imagine if it was true they way they're saying it. Somebody with money, could go in and buy a house in Lost Tree Village and then submit a proposal to tear it down and then build a high rise, low income building there. You think the Council mee'.., City Council for them would be required to approve that? That's preposterous. And.., but that's the.., that's the interpretation that the developers are trying to push.

We shouldn't be intimated by the threats and lies that they are being put forward by the developer.

Although I [stammer].., I opposed the development of the golf course into a housing development. I was previously sympathetic to the landowner but that's no longer the case. This land was never of high value because it's always been zoned, or at lease for decades, has been zoned as recreational.

And, they bought it with in'.., with our knowledge. They don't have any particular right to the windfall that they are looking for. And we have to stand up and not allow them take your authority to control the Land Use.

Thank you.

Chairperson Lawson: Thank you for your comments, Mr. Ward.

Mr. E. Ward: Thank you.

Chairperson Lawson: Go ahead, Mr. Travis.

Mr. T. Bethea: Thank you. Like I said when I first came up here…

Chairperson Lawson: Excuse…

Mr. T. Bethea: …good evening, family. I'm, I'm very, I'm very happy with this decision you've all made.

Chairperson Lawson: State your name for the record, please.

Mr. T. Bethea: Travis Bethea, 37 East 24th Street.

And, let's go ahead with Margaritaville, let's get our jobs in the hospitality, restaurants. You know, continue in that direction with the City. Just like you heard in the presentations, what's more.., what brings in more money to Florida than boatyards, tourism.

Thank you guys.

Chairperson Lawson: Thank you for your comments.

[Clapping]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Manny Xavier, left podium. Ana Vergne, right podium.

[Inaudible audience comment]

Chairperson Lawson: Manny Xavier?

[Pause]

Chairperson Lawson: Who are the next two, Madam Clerk?

City Clerk Smith: Ana Vergne. She's gonna be at the right podium.

Chairperson Lawson: And then after that, who are the next two?

City Clerk Smith: Mike Mahoney, left. Ladi March Goldwire, right.

Chairperson Lawson: Residents, if you can, be ready. Mr. Mahoney and Ms. Goldwire, after these two speakers, please come up.

Mr. M. Xavier: Manny Xavier, Riviera Beach. Thank you, again, Council, Mayor.

We are not here as residents to oppose jobs or expansion of Riviera Beach's economic opportunities. We're just here, looking for something in our neighborhood that will be done within reason.

And, based upon our assessments, things could've been improved. Also, with the vision that we had, fifteen to twenty years ago with how Broadway should look, we all agreed, at that time, it should look like it did in the 50s, 60s, and 70s along US-1, or Broadway, as we call it.

So, if we can revisit that. If they can go back to the drawing board, make some modifications and present it, that'll be fine with us. But, the way that it was going, it just wasn't gonna be feasible for us as residents to live there and enjoy the way that we've enjoyed it for all these years.

And as afar as the roads and your improvements, I mean, to be quite frank, that's the City's responsibility. I know they're doing.., they wanna do it on their behalf. That's the City's responsibility.

So, right now, the property values are sky high. You're getting record revenues. So we need to look into that. I know that [stammer] that there's certain things in play as to how we're gonna replace certain roads and infrastructure but that kinda stuff is really the City's responsibility.

And, you know, hopefully, in the future, things can be addressed a little bit better than they were in the past.

Thank you.

Chairperson Lawson: Thank you for your comments, sir.,

Mr. M. Mahoney: Oh, sorry.

Chairperson Lawson: Yes, Mr. Mahoney.

Mr. M. Mahoney: Mike.., Mike Mahoney again, 2120 Broadway.

The last time I was here I mentioned something about a business, and I also mentioned that I submitted a letter to the Code Enforcement Administrator about it. And, I know some of you up there on the Council were curious about it. And I think Mr. Evans mentioned about it, that he would look into it.

But, I, I go by that property every day and I still see the Code violations, which I understand are violations. There's razor wire that this guy put up recently. And, he closed off the alley, himself.

So, you know, I.., like I said, in my case, I had to take down some barbed wire that I had on my property at 2135 Broadway that I existing since I redid that building in 2000. Never had any problem with it, except I had a disgruntled neighbor had his attorney call the City and complain that I didn't have a permit for that barbed wire.

So, I went through that whole thing with the City, trying to convince them that I put that barbed wire when I redid the building in 2000 but, with no avail, I had to take the barbed wire down.

So then, I turn around and I see this property on 22nd Court and US-1, the Yamaha out board, behind his.., behind Boatowners Warehouse, you can't miss it, he's got razor wire up there that he put up there, I think probably four or five months ago. And he also blocked off the alley which people use. You know, you just can't block off an alley.

If, if he can do that, I don't see why I can't put that razor wire up and block off my alley, because I haven't got any response from the City yet. And I was hoping for somebody to either put up a, a violation notice on, on that particular property, like they've done with me.

But, you know, I went ahead and did what the City told me to do, which was take down the barbed wire. And I feel like I had every right in the world to keep it up. Barbed wire's a helluva lot nicer than razor wire.

I mean, I didn't think anywhere in Riviera Beach, except industrial area out there, would you guys allow razor wire. Now, I see it like two streets down from me.

So, you guys need to look at that. I don't know why nobody has'.., hasn't notified me on it yet. Like I said, if it's, it's allowed, then I can put my, my barbed wire back up. And block off the alley. If he's doing it, I should be able to do it.

So that's something you guys need to look at and take care of it.

Thank you.

Chairperson Lawson: Thank you for your comments, sir.

Welcome, Ms. Ana.

City Clerk Smith: Ms. Ladi Goldmi'..,k [stammer].., Ladi March Goldwire will be at the other podium.

Chairperson Lawson: Thank you.

Ms. A. Vergne: I'm Ana Vergne and I live on Lakeview Park.

I wanna thank the Council today for your vote. I've always had the, the.., the feeling that this Council is of the philosophy to protect minority communities. We are a minority community at Lakeview Park.

The [inaudible] is basically gone. There's only two and a half streets left. There's nothing for them to take. Why not preserve it?

Thank you. I wanna thank the University of Miami and M r. Hartsell for coming today. [Applause]

One of the concerns that I've always had when I come to the podium is the lack of process in this City. The lack of process at the, the Director Sirmons, the lack of process when I look at job descriptions with the City Engin'.., Engineer, Mr. Bailey.

It's [stammer], it's quite disturbing because, when they recommend to this Council that they should approve something like they're doing with Rybovich, that's co'.., really concerning when it doesn't follow the Comp Plan and it doesn't provide the recommendations needed for you guys to be able to make adequate decisions regarding our communities.

So, what ends up happening, people like us, who are the activists in our communities, have to bring it to the table and we're pounding our your emails and we're pounding your phones when all that needs to happen is real process and brought to the table so we don't have to be doing this.

This struggle is exhausting. It's not just exhausting for us, we're smelling the fumes, we're dealing with sewage smell, we're dealing with the.., with the, the people under water, despite what Rybovich says. We deal with it, we live it.

So, when these people are look'.., and I'm looking at job descriptions. I'm not just talking. And.., and I've even taken job descriptions and sent them to this Council because I hear some of the Council Members says, 'No. It's not in their job description.' Yes, it is.

Their job is to plan and zone these areas and to ensure that Council has adequate recommendations brought to the table, and that is not happening. And that is disturbing. It's disturbing to the community at Lakeview Park and it's disturbing.., it should be disturbing to this Council.

It should.., I mean, we… Listen, it should be disturbing. And I.., we've had.., while I'm at odds with Rybovich, I've had the conversation with them. It is a process issue that has to be… Mr. Evans, it needs to be dealt with. Please. I'm begging you.

I call you, I text you. I will stop by your office. I will sit there. You know that.

Chairperson Lawson: Thank you for your comments, Ms. Ana.

[Applauses]

City Clerk Smith: Mr. Chair?

Chairperson Lawson: Madam.., Madam Clerk.,

City Clerk Smith: Senator Bobby Powell is next at the left podium.

Chairperson Lawson: Welcome, Ms. March.

Ms. L., March Goldwire: Oh, okay.

Chairperson Lawson: Ms. Ladi March is…

Ms. L., March Goldwire: I thought she was saying someone else was next.

Chairperson Lawson: Welcome [inaudible].

Ms. L., March Goldwire: Hi. Ladi March Goldwire.

I have a couple things that I wanna say. I know we only have three minutes. I just wanna say first and foremost, I think I understand having to put public comments back at 8:30. But I think for the people who came to the meeting tonight, in addition to those who are here for Safe Harbor, most of came out in support of Abe Elam.

But also, many of us go to work, many of us have families and responsibilities outside that we plan our days, our evenings based on things starting when it's supposed to start. You have somebody in here who is doing a presentation and the audacity that they walk through and about the room as you guys try to deliberate and make decisions.

I'm talking about the gentleman in the gray suit that just kinda has his way, back and forth, as you guys do what you're supposed to. It just seems so out of order. It's so disrespectful for the people who wanted to be here at 7:30, get started, having a conversation.

As you can see, people are worn down and most of the people, although they are in avid support of Abe, they're gone. They're gone. And so, I think when you look and you make consideration for how we feel, as residents, especially the people that are born and raised here, when you see issues that don't impact us favorably, like building out Rybovich and hogging up the streets, we sold everything out, it's unfair and it's dis'.., it feels disrespectful.

And I say that with the utmost respect 'cause I know you guys try to make the best decisions you can based on where everybody is.

The thing that I wanna say for, you know, outside of that is, full disclaimer. Abe Elam is my son's uncle and so, we need to get that out of the way firsts and foremost.

I think the comments that Ms. Newbold made is prime example of how you can have a very different opinion, 'cause I support her. I'm very, very encouraged by a lot of the things I've seen her [stammer] be in different spaces and disagree. But that's what our community is about.

The thing that is most troublesome about the situation with Mr. Elam is, whoever created this debacle, they know the intention and they know the history behind those charges, and they know how disingenuous they are.

And if you do the research, you will understand that you have somebody that is victim to something that's happened to many men of color in the justice system where they are forced to take or agree to situations just because they don't think that they're gonna have that adequate day in court.

You have that but, in spite of that, you have somebody who came back here anyway, and twenty, thirty years in, has given and given and given. Every time the City has asked, they've given and given and given without hesitation.

We have more athletes from the City of Riviera Beach who have gone on to professional sports and to be guided and led by somebody of that capacity, when our Parks & Recreation Department was on life support, to have them come and resuscitate the program and to see the vibrancy, and then have this type of thing happen, for whatever reasons.

Be it vindictiveness, be it an effort to have Mr. Evans removed. Whatever the case may be. And anybody and everybody knows our history but this isn't the hill he needs to die on.

Chairperson Lawson: Thank you…

Ms. L., March Goldwire: [Inaudible] do different...

Chairperson Lawson: …for your comments.

Ms. L., March Goldwire: …to do different.

Chairperson Lawson: Thank you for your comments, Ms. March.

[Applause]

City Clerk Smith: Madam Clerk,.

City Clerk Smith: Ms. Mary Brabham, right podium. Ms. Cindy March, left odium.

Chairperson Lawson: And if you can call the next two speakers as well.

City Clerk Smith: Yes.

Ms. Margaret Shepherd is going to be at the right. And, Mr. Richard Riles is at the left.

Chairperson Lawson: Thank you.

Ms. Mary Brabham and then Ms. Cindy March.

[Inaudible audience comment]

Chairperson Lawson: And then we're gonna have Ms. Margaret Shepherd next.

Ms. M. Brabham: Good evening. Ms. Mary Brabham, Riviera Beach.

I'm gonna say something here and I'm gonna give our condolences to the late Anthony 'Tony' Saunders [sp] our funeral director that, that has served our community, and various communities for numerous of years.

And also, Patricia 'Pat' Gordon, a faithful member of Mount Olive, as well as a community servant.

Ms. Adela Harris, educator. A teacher that taught me and many, many others. So, I give my condolences, along with very others.

I also would like to say, and to inform the general public that have supported my grandson. Jeremiah has shone, that has graduated from Florida Gulf Coast University. On May the 7th. Last Satur'.., this past Saturday, we had a great celebratory celebration to him.

And we, as a family, we recognized his achievements but he understands that his journey could not have been completed with'.., [stammer] without gratitude and, and appreciation from Senator Bobby Powell, the late Alcee Hastings, City Manager Jonathan Evans, previous Manager Ruth Jones, Port Commissioners, Council representatives from Riviera Beach, West Palm Beach, Delray, Boynton, Boca, Jupiter, Key West because he loved to fish and boat and they would take him out when he came home.

While doing his college academic, he also attained and received his realtor and broker's license. He is selling, selling, selling. He was taught that when much is received, much is given back.

His fields are business management and law. And he is engaged to his college sweetheart. So, we are a proud family and friends. So, he sends that gratitude and appreciation for everyone that has helped him along the way.

Because why? Ms. Brabham would take him into these meetings and he would write, and he would listen, and he would apply. This is what we do with the children. Even our children here, they need someone of sound mi'.., sound mind and body that can move them to another level.

Because that's what our children are about. We cannot be stagnated. Yes. Yes, we have been stagnated in this City with programs for so long. It's time that we rise as a City and show our children that they can rise too, and they can be far more greater than what they have been labelled as.

Thank you.

Chairperson Lawson: Thank you for your comments, Mrs. Brabham.

City Clerk Smith: Ms. Margaret Shepherd, you're next at the right podium here.

Ms. C. March: Good ev'…

Chairperson Lawson: Go ahead, Ms. March.

Ms. C. March: Good evening, Council. Cindy march.

Let me make myself very clear. I got a phone call before the last meeting, about a week ago, before the last meeting. It.., and I, I wish he was here so he could speak on what I'm finna say now.

So, let me make it very clear. Randy Edwards called me. He used to be a police officer here. So this way I found out about Mr. Elam. I don't know Mr. Elam from [inaudible]

housecat, even though he's Ladi's son uncle or whatever, if he stood in front of me right now, I kid you not, I do not know the man.

He brought to my attention… See, I'm not a follower, I'm a leader. You're not gonna give me a script of piece of paper to come up here like I'm doing a Easter speech. Whether I care for Evans, whether I care for the Mayor, or any all you all up, I'm for what's right. I am who I am.

He say, 'Ms. March, the next meeting, we're gonna go because you know they signed a contract with Mr. Elam and he's a sex offender.' If you've never sinned, you need not cast that stone.

Because that same man got caught up in a hotel with young adults, underage, at a bachelor party. And here goes somebody trying to [inaudible] our children and save our children from the streets and we're gonna condemn this man like this?

You're gonna use me. What I did tell him, 'I need to you to cross all your 't's' and dot all your 'i's' and come back with facts.' 'Well, you know they got rid of my wife and demoted my wife so we're going after Mr. Evans.. You do what you wanna do with Mr. Evans but don't put Cindy involved.

'Cause at any time I wanted Mr. Evans, it was when.., what ya'll did to Ladi March. Thanks to Julia Botel.

But God got a way of making your enemy your foot stool. I always told her, be still and watch how God work. And she's been successful ever since she left here. And some of you all still call on her. You still depend on her.

And, and to take this man' character, from twenty something years ago, and you was a police officer here and got caught up in a hotel, and just because they demoted your wife, or whosever she may be, 'cause I don't even know her.

But one thing I do know, is if you do right, something good' gonna come out of it. I will never get to this podium and let no one give me a script to say, like I'm doing a Easter speech. Especially when I don't know what's going on.

I woulda had to leave town if I woulda had to follow up that foolishness 'cause my heart wouldn't let me stay here. I have raised a lotta kids. I don't have any kids but I brought up a lotta kids, financially, education wise. Don't judge the book by its cover. I am somebody.

I don't care what my past may be but my future holds the key for me to do better. And anybody I can help, I'm gonna help. And I think this young man 'helping these young people.

We're losing too many 'our young kids…

Chairperson Lawson: Thank you, Ms.

Ms. C. March: …from gun violence.

Chairperson Lawson: Thank you, Ms. March.

Ms. M. Shepherd: Margaret Shepherd, Riviera Beach. To the Honorable Chairperson…

Chairperson Lawson: Welcome, Ms. Shepherd.

Ms. M. Shepherd: …to the Honorable Mayor, and to all of you in your respectful places.

I do, once again, Mr. Lawson, wanna give the olive branch of saying I'm very sorry to the general public. I thank them for coming to my rescue. And, of course, my olive branch over there, Julie Botel. I can always depend on you.

I'm kind of like Cindy March, you will not use me as a steppingstone. I will not be blackmailed, I will not get you in my ear and tell me how to vote with Planning & Zoning. If you feel like you wanna vote, my thing is, to volunteer. Come here, you have a right.

I'm very proud of this Board because Planning & Zoning said yes. And I knew, and I kept saying, it's up to this Board. I will never go against the Board, however it goes down, I'm with it.

I could walk away. I'm good with it. I live in Lakeview Park so I kinda, like, know what's going on over there. But I wanna say to you, they're there, and they'll probably be there. I wanna say to you, Mayor, your aide.

I don't know where you got that girl but when she come over to Lindsey Davis, she's the light of the life. When she walk' in, you can't help but laugh. When you're despondent or depressed, Ms. Brown walk in the room, Ms. Brown is gonna get things moving.

We have now, like, fifty members. When we go on trips and, and, and Alice and Gwen, they can't do it. We're all getting up in age. And Ms. Brown is like the babysitter, 'Come on. Go…' She said, 'You're…' I said, 'Ms. Brown, I'm old.' She said, 'Come.., you…' I said, 'Ms. Brown.' And she just gets me to laughing. So I wanna say thank you for allowing her to come out.

I wanna also thank you all for the Housing Authority. If nothing else, you all have to say John W. Hurt, and that Board, has moved this City forward. There's not enough housing for seniors.

So, when you go over to Judge Rodgers, who advocated for seniors, I think it'll be a feather in your cap to really think about public housing. I don't like this conceptual plan. They come in, start talking without even talking to the Board.

Jeffrey Jackson has done an amazing job. Amazing job. He's brought it to another level. He's running for the Port of Palm Beach. I see Mr. Riles is here, District 7; Alex Freeman. These are guys that we decided we were gonna support because right now, we need their attention with different things going on this.., in this City.

If we can't get our leaders to come and support us, why do we need them? And I, I, I always said, maybe we need to wipe the slate clean and start with a new bunch so we can get the City of Riviera Beach on the map.

Thank you.

Chairperson Lawson: Thank you, Ms. Shepherd, for your comments.

City Clerk Smith: Mr. Richard Riles, at the left podium. And Ms. Jackie.., Jaqueline Burgess [stammer] Burton at the right.

Chairperson Lawson: Mr. Richard Riles?

[Pause]

Chairperson Lawson: Ms. Jacqueline Burgess?

And the next.., next resident?

City Clerk Smith: That concludes general public comment.

Chairperson Lawson: Thank you, Madam Clerk.

Ms. Jacqueline.

Ms. J. Burgess: Good evening. Jacqueline Burgess, former Deputy City Clerk.

I came tonight because a couple.., about a year and a half ago, I came to this exact Board and I asked about the Staff at the Recreation Department because they would not file my paperwork for clearance for a coach.

I also asked that you allow Mr. Blankenship to do his job and stop having Staff harass him. Well, that same Staff that are harassing him, is because they're not satisfied, is now harassing Abe Elam.

I worked with Mr. Elam last year. However, these same people wanted him to get me off the Board that he had me on because they said I was too voiceful. Well, I'm voiceful because I care about our kids. Evidently, they did not.

You can't hurt someone that's done a great job with our kids. I worked very hard with Mr. Elam last year. We improved the numbers. So, the numbers that they got this year came from Mr. Elam, Mr. Larence Baker, that's no longer here, that was harassed at the Recreation Department, and myself, along with other coaches.

So, we just had a problem… I know Pop Warner has their rules. I worked on that Board also. They do have their rules. We have to abide by their rules. But we can still fight. There's ways of fighting Pop Warner in regards to Mr. Elam.

And I hope that you guys will take every step to do that. And I can tell you exactly how to do that, if you'd like. But, their plan, as it was kept saying at every meeting was, we want our own recreation, we want our own conference.

Pop Warner is one of the best that you can be on. They highlight our kids. Our kids are well known. Mr. Elam's brother, Matt, we went to a game one year, they.., they came here from Jacksonville just to see him play. To co'.., to see the players that we had.

Our players are highlighted, and we need to change that. So, we need to back him but don't leave Pop Warner. Find a way to back him up.

My other thing was about the quorum for tonight. Some years ago, there was a Councilperson that was out, trying to do virtual and it was noted that, if you have quorum in person, that person does not vote.

Now, you can research it, but I believe Ms. Ward had researched it and, if a person is out, even though they're virtual, if you have an in-person quorum, [stammer] that you need, that person on the phone does not vote.

You may wanna look at the Attorney General' opinion, 2020-03 to confirm that. And I know some cities are making changes to what the state had, when it came to the COVID and they was doing virtual, so some cities are making…

Chairperson Lawson: [Stammer]…

Ms. J. Burgess: …changes right now.

Chairperson Lawson: Thank you for your comments, ma'am.

Ms. J. Burgess: I'm sorry.

Thank you.

Chairperson Lawson: Mhmm. Thank you, ma'am.

Thank you. Mr. Evans, did you wanna comment on any of the public comment?

City Manager Evans: Mr. Chair, with respect to Mr. Mahoney, the Assistant City Manager had a conversation with Mr. Mahoney and is gonna look to resolve that particular issue.

That concludes my comments, Mr. Chair.

Mayor Felder: Mr. Chair?

Chairperson Lawson: Mayor, go ahead.

Mayor Felder: I, I have a question of Mr. Evans.

Is Mr. Elam still up under contract?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: No.

His contact has expired.

Mayor Felder: Are we working on a new contract?

City Manager Evans: That was an Item that we originally put on the Agenda to have a discussion with the Board and we did remove that Item off the Agenda. So, there has been internal conversations about the possibility and probability of having a, a discussion related to that topic.

Mayor Felder: I, I wanna ask my colleagues, are we willing to allow Mr. Evans to go into negotiations with Mr. Elam to get a contract done?

Chairperson Lawson: It was on the Agenda. Well, it was on the Agenda previously. I know we were having a discussion. I wasn't sure why we pulled it at that time.

Mr. Evans, if you could remind us why we pulled it.

City Manager Evans: The, the purpose of that Item being pulled is, is Staff wanted some additional time to have some conversations with regards to the Item.

The Deputy City Manager drafted that Item to look at a provision in the Procurement Code that allows for us to negotiate over what the Manager's threshold is of $25,000. And that's what that particular Item was provided for.

And so, we removed that Item from the Agenda for the purposes of some additional research and some [stammer] additional information that was provided to Staff as well.

Mayor Felder: So, right now, he, he's asking for more than twenty-five? Which, you're gonna have to come to the Board, correct?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Go ahead, Mr. Evans.

City Manager Evans: Yeah.

Any, any contract that exceeds the Manager's threshold would require the Board's action.

Mayor Felder: So, Mr. Chair, is, is there anyway you can make a motion maybe to have that negotiated and bring it back to the Board for consideration?

Chairperson Lawson: [Stammer] I would allow for Mr. Evans to, to bring it to the Board. I know it was previously there, so I would be in support of it. I'm not sure if we would need a motion for Mr. Evans to begin and to finish negotiations but, if he wants to see a consensus, I'd be in support of that. I'm not sure where my colleagues will stand, but I'd be in support of seeing him bring a discussion and negotiated contract with Mr. Elam.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: I have no issues with that. I would assume that the issue had been worked out with Pop Warner, whatever the.., I mean, I, I thought it was. I mean, the last information that I got, I thought it had been kinda resolved or…

City Manager Evans: That, that is correct.

Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Yes.

We, we did receive correspondence from Pop Watern and it resolved what their issues were and provided him with a copy of what the contract calls for. And, it's pretty explicit on the contract as it relates to Mr. Elam's roles and duties.

And in nowhere in the contract does it ever specify anything with regards to Pop Warner. And, youth is only mentioned, I believe, once in the particular contract and I believe it's the third provision in the contract that states that he will have no direct contact with youth participants.

Also, the other component… Pop Warner did send additional correspondence, and we have since resolved those particular issues. So, we're in good standings with Pop Warner. We're going into week three of our season.

And so, we have no issues respect to if Mr. Elam continues in that particular role, complying with what's required as provided by Pop Warner.

Councilperson Miller-Anderson: [Inaudible].

Chairperson Lawson: Thank you. Thank you, Councilwoman.

Councilwoman Botel?

Councilperson Botel: I'm fine with Mr. Evans [inaudible]…

Chairperson Lawson: Mr. Evans, I don't know…

Councilman McCoy, any comments?

Councilperson McCoy: Absolutely.

Chairperson Lawson: Please.

Councilperson McCoy: I'm not exactly sure what you mean by go into contract. I think, for my four Members who have kindly, blindly agreed, what exactly is his scope?

Because, truly, honestly and truly, I'd have to ask my Members to take a step back. We are currently out of a Parks & Rec Director, we're out of a Assistant Parks & Rec Director, we're out of a Recreation Superintendent. So, my question is gonna be simply this, what is the role.., or, what is the expectation? What is the scope?

Mr. Evans made it clear that he did not have any direct contact with the children. And if we're already in the hiring process, currently, why wouldn't anything that Mr. Elam could possibly be consulting for is not already captured within the same administrative positions?

So I wanna understand, first of all, what is it that's so specialized that he's doing? Is there any kinda specialized credentials? And outside of that, we literally just had this issue come up.., we're in September now? In May, we just had the same exact issue come up with E-Roadmap.

And it was specifically laid out, by the Attorney, that once that contract is up, you have to go back and competitively solicit it. So I don't understand, is there something that I'm missing here?

Because, clearly, what we've applied for the E-Roadmap situation, when their contract was up, it had to go back out and be publicly solicited.

So, am I missing something here?

Chairperson Lawson: Thank you, Councilman McCoy.

Attorney Wynn, did you wanna opine on that statement?

City Attorney Wynn: Only to say that if you are going to contract with someone, you always have to follow the Procurement Code. So, whatever that means as it relates to soliciting services.

Chairperson Lawson: Mhmm.

City Attorney Wynn: Goods and services.

And so, whatever.., if you provided direction, we still would have to comply with the, the Procurement Code. And I don't know if Mr. Elam would be the selection or not because I don't

know what that process would look like, I don't know who would submit, whether it's a quote or a bid. We'd have to look.., Procurement would have to look at all of that.

Chairperson Lawson: And to, to piggyback on that, I believe that, for myself, I'm not blindlessly giving direction. I'm giving direction for Mr. Evans to go into negotiations and to bring back a contract and discussion based upon what our Procurement Code allows.

So, I'm giving support for him to go negotiate a contact with Mr. Abe Elam based upon our terms and rules and regulations with our Procurement Code and bring it back to the Board. We haven't given them the amount, we haven't them details, direction.

Or, we haven't given them a scope of work. That's what he's going to do and bring it back to the Board.

Councilman McCoy…

Chair Pro Tem Lanier: Chair?

Chairperson Lawson: Councilwoman Lanier, go ahead.

Chair Pro Tem Lanier: I, I do want to have this discussion but I don't think that this.., this, number one, is a very hot button Item. This Item needs to be discussed with the Council, with our Legal. And there's a lot of moving parts to this.

It was not on the Agenda. And I don't think that us discussing it in such a tight timeframe will accomplish anything. I think that what we need to do is, that if it's gonna come back to the Council, it has to come back to the Council under the Procurement Code and whatever else is supposed to happen for it to get to the Agenda.

So, having this discussion now is not fair to the City or to Mr. Elam in regards to how we're going to work this out. This is not enough time, it's not on the Agenda, and I think that even the, even the public wants to weigh in on this issue.

Chairperson Lawson: And I would agree with that Councilwoman Lanier. My sentiments were in support of the Mayor asking if I would be supportive of that and allowing for our City Manager to go into discussions, to create a scope of work, and to discuss the terms and details of his contract.

So, I wanted him to go ahead and get that done and bring it back before the Board so that we could vote on this and have the public opine on this.

Councilman McCoy, go ahead.

Councilperson McCoy: Okay.

Let me, first of all, since apparently you're not understanding my questions. Let me phrase it in this fashion.

Ms. Wynn, under 16.5 of our Procurement Code, any solicitation above $25,000, does that have to be competitively solicited?

City Attorney Wynn: It has to be… I believe there has to be some form. Procurement is probably here and they can address that.

Councilperson McCoy: I'm sorry.

Repeat that again because I…

City Attorney Wynn: There has to be…

Councilperson McCoy: It's…

City Attorney Wynn: …some form of competitive solicitation or selection.

Councilperson McCoy: Wait, wait.

City Attorney Wynn: Whether it's a quote… I mean, there are.., there are different, as you already know, different forms of solicitations that you can do. You can have quotes, you can have bids, you can have RFPs, RFQs.

City Manager Evans: [Stammer], Mr. Chair, if I, if I may?

Chairperson Lawson: But, before you do that, Councilman McCoy, could you state that Code again? The, the number, please?

Councilperson McCoy: 16.5, is our Procurement Code.

But what I'm, I'm trying to understand why you're already at the point of entering into a contract when our Code says anything above $25,000 has to be competitively solicited. Mr. Elam's two boys are my first cousins, I was.., as much as I would appreciate to see him continue this great work, I swore and took an oath to uphold the City's Code of Ordinances.

I'm not sure exactly how the Board, and you specifically, Mr. Chair, are jumping directly to say, 'Give him a contract,' when our Code says anything above $25,000 has to be competitive solicited.

So, I think, if you're gonna provide direction, the direction should be, go back to have Staff come up with a solicitation process that is lawful and authorized under the City Code as, as opposed to…

'Cause let me see. There's a gentleman out here on one, two, three, four, five, maybe the sixth row wearing a nice long sleeved blue shirt. Mr. Evans, can you give him a $50,000 contract just because the Board says so?

I mean, that's essentially what we're doing. Let's make sure that there is a legally defensible process that we're doing. [Stammer] and he smiled, because he likes that. And I'm sure Mr. Elam would like that.

But we have a.., we're duty bound to follow our Code of Ordinances. And it was just restated by our City Attorney.

So, I think.., I think I've said enough on that.

Mayor Felder: Mr. Chair?

Chairperson Lawson: Mayor, go ahead.

Mayor Felder: And Councilman McCoy's [stammer], he's totally right. I mean, the gentleman would want $50,000. But, I've never seen this gentleman working with our kids, I never did see this gentleman giving his time, his money to our kids.

I've never seen… I, I understand what you're saying. Right? This, this, this is what is, is concerning is, this man has been publicly annihilated. You know, people wanna come at Mr. Evans.

He's been back here, up under other Directors, Assistant Directors, none of that stuff came up. Not even from this Board. And what's a shame is, you know, we, we can… We can sit here and play games all day.

A lot of our athletes don't come back to the City. They're leaving because [pause] of something like this. And, what I'm afraid of is, we can talk about our kids. You know, I, I run a, a recovery program.

These.., you know, we're trying to stop kids from entering that. And so, if we're don't, if we don't take care and stand behind the guys, the women, that's gonna, you know, came through the City, made it. You know, research your story.

'Cause people, people, people are saying stuff about this man that's not true. A lot of our black men are up under taking these, you know, charges that are not right. And, I'm kinda aggravated that, you know, we kill the people that have come and given everything when they don't, for our kids.

Because, you know what? If, if.., we, we can do it the right way. I meant, you know, the man spent the first year rebuilding our program and giving the $25,000 we gave him back into the program.

I think it's a lotta personal issues that people have. And you know what? It's not about the freakin' kids, it's about personal issues that people have. And our kids are the one that suffers.

I don't give a damn about being the Mayor, I'm gonna stand up for what's right for people because, when you do people evil, I hate that. [Stammer] when you maliciously go after somebody, his whole family, his mama, everybody suffers.

And our kids suffer, because we have our personal vendettas. And it sits up here on this damn Board too.

[Inaudible audience comment]

Mayor Felder: And, and we're willing to sacrifice people? Our own people? See, I got a story to tell so I can't, you know, my story.., I mean, all of us have a story to tell. Whether it's us, our brothers, our sisters, somebody has a story up here that we had to have grace for somebody.

But to take and, and, and demolish a person that have come back, that beat the odds, that come back to the City and giving back to our kids, and don't ask for nothin'? But we ask for something.? We ask them to give us?

Come on, man. 'Cause, you know? I could say to hell with this 'cause this don't make me. But, doing people right, that's what makes me. I'm not a career politician. I can tell you that now.

But, if you do people wrong, let me tell you something, I, I have no respect for that. I don't care about no system. Sometimes we got to roll passed the system 'cause nobody from.., and, and I know ya'll wanna stop but I don't talk much so get.., so, give me my, my five minutes now.

See, 'cause nobody from Pop Warner's coming to teach our kids, nobody from Pop Warner is coming down here to coach our kids, nobody from Pop Warner is making sure our kids, whatever. And probably nobody up here is gonna go work with them kids.

But somebody that has the money, that don't need our money, and he.., it's his choice to keep coming back here every time he's getting knocked down. Come on, man.

Let the shit go.

Chairperson Lawson: Thank you, Mayor.

[Clapping]

Chairperson Lawson: Board Members, we do.., the time is now 9:51.

Councilperson McCoy: I can tell you…

Chairperson Lawson: We ha'…

Councilperson McCoy: …something, Mr. Chair.

I made a proclamation to my nine year old son that I'm not staying in a City Council meeting after 9:00. Mr. Mayor, I appreciate what you're saying but I…

Chairperson Lawson: Cou'..,

Councilperson McCoy: …literally…

Chairperson Lawson: …Councilman McCoy, I'm sorry.

If you could give us a moment to just go ahead and…

Councilperson McCoy: Well, I…

Chairperson Lawson: …deter'…. I'm, I'm sorry.

I understand but I'm gonna go ahead continue to lead the meeting and see if the Board would like to extend this motion? And, once we make the motion and if you have any unreadiness you can make your comments.

Madam Clerk.

We wanna go ahead and.., the meeting, it's now 9:52. Do we wanna extend passed 9:00 o'clock? Do we have to extend the meeting?

Councilperson Miller-Anderson: So moved.

Councilperson Botel: Second.

Chairperson Lawson: Do we have a time?

Councilperson McCoy: Well, well…

Chairperson Lawson: We're gonna add any…

Councilperson McCoy: …M r. Chair, can I…

Chairperson Lawson: There's been a mo'…

Councilperson McCoy: …Can I, can I interrupt?

So, I think, before we have this conversation, there is one other time sensitive items that has been publicly advertised in the newspaper. And I'm only willing to stay on that Item. But, outside of that, I think any of these other Items can be brought back at another meeting.

Chairperson Lawson: So, based on the comments from Councilman McCoy, Councilwoman Miller-Anderson made a motion, Councilwoman Botel seconded. Are we putting a time limited or just extending the meeting indefinitely?

Councilperson Miller-Anderson: I'm willing to just see how long we go. I mean, see how far we get and we can come back and address it again. I mean…

Councilperson Botel: [Stammer], Mr. Chair?

Chairperson Lawson: Councilwoman…

Councilperson Botel: Could I…

Chairperson Lawson: …Botel…

Councilperson Botel: …could I…

Chairperson Lawson: …go ahead.

Councilperson Botel: …suggest that we extend 'til 111:00 and then at that point, make a decision as to whether we [stammer] wanna go forward.

Councilperson Miller-Anderson: I mean, that… Mr. Chair?

Chairperson Lawson: Councilwoman Bo'.., Miller-Anderson, go ahead.

Councilperson Miller-Anderson: I mean, we could.., based on what we just went through for the first Item, that is gonna take us more than an hour.

I mean, are we.., are we.., based on the vote that we took a few minute ago, are we still.., do we still have to go through the other Items or where are we with that?

Chairperson Lawson: We've, we've only completed one Item.

Councilperson Miller-Anderson: No. I know but I'm saying, with that one not passing does that impact the others at all or no?

City Manager Evans: Mr. Chair, if you can give the City Attorney and Director Sirmons a minute. They're

Chairperson Lawson: Thank you, Mr. Evans.

And actually, if we can, while we're mot'.., doing that, if we can take a five minute recess to go ahead and take a bathroom break, come back and allow for us to continue the meeting with the extended time once we made.., disposed of this motion.

Councilperson Miller-Anderson: And we…

Chairperson Lawson: After, Mr. Sirmons. Of course, comments.

[Pause]

Development Services Director Sirmons: Mr. Chair, if I may?

Chairperson Lawson: Please.

Development Services Director Sirmons: I've conferred with the applicant.

Staff's recommendation would be continue the remaining Items related to Safe Harbor, and they are okay with that. So, if it's.., pleases the Board, we would like to do that.

Chairperson Lawson: I, I do believe that Staff is going to extend but I, I don't believe that I can extend it un'.., indefinitely, so I'm not sure… Do we have a time constraint? Do we have a certain number of Items we wanna get through or do? Where do we wanna stay at?

Councilperson Miller-Anderson: I would like to at least.., so that means we're still gonna go with the three presentations, the ten minutes… 8b, right? Well, that, that one is five minutes. I think five minute ea'.., three presentation?

Chairperson Lawson: Mhmm.

Councilperson Miller-Anderson: Okay.

So, after we finish that whole Item, I would like to see where we are with time.

Chairperson Lawson: After this…

Councilperson Miller-Anderson: And then we…

Chairperson Lawson: …next Item?

Councilperson Miller-Anderson: The 8b.

Chairperson Lawson: 8b?

Councilperson Miller-Anderson: And then see where we are. Including public comments, if we…

Chairperson Lawson: We'll get through 8b…

Councilperson Miller-Anderson: …still have any.

City Attorney Wynn: Mr. Chair?

Chairperson Lawson: …public comments and pre'…

I'm sorry. Who…

City Attorney Wynn: I'm sorry.

Chairperson Lawson: …was that?

City Attorney Wynn: I think there was…

Chairperson Lawson: I'm sorry. Attorney Wynn, go ahead.

City Attorney Wynn: I think there was a misunderstanding. I just think I clarified with Mr. Sirmons that the applicant would like to continue these Items to another meeting.

Councilperson Miller-Anderson: Oh.

City Attorney Wynn: That meeting being, I believe September 18th. If that was agreed upon? Yes.

Councilperson Miller-Anderson: Oh. I didn't….

City Attorney Wynn: So…

Councilperson Miller-Anderson: …hear anybody say that.

City Attorney Wynn: So, you would make a motion, individually, to continue…

Chairperson Lawson: So then we can…

UNK: The 20th?

Chairperson Lawson: …finish the Agenda.

City Attorney Wynn: September 20th.

Chairperson Lawson: Because [inaudible]. [Inaudible]

Councilperson Miller-Anderson: Yeah.

Chairperson Lawson: …the Parks & Rec Item.

Councilperson Miller-Anderson: Yeah.

Chairperson Lawson: Alright.

So, if we can have a.., well…

City Attorney Wynn: [Inaudible]?

Chairperson Lawson: First, let's dispose of the motion that we have on the table, and then we can make a motion to discuss how we can proceed.

Councilperson Miller-Anderson: Right.

Yes.

Chairperson Lawson: Those been a motion made and properly second to continue. Did you say 11:00 or indefinitely, Ms. Miller-Anderson? Ms. Miller-Anderson?

Councilperson Miller-Anderson: I know…

Chairperson Lawson: The motion was… Well, I know you wanted to clarity for that but, do you…

Councilperson Miller-Anderson: I had…

Chairperson Lawson: …wanna extend…

Councilperson Miller-Anderson: I just said.., well…

Chairperson Lawson: To see how far we go?

Councilperson Miller-Anderson: That was what I said.

Chairperson Lawson: Yes, ma'am.

Are you willing to stick to that while we dispose of that? And then we can… We'll

Councilperson Miller-Anderson: Yeah.

Chairperson Lawson: We'll vote these to the next meeting. The next four.

Mr. Evans?

City Attorney Wynn: Do the motion to extend first?

Chairperson Lawson: 'Cause we, we need to extend. It's 9:56.

Councilperson Miller-Anderson: Go ahead.

City Attorney Wynn: Can you make the motion to extend and vote…

Chairperson Lawson: We did that…

City Attorney Wynn: …on that first?

Chairperson Lawson: We did that.

We made the motion by Ms. Miller-Anderson and it was seconded by Councilwoman Botel.

City Attorney Wynn: It was carried?

Chairperson Lawson: Yes.

Chair Pro Tem Lanier: No.

Chairperson Lawson: No.

Councilperson Miller-Anderson: No.

We haven't…

Chairperson Lawson: We're gonna…

Councilperson Miller-Anderson: …taken a vote yet.

Chairperson Lawson: We're gonna…

City Attorney Wynn: It was not…

Chairperson Lawson: We were in discussion. We're gonna carry the vote now. So, that's what we're waiting on.

Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Mill-er Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: No.

I don't know what we're voting on but, no.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, 4-1, with Councilperson McCoy dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

Councilperson McCoy: Excuse me, Mr. Chair?

I made it…

Chairperson Lawson: Counc'…

Councilperson McCoy: …very clear…

Chairperson Lawson: …Councilman

Councilperson McCoy: …in Agenda review that when a Member walks out of the room to go to the restroom, that there was a notation inside the official records. So, I think it's

disingenuous that I came in and I said I don't know what we're voting on, Members, extend me the professional courtesy because I literally just walked into the room when she was doing roll call.

What are we doing? Like, do we care about getting it right or we just wanna push it through just because that's what we wanna do?

Chairperson Lawson: Councilman McCoy, what are you asking? Are you asking for just a.., to be recognized that you're back on the dais or are you asking for an update 'cause I, I don't believe that you asked for clarity. You just said you didn't know what was going on. So, I'm confused as to what you're asking right now.

Councilperson McCoy: You didn't just start getting confused, sir.

Chairperson Lawson: No.

I just…

Councilperson McCoy: I asked…

Chairperson Lawson: I was very clear with my…

Councilperson McCoy: …'cause I don't know what…

Chairperson Lawson: …communication…

Councilperson McCoy: …we're voting on.

Chairperson Lawson: …Councilman McCoy.

Councilperson McCoy: I just walked back into the room from leaving the men's room. I was hoping that someone was gonna extend me the courtesy to say, 'We're voting on…'

Chairperson Lawson: Well then, Councilman McCoy, you shouldn't've casted your vote. If you weren't clear. So, to that point, we voted on an item to extend the meeting. If you were

not clear, you should've waited to cast your vote and we would've given you that clarity, Councilman McCoy.

Councilperson McCoy: Okay.

But I'll make sure, when the transcript is transcribed. I did say I don't know…

Chairperson Lawson: Madam Clerk.

Councilperson McCoy: …what we're voting on.

Chairperson Lawson: …could you please acknowledge that Councilman McCoy is back on the dais from the back.

Councilperson Miller-Anderson: Mr. Chair?

One…

Chairperson Lawson: Councilwoman Miller-Ander…

Councilperson Miller-Anderson: …Once I [inaudible].

Chairperson Lawson: …continue.

Councilperson Miller-Anderson: So, I mean, he's bringing up a good point in that, if we're going to do that, we need to make sure we notate every time everybody leaves off the dais and every time they come back. 'Cause that way, it'll be clear how many people are leaving, and when they're leaving and all of that.

So, I mean, if we're gonna do it that way, we need to do it each and every time somebody leaves and come back.

Chairperson Lawson: Bu those are two separate items.

Councilperson Miller-Anderson: I know.

Chairperson Lawson: Notation of this. And that's why I, I believe I stated the confusion with Councilman McCoy, but I guess there was not clarity.

There's a notation of somebody leaving and coming back, and there's also the unclarity of what's being voted on and discussed.

Councilperson Miller-Anderson: [Inaudible]

Chairperson Lawson: So those are two completely separate items that we're talking about now. So, just for clarity sake, I agree with Councilwoman Miller-Anderson and Councilman McCoy, please notate the record every time someone leaves and returns. And we will make sure to acknowledged at that time. In regards to the item that we're voting on, we have clarity now with what the vote is.

Councilperson McCoy: Or, in the alternative, Mr. Chair, I can just ask the, 'Madam Clerk, can I be excused to go to the restroom?' And then, when I come back, I can say, 'Well, Madam Clerk, I'm back.'

Chairperson Lawson: Thank you for Counc'.., comments, Councilman.

Attorney Wynn, you stated that you would like for us to dispose of these Items, moving them to the next meeting. What was the direction that you're giving? Or, Mr. Evans?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, please.

City Manager Evans: So, your meeting on the 20th, that is the second and final reading of your budget and millage rate and, and the like.

If, if the Board would indulge Staff, I would prefer that there would be a situation where we utilize the September 27th meeting for the purpose of handling these particular Items. If, if the Board is so inclined to support that.

And that.., those would be the only Items that would be on the Agenda and we would only have one CRA meeting this particular month.

Chairperson Lawson: So, what is the exact date you'd like for us to…

City Manager Evans: September 27th. Wednesday, September 27th.

Chairperson Lawson: Thank you.

Councilperson McCoy: And, Mr. Chair, can I ask…

Chairperson Lawson: Councilman…

Councilperson McCoy: …for clarification?

Chairperson Lawson: Please.

Councilperson McCoy: September 27th.

We have been in this City Council meeting for the last three years and I only know that because that's been my mom's birthday. And this is going to be a special meeting?

[Inaudible audience comment]

City Manager Evans: Mr. Chair?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: It would be a special meeting just for those Items.

You can certainly place these Items on your September 20th meeting but you have your budget, your USD budget, as well as your City Council budget that are required and, you know, time certain, as, as it relates to those Items have to go first.

So, I didn't want to…

Councilperson McCoy: I like the 20th.

Councilperson Miller-Anderson: I'm fine with the 27th because we had already talked about the 20th being pretty tight.

Councilperson Botel: I'm fine with the 27th.

Chair Pro Tem Lanier: I'm fine with the 27th as well.

Chairperson Lawson: I'm just checking the calendar now. [Pause]. I'm actually good with either date.

Councilperson Miller-Anderson: Alright?

Chairperson Lawson: Yeah.

Councilperson Miller-Anderson: Well…

Chairperson Lawson: So…

City Attorney Wynn: Yeah.

We have to have a motion to that affect, sir.

Chairperson Lawson: A motion to do?

Councilperson Miller-Anderson: I make a motion to have the special meeting for just Items.., these Items for Safe Harbor to come back on Augu'.., September 27th.

Councilperson Botel: Second.

Chairperson Lawson: Attorney Wynn, did you say we have to vote for each Item individually?

City Attorney Wynn: Not the way that Ms. Miller-Anderson phrased it.

However, if you could include the Item numbers, or…

Councilperson Miller-Anderson: 8…

City Attorney Wynn: …even the…

Councilperson Miller-Anderson: 8b, 8c…

City Attorney Wynn: And 8d.

Councilperson Miller-Anderson: 8d, 11a, and 11b.

Councilperson McCoy: So, Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

Mr. Evans, has Staff or Administration consider what we at least brought up two years ago of a period of hiatus because we have been going every single week since, I wanna say, going back to perhaps June or July.

Councilperson Miller-Anderson: [Inaudible].

We've al'.., we've always met on Wednesday. We used to meet every…

Chair Pro Tem Lanier: Chair?

Chairperson Lawson: Councilman McCoy, did you wanna respond to Mr. Evans or?

City Manager Evans: Yes.

Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: Yes.

We.., we've looked at two periods whereby we would like to create for a situation that allows for an extended break for the Board. We've looked at during around, around the holiday time, as well as during the summers. And that's, that's one of the things that we want. It's very common in a lot of government agencies that you do have a period for at least three to four weeks where there is no bona fide meeting.

So, we, we do have some, some suggestions for the Board to consider.

Councilperson McCoy: Thank you, Mr. Evans.

Chair Pro Tem Lanier: Chair?

Chairperson Lawson: Madam Proo Temp, go ahead.

Chair Pro Tem Lanier: I'm sorry.

I thought we were gonna get a five minute restroom break.

[Chuckles]

Councilperson McCoy: No, we're not.

[Inaudible dais and audience comments]

Chairperson Lawson: We're…

Chair Pro Tem Lanier: I mean, I thought you said that. I, I, I mean, is that, is that not what I heard, we're gonna get a five minute break so that we can …

Chairperson Lawson: Madam, Madam Pro Tem, we're just, we're just organizing the rest of the Agenda, then we're gonna take a five minute break and then fin'.., finish the Agenda.

Chair Pro Tem Lanier: Thank you, sir.

Chairperson Lawson: Thank you, Madam Pro Temp.

City Attorney Wynn: Mr. Chair, you do still have to carry the, the vote.

Chairperson Lawson: Motion been…

City Attorney Wynn: To carry that motion.

Chairperson Lawson: Motion's been made and probably seconded.

Discussion?

City Clerk Smith: Mr.., Mr. Chair, may I a'…

Chairperson Lawson: [Inaudible]

City Clerk Smith: Will this be at 6:00 o'clock?

Councilperson Miller-Anderson: 6:00 p.m.

City Clerk Smith: 6:00 p.m. Okay.

[Inaudible audience comment]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: Yes.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, Mr. Chair, unanimously.

Chairperson Lawson: We're gonna take a five minute recess. And when we return, we'll be going straight into Item 11c, which will be Resolution 69-23.

[Gavel]

[City seal is displayed for approximately ten minutes]

[Before meeting chatter]

Chairperson Lawson: Calling the meeting to order. The time is 10:15.

[Inaudible discussions]

Chairperson Lawson: Walter, we live? Thank you.

9. ITEM N0. 9

ORDINANCES ON FIRST READING

10. ITEM NO. 10

ITEMS TABLED

REGULAR AGENDA

11. ITEM NO. 11

RESOLUTIONS ON REGULAR AGENDA

11c. ITEM NO. 11C

Chairperson Lawson: Madam Clerk, Item 11b. I'm sorry, 11c.

City Clerk Smith: Mr…

Councilperson Botel: C.

City Clerk Smith: Mr. Chair, let the record reflect that Councilperson McCoy is not on the dais.

Chairperson Lawson: Thank you..

UNK: [Inaudible] the Mayor.

City Clerk Smith: And the Mayor.

Chairperson Lawson: Thank you.

City Clerk Smith: We're on Item 11c.

Councilperson Botel: What happened to 8b?

Chairperson Lawson: Go ahead…

City Clerk Smith: Res'…

Chairperson Lawson: …Madam Clerk.

City Clerk Smith: RESOLUTION NUMBER 69-23: 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 TO AUTHORIZE THE PARKS MASTER PLAN BUDGET FOR PROJECT 23077 – INLET GROVE SPORTS COMPLEX IN THE AMOUNT OF $45,000,000 AND PROJECT 23082

- DAN CALLOWAY RECREATION COMPLEX IMPROVEMENTS IN THE AMOUNT OF $6,500,000 TO BE ADDED TO SUCH FIVE-YEAR CAPITAL PROJECTS PLAN; AUTHORIZING THE PROJECT FUNDING SOURCE FOR SUCH PROJECTS TO BE AMENDED TO CAPITAL FINANCING; AND PROVIDING FOR SEVERABILITY, REPEALING CLAUSES AND AN EFFECTIVE DATE.

RANDY M. SHERMAN, DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES, CPA, CGFO, CTP, (561) 845-4045

City Clerk Smith: Mr. Chair, we do have one public comment card on this Item. And the acceptance of public comment cards are now closed.

Councilperson Botel: Motion to approve Resolution Number 69-23.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Let the record reflect Councilman McCoy's on the dais.

Thank you, Madam Clerk.

Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and members of the Board, if I can have the Director of Finance, Mr. Randy Sherman, to make this presentation.

Finance and Administrative Services Director Sherman: Good evening. Randy Sherman, Finance Director.

These Items, 11c, d, and e were originally on your August 2nd Agenda and were pushed to a later Agenda waiting for the Parks Master Plan to be amended to include the Inlet Grove Sports Complex.

This evening, you adopted Item 3d, which amended the Parks Master Plan. So these three Items are ready for the Council's action. Item 11c, Resolution 69-23 amends the CIP and adds Inlet Grove and the Dan Calloway Recreation Complex to the CIP five year plan.

And I can answer any questions you may have.

Chairperson Lawson: Thank you, Mr. Sirmons… [Stammer]. Thank you, Mr. Sherman.

We have public comment, please?

City Clerk Smith: Yes, Mr. Chair.

We have Ms. Mary Brabham. And that is the end of public comment cards.

Chairperson Lawson: Thank you.

Welcome, Ms. Brabham.

Ms. M. Brabham: Ms. Mary Brabham, Riviera Beach.

I'm gonna share something with you. And this is the history, extensive history. Ms. Brabham has a collection of artifacts and history about the City, like I said before, that was handed down to me in reference to moving and doing the things to bring us from then to where we are now. But, put it at a different level.

Becau'.., the Sports Complex over there, it is vital that we renovate and do Dan Calloway Park. Why? Because it was in the history books that we do.., do these things here. And that park there, is a vital recreational center as it is.

And the residents do not know… See, you have that, what'ch you call that water that comes up from the ground? That is located also in that park over there. And to build up that park there and have it as a sports and all of that recreational is vital for this City here. It's very pertinent that we do that.

In the history books here, in September 1921, a delegation from Riviera Beach asked for the establishment of a school, Inlet Grove. Inlet Grove is, is exactly where we have to come back and build it, expanding to a recreational.

Not just recreation, but put it in the [inaudible] of the City Where our ancestors… Our ancestors said it. Here it is here. But I can't.., I can't give you all of it.

But, when I stand here to this mic and speak, I do not speak off the top of my head, I think of it everywhere that I go, Ms. Brabham comes with her facts so that the residents can be informed.

And, where we did that Master Plan, the gentleman, and I think her names was Ms. [audio skipped], they did that because they said that there would be expansions.in that Master Plan but it was up to the Board to make those expansions [stammer] where they are needed within that park.

And Calloway Park must be done. And, and, and that Sports Complex, cities are expanding from other than just parks. They are building.., they are building the park side [stammer] for them to be utilized for more than [inaudible] park now.

But we must, we must, under our forefathers, and we as residents, we must move them…

Chairperson Lawson: Thank you for…

Ms. M. Brabham: …[inaudible].

Chairperson Lawson: …comments, Ms. Brabham.

Ms. M. Brabham: So that we can do these things.

Chairperson Lawson: Thank you for your comments, Ms…

Ms. M. Brabham: And continue…

Chairperson Lawson: …Brabham.

Ms. M. Brabham: …to do them.

Thank you very much.

Chairperson Lawson: Thank you, ma'am.

Board Members, any questions for Mr. Sherman?

[Pause]

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I have a question for Legal.

I'm looking at this Resolution and this Resolution is authorizing the amendments to the five year Capital Plan. There's [stammer] two separate items. One is the Inlet Grove Sports Complex for $45 million, and the other one is the sixty-f'.., $6, 500,000 for Danny Calloway.

Why aren't these items taken separate?

City Attorney Wynn: Because they're both part of Parks Mast Plan and part of the bond referendum. They don't have to be taken separately. They relate to the same subject.

Councilperson McCoy: Right.

But, would I have the ability to bifurcate? Because I particularly don't like the $45 million for the Inlet Grove and, honestly, I would venture to say that they're not. I mean, you're talking about two separate things.

If I had eighty items that I was going to add to the Master Plan, would I be able to put them all in one Resolution if they're related to different parks throughout the City?

City Attorney Wynn: Yes.

Because they relate to all parks. You do have the ability to bifurcate though, however, it would ha'.., you'd have to make that motion and see if it passes.

Councilperson McCoy: Yeah.

Well I, I would like to do that Mr. Chair.

Chairperson Lawson: Thank you, Councilman.

Motion's been made to separate these two items. Do we have a second?

[Pause]

Chairperson Lawson: Motion dies for lack of a second.

Any other discussion?

[Pause]

Chairperson Lawson: Madam Clerk.,

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: No.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, 4-1, with Councilperson McCoy dissenting, Mr. Chair.

Chairperson Lawson: Thank you, Madam Clerk.,

11d. <u>ITEM NO. 11D</u>

Chairperson Lawson: 11d.

City Clerk Smith: RESOLUTION NUMBER 71-23: 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, PUBLIC IMPROVEMENT REVENUE BONDS OR OTHER DEBT OBLIGATIONS, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $55,000,000 AS APPROVED BY THE ELECTORATE OF THE CITY OR IN ACCORDANCE WITH THE CITY'S DEBT MANAGEMENT POLICY, TO FINANCE THE ACQUISITION, CONSTRUCTION, DEVELOPMENT AND EQUIPPING OF THE INLET GROVE SPORTS COMPLEX, DAN CALLOWAY RECREATION COMPLEX IMPROVEMENTS, AND PARKS MASTER PLAN IN THE CITY; DECLARING THE OFFICIAL INTENT OF THE CITY TO REIMBURSE

ITSELF FOR CERTAIN CAPITAL EXPENDITURES OF SUCH ACQUISITION, CONSTRUCTION, DEVELOPMENT AND EQUIPPING BY INCURRING DEBT; AUTHORIZING THE OFFICIALS OF THE CITY TO DO ALL THINGS NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING FOR SEVERABILITY, REPEALING CLAUSES AND AN EFFECTIVE DATE.

RANDY M. SHERMAN, DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES, CPA, CGFO, CTP, (561) 845-4045

City Clerk Smith: Mr. Chair, we do ha'.., no. We do not have a public comment card on this Item. The acceptance of public comment cards are now closed..

Councilperson Botel: Motion to approve Resolution Number 71-23.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, at this time, I'll ask the Director of Finance, Mr. Randy Sherman, to make this presentation.

Finance and Administrative Services Director Sherman: Yes. Good evening again.

Yes, Resolution 71-23 is what is known as a Reimbursement Resolution. I know the Board is familiar with, with this. We've passed this Resolution on other various projects. But again, what it does is, it allows us to recapture from bond issuances, costs that we have spent from this point forward, until we actually issue the debt.

So again, we're just putting the bond market on notice that, you know, we would be reimbursing ourselves for costs that we have incurred.

Chairperson Lawson: Thank you.

Board Members, any questions? Discussion?

Councilman McCoy, go ahead.

Chairperson Lawson: Mr. Sherman, you said this allows for us to recapture monies that are spent?

Finance and Administrative Services Director Sherman: Yeah.

What does is, it.., after tonight, if any money that we spend on these projects before we issue the debt, would be able to reimburse our ourselves…

Councilperson McCoy: Well, that sou'…

Finance and Administrative Services Director Sherman: …[Inaudible] the cash flow.

Councilperson McCoy: That, that sounds pretty interesting. But why is this called out for a acquisition? And so, is there an anticipation or contemplation that we're gonna need this $55 million to now acquire the property that's gonna go in part of acquiring the actual property from the school District?

So now that's, what thesis says, acquisition…

Finance and Administrative Services Director Sherman: No.

It's not necessarily property acquisition, it would be.., it could be anything that you're acquiring. So anything that is eligible to be for the bond proceeds to pay for…

Councilperson McCoy: Yeah. Well….

Finance and Administrative Services Director Sherman: …will be eligible to, to be reimbursed for it.

Councilperson McCoy: Well, it just.., if I can.., 'specifically says to finance the acquisition, construction, development, and equipping of the Inlet Grove Sports Complex, Danny Calloway Recreation Complex improvement in the Parks Master Plan for the City.., Plan in the City. Okay.

Finance and Administrative Services Director Sherman: Yeah.

Chairperson Lawson: Thank you.

Board Members?

[Pause]

Chairperson Lawson: Madam Clerk.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

TSs: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: No.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: Yes.

City Clerk Smith: That vote passes, 4-1, Mr. Chair, with Councilperson McCoy dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

11e. <u>ITEM NO. 11E</u>

City Clerk Smith: Item 11e.

City Clerk Smith: 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 $55,000,000 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, SUBJECT TO THE BOND REFERENDUM HEREIN PROVIDED FOR ALL SUBSEQUENT PROCEEDINGS OF THE CITY COUNCIL OF 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 19, 2024; PROVIDING FOR OFFICIAL BALLOTS, BOND REFERENDUM PROCEDURES, OTHER RELATED MATTERS, AND GENERAL AUTHORIZATIONS IN CONNECTION WITH THE FOREGOING; AND PROVIDING FOR SEVERABILITY, REPEALING CLAUSES AND AN EFFECTIVE DATE.

RANDY M. SHERMAN, DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES, CPA, CGFO, CTP, (561) 845-4045

City Clerk Smith: Mr. Chair, we do not have any.., we do have a public comment card on this Item but the individual has decided to pull their card.

Chairperson Lawson: Thank you, Madam Clerk.

Councilperson Botel: Motion to approve Resolution Number 27-23.

Councilperson Miller-Anderson: Second.

Chairperson Lawson: Motion's been made and properly seconded.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, if I can have the Director of Finance, Mr. Randy Sherman, make this presentation.

Finance and Administrative Services Director Sherman: Yes. Again, Council.

Resolution 27-23 authorizes a bond referendum to be placed on the March 19th election. This referendum is approving up to $55 million, again, for the Parks Master Plan, including Inlet Grove and Calloway Park.

The bonds would be secured by ad valorem taxing if the referendum is passed and the bonds are issued.

Chairperson Lawson: Thank you, Mr. Sherman.

Comments from the Board?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Yes. Question for Ms.., the Clerk.

Historically, and I know this is labelled out in our Charter that municipal elections are held on the second Tuesday of, of the March of the election year. The 19th, I believe it said.., would put us at the third Tuesday.

How is that possible?

City Clerk Smith: If you, if you look further down, it also goes on to say that if there is a county election during that time, that we are hosting our election in conjunction with the county's election.

Councilperson McCoy: Well how would that not be in conflict with what our Charter requires, that we hold our general municipal elections on the second Tuesday?

City Clerk Smith: I don't have the copy of the Charter per s'.., to answer your question, in front of me but I can get it to you tomorrow.

Councilperson McCoy: But, are you familiar with every election, both primary and general elections are always held on the second Tuesday of that month?

City Clerk Smith: Yes.

But there's an exception to that.

Councilperson McCoy: And that exception is what?

City Clerk Smith: If there…

Councilperson McCoy: …Presidential…

City Clerk Smith: If there's a county election in con'.., in the same time.

Councilperson McCoy: Okay. Alright. Thank you, Madam Clerk.

Mr. Chair, I wanna ask a qu'.., make a statement.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

So, here we are again asking the voters of the City of Riviera Beach to go to the ballot to approve $55 million of ad valorem general obligation.., general obligation bonds that's gonna be pledged by ad valorem taxes, which ultimately is gonna raise the taxes.

And we have not found one singular.., singular point that's going to allow us to raise one dime off of levying this money. I think this is just a terrible idea. We have a Parks Plan and we're asking for $55 million to build parks but we don't have a Housing Plan. I think this is a poor use of us going to the ballot for the voters.

So, again, I'm regrettably not gonna be able to support this.

Thank you, Mr. Chair.

Chairperson Lawson: Thank you, Councilman.

Any other comments from the Board?

[Pause]

Chairperson Lawson: I would also like to echo the sentiments. Mr. Evans, we gave away a two acre piece of land in our CRA District, which we recently zoned IHC-PUD. There's no ad valorem tax being generated, no TIF dollars being generated. We're not generating any money when we have a parking plan that we've been discussing for four years now.

And, we're not generating money yet, we're going to the taxpayers to ask them to front the bill for more debt, more debt, more debt. And, we have to start finding creative ways to generate dollars.

We have to get as aggressive as possible with every scenario that we can. I know we have a parking plan that's coming to us but we've been talking about that coming to us for a, a number of years now.

And, this is something that's vital where we have to address infrastructure, we have to address the, the dilapidated facilities and the residents have to invest into it. I don't think we've done a good enough job of generating additional revenue for our community.

And, I think we need to do a better job with that and that's what we're struggling with right now.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans.

City Manager Evans: Just to provide additional clarity with regards to the property not generating revenue, or what have you, I would argue the fact that if you were to construct the facility in the same exact space that it currently is, that property is currently not generating revenue as is.

Actually, by virtue of partnering up with the School District, you are taking property that's currently off the tax roll and activating it. And, the nineteen acres that you have on the southern portion of the roadway, will actually be redeveloped for the purposes of generating revenue.

So there is revenue that is being generated by this concept because, if not, you would utilize that particular acreage for the purposes of activating your recreational amenities.

The other side of it is, there is opportunity through facility use agreements, through rentals, through a myriad of different ways to generate revenue for your youth sports, or adult sporting complex.

And the other.., the other component is, we have had conversations with this Board about increasing revenues associated with programs, services, events, activities, and the like and we are certainly willing to have the conversations again, but we do want to see a situation where, you know, we maximize the potential for the property.

So, I would argue that, by virtue of a partnership with the School District and having two properties that are within a thousand feet, that are currently off the tax roll, if you take one and consolidate those services, your Riviera taxpayer right now is paying twice for the same amenities.

By consolidating it, it would only be a situation where it would be paid for once and would had higher density/intensity on that property that's on the south side of the road, which is contemplated in the City all solicitation.

Chairperson Lawson: And, and respectfully, I, I, I hear what you're saying, Mr. Evans. I just don't trust the City is going to do their part in generating revenue, because we haven't and I want to see that done.

'Cause, yes, you're telling us a great story of what we can potentially do, but also, the story we've asked for is get paid parking, four years ago. That hasn't been generated, to make sure that we attracted development in our community and we're struggling to do that.

I wanna make sure that we can generate dollars for our community, and this is gonna be one opportunity for us to potentially do that but we have current opportunities in place that we're not taking advantage of and I think we need to do a better job of offsetting the request and demands of our residents and allowing for some additional dollars to be brought in to the community all across the board.

The land I was talking about was the land that we gave to FoundCare that we're not gonna be generating any dollars. And that's the land I was talking about we gave away, that we could build the exact same facility and go up twenty stories because of what we passed with the IHC-PUD, and generated revenue from that, adding to our base.

So, I'm looking at everything creatively and not wasting one cent, one piece of land, or one parcel that's going to generate revenue for our, our residents so that in ten to twenty, thirty years, that they're not sitting on $200 million of debt that we've generated any revenue for because that's what we just put on this bond come March 19th.

'Cause, we're gonna be asking our taxpayers to eat $200 million and maybe generate some park fees, rental fees for what we're going to do or some fees that we can actually generate from reciprocated usage.

I don't think we're doing a good enough job of attracting additional businesses, or increasing our housing market, and putting things on our ballot that's actually gonna generate some revenue.

I think we gotta be more creative, is my sentiments.

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: I, I do also wanna remind the Board with regards to the Marina Village development agreement, whereby we have remitted a portion of the TIF associated with that particular project for the purposes of economic inducement.

So, we are looking to bring roughly about five hundred units to market. We helped facilitate the Berkeley Landing development. And IH'.., IHC-PUD was not in existence when we had the conversation about FoundCare.

And so, we are getting incubator spaces that are valued about $2 million for a property that we acquired at a fraction of what that cost would be. Plus, the [video skipped] and the health rate and the challenges in our community, were significant enough that this Board decided to enter into a partnership with FoundCare.

So we, we are looking for additional opportunities. Can there be more? Absolutely. Can we expedite things and can we do a little bit better? Yes.

But, you know, this, this Staff and this Board has really focused on a myriad of different projects, assignments, and initiatives addressing infrastructure holistically. So, this is certainly.., we're trying to basically build the City from the ground up. Infrastructure…

Chairperson Lawson: Mhmm.

City Manager Evans: …that was constructed in 1970.., some, some 1958. So, you know, Staff certainly hears the, the perspective of, of the Board Members and, and we'll continue to push the needle even that much further.

And, you'll actually, this evening, receive the forty-eight page parking Ordinance for your review, with the intent of bringing that Item for first reading at your first meeting in October. And second and final reading at your first meeting in November.

And we also will have the Resolutions that talk about the fees, as well as the Staffing model and the technology associated with that.

Chairperson Lawson: And… Agreed.

Thank you for the work. We are honored that we're a part of this Board that's moving the City forward. Do I think we can do more? Yes. That's what I'm saying and that's what I want us to do. I want us to push as hard as possible because we are on borrowed time.

So, thank you for everything that we've done and this Board is honored to serve but I want us to push more.

Board Members, discussion and deliberation. Starting with our…,

City Clerk Smith: Mr. Chair?

Chairperson Lawson: I'm sorry.

City Clerk Smith: [Chuckle].

We need to take a vote.

Chairperson Lawson: Oh it's late.

[Chuckle]

Chairperson Lawson: Any other discussion, deliberation for this Item?

[Pause]

Chairperson Lawson: Madam Clerk, please.

City Clerk Smith: Councilperson Botel?

Councilperson Botel: Yes.

City Clerk Smith: Councilperson Miller-Anderson?

Councilperson Miller-Anderson: Yes.

City Clerk Smith: Councilperson McCoy?

Councilperson McCoy: No.

City Clerk Smith: Chair Pro Tem Lanier?

Chair Pro Tem Lanier: Yes.

City Clerk Smith: Chairperson Lawson?

Chairperson Lawson: No.

City Clerk Smith: That vote passes, Mr. Chair, 3-2, with Councilperson McCoy and Chair'.., Chairperson Lawson dissenting.

Chairperson Lawson: Thank you, Madam Clerk.

Councilperson McCoy: Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: I object to legal sufficiency.

Chairperson Lawson: I'm sorry.

Councilman McCoy, you said you object to legal sufficiency?

Councilperson McCoy: Yes, sir.

Chairperson Lawson: Your objection has been notated.

12. ITEM NO. 12

DISCUSSION AND DELIBERATION

Chairperson Lawson: Discussion and deliberation.

13. ITEM NO. 13

DISCUSSION BY CITY MANAGER

Chairperson Lawson: City Manager?

City Manager Evans: No comment, Mr. Chair.

14. ITEM NO. 14

DISCUSSION BY CITY ATTORNEY

Chairperson Lawson: Starting with our City Attorney.

City Attorney Wynn: No comment, Mr. Chair.

15. ITEM NO. 15

CITY COUNCIL COMMITTEE REPORTS

Chairperson Lawson: Committee reports?

Councilperson Botel: I'll save [inaudible].

Chairperson Lawson: Thank you.

16. ITEM NO. 16

STATEMENTS BY THE MAYOR AND CITY COUNCIL

Chairperson Lawson: Statements by the Mayor and City Council. Starting with Councilman McCoy.

Councilperson McCoy: [Inaudible].

Chairperson Lawson: Pro Temp Lanier?

Councilperson McCoy: Actually.., Mr., Mr. Chair, one item.

Chairperson Lawson: Sorry.

Go ahead, Councilman McCoy.

Councilperson McCoy: Mr., Mr. Evans, we are running short on the number of meetings we're gonna have in the year. Can you give me, at some point in the next week, where we are on redistricting and that being brought to the Board?

Thank you.

Chairperson Lawson: Thank you, Councilman.

Councilwoman.., Pro Temp Lanier?

Chair Pro Tem Lanier: Yes.

I just wanted to… Two things. The first one is that, I'm, I'm kinda disappointed that we had this conversation about Mr. Elam in, in the middle of a meeting that was not on the Agenda. I think that given this gentleman's history and given the fact that I, I did look and did my research in regards to the issues that were brought up about Mr. Elam.

Having a five or ten minute discussion about it does it no justice. There are a lot of moving parts to it that is very.., it, it is a very complex issue. And I just don't like for us to have these conversations about these sensitive issues without it being on the Agenda and without giving it the.., giving it the time and the thought that it needs to be given.

There are, there are a lot of people in the audience and, looking by.., looking by TV tonight, that had no clue what we were talking about. They heard words like, 'sexual offender,' they heard [stammer]…. That was not good. That was not good for Mr. Elam, that was not good for the City because it is a.., this is a very [stammer] complex issue. And to have this off the cuff conversation about it doesn't.., does nobody any good.

And I'd also like to state for the record, this is.., do not blame Aladia Franks for this fiasco. Do not blame her for it. It is an issue that City Administration has to take the blame for. And, and, and it also something that the Council needs to have a, a serious discussion that, that warrants the time and the thoughtfulness that it, that it.., that it's supposed to have.

The second thing too is that, there was some conversation about my being virtual. And, according to Florida statutes in terms of, of medical issues, that is allowed. I will get you the statute and any other information that is needed.

You know, it is really just a shame that, for the first.., up until March of this year, I was elected in 2019 and until March of this year, I have not missed not one meeting in terms of the CRA or a Council meeting.

I was the only Councilperson who had not missed a meeting in the first three years of my term. So, to have medical issues and to be virtual because of it, and to miss, you know, two or three meetings, and to have this conv'.., have this brought up as if it is a problem, that is very

disheartening and it does not do any good in terms of supporting your colleagues or supporting of the Council that we have.

And, I would like to say more but I will hold it for our next meeting.

Thank you.

Chairperson Lawson: Thank you, Pro Temp.

Councilwoman Miller-Anderson.

Councilperson Miller-Anderson: Nothing.

Chairperson Lawson: Councilwoman Botel.

Councilperson Botel: [Inaudible].

Chairperson Lawson: Thank you.

Councilman McCoy, you had a comment?

[Pause]

Chairperson Lawson: No?

ADJOURNMENT

Chairperson Lawson: With no further business, meeting's adjourned.

[After meeting chatter]

[End of video/audio]

City employees, public speakers and others

Sarai Lamonious	Ms. S. Lamonious
Wayne Richards, Esq.	Mr. W. Richards
Mr. Yizhule	Mr. Yizhule
Parks & Recreation Director Richard Blankenship	Parks & Recreation Director Blankenship
CRA Neighborhood Services Director Annetta Jenkins	CRA Neighborhood Services Director Jenkins
Assistant City Manager Deirdre Jacobs	Assistant City Manager Jacobs
Torcivia Donovan Goddeau & Rubin, P.A. Christy Goddeau, Esq.	Ms. C. Goddeau
Development Services Director Clarence Sirmons	Development Services Director Sirmons
Safe Harbor – Richard Pinksy	Mr. R. Pinsky
Robert Hartsell, P.A. – Robert Hartsell, Esq.	Mr. R. Hartsell
Noel Martinez	Mr. N. Martinez
Frederick James	Mr. F. James
Ward's Marine Electric – Kristina Hebert	Ms. K. Hebert
Lloyd Brown	Mr. L. Brown
Martha Milligan	Ms. M. Milligan
Delray Cousins	Mr. D. Cousins
Bruce Mullholland	Mr. B. Mullholland
Harrison McFarland	Mr. H. McFarland
John Toledo	Mr. J. Toledo
Travis Cardell	Mr. T. Cardell
Lucas Mora	Mr. L. Mora
Bill Wolf	Mr. B. Wolf
Charles Fry	Mr. C. Fry
Cartier Thomas	Mr. C. Thomas
Paul Perez	Mr. P. Perez
Gene Whalen	Mr. G. Whalen
Jonathan Feldman	Mr. J. Feldman

Charles Rivera	Mr. C. Rivera
Keith Hanson	Mr. K,. Hanson
Edvar Michelle	Mr. E. Michelle
Robert McGowen	Mr. R. McGowen
Jerry Robinson	Mr. J. Robinson
Brandy Davis Balsamo	Ms. B. Davis Balsamo
Julie Logsdon	Ms. J. Logsdon
Colin O'Donnell	Mr. C. O'Donnell
Travis Bethea	Mr. T. Bethea
Jeri Ledbetter	Ms. J. Ledbetter
Manny Xavier	Mr. M. Xavier
Mike Mahoney	Mr. M. Mahoney
Dosha Newbold	Ms. D. Newbold
Eric Ward	Mr. E. Ward
Ana Vergne	Ms. Ana Vergne
Ladi March Goldwire	Ms. L. March Goldwire
Mary Brabham	Ms. M. Brabham
Cindy March	Ms. C. March
Margaret Shepherd	Ms. M. Shepherd
Jacqueline Burgess	Ms. J. Burgess
Finance and Administrative Services Director Randy Sherman	Finance and Administrative Services Director Sherman

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Debrah Hall-McCullon, Acting City Clerk

Through: Jonanthan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Minutes of the City Council Budget Workshop held on Tuesday, August 22, 2023**

Date: January 17, 2024

CC: General Public

Background:
Attached are the Minutes of the City Council Budget Workshop held Tuesday, August 22, 2023.

City Goals:
The City-wide goal is to Accelerate Operational Excellence.

Fiscal/Budget Impact:
N/A

Recommendation:
Staff recommends approval of the Minutes of the City Council Budget Workshop held on Tuesday, August 22, 2023.

Attachments:
1. Augusts 22 2023 City of Riviera Beach Budget Workshop Minutes.pdf

CITY OF RIVIERA BEACH
BUDGET WORKSHOP
August 22, 2023
6:00 p.m.

PRESENT AT MEETING[1]:

MAYOR RONNIE FELDER .....MAYOR FELDER

CHAIRPERSON DOUGLAS A. LAWSON- .....CHAIRPERSON LAWSON
DISTRICT 5.....

CHAIR PRO TEM SHIRLY D. LANIER.....CHAIR PRO TEM LANIER
DISTRICT 3

COUNCILPERSON TRADRICK MCCOY .....COUNCILPERSON MCCOY
DISTRICT 1

COUNCILPERSON KaSHAMBA.....COUNCILPERSON MILLER-
MILLER-ANDERSON – DISTRICT 2

COUNCILPERSON JULIA A. BOTEL- .....COUNCILPERSON BOTEL
DISTRICT 4

CITY MANAGER JONATHAN EVANS .....CITY MANAGER EVANS

INTERIM CITY CLERK TAWANNA D. SMITH .....INTERIM CITY CLERK SMITH

CITY ATTORNEY DAWN S. WYNN.....CITY ATTORNEY WYNN

TRANSCRIBED BY:

Legal Transcription On Call
(561) 856-0957

[1] List of City Employees, Public Speakers and Others on Page 123

[Gavel]

I. ITEM NO. 1

CALL TO ORDER

Chairperson Lawson: Good evening. I'd like to call the City Council Budget Workshop to order. The time is now 6:03 p.m. The date is August 26th.

II. ITEM NO. II

ROLL CALL

Chairperson Lawson: Madam Clerk.

Interim City Clerk Smith: Mayor Ronnie Felder?

Mayor Felder: [Absent on this date].

Interim City Clerk Smith: Chairperson Douglas Lawson?

Chairperson Lawson: Here.

Interim City Clerk Smith: Chair Pro Tem Shirely Lanier?

Chair Pro Tem Lanier: Here. [Appearing telephonically].

Interim City Clerk Smith: Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

Interim City Clerk Smith: Councilperson KaShamba Miller-Anderson?

Councilperson Miller-Anderson: [Absent on this date].

Interim City Clerk Smith: Councilperson Julia Botel?

Councilperson Botel: Here.

Interim City Clerk Smith: Jonathan Evans, City Manager?

City Manager Evans: Present.

Interim City Clerk Smith: Tawanna Smith, City Clerk is present. Dawn Wynn, City Attorney?

City Attorney Wynn: Here.

Interim City Clerk Smith: You have a quorum, Mr. Chair.

Chairperson Lawson: Thank you, Madam Clerk.

III. ITEM NO. III

INVOCATION/PLEDGE OF ALLEGIANCE

Chairperson Lawson: If we can have a moment of silence, followed by the Pledge of Allegiance, led by Councilman McCoy.

[Moment of silence]

Councilperson McCoy: I pledge allegiance…

All: …to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.

IV. ITEM NO. IV

INTRODUCTION AND PURPOSE

Chairperson Lawson: Thank you.

We need to go ahead and have our introduction and purpose led by Mr. Jonathan Evans, City Manager.

City Manager Evans: Mr. Chair and Members of the board, good evening.

Tonight's budget workshop is to go over the operational budget. All the department directors are here to present their respective budgets, as well as their accomplishments, and the goals and objectives for Fiscal Year 2024.

There is a lot of information to go over this evening so I am going to turn the presentation over to our Finance Director, Mr. Randy Sherman, to speak on the general fund revenues and the expenditures. And, what was the impetus behind the budget that we have put forth for the Board to consider this evening.

Mr. Sherman.

V. ITEM NO. V

PRESENTATIONS AND DISCUSSIONS

Va. ITEM NO. VA

DISCUSSION OF THE FY 2024 TENTATIVE BUDGET

RANDY SHERMAN, DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES, CPA, CGFO, CTP, 561-845-4040

Finance and Administrative Services Director Sherman: Randy Sherman, Finance Director.

There we go. Okay.

So, starting with the general fund revenues, I'm going to focus on the first two columns of numbers. The first column is the 2024 tentative budget numbers. The column next to that, to the right of that is the '23 adopted budget.

So, if we look just at the bottom line, for starters, of the columns, you can see that the '24 number is $99.6 million. Last year, we adopted a budget of about $93.3 million. So, it's roughly a $6.3 million increase or 6.8 percent.

I won't go, you know, reading all of these numbers but focusing on, on just a few of them. The property tax number is up 4.4 percent.., $4.4 million. I'm sorry. 7.44 percent. I will

tell you that the City of Riviera Beach had the lowest percent growth and assessed value in the county, at the 7.44 percent.

And if you look back actually, one additional column…

Chairperson Lawson: Hold on, Mr. Sherman. One…

Finance and Administrative Services Director Sherman: Sure.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Mr. Chair.

Mr. Sherman, can you repeat and clarify that. You said we had the lowest assessed improved value throughout the county?

Finance and Administrative Services Director Sherman: On a percentage basis.

So, everybody in the county grew. All their assessed has grew. We had the lowest percentage growth.

Councilperson McCoy: And that was what percent?

Finance and Administrative Services Director Sherman: 7.44 percent. Okay?

Councilperson McCoy: 7.4?

Finance and Administrative Services Director Sherman: 7.44 percent. Yes.

And that's before the Value Adjustment Board adjustments come forward.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: To, to that particular point, and, and Mr. Sherman and his Staff can provide additional details. We did find out that there wase a situation where FPL specifically in Riviera Beach had an assessment done, as well as other parts of the, the county, had an assessment done on their infrastructure.

And, the total amount, of course, with the depreciation of the asset here was roughly, I think, $142 million that was taken off the tax roll. So, that also created for a situation where the assessed value was not hi'.., as high because a portion of their plant here is considered machinery, which has an opportunity to depreciate as an asset.

Councilperson McCoy: Mr. Sher'.., Mr. Sherman?

Follow up, Mr. Chair.

Chairperson Lawson: Go ahead, Mr…

Councilperson McCoy: So, this property tax that you're speaking of is going to be tangible and ad valorem?

Finance and Administrative Services Director Sherman: Yes.

Both.., both are included.

Councilperson McCoy: Okay.

Chairperson Lawson: So.., just for clarity sake, Mr. Evans, you said it was $142 million that was taken off of the roll due to the FPL?

City Manager Evans: That is correct.

The $142 million, through an assessment that FPL did with all their assets throughout Palm Beach County, that greatly impacted the City of Riviera Beach because FPL, their plant, is the largest taxpayer in the City of Riviera Beach.

And that is assessed as [stammer] equipment and machinery so it is a depreciating asset. That is something that we had discussions with the property appraisers Staff, and they did to another review on behalf of the City concerning that.

But that was something that FPL did all across the, the county. But that was, I think, germane to the conversation so I did wanna make sure the Board knew that that did occur in our community.

Chairperson Lawson: And I guess to follow up, who.., the assessment of FP&L, you're saying that FP&L did the assessment? Because.., how, how can they determine the assessed value and depreciated one forty-two and then us not be taxed on that? Because, I'm not sure how any shareholder.., if I can assess my own property, I would assess it at a lower dollar amount and then be taxed on the other rate.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: They had an assessment done of the infrastructure, the cost of the infrastructure, the age of the infrastructure and then they provide that information. And then, Mr. Sherman, correct me if I'm wrong, to the assessors and then the assessors take a look at that information to make sures it is accurate and that it does have a rational basis. That it's not something where you can just arbitrarily say, 'I think the pr'.., the value of the asset is too high.'

And Mr. Sherman did speak of the Value Adjustment Board. People do have an opportunity to challenge the assessment that is provided. And that's why we don't get our property.., the actual number, until a little after we receive the information in June because there is a dispute period.

Finance and Administrative Services Director Sherman: You're, you're, you're correct. Yeah.

And again, we know when FPL first came on, again, because part of it is depreciable assets. That value of the plant goes down every year. So, I, I think this is about the ten year mark, I think, you know, since they reopened.

So I think that's why, you know, the Property Appraiser probably went through all of the FPL properties and reevaluated it.

Chairperson Lawson: And we had individual evaluators take a look at this to confirm that when we checked with the county to make sure that this assessment was done properly? 'Cause this is our largest taxpayer in, in our City.

So, I wanna make sure we did all the due diligence necessary to verify the adjustment and value.

Finance and Administrative Services Director Sherman: Well, we, we contacted the Property Appraiser's Office to find out why we were at the bottom of the county.

Chairperson Lawson: Right.

Finance and Administrative Services Director Sherman: And that was the information that they provided to us, that they.., that it really was FPL was the big impact. But we did not.., we do have an independent appraiser or anything, you know, looking at those numbers.

Chairperson Lawson: Okay.

Thank you, Mr. Sherman. Go ahead.

Finance and Administrative Services Director Sherman: Moving down to the fourth line, the sales tax. It's about $450,000. And, if you recall when we had our capital meeting, we talked about how the entire state is actually seeing some good growth in sales tax since COVID. And that number is being reflected within the budget.

Moving on down the line, the franchise fee is about $280,000. That again, is coming from FPL so that's a percentage that comes from the six percent franchise fee that FPL pays us. So again, their revenues are higher, they're projected to be higher, to the tune of about $280,000 for the six percent.

Moving.., continue down the line. I did wanna point out the administrative fees. Those are the fees that we charge internally. Very small change, only about $200,000 this year. But again, keep in mind, every time there's an increase in expenses in one of the administrative departments or Public Works, these fees will also increase in conjunction with, with the increases in spending on the other side.

Councilperson McCoy: Mr. Sherman?

Finance and Administrative Services Director Sherman: Yes.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Go ahead, Mr. Evans.., go ahead, Councilman.

Councilperson McCoy: So, so.., I wanted to talk about license fees and permits. And specifically, if we had this item that calls for.., I think we netted fifty-six plus thousand dollars in increase in BTFs? How, how do we project that we're gonna come in $200,000 less this year?

Finance and Administrative Services Director Sherman: Okay.

So, the BTR proposal to increase the rates will not occur until next year. Because the billing actually goes out in July so what you see as reflected in here, is actually still at the old rate.

Councilperson McCoy: Okay.

Finance and Administrative Services Director Sherman: And again, sometimes it.., it'll fluctuate from year to year depending on when they actually come in and make their annual payments.

Councilperson McCoy: Okay.

Finance and Administrative Services Director Sherman: I did wanna point out too, on the bottom line, the transfers in from other funds, that million four. We do transfer money out to other funds but this is the money coming back in.

That is actually the payment from some of the enterprise funds for their share of the pension obligation bonds that the City issued back in 2015. So again, that, that creeps up a little over $100,000 a year, or close to $100,000 a year. And then, eventually, that'll go away over time.

So, this schedule…

Chair Pro Tem Lanier: So, Chair?

Chairperson Lawson: Council.., Pro Temp, go ahead.

Chair Pro Tem Lanier: Yeah. I'm sorry.

Mr. Sherman, if you can go back to that first slide. Could you explain to me that miscellaneous line item?

Finance and Administrative Services Director Sherman: The miscellaneous line item, that's really.., we have something like two hundred and twenty-seven different revenue sources. The miscellaneous line item captures all of those small sources that we have.

So, sale of surplus items, we get some, you know, some fines are in there, some, you know.., just miscellaneous little twenty thousand, $10,0000 items here or there. We have the property registrations in there.

It's, it's just a conglomeration. And we can gives you detail to that if you would like. But again, it's.., it, it doesn't necessarily track consistently from year to year. Sometimes one revenue source will be higher one year and lower the next.

And.., but that's really where we throw all of those small items.

Chair Pro Tem Lanier: If you could provide me with some information about what that actually is, I would appreciate it.

Finance and Administrative Services Director Sherman: Sure. Absolutely.

Chairperson Lawson: Thank you, Pro Temp.

Go ahead, Mr. Sherman.

Finance and Administrative Services Director Sherman: Okay.

So, walking the budget from one year to the next, again, on this schedule, what we do is we started with the 2023 budget, the $93.278 million.

And, gave you the breakdown, rally, of the line items that changed, that walk you from the $93 million to the $99.6 million.

As everyone probably would suspect, salaries and benefits, which does include wages, it includes overtime, it includes health insurance, it includes pension, social security, that number is a $2.5 million increase in the salary and benefits.

Keeping in mind this was the third year of the PBA contract, third year of the IAFF contract, and the third year of the SEIU contract. And then, you just adopted a new contract with PMSA.

So that is all inclusive within that, that $2.5 million. It does include, again, the health insurance that you approved at your August 16th meeting as well.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, that's a great point that you brought up, the collective bargaining agreements. In fact, I was goin to ask this last Wednesday but, Mr. Evans, we… You know, I actually went back and seen that when we did the SEIU contract back in 2021, it was Resolution 107-21, there was a lot of disparities with employees that did not get adjustments because of this SEIU collective bargaining agreement that we entered into.

And then, there was promises made that we were gonna level those people off and we was gonna bring some parody to that situation. That's been two years. What are we doing in terms of that? Because, there's probably not a week that doesn't go by that I'm not asked this same question over and over again.

And I literally went back and reviewed the actual video from September of 2021.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans…

City Manager Evans: And, and…

Chairperson Lawson: …go ahead.

City Manager Evans: …and certainly, Mr. Sherman, jump in when necessary.

We have.., with respect to that particular union, we are [stammer] beginning the union negotiation process with SEIU. When we did have the contract discussions with SEIU, there were.., the compensation strategy was to get folks up to market.

And so, invariably, there were positions that were above market. And those persons were redlines. If you look at the union inclusive of all those positions based on the first year, I think the average increase was anywhere between twelve to fifteen percent.

Those individuals that were at that higher level, there was situations where they were redlines. And, maybe they received the twelve percent but then maybe in subsequent years they did not receive any additional increases.

This union negotiations that we will get into with SEIU, I'm sure that they will bring those particular issues up as part of the negotiations and we'll look to resolve those issues, but there is a.., there is a strategy.

And, and to that point, that's one thing that we're looking to bring to the Board also for your non-represented employees. There are situations where you have fallen.., we have fallen below market and we need to address that, and then, how do we look to make sure that there is some consistency and uniformity in our compensation.

Because, it is a moving target that, as one entity adopts a contract, the next one adopts it, your information is obsolete.

And so, I know that we are gonna be adjusting that and looking to address those as, as, as SEIU.

Mr. Sherman, did you wanna provide some.., any…

Finance and Administrative Services Director Sherman: Yeah.

The only other thing I would add to that is part of the agreement, anyone that was redlined, and it doesn't matter wither it was year one, year two, or year three, they actually additional PTO days, to kinda gives them some type of compensation.

And then, if you recall, on the first two years, they could still sell back time. They can't sell back time in year three. That was removed. So, we kinda said, well here's some extra days so if you want to sell it, you can sell your sick and vacation time, keep the PTO at the same amount of time off but then actually put dollars in your pocket.

But that was kinda how they get.., they get compensation.

Councilperson McCoy: Mr. Sherman, these are five year collective bargaining agreements, correct?

Finance and Administrative Services Director Sherman: Three.

Councilperson McCoy: Three.

Finance and Administrative Services Director Sherman: Three.

So, it actually is expiring next April. So, as the Manager said, probably by October, we'll be back at the table with them.

Councilperson McCoy: Two months October?

City Manager Evans: Hmm.

Finance and Administrative Services Director Sherman: I'm sorry?

Councilperson McCoy: In two months, you mean?

Finance and Administrative Services Director Sherman: Yes.

Councilperson McCoy: Okay.

Finance and Administrative Services Director Sherman: Yes.

Councilperson McCoy: Alright.

Finance and Administrative Services Director Sherman: I did wanna point out the Information Technology Services line. You see a $900,000 increase there.

As you know, we run IT as an internal service fund, which means it's, you know, is providing services to all the other departments. For the past several years, we've carrying some items in the IT Master Plan as a capital item, that really should be more operational.

So, this year, Mr. Smith put all the IT items within his budget so he can keep track of them. So you see the IT budget go up but again, part of that came out of the other departments' line items that they no longer pay directly. Things will run through IT.

The rentals and lease number $588,000 increase. There's really two items in there. It's your Port Center lease, and it does actually.., three items, the Port Center lease, the Police impound lease, and the Police body cameras are in here.

So that's.., it's time to renew the lease of the body cameras, so that number is in here. And then, when the Police comes up and talks about their budget, that's part of the reason why you see the increase in the Police budget.

The other items that I just wanna point out. The last three items up on the screen, the contingency number. We put an extra $250,000 in the contingency line. At one point, we thought that there may be a real hardship with the structuring of the health insurance.

So, we put in $250,000 that didn't occur by the time.., at the end of the day, but there is $250,000 there. I know we have talked about items such as housing and, you know, and dealing with that.

So, it when a plan occurs, we do ac actually have $250,000 there that we could use, or we could certainly, you know, if something comes up, we can certainly reduce that number at this point and move it before we adopt the final budget.

I wanna point out, again, this is $6.3 million increase. $600,000 of that is going to the CRA, so, the CRA TIF increased.

And then again, the last number is to transfer to other funds. You see that $1.6.., well, almost $1.7 million. That is the additional money needed in the Debt Service Fund to pay for the debt service for the two fire stations.

Looking at the budgets in a little bit different fashion. On the left, where we have from the largest budget to the lowest budget, is every department listed out, as you might suspect. The Public Safety Departments, Polce and Fire, are at or near the top with the largest budgets.

And then we work all the way down to the collective legislative, procurement, and City Clerk budgets.

The City Admin budget that you see up there, it's not the City Manager's budget, it is all the general items, such as debt service, payment to the CRA, the money we moved to the capital projects every year, the money we put in the Major Disaster Fund.

That's really what's all in that, that $23.5 million number.

On the right side of this slide, again, we walk from the $93.3 million to the $99.6 million and show the individual increases or decreases in the departmental budgets. Other departments will come up and, and present their budgets later on in the evening.

I will walk you through, real quick, where we are with positions. You know, not having as much of a increase in property taxes as some other communities, we had a lot of personnel requests that went unfunded.

At one point, we took out all the positions that had been vacant for more than a year or considered to be, you know, purged from the budget. So you'll see some of those in here. And that's primarily where you have.., you'll see unfunded.

But again, walking, walking through these budgets. Again, we took out the compliance auditor that we just added last year.

The Development Service items, those were all the items that you have already adopted. You did that back in June, I believe. I included them in this presentation because it helps the reader walk from one budget to the next budget.

So, even though they're already in the department's budget, we put them as add so you could see, again.., it helps explain why their salaries from one year to the next…

Councilperson McCoy: Mr. Chair?

Finance and Administrative Services Director Sherman: …has changed.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, are these the bottom tier of the salaries? This clearly isn't including benefits.

Finance and Administrative Services Director Sherman: This is…

Councilperson McCoy: Correct?

Finance and Administrative Services Director Sherman: …base pay.

Correct.

Councilperson McCoy: Base pay.

Finance and Administrative Services Director Sherman: That's…

Councilperson McCoy: Okay.

Finance and Administrative Services Director Sherman: …base pay.

Correct.

Right now, in Development Services, they actually have the last Development Service line, act actually have a part time individual, filling a full time position. So, working part time, yet he's holding a, you know.

So, what we'd like to do is add a part time position so we can put that individual in a part time position, freeing up the full time position so it can actually be [pause] noticed and, and filled.

We are adding one additional accounting tech to the Finance Department. During COVID, we lost six vacant positions and we have no redundancy in the Department. We're now processing close to a quarter of a million transactions every year, as the community grows.

And we really, you know, need to get some redundancy. We have.., you know, soon as we have a vacancy we can really feel it.

The Fire…

Chairperson Lawson: Mr…

Finance and Administrative Services Director Sherman: …Department…

Chairperson Lawson: Mr. Sherman?

Finance and Administrative Services Director Sherman: I'm sorry.

Sure.

Chairperson Lawson: Hold on one second.

Let the record reflect, KaShamba Miller-Anderson is on the dais.

Thank you.

Finance and Administrative Services Director Sherman: Thank you.

Part time plan reviewer for the Fire Department.

HR is just changing, again, job descriptions. They've done that already.

We're looking to add another attorney to the City Attorney's Office. We spend a considerable amount of money for our insurance claims. And, we're thinking, if we can bring an attorney in and reduce the outside attorney cost, that'll be beneficial to the City.

Moving through the departments. The first two are Parks' positions that have been purged from the budget, or unfunded as part of the budget. Again, they have sat vacant for more than a year. So, we're taking those out.

Communications operator position, and a Police Service Aide position have been added to the Police Department. And we have unfunded the reserve police officer position, that we tried adding several years ago and new Chief, new direction.

Chief did remind me tonight that we've had this conversations about an Accreditation Manager. So we will go back between now and the public hearing and see if we can work on the Accreditation Manager and get that funded in…

Councilperson McCoy: Mr. Chair?

Finance and Administrative Services Director Sherman: … this years budget.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, I, I guess I'm looking, like, from Mrs.., that attorney position. When I go to the Attorney's.., City Attorney's Office.., Department, I should say, I don't see a total number of FTE's in that posi'.., in that Department.

Maybe I don't have the slide there. But, does it show exactly how many, as far the four FTE's?

Finance and Administrative Services Director Sherman: No.

We don't have the full FTE's on here. But they.., they're not in the tentative budget list either. But we can provide that. We'll, we'll get you that list.

Councilperson McCoy: The reason I'm asking…

Finance and Administrative Services Director Sherman: Yeah.

Councilperson McCoy: …is, you know, we go through a lot of meetings and I can tell you, this seems like déjà vu. Didn't we just talk about having.., adding another position? Because I remember she had three positions for attorneys. Is this a fourth position that's being…

Finance and Administrative Services Director Sherman: This would be a fourth.

Correct.

Councilperson McCoy: Okay.

So…

Finance and Administrative Services Director Sherman: So, and again…

City Attorney Wynn: Mr. McCoy?

If I can jump in?

Finance and Administrative Services Director Sherman: Yeah.

Go ahead.

City Attorney Wynn: It would be.., it would myself, as a contract person. Three attorneys, a paralegal and a secretary.

Councilperson McCoy: Okay.

Well, I guess that really helps to know exactly what the full department complement is. Especially when it comes to some of these department because I, you know, I can't sit here and represent that I know how many crossing guards should be out in the field.

But, it just kinda helps to know, you know, how many we're doing. Because I was surprised to find out you have three customer service individuals out working the fields, that's doing meter reading and connections and disconnections?

Finance and Administrative Services Director Sherman: I have four out in the field right now, I have one vacancy.

Councilperson McCoy: Okay.

Finance and Administrative Services Director Sherman: So…

Councilperson McCoy: Well…

Finance and Administrative Services Director Sherman: But, there should be five.

And then.., don't wanna go to Utilities tonight but depending on what happens with Mangonia Park, we may actually be required to, you know, almost come back and ask for a sixth one.

Councilperson McCoy: Right.

So, how do we determine whether we're meeting the demand and the need that's out in the community? Because, you know, I can't tell you how many.., I think we've talked about how many countless calls that I've received with meters malfunctioning and that sorta thing.

And these folks are literally out 7:30 in the morning. Then, there's after hour calls as well. So.

Finance and Administrative Services Director Sherman: Yeah.

I, I mean, we look at, at their workload. We look at the number of work orders. We look at their ability to do the turn on and turn offs in a, in a timely fashion.

And again, you know, God.., God bless that crew 'cause they very rarely call in [chuckle] sick and I don't know how, they're up and down all day, knees and backs but.., but, you know, they do get their time off.

And, you know, so you do, you know, you do get some highs and lows in, in the service load. But, it's, it's really trying to, to keep the items moving. And again, you know, making sure that, that things are done the days that they're asked to be done. So.

Councilperson McCoy: And I think this is important for us to have this conversation because, to my surprise, I was scrolling on the internet and I didn't know, Administration or Staff made the decision now we need to go out and solicit for lawn maintenance, which says a lot about what we're doing in terms of staffing.

So, I just wanna make sure I understand, are we meeting the actual demand of what's needed? And I know there's calls for easements maintenance, and median maintenance and all those things.

And, I wanna make sure.., you know, this is good to talk about the number of positions but are meeting the need of the demand that's being asked for us, you know, when it comes to servicing.

Finance and Administrative Services Director Sherman: Yeah.

I mean, I don't wanna steal the thunder from any of the departments but I'm gonna tell you, they probably will all tell you they could use [chuckle] more Staff. It, it's, it's tight with Staff. It's tight with Staff.

City Manager Evans: And, and, Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: With respect to.., especially your, your Staff that's out in the field, your.., those folks, those particular positions, and specifically, if we just digress for a moment, the, the Staff that handles medians, that is a very dangerous job.

That.., normally, when we get persons on those crews, they don't wanna stay on those crews. And, when you're in the rainy season, by the time they get to the end, they have to start again.

And so, one of the things that we've talked about in the Public Works is, how do we look to facilitate having our medians maintained but then transitioning our employees to doing more Public Works related issues, sidewalk repairs, potholes, limited construction proper'.., projects, facility maintenance, and the like.

Because, we have been trying, and I think I've probably heard from each Board Member at least a couple of times concerning the maintenance of some medians and, and the like. It's just that it is a lot.

And, when you look at our Public Works crews and our Parks crews, there's a lot of lawn maintenance services that are being provided and it's taking away from some of those core functions, both in Parks & Recreation and Public Works. So, that's what was the impetus behind that solicitation on the median maintenance.

But, I can tell you that, you can ask every department director, everyone did ask for additional personnel. But, it is hard to be able to fill some of those critical vacancies, especially in light of what other agencies are doing concerning compensation for their, their employees.

One of things that we will be proposing in the SEIU contract is that, in this day and age, we should not realistically have a full time position where a person is making under $50,000 a year.

We have a lot of positions that are that forty-three, forty-five and it is almost impossible to get persons to fill those positions unless it's a second job for them, and the scheduling works. And so, we have some vacancies in.., with respect to that.

So, you know, that's a conversation that we do wanna have with the Board but that's gonna be a subject of the negotiations that we have with SEIU. But those positions that are crew level positions are certainly hard to fill and hard to keep because persons do seem to be a little bit more transient when it comes to those positions.

Finance and Administrative Services Director Sherman: Yeah.

I, I would add to that. It's not uncommon for us to have about a twenty percent vacancy rate. Just trying to fill them. By the time they come in, they turn over. Get another officer. You know, so yeah. It's, it's tough.

Oops. Walter, we lost touch. [Pause]. [Stammer]. Let me go back.

The Public Works positions. They currently have two custodial positions and three part time custodial positions. And to, to Mr. Evans' point about salaries, it's.., believe it or not, that's one of the hardest positions for us to fill. Especially on part time.

So, they actually would like to convert all five of those positions unfund those five positions and put in three maintenance workers. You know, we do have outside custodial services.

The maintenance workers, little bit higher grade level. But again, they could kind of fill in around the outside service.

City Manager Evans: And…

Finance and Administrative Services Director Sherman: Okay.

City Manager Evans: …and that also allows…

Finance and Administrative Services Director Sherman: Let me go back.

City Manager Evans: …for us to have them do more higher level tasks, duties, and responsibilities from facilities management to a variety of different positions that we need both in Parks & Recreation and Public Works.

And so, we're looking to, to reposition those positions so we can get somebody that has multiple skillsets in multiple disciplines for what we're trying to.., trying to accomplish.

Finance and Administrative Services Director Sherman: And I do apologize. I, I skipped a couple Public Works lines.

We're gonna add.., we'd like to add a Project Engineer/Manager to assist the City Engineer with the capital projects.

And the fleet services manager position has been vacant again for a couple years. So, we're looking to unfund that.

Oops. What'd you do… There we go.

We already went over the Utility ones the night we did the Utility budget. Two of those have already been approved but we are looking to add the one operation technologist position.

And then, the two stormwater positions. To your point, Councilman McCoy, those two positions have been unfilled for well over a year, almost eighteen months. But, we know that they can use those positions.

So, they are looking for other money that, again, they could possibly fund these positions from so we can add them back into the budget.

And then… Oops. What have we got here? It's going, it's going the wrong way.

And then finally, just to give you an idea. This is the total tentative operating budgets. So again, the $99.6 million at the top is the general fund. We have $8.9 million in debt service, which, again, does include the two new fire stations.

The Major Disaster Fund, again, we're putting $900,000 into that fund again. Remember, we are pulling $3 million out for Station 87 but $900,000 will be going back in.

And then, we get into the Enterprise Funds.

Councilperson McCoy: Mr., Mr. Chair?

What's the balance…

Chairperson Lawson: Mr. McCoy…

Councilperson McCoy: …on…

Chairperson Lawson: …go ahead.

Finance and Administrative Services Director Sherman: Sure.

Councilperson McCoy: What's the balance on the Major [stammer] Disaster Fund?

Finance and Administrative Services Director Sherman: I believe it's close to $9 million. Ms. Reynolds, can you look it up? Confirm it? We'll, we'll double check that. But then again, we're gonna pull three out…

Councilperson McCoy: But, it seems…

Finance and Administrative Services Director Sherman: …[Inaudible].

Councilperson McCoy: …like we had conversation about removing that provision from our Charter.

Finance and Administrative Services Director Sherman: We, we did. That, that would have to be a, you know, a referendum question to change the Charter.

Councilperson McCoy: And, can you remind me of why?

I, I remember this conversation. Why, why, why we wanna do that, because obviously, if you $9 million that's set aside for…

Finance and Administrative Services Director Sherman: The restrictions of how you can spend that $9 million. So clearly, if we have, you know, a storm, you know, I mean, we can use those, those dollars for that.

We can use it for preparation. We can use it for [inaudible] like we're going to do on 87. But it's really restrictive on, on what you can, can use those funds for.

So again, you know, you're putting $900,000. That number is going to increase every year. You're gonna continue to add to that.

When we look at our insurance that we have for a storm… You know, we have, like, a $3 million deductible. So, do I really need $9 million, ten, $12 million sitting in this fund if I really only have to cover the first $3 million?

And again, you use three, you know, you wanna make sure you have it for two or three storms but the question is, is how high does that number really need to be when there are other needs, you know, in the City?

Councilperson McCoy: And, our debt service.

$8.9 million. That's more than just two fire stations. What else is…

Finance and Administrative Services Director Sherman: Oh.

That includes the street projects that we've done. So, we've had two bond issues for the street projects and we have the pension obligation bonds are in that number as well.

Councilperson McCoy: Okay.

Finance and Administrative Services Director Sherman: Moving through the Enterprise Funds.

Right now, the Utility Special District debt service is about $4 million.

The Marina operating budget, that $3.7 million budget does reflect the new docks, E, F, and G, that we have been installing.

Solid waste collection fund, $6.88. That number is still trying to get.., make sure we have a good handle on that number. Numbers tend to fluctuate a little bit under the, the current contract.

But again, I think that $6.8 million is good. That does include the money that we collect for residential accounts and then pay, you know, over to Goode. It does include our own solid

waste costs, and it includes paying for all of the noncompliance issues that may occur where we have to pay for them to pick up excess trash.

The stormwater operating fund, we're up to $3.8 million. But again, that is a very flat budget. Unless you have development, that number doesn't fluctuate very much.

And, hopefully, finally, we've had this parking fund in here for a few years. I think Fiscal 2024 is the year that we'll actually be spending some of those dollars.

Then again, our internal service funds. You notice the IT fund is up to $5.1 million. As I said, we took a lot of individual items that have been paid throughout the City and put it all into the IT budget to keep it in one place.

The general insurance fund, is an increase over prior years of about a million dollars. Again, we're settling claims but our insurance premiums are also going up.

And then, the fleet service fund at the $1.9 million.

So, our total budgets, at this time, as proposed by the City Manager, back at the end of July was $172.8 million.

Chairperson Lawson: Quick question.

Chair Pro Tem Lanier: Chair?

Chairperson Lawson: Councilwoman.., Pro Temp, go ahead.

Chair Pro Tem Lanier: Let me ask Mr. Sherman in regards to the parking fund.

What is the status? Does that.., does that have to do with the parking study…

Finance and Administrative Services Director Sherman: [Inaudible].

Chair Pro Tem Lanier: …or what is happening with that?

City Manager Evans: Mr. C hair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: So, the Board will be receiving an email from me in the next couple of days that is the forty-eight page parking Ordinance that Staff has been working on for a significant amount of time.

The monies that is provided for in this particular budget is, that we anticipate once the parking Ordinance is live that we will generate, at minimum, about $400,000. We have collected information from other municipalities.

Because, what we want to do is bring forward the adopting Ordinance. We wanna give the Board at least a month to review the Ordinance, bring it for first reading, and then also have the corresponding Resolutions that are contemplated for the purposes of adopting the fee.

We have looked at what other municipalities have done as it relates to a procurement process. And so, we're looking to utilize a cooperative purchasing.., or, a cooperative agreement whereby we can, in essence, piggyback off oof what another municipality has done concerning parking.

Because, we want to ensure that you don't have to have six different apps for six different cities when you go there to park. So, we've looked at West Palm, we've looked at Palm Beach County.

We wanna have uniformity and consistency with respect to those particular applications. So, the monies that are provided is a conservative number as to what we think we can collect associated with, with parking.

So, we're at.., close to the finish line. There was some, some additional tweaks that Staff was making but we do wanna give the Board an opportunity to look at that Ordinance for about a month because it is pretty comprehensive.

And then there.., obviously, there's some things in there that are going to change the normal way of how we handle parking in our community. And so, there is a lot of conversation that we expect to have from the Board. So, that number is what we anticipate in revenue.

Best case scenario, we'd love to have it, you know, in place by December, January, if not sooner. But, we've kind of mapped out what that timeline will look like with both first reading and second reading, and then giving the Board at least a month to have the document.

Chairperson Lawson: Thank you, Mr. Evans.

I did have a question in reference to personnel. Where do the positions for media, marketing, and communications fall under.., Staff members? Like, Ms. Collins, Mr. Walter, and a few of the other staffers that we have for different departments, for media and marketing?

City Manager Evans: Those, those particular positions, it's a division within City Administration. So, they would be under City Administration.

Chairperson Lawson: Okay.

And I know we spoke briefly, myself and you, as we talked about possibly bringing in and looking at a director for marketing and communications. Is that something that you've looked at with Staff or something that we tried to identify?

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: At this particular point, based on what are some of the other needs of the department, we put that opportunity on hold because there is some other critical needs in the agency. It's something that we do want to look at building a more robust communications team because we do have a lot of information that we wanna put out.

And there's a lot of communications that we wanna put out. But at this particular juncture, we didn't ask for that position because all the departments did asks for additional personnel and we didn't wanna request that.

And so, that's something that, you know, we can certainly look to bring forward if that's the pleasure of the Board. But, when we prioritize the number of positions that some departments wanted, we didn't bring that one forward because of the, the need for other positions in the agency.

Chairperson Lawson: Understood.

And, I did wanna have the discussion when we talk about personnel requests. Because, the importance of the marketing, media, and communications will really dictate. That was a conversation we had at the conference that we went to last week.

And, crisis management. And, as we know as a Staff, we're dealing with aa, a.., current crisis that we need marketing, media, and a professional to handle. And, internalizing, and having somebody to address for economic development, for any issues and concerns, having one speaker to speak on certain items form the City and not having every individual speaking to the media.

These are things that we have to look at, especially if we're talking about building a economic engine up and down Broadway, Avenue E, and all over the city.

So, without having a specialist in place, I think we're just kind of freestyling the concerns that come to us, in addition to us trying to portray the, the, the image of growth and development of the City with increased densities, with attracting local business and international businesses.

So, I think we need to really identify possibly bringing in a director of marketing and communications to handle that department, where they're gonna oversee the Facebook posts,

social media, when they're gonna oversee some of the advertisements that's going out and really tell the story of Riviera Beach.

We're a $200 million enterprise and we don't have a director for our communications. That, that.., that doesn't make sense for me. So that's why I really, possibly the Board, to identify if that's something, to have interest of having Mr. Evans look into, proposing into the budget.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you.

To the point on parking, what positions or.., do you foresee for enforcement? Obviously, we can put meters and collect dollars but what.., somebody has to monitor and manage that and how is that gonna be implemented?

City Manager Evans: Yeah.

Finance and Administrative Services Director Sherman: [Stammer]…

City Manager Evans: So, Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: With respect to parking, we're looking at what other municipalities do concerning parking. In my previous experience, there has been one or two positions that reside in the Public Works Department and those are the parking attendants or parking enforcement attendants., and they handle it.

But, we wanna utilize technology for most of the applications. So, we're looking at what other cities have, what other cities have deployed, and what other cities are utilizing. But, it's not a, a very robust staffing complement.

The other side of it is, we wanted to institute the parking, start having the revenue collection come in versus bringing the Staff onboard first.

And so, to Mr. Sherman's point when we talked about maintenance workers, those are positions that we may see a situation that end up becoming reclassified in other iterations to be those parking attendants.

But, we wanted to deploy the system, collect the revenue, and then show what we project the revenue to be consistently. And then, ask you for the positions versus asking for the positions and then we don't know what the, the revenue collection component will be.

Councilperson McCoy: Well, let me tell you, I visited Fort Lauderdale and I went into this private parking lot to go to a green market. I got in the market lot, it started storming. I never got out the car. So, I stayed in the car for about fifteen minutes and I left.

A week and a half later, I got a bill in the mail for fifty-five dollars for parking. I thought that was the wildest thing in the world. But, I mean, there was no staff involved. They had video…

Finance and Administrative Services Director Sherman: [Inaudible].

Councilperson McCoy: …and, and a camera. And I was just, like, 'Fifteen minutes costs you that much money..

So, you know, I think we should definitely be creative but I would certainly hope that there's an enforcement mechanism because if folks don't think that there's any, any kinda.., anyone watching, then they'll take advantage.

And, in fact , I can tell you, I actually experienced someone in City Hall that came over and they had a vehicle hold on their registration because they didn't pay for.., I guess, what? Our

[stammer].., our police call it a rotation tow, or something like that. And they had to go and resolve it with the tow company before they could renew their vehicle.

So, certainly, I would hope that there is some sorta mechanisms that we put in place. Not to be punitive but, certainly, if folks utilize parking, I mean, it costs us. And, I mean, we.., me and you've had the conversation about structured parking. One parking space is $30,000.

City Manager Evans: Forty now.

Councilperson Botel: [Chuckle].

Councilperson McCoy: Forty.

And that.., and, you know, like, seriously. I, you know, this isn'.., you know, it's the best City but we still have, you know, our responsibilities and making sure that we deliver the services.

So, I think there needs to be an enforcement arm as well.

Finance and Administrative Services Director Sherman: Yeah.

Mr. Chair, may I add…

Chairperson Lawson: Mr. Sherman, go ahead.

Finance and Administrative Services Director Sherman: …a comment to that?

Chairperson Lawson: Please.

Finance and Administrative Services Director Sherman: So, when we bring in the Ordinance, we will bring you the Plan at the same time. With the rates. And we'll have the parking consultant here and we'll, we'll walk through that.

I don't know what the final plan is today but I anticipate it'll all be on your phone, it'll all be cameras. It'll be, you know, go in, punch a numbers. I was just out west last week and you text.

You know, it's just text the number, text the space and boom, you get [stammer].., I got charged, you know, the six dollars [chuckle] to, to park.

So, as Mr. Evans says, it'll be a lotta technology. Hopefully, not a lot of people on our end. And again, the system itself will, in essence, you know, be the ones that are enforcing it. So, if you go into the lot over at, you know, the Ocean Mall, you know, we got.., we have your license plate, we know you're there, you're gonna get charged [chuckle].

So, if you don't do your text and, and pay for it, then, you know, there'll be a, you know assess'…

But again, we'll bring all that, that back at the time. Yeah.

So, we're ready to move into the departments. First Department up is the Fire Department.

Fire Chief Curd: Thank you, Mr. Sherman. Chair, Council, Mr. Evans, thank you all for having me here tonight. John Curd, Fire Chief, Riviera Beach Fire Rescue.

I wanna talk about this past year's budget and some of our achievements, great achievements that we should all be very proud of.

Starting off with Station 88. That's obviously our, our marquee accomplishment for last Fiscal Year. And, looking to move that forward next year with Station 87, brings a great deal of excitement.

There's a marginal increase in our budget this year. Basically, what we're looking at doing is trying to toe the line this year. We understand that there was some budgetary challenges.

And based on where we are organizationally, we felt that this increase, the majority of which being in operating supplies. As, as well understand the challenges that I've spoke about on the cost of medications going up, and, and just commodities in general.

We had to put our focus in that area to make sure that we have the, the equipment and the supplies to get the job done.

Looking at some of the achievements, achieve a sustainable economy. We believe that we've done that. And I think we've done extremely well. We were able to establish our long term agreement with Palm Beach Shores on that mutual aid program for the next six years.

We've also done a great job this years in obtaining grant funding. We're getting ready to draw on the $1 million that was appropriated by the state for the design of Station 87. So, we're gonna start seeing that money come in now that we're moving through the, the design phase of Station 87.

I was also informed, this week, that we've obtained another grant for $240,000 for extrication equipment that we got. That was our AFG grant, the Assistance to Firefighter Grant. So, that's gonna free up a good bunch of money for us to move our extrication program to the next level, which we think is going to save a tremendous amount of lives, being able to have this equipment that can quickly deploy the way that it does.

We also received a $125,000 for the demolition from the Solid Waste Authority for the demolition of Station 87. So, we were proud of that.

And this year, our goal is to go after a Safer Grant. Safer Grant is a grant that we will utilize to obtain additional staffing. Riviera Beach Fire Rescue, this year again, is on a record pace to run the most calls in departmental history.

We're approaching 10,000 calls. From when I started here, we were at 5,000 and we've only gone up in staffing a marginal amount since then. And, what's happening right now is, we're starting to put a lotta pressure on our mutual aid partners.

When we don't have enough units to run the calls, you're probably seeing West Palm, Palm Bech County, and Palm Beach Gardens in the City a little more often than you have in the past.

And it's due to our growth, our development. We're bringing a lot of buildings online, we're bringing a lot of new housing developments and communities online, and it's really taking a toll.

So, we're hopeful that this Safer Grant will allow us to grow with a marginal, a minimal impact on our budget as we move forward and, and grow with our community.

Building great neighbors. We're constantly working hard with our surrounding neighbors, whether it be the North County Chamber of Commerce, addressing areas of resiliency, working with our mutual aid partners. Training.

It, it's really born a lot of really good fruit for us to establish those relationships and we look to continue to forge those relationships. We also wanna stay very active in a lot of the committees that we're a part of.

The, the EMS committees, both locally here in the county and in the state, the Chief's committees. This is what helps us understand the direction of the fire service and ensuring that Riviera Beach Fire Rescue is moving in that direction so that we know that we're providing our residents with the level of service that is being received throughout the county and the state.

Accelerate operational excellence. Everything we've set out to do is, is getting done. Station 88, you've seen it. Station 87, the temporary station, we're expecting a move in within the next week or so, into the temporary site.

September 9th, 10:30 a.m., bring your hardhats. We're gonna be doing a groundbreaking at Station 87, along with some other events that are going on.., groundbreaking events that are going on in the City that morning as well.

So, we should see some dirt moving at Station 87 and, hopefully, we can meet that eighteen month window of when we expect Station 87 to be done.

Station 86. We're working on design options for Station 86 right now. We're also looking at grants to help with some of the funding, some of the LMS grans that are available out there. So, moving right along with that. And, and, and really excited about that direction.

Enhanced government stewardship and accountability. Looking at programs where we can utilize firefighters or staffers that are on light duty to perform quick surveys. While this may not mean a lot to you when ISO comes in, and as Chief mentioned earlier, accreditation, this is what's gonna help us get there.

Showing these regular inspections of facilities that are required to be done. It's a very daunting task with our three inspectors. But, with this program, we think we can increase those numbers, at least double those numbers from what we're doing today.

And then obviously, working throughout our IAF'.., IAFF contract. That is up for renewal this year. We're already begun negotiations with that. And we've also just passed our first round of state inspections for our ALS units.

So, I wanna commend our crews for preparing our ALS units. The state came in and we received just glowing remarks on our ALS apparatus rescues sand engines.

And then, as it relates to strengthening our community and engagement, we're gonna continue with our mentorship programs. We got two young men right now, one's entering into the fire program now that he's completed EMT school.

The second has completed EMT school. We're still working very closely with Palm Beach Lakes High School and Inlet Grove on their programs. Just had some great conversation today with Staff at the Civil Drug Court on how we can use some of these opioid monies to engage out community and, and do some, some really cool things. And, and also, working with PD on, on Narcan and some of those different things.

So, the one change that you will see is the addition of a part time plan reviewer. We are in a situation where we've been contracting out this service. There's no need for us to contract it out and we don't need a full time service.

We believe that a part time plans reviewer would be enough to just cover those plans that come in on new developments but look to actually reduce our cost from a contracted service to a part time position.

And, I'm available to answer any questions that you may have.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Something that I think is exciting and, and, under the Chief's leadership and, and his team.

Chief, if you can speak briefly on the whole blood and, and what we're looking to deploy here in the City of Riviera Beach, October 1st. And, and it's, its outstanding. We're gonna be one of the first, if not the first, municipality, and it's gonna save people's lives.

Chief, if you wanna talk about that.

Fire Chief Curd: Yeah.

Again, we talked about these communities that were a part of the EMS state community, the county community. We see what is the next thing on the horizon? Palm Beach County Fire Rescue started a whole blood program.

One of the issues we have on traumatic injury calls is, when individuals begin to bleed out, for lack of a better term, we use normal saline to replace the fluids in their body. Well, that does great to replace the fluid but that fluid has no life saving capabilities as it relates to carrying oxygen to the brain and the vital organs. It's just a salt water, saline fluid.

This whole blood program will a'.., actually allow us to carry blood on our units, giving individuals involved in a traumatic injury what they need so that we can get them to the trauma center and, and get the, the treatment that they need and, and basically, it's.., it usually boils down to surgery, stop the bleeding.

But, this is going to be a program that's gonna have us as one of the first, or one of the first, in Palm Beach County to do it. And we think it's gonna be a great lifesaving tool. Especially as, as it relates to our proximity to trauma centers.

We have St. Mary's here. We just gotta keep them alive and keep them going for a few more minutes so we can get them to that trauma center. And we're excited about a this program and, and what it's gonna do.

Any other questions?

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: Chief, thank you so much. Thank you for the presentation and we are excited for the program. And, what was the date on the ribbon cut'.., or, the groundbreaking?

Fire Chief Curd: It's gonna be September 9th. You're gonna see some stuff come out. I believe there's a park event? Mr. Evans?

City Manager Evans: Yes.

Mr. Chair and Members of the Board, we're looking to do kinda two events in, in one day on, on September 9th. We have the opening of the Lone Pine Park, as well as the groundbreaking and ceremony of Fire Station 87.

So, we're working lout the logistics concerning the event but we're gonna be putting that information out to the Board. We wanna do both that morning, that Saturday morning. Both small.., or, short ceremonies but a lot to unpack as it relates to both of those particular events.

Chairperson Lawson: Will [stammer].., will our current station be demoed by that time, that we do the groundbreaking?

Fire Chief Curd: You all will have a sledgehammer in your hand…

[Chuckles]

Fire Chief Curd: …and you will be kicking off the demolition job.

Chairperson Lawson: Exciting.

Councilperson Botel: My kind of event.

Chairperson Lawson: Chief…

Councilperson McCoy: S'…

Chairperson Lawson: …thank you.

Councilman McCoy, go ahead.

Councilperson McCoy: So, I just wanna make sure. That's gonna be Assistant Chief Johnson that's gonna send us the invitation?

Fire Chief Curd: We're gonna work with City Administration…

Councilperson McCoy: Oh.

Fire Chief Curd: …to ensure that the appropriate notifications go out to all interested parties.

Councilperson McCoy: Oh. Okay.

And also, Mr. Evans, Lone Pine, is that open for the public? Am I invited to go to Lone Pine?

City Manager Evans: Yes, sir.

Councilperson McCoy: Oh, okay.

[Stammer].., they're a little salty behind that vote I took so I, you know, I didn't know if I was welcome out there.

Chairperson Lawson: Thank you, Chief Curd.

We appreciate it. Thank you so much.

Mr. Evans.

City Manager Evans: Mr. Chair and Members of the Board, at this time, I'm gonna have Police Chief Michael Coleman and Deputy Chief Kevin Coppin to make this presentation.

Police Chief Coleman: Good evening ya'll, Commissioners. Chief Coleman, Police Department. I personally thank everyone for the consideration of approving the Police Department's twenty'.., 2023-'24 budget.

The approved budget will allow for the agency to increase the level of service internally, and externally of the Police Department. With the increase of service, the intent is to have a reduction in crime and a safer community by instituting certain goals for, for the organization.

I'm gonna give you a brief synopsis of some of our accomplishments that we accomplished this year and how we're gonna continue too, with those objectives in 2023-'24.

As you see here, with our accomplishments and how we're gonna continue moving our organization forward, we have developed a criminal justice program at Inlet Grove. And, one of our instructors is over there in the corner, Walter Terrell.., Walter Terrel.., Officer Terrell, where he's the lead instructor at Inlet Grove, where he's teaching approximately two, three hundred kids per year how to be a better productive citizens in Riviera Beach. And we thank him for that.

Also, our PAL Program received a national recognition for our.., working with our kids through CNN, as well as Fox and other new'.., programs about the program we're accomplishing in our City.

And other organizations want to come and mirror our PAL program in, in Riviera Beach. So, I think we're doing a, a incredible job with the program, as well as our mentors and our instructors.

Building great neighborhoods. Of course, I, I've been preaching a lot about how I wanna improve quality of life as my focal point on how to reduce crime. So, what we have done in this community, thus far, we implemented, through Josh Lewis, he implemented a Homeless Task Force and a homeless advocate where the homeless advocate, going out in our community, and re'.., and, and, and, and assist our individuals that live in our community.

At one.., early January, we had a hundred and forty-five residents, homeless residents in our City, I'm proud to say because the hard work of all departments, especially Public Works, Parks, and the Police Department, and of course Fire as well, we have reduced our homeless population from one forty-five to one fifteen.

And that's because of a group effort, what we all dedicated to reducing our, our homeless population in the City and get them help.

We have abated close to seventy-five homeless camps along the beach area, the dunes along Broadway corridor, Avenue E. We abated approximately seventy-five.., seventy plus homeless camps in our City.

And that's.., we have a collected a group of men and women of the agency, throughout the City, working together to abate those homeless camps.

Accelerate operational excellence. We all know, in order to run a, a premier agency, you must have certain standards, high standards. What we have done in the agency, prior to my arrival, we have a consultant internally that comes in e'.., once a month.

And, they come in and look at all of our policies. 'Cause some of our policies are outdated. So, we have a very dynamic young lady, Ms. Williams comes in and works with our policy to create better policies for twenty-six.., 21 Century policies to make sure we're doing everything proper and correct.

And, of course, we're state accredited. Within the next.., I, I wanna be an international accredited in the near future, not just state accredited. But with this.., with the new work we're doing inhouse, and with the budget, we want.., are gonna bring in an accreditation manager full time to work with our officers and staff to make sure we adhere to certain standards within the 21 Century policing.

Enhance.., enhance government stewardship and accountability, enhance prosecution. We have.., we understand that every time we arrest someone, we won't get maximum prosecution out of our sus'.., quick and timely prosecutions with our arrests.

We have a young man that's in.., was a volunteer in the agency many years named Major.., Captain Wykoff [sp]. I promoted him Major. He's currently.., whatever.., every arrest we, we make and every search warrant we execute, we have a internal person who's a legal

attorney, worked at the State Attorney's Office for many years, he review' every single document that leaves our agency to make sure we're doing everything correct.

And our prosecution rate is very high. And, we created a Cold Case Unit with Major Lewis and his team. They created a Cold Case Unit. We had a hundred percent.., of, of our solvability cases with the case.., every case we touch, we have solved within this calendar year.

We got re'.., recognized at a, a luncheon by the Cold Case Unit and recognized us for our accomplishments with the cold cases. While under the leadership of Mr. Lewis, we solved a case that's.., that was twenty-eight years old, that [stammer].., it was on a shelf.

Because of our dedication to the City, we was able to solve that case, now, a twenty year old.., twenty-eight year old case. And that's because of the dedication we have to cold case.., cold case cases in, in Riviera Beach.

Strength in the community and engagement. We're gonna continue going out in the community and working with the community, meeting the community. Every Wednesday, my te'.., my executive leadership team, we move our Staff meetings around the entire City from Singer Island to Dunkin Donuts, to the Ambassador Center.

And, we go around.., and we wanna go out, take what we have and introduce ourselves to our community and make sure we have a relationship with those communities. We actually go into the, schools and talk to the schools, and talk to the senior citizens and make sure that they understand they have a, a very viable and.., Police department that they want.., that I want them to be able to touch and be able to bring their issues and concerns to us.

Som of.., some of the.., some of the touch points of our accomplishments I definitely wanna bring up to you guys. In 2023, we was approved a mobile command center. As a matter of fact, we were approved two, one at the state level and one at the federal level.

At the state level, we were approved for a $600,000 mobile command center. And, at the federal level, we received a $725,000 for a mobile command center.

And both of those mobile command centers will be utilized in the City of Riviera Beach, as well as some of our surrounding partners to make sure that they receive a, a quality resource as well that, that help us out policing our City.

We also.., I hired a PIO. We talk about marketing and branding in the agency. I just hired a dynamic PIO in the City and they… I like.., I don't like people to tell my story. I like.., I like myself to tell my story in my agency.

And, the young lady we just hired named.., by the name of Serena Spates, she's my PIO and she hit the ground running, and telling the story as you saw on Fa'.., my Facebook Page, that she's out there telling the story.

She's creating a, a program guideline on how to use Facebook, and procedures on how we're gonna roll out our marketing strategies in, in the Police department.

Also, we start a podcast or some type of communication within the Police Department to highlight all the great things we're doing in the house..

We talked about the homeless advocate. We're also reestablishing the Sky One. This year, the Sky One was kinda closed down due to manpower issues. Sky one will be up and running within the next thirty days where you.., every inch of the City will be viewed [stammer] highlighted with personnel in Sky One.

We're also working with the Ambassadors, the CRA, and the CDC. We created a, a Clean & Safe Program within the footprint to make sure that the crime is being reduced within the Broadway corridor.

So, those are some of the, the great things we accomplished. And I understand that my budget went from $24 million to $26 million. And every inch of tho'.., every dollar will be s'.., [stammer].., will have great oversight and will be spent correctly, with the, with the intent is to.., is to reduce crime.

If you have any questions, I can answer any question that you would like to have for us to answer.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Board…

Councilperson Botel: Mr…

Chairperson Lawson: …Members?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman…

Councilperson Botel: Thank you.

Chairperson Lawson: …Botel.

Councilperson Botel: I wanna commend you and your Staff on the work you're doing with the homeless. I think you probably saw the article in yesterday's Palm Beach Post. It was wonderful to see Officer Jones get some recognition. And I'm sure it's a team effort, it's not just Officer Jones but she seems to be the point person. And we appreciate that.

I know that she's.., are there some Resolutions or Ordinances coming before us shortly? I hope that we'll assist in that effort because I think that you need some teeth. And, some of the work that you're doing is…

Police Chief Coleman: Certainly.

Working with our City Attorney and other partners, Mr. Clarence Sirmon of the Development Director of the City, we crafted a, a pan'…we had a panhandler Ordinance on the books but we're gonna make it even stronger so we have more teeth on how to control and, and, and monitor and maintain our aggressive panhandlers in the City.

Councilperson Botel: Okay.

Great.

Police Chief Coleman: So, that should come on September 6th, I believe, it should be on.., come before you.

Councilperson Botel: Okay. We'll look forward to that.

And then just one more question. Cameras, do we have a sufficient number of cameras in the City to cover the areas that you think need covering? I mean, is.., are they in the budget? Do we have.., have we budgeted a sufficient amount of money so that we have the equipment that you need?

City Manager Evans: [Stammer]…

Police Chief Coleman: Yes.

At this current time, we budgeted a [stammer]…

Councilperson McCoy: Mr…

City Manager Evans: Mr. Chair?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy.

City Manager Evans: With regards to cameras…

Chairperson Lawson: [Inaudible].

City Manager Evans: …and camera placements and where camera.., that's a security element. If there.., if there's additional funding that the Board would like to appropriate concerning.., we, we keep it very high level.

Councilperson Botel: I'm not asking where they are. I just wanna make sure we've gotten them enough.

City Manager Evans: We, we certainly wanna just.., I just wanted to make sure we didn't go down…

Councilperson Botel: I'm not asking where they…

City Manager Evans: Okay. [Chuckle].

Councilperson Botel: …are.

[Chuckles]

Councilperson Botel: I'm just asking if he's got enough.., if we've given him enough. That's all.

[Inaudible comment]

Councilperson Botel: Simp'…

City Manager Evans: But…

Councilperson Botel: Simple que'…

City Manager Evans: It…

Councilperson Botel: I knew you wouldn't tell me anyway. So. [Chuckle].

Thank you, Chief. That's all I have.

Chairperson Lawson: Councilwoman Miller-Anderson, go ahead.

Councilperson Miller-Anderson: I just wanted to also say that you all are doing a great job on Avenue E. I know that has been a big focus for the Police Department. And, I'm sure that's an, an issue that we'll continue to work on.

But, thank you all so much for what you.., what you all are doing. It, it really shows and a lot of people have complimented the agency for trying to put forth an effort to clean it up.

So, thank you all so much for what you're doing.

Police Chief Coleman: Thank you, ma'am.

Chair Pro Tem Lanier: Ah…

Chairperson Lawson: Board Members?

Chair Pro Tem Lanier: …Chair?

Chairperson Lawson: Pro Temp, go ahead.

Chair Pro Tem Lanier: Yeah.

I wanted to ask the Chief, you had sent us a, a.., it was a report in regards to corner stores, and I wanted to know what you guys are doing with that?

Police Chief Coleman: Yes, ma'am. I will be glad to answer that question.

September 13th, we had a meeting last week with all departments, Development Services and Mr. Sirmons, Ms. Jacobs, and we're putting together.., we've.., like a think tank on how to address all our community stores.

We have a meeting set up for September 13th to address all our community stores and bring them together so they can.., so we can be on the [chuckle] same page as far as to eradicate and abate the crime that's around in our community stores.

But that meeting is September 13th.

Chair Pro Tem Lanier: Okay. Great.

Councilperson Botel: [Inaudible].

City Manager Evans: But…

Chairperson Lawson: Thank you, Pro Temp.

City Manager Evans: But, Mr. Chair, the…

Chairperson Lawson: Mr. Evans.

City Manager Evans: …the, the in'.., the report was an encapsulation of… The, the Chief has really been pulling on the crime.., crime analysis staffer to provide all the, the detail and information concerning the, the calls for services at those convenient stores.

And, and we do wanna have, and Chief, you can certainly jump in and, and take over, a more robust conversation about some of the activities that occurring at some of these stores and it's getting to the point where we have to start taking a harder line approach.

And, even a situation where they may have to be shut down as a result of the level of calls that we're getting. The Board did receive that information and I think, conservatively, you can say every store got over a thousand calls from a variety of different things.

Chief, if you wanna…

Police Chief Coleman: Yes.

City Manager Evans: …lean on that?

Police Chief Coleman: There's fourteen stores that we have.., we looked at and pulled the data, for those fourteen [inaudible] convenient stores. One store had twenty-eight.., twenty-on hundred calls in over three year time period. The next, it was eighteen hundred calls.

Now, if you look at every call we go.., every store we go to, to deploy, we spend at least thirty minutes per call at that store and we send multiple people, multiple cars to each establishment.

So, what we're doing, we're taking all the crime at the store and we're [stammer].., we're looking to go and just abating on the stores, to shut them down for the crime that have occurred at, at those establishments.

We also are working with the.., we went to Wawa. We, you know.., 'cause we care about beatification as well. Because, if they.., it the place is clean, criminals don't wanna go to clean establishments.

I, I receive phone calls on weekends about some stores not being maintained and how we respond on a regular basis to all these stores.

So, September 13th, we're gonna have a very free spirited conversation about how they manage their establishments. And then, after thirty days, we want them to really come into compliance.

And then, we're gonna take a hard.., a hardline approach on how they're gonna adhere to our standards or we're gonna try to move them out of the City of [stammer] of Riviera Beach.

Chairperson Lawson: Board Members?

Councilperson Botel: Yes.

Mr. Chair?

Chairperson Lawson: Cou'… Hold on, Councilwoman.

Councilman McCoy, did you have something?

Councilperson McCoy: Yes.

Chief, I, I asked about the crossing guard situation. And I know we've.., into our second week now. This is very interesting. I've witnessed this twice now, since I've been elected. And I know this may be a far reach but is there any coordination with the school District transportation and police as far as where the bus stops at?

Because, literally, I've come across two fights that occurred at either middle school or high school bus stops and it's, like, before you contact anybody, they're gone. And, I'm just curious to know if we know about where these kids get on and off the bus at?

Because, seemingly, you've got thirty-five kids getting off at one stop, and there's a fight going on. And I'm must like, you know, what happens? I mean, you call. By the time something occurs, it's like they were on the bus, they came off fighting.

And I'm just curious, is there any coordination with transportation and school police regarding these incidents? 'Cause, you know, it's either the bus stops, the kids themselves having issues or if there's a bus stop near a corner store.

And I can tell you, Avenue S is infamous for this. You have stores selling alcohol, which against our City Code, before the schools even open up. And, I've certainly shared some other concerns that I have with you but I, I.., you know, that is a issue for me.

If a kid who's in middle school, becomes to see this every day and normalize that people can smoke marijuana and drink alcohol while they're standing at the bus stop, that almost seems like that becomes what they can grow to expect to happen in their community.

And that's a problem. So, certainly, I wanna bring that back up to your attention and, and see if there's any coordination with the schools? Because, there's a lot that happens on and off the schools.

And I've already heard of at least one situation where there was a gun recovered from a kid that was.., that was already in high school here.

So, I, I just wanna make sure that there is… I'm certain there is. But, I just wanna kinda make sure that we are on top of that because there's a lot that carries on from when a kid leaves their home 'til when they arrive on campus.

And a lot of that deals around these, these same community stores and the people and the activity that goes on around them.

Police Chief Coleman: To answer your question, sir, yes, we coordinate with the School Board, with Major Hargrove and Chief Moody, and of course, Leonard Mitchell. He used to work in here.

Whenever we find a young man that commits crime or ac'.., activities in our community, we forward the information to the School Board. So, of course, whatever happened in the community gonna end up in the school and vice versa.

So, we have those regular conversations with those individuals. And Major Hargrove and Leonnard Mitchell, they're in charge of this particular area. So we communicate with those guys on a regular basis.

Councilperson McCoy: Certainly.

But, I would like to see more in terms of the Code Enforcement when, you know, we have a specific Ordinance that prohibits alcohol sale, certainly on Sundays but, more or less, I think it's 9:00 a.m. on.., during the week. And, they're out there at 6:30, 7:00 o'clock in the morning having at it. So.

So.., and, and it's more of a Code Compliance thing but I certainly think that, you know, we should be able to address that.

Police Chief Coleman: Yes, sir.

Chairperson Lawson: Thank you, Chief.

Councilwoman Botel.

Councilperson Botel: Thank you.

Chief.., Chief, does this budget include two dedicated Singer Island police officers? And, can we count on them for always being there?

Police Chief Coleman: Yes.

The Singer Island, it's not in the budget but they… The Singer Island has three individuals on their beach at all times. We have a marine unit. We have a zoning unit.

Councilperson Botel: Okay.

Police Chief Coleman: And we have a beach unit assigned to the beach.

Councilperson Botel: Okay.

And, the other question is not necessarily a Singer Island but, does it include funding for professional development for police officers in terms of de-escalation and keeping things form getting out of hand.

Are they.., are they getting training in that kind of work?

Police Chief Coleman: Absoslutely.

We have regular training, escalation training, de-escalation training. That's a, a regular standard with our accreditation standards and policies.

Councilperson Botel: Okay.

Thank…

Police Chief Coleman: They have to get.., they have to go to training for that.

Yes, ma'am.

Councilperson McCoy: So, Chief, can I request to have a specific officer on my corner?

Police Chief Coleman: Well, well, every time someone requests an officer, we do…

Councilperson McCoy: Well, we shouldn't…

Police Chief Coleman: … an analysis.

Councilperson McCoy: …be doing that though. S I don't know what she's talking about but, you know, patrol should be equally applied across the City where the need is. But, I mean certainly, if we're gonna sit here and have a conversation about having three on Singer Island, I live on the Congress corridor.

How about you position one up there because we had, in our very first year, we had a kid to walk across Congress and lost their life just crossing Congress to go to a bus stop.

So, I think it should be more about where the need is in the City, Chief. That's the point I wanna make.

Thank you.

Police Chief Coleman: Yes, sir.

Chairperson Lawson: Chief, how many CIT officers do we have trained in the Department?

Police Chief Coleman: I don't, I don't know the number yet, sir. But I.., I wanna say approximately two.., I know [stammer] of two.

Chairperson Lawson: Okay.

What is our.., what is our focus when it comes to crisis intervention, mental health for our officers and the approach that we're gonna take with the Department?

Deputy Police Chief Coppin: It depends on what the… Kevin Coppin, Deputy Chief of Police.

It depends on what the issue is, Councilman. If it's something that's internal, they have the ability to kinda check the AP. If it's something that's external, I, I know I'm CIT certified. I know there's a couple other officers that are also with the Department.

Chairperson Lawson: Have we seen a.., looking at the number of calls over this last year, have we seen a number of calls with mental illness? Mental health concerns when it comes to the Department and the phone calls and the responding officers?

Deputy Police Chief Coppin: We, we have.

Chairperson Lawson: Okay.

Deputy Police Chief Coppin: We get a printout every day from all the shifts and it has the nature of the calls.

Chairperson Lawson: Mhmm.

Deputy Police Chief Coppin: There has been consistent Baker Acts. Consistent…

Chairperson Lawson: Yeah.

Deputy Police Chief Coppin: …Baker Acts daily.

And a lot of it has to do, again, with, with the homeless population.

Chairperson Lawson: I work on…

Deputy Police Chief Coppin: …and, and mental illness.

Chairperson Lawson: …a few boards and taskforce throughout Palm Beach County when it comes to mental health, mental wellness, and suicide prevention. And, crisis intervention. Mental health is on the rise and I think that we need to look.., identify and look at possibly having more officers, having a couple officers on shift.

'Cause more than just two in the Department need to be certified. And I definitely want us to visit that.

Police Chief Coleman: We're working with the VA because the, the VA is one…

Chairperson Lawson: Mhmm.

Police Chief Coleman: …of our partners in the City and they.., we have a lot of soldiers, when they go to the VA get the.., for assistance, they come from all over the state and they go there and l'.., they stay here because of the proximity of the VA.

So, we're working with the VA to have a, a CIT truck or critical incident truck, and they can respond in the community to service those individuals. And, matter of fact, they have a, a, a, a unit for our mental health.., mental health soldiers. If they wanna wash their clothes, they're homeless, they will feed them, get them medical treatment, wash their clothes at the VA.

We just have to get the information out. A lot of people don't know about it but they have those services there.

Chairperson Lawson: Having a mutual agreement is gonna be vital but I think that we need to really focus on our.., some of our officers. Every shift has to have at least one to two officers that can respond to these calls, 'cause the numbers have skyrocketed when it comes to mental illness and we have to have a crisis certified team in place to respond to these calls.

Police Chief Coleman: Yes, sir.

Chairperson Lawson: The second thing is the PIO.

Tell me a little bit about that. You, you said you recently hired a PIO?

Police Chief Coleman: Yes, sir.

Her, her name is Serena Spates. And, she's going.., going on her third.., third week. She's telling our story. She's telling our story about what we do all the.., all the great things we do in the agency and be able to help shape our narrative of the agency and the.., through marketing and branding for our to'.., for our agency and our officers.

Chairperson Lawson: And does she report directly to you?

Police Chief Coleman: Yes, sir.

Chairperson Lawson: Okay.

And, I, I guess that's the point when nobody is overseeing the entire message of the City. So that in individual's reporting def'.., directly to Mr. Coleman but looking at possibly bringing in a director to oversee all communication so everybody can be on the same page.

Because, this communication may not be in line, or may not be in line with some of the narrative that's going on in other departments. It's kinda like McDonald's Big Mac having their own marketing director and McDonalds not having a plan or a strategy or director in place.

So, if one of our departments has a PIO and the entire City doesn't have a full plan or [stammer].., or policy in place, I would think that it woulda made more sense to be informed.

City Manager Evans: So, Mr. Chair, if I may?

Chairperson Lawson: Please.

City Manager Evans: So, to provide additional clarity with respect, she, she does work specifically with the Police Department but she works in the greater communications team which Ms. Grimsley has oversight.

We have a PIO on the City side, as well as a PIO on the Police side. And there is coordination with respect to the messaging and, and what happens there. There is not a department director but they all work collaboratively.

And, in the event that there is a situation where all hands are on deck, the team, you know, comes together for the purposes of disseminating the public information. So there is conversations and discussions with communications on both the City side and, and, and the PD side.

It's just that, that PIO works closely with the Chief to help disseminate the information associated with PD but there is connection points with the.., with the City's PIO, as well as with City Administration.

So, there is discussions. And we know what they're putting out and they communicate that to us.

Chairperson Lawson: Right. Of course.

And, and they al'.., and, I guess that's my, my thought process is the PIOs that are working throughout the City are reporting to different department heads but they kinda work in conjunction under communications reporting to Ms. Grimsley, I believe?

City Manager Evans: That's correct, Mr. Chair.

Chairperson Lawson: So, in addition to Ms. Grimsley's role, she's also overseeing media communications and, and marketing for the City. And, I, I think that's putting an additional burden on Ms. Grimsley versus just kinda having somebody that can exclusively focus on the, the, the messaging of our City.

And in addition to just the messaging, it's just the recognition of what the City needs to showcase to, to the world, that we're a City on the rise, that we're growing, that we're building, that we're looking for more responses to our RFPs.

Instead of one, two, or three, that we're looking for development and growth, that we're telling the story and the narrative, and we're not having anybody tell it for us. That we're getting ahead of these stories.

And that's why, colleagues, I really want us to visit this towards the end of the budget, to really talk about possibly implementing somebody to overseeing telling our own story.

But, thank you, Chief.

If anybody else has something for Police?

[Pause]

Chairperson Lawson: So, Chief, the only thing that I would look at is possibly looking into some additional certified trained crisis intervention team, some CIT officers, to get additional training. 'Cause if we have one, tw'.., if we have just a couple now, I wanna make sure that we have at least two on Staff during every shift.

Police Chief Coleman: Okay.

Chairperson Lawson: thank you, Chief.

Police Chief Coleman: Thank you, sir.

Mr. Evans.

City Manager Evans: The next Department is Development Services.

Director Clarence Sirmons.

Development Services Director Sirmons: Thank you, Mr. Manager. Good evening, Mr. Chair, Members of council. For the record, I am Clarence Sirmons, Director of Development Services.

And, I am glad to be before you to discuss the FY24 budget for the Development Services department. Would like to start with just a, a message of appreciation to this Board. This Department has sent out some.., just Requests for Support and, in a recent meeting, you approved, as Mr. Sherman mentioned earlier, the addition of multiple positions for our, our permit and BTR operation that were sorely needed.

And the Department is already in the process of recruiting for those positions. And that's very important because our.., I'll talk about some of the numbers that.., starting with that division.

The Permits Department processed over 5,500 building permits year to date in that division. Over 3,593 were issued. And, the amount of work that goes into that is immense and we don't have that redundancy.

It's a similar situation to what was mentioned in the Finance Department where today, for example, I had one person, my Operations Manager, manning the permit center alone because one person was on vacation and another had had a medical issue and, and couldn't come in.

But, approving those positions gives us the redundancy so that we have the flexibility to provide the highest quality of customer service that's expected and, and desired for our customers.

So, we will have those filled as soon as possible. And, we wanna make sure the Staff we do have, that they, they are retained and not burnt out. So, that was one of the most significant things that have come with this budget for this Department.

So, the permits and… Sorry. The permits division has been putting up extraordinary numbers. There's over a thousand site inspection that take place with Staff every month, to keep up with the demand of the construction going on in the City.

And, we're.., we are proud of the Staff that we have operating now. As you know, just over three years ago, the majority of our building's functions were being outsourced to a third party.

But, right now, we staffed that division and they're working hard and putting up a lot of numbers and providing customer service to our community.

In addition to that, the, the BTR operation, which is now housing the Department, is humming. We have made some headway in transitioning that operation to the new Citywide software system, Tyler Munis, which uses Inner Glove software.

We have started this renewal cycle with transitioning that operation to the new software and we already seeing the advantages of having a unified software system with that. And, it all goes under the, the goal of accelerating operational excellence.

With the, the next phase in the coming year, we're expecting to launch Phase II of the Inner Glove software where it will be completely electronic. So, as opposed to intaking paper permits and then entering them into the system for, for tracking, they will be initially submitted electronically. And, we are expecting that, that to come out in the coming Fiscal Year.

We are also expanding the GIS services to make sure that the, the City has the support it needs when it comes to mapping and organizing data, using that software.

And, moving up.., going a, a little out of order here, building great neighborhoods, of course, is a, a primary goal of the Development Services Department. So much of what we do affects people's quality of life here.

So, we are launching, in the coming year, the Property Owners Assistance program through Code Compliance. The recent Code amendment to that section allowed for us to capture a portion of revenues from fines charged from that division to go back into the community to help.., help those who really need it.

So, we've developed all of the protocols and, and worked with the CRA to develop the program to help those most in need in our community that may have Code Compliance violations.

And, we are also creating a, a task force to provide better oversight in, in education to those who have rental properties in, in the community. We know it is a significant number of our units, our housing units, in the City are rental properties but making sure that we have the

communication and education with them to clarify what the, the property maintenance standards are here in the City.

So, that's something that we are about to engage in on the coming Fiscal Year as it relates to building great neighborhoods.

The.., achieving a sustainable economy. One of the main things that we do is, is land development and new projects coming in and, and we are all aware of the demand for the land here in Riviera Beach.

And, I know you all may hear comments from the development community but it is important, especially when it starts with our Zoning division that we make sure that what's proposed in our City is not only good for that developer but good for the City overall.

A, a.., there are a lot of requests to change and amend out Code and we want to make sure that someone is looking out for the City's best interest first when those things are being evaluated and considered.

And, making sure we have the, the qualified and, and competent Staff to do that before Items come to you is [stammer].., an important part of the land development process. But we do know and never lose sight of the fact that our, our land is one of our most valuable and finite assets.

So, we make sure that we pay close attention to anyone who proposes something, especially if it requires changes in our Ordinances and Zoning and Future Land Use. But we will continue, as we know that there are ma'.., major projects in the pipeline.

We will continue to evaluate those and as quickly as possible but also, as carefully and detail oriented as possible, make sure we evaluating everything proposed in our city as it relates to land development and, and building with sustainable [stammer] economy for the future

because we know that it is coming and our Broadway corridor is a, a, a major key to that. So, we look forward to continuing that work.

There are significant budget changes that are highlighted here on the slide. One of them are the addition of two community inspector positions. As you know, the Department was awarded a CDBG grant that was utilized to expand Code Compliance services in the City.

And, with that grant, we were able to fund four additional positions and increase the level of service for the City. That grant does expire at the, the end of December.

But I do just wanna talk about, so far, on that grant some of the accomplishments and impacts that that it's had. With just the grant funded Staff, over nine hundred notices of violations have been issued to properties around the City.

Three hundred and sixty-five properties have been brought into compliance by those grant funded officers. There are five hundred and thirty-seven active cases being worked by those grant funded officers. And, a hundred and sixty-three cases taken to the Code Compliance special magistrate.

The.., this additional Staff has also been instrumental in the expansion of services. We have covered weekends with Code Staff. So, on Saturdays and Sundays most weekends, we have.., most Sundays but every Saturday, we have two to three Code Compliance officers working the City and making sure that we're ca'.., catching things that persons may think there are no eyes them on those days of the week but we have done that with additional staffing.

We have implemented daily sweeps of the neighborhood. So, for some of those most common violations, such as trash off schedule, illegal dumping, and derelict vehicles every morning, officers are scanning their zones to catch some of those violations before they grow into more of a nuisance.

We were also able to conduct sweeps of all of the convenient stores in the City over the past year to look at the building of fire and zoning violations that may exist on those properties. And we did this in concert with the other departments such as Fire and Police and the Building Official to make sure that we are paying attention to those convenient stores as, as sometimes they are repeat offenders. So, that was something we were able to accomplish as well with the expanded officers.

Looking to the, the future. We are considering things that have been brought up. One of them, body cameras for Code Compliance officers and evaluating that, if it is a great fit for the Staff that we have here at the City of Riviera Beach.

Additionally, working on holidays is something that has been considered. Although we do cover the weekends, working on City holidays when most Staff are out, is something that was brought up that we are considering with this group as well.

But, this request for two additional community inspector positions, again, to get back to that, once this grant expires at the end of December, we would hope to retain some of that manpower to continue these expanded services and the, the positive impacts that that group has had.

The last item under… And I've touched the two in the middle related to our permits and BTR operation for those positions that were approved in the last couple months by Council.

But, the last one is to add a part time principle planner position. The, the Planning & Zoning operation, of course, is always busy with all of the permits and new development coming into the City.

However, one of the things that the division was lacking that did, did change within the last three years was one of the senior planner positions was reclassified to a principle planner to address exclusively long range planning.

That person has been doing a, a great job, Ms. Sonide Simon. I'm sure you all have been in contact with, with her, with leading the efforts in a long range planning, working with our consultants to ensure that the next phase Riviera Beach, the 2040 Plan, is irreflective of, of what we all need and envision for our futures.

And our leading long range planner efforts, paying attention to Future Land Use amendments and text amendments are, are.., is something that has been not getting adequate attention recently so that working out very well for the City.

But, we did lose a, a senior planner when that position was reclassified and that hindered our current planning operations.., the, the, the individual permits and the site plan applications that come through the City.

So, adding this part time principle planner position gives us a part of that manpower and capacity back within the Department to ensure that, as we are reviewing projects and development and permits that come through the City, that we're giving the, the quality attention that it deserves.

So, those are some of the highlights that are going on with the Development Services Department and some of the things that we are looking forward to in the coming year.

And if there are any questions for me, I'm happy to expound.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you, Mr. Sirmons. You're doing some great work and I appreciate it.

Are we still using CAP?

Development Services Director Sirmons:: We, we use CAP on a very limited basis. So, if we have multiple vacation requests for a certain requests for a certain week, we may tap on them to fill in some inspections.

But they are not a, a source of manpower that we depend on, on a day to day basis.

Councilperson Botel: Right.

And, perhaps these new positions, once they are filled, we'll, we'll have to depend on them less.

Development Services Director Sirmons: That is…

Councilperson Botel: Thank you.

Development Services Director Sirmons: …correct.

Councilperson Botel: Thank you.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Thank you, Mr. Chair.

Mr. Sirmons, you, you said a whole lot. So, [inaudible] just a bi t. What exactly is a community inspector? Is that to be interpreted as a Compliance officer?

Development Services Director Sirmons: A commun'.., a community inspector, depending on their assignment, I can execute the same job duties as a, a Code Compliance officer.

If that's your question.

Councilperson McCoy: Okay. Yeah.

You said it but I didn't exactly understand if they were gonna be out inspecting for BTRs or looking for Code violations. I didn't understand what exactly you were referring to.

Development Services Director Sirmons: I can provide more detail.

The Code Compli'.., sorry, the community inspector position has duties that are assigned generally to field work. But, there are community inspectors and Code Compliance .., a community inspector in the Buildings division. And also now, a community inspector in the BTR.

So, it really depends on their assignment, what the bulk of their duties will entail.

Councilperson McCoy: Thank you.

And you said you guys are considering body cameras and you're cons'.., you have folks on the weekends and you're considering holidays. I don't know what that means. What does that mean, considering?

I mean, we've kinda brought this up before and, I'm gonna be honest, I don't need consideration. I encounter everybody committing Code violations on Sundays and holidays. And we're in a public meeting and people know that no one is working on Sundays.

There's a guy that parks his truck right across the street here on 13th Street that sells barbeque that doesn't have a Business Tax Receipt. And, that has completely went unaddressed. You know?

And then, when he comes, then now, all of a sudden, used cars are being sold there. All this stuff happens on the weekends, Mr. Sirmons. So, we keep talking about it but has there been anything to be addressed in this budget year that's coming up that's gonna put Code officers or Compliance officers out on the streets on Sundays and on the holidays?

Juneteenth was one for me and I actually opened up our Municode to find out that folks shouldn't be doing construction related activities, that can be heard across the property line. And to my surprise, there was nobody on duty that could address it.

So, like, you know, what good is it of having a Code section if there's no Compliance and enforcement in it? And, it's one thing to say it but when you live in the community, everyone comes to expect to have the peaceful enjoyment when they're at their place.

And when you got people doing all this unpermitted work, for the very first and most important reason, it's a safety issue. If someone's living in the house and there's no safety checks, you know, it could be potentially hazardous.

But then, the other part of it, it's nuisance. I don't want people.., I, you know, I think I called a few times. I had somebody actually doing the whole entire floor and they were chipping up concrete block at 8:00 o'clock at night.

And it's, like, at what point does it cut off? So, I wanna make sure that we're addressing these and not just considering it because considering it means we're talking about it. So, I wanna know a plan.

And if that's not in the budget, you know, I'm already pressed to support a budget anyways until I see it addressed in needs that's in this community, but [stammer] I need something a little more certain.

Development Services Director Sirmons: So, what we've done is, the, the research on what it would look like if we provided that holiday coverage. And, we have that figure. And, based on this conversation, my understanding is if that's the desire, that will be implemented into the budget.

Councilperson McCoy: Okay.

Well certainly, I.., you know, even if it's not a desire for me, that's our obligation under the Code. If they're not supposed to be doing work without permits, we need to make sure that we have the appropriate personnel that can literally…

I mean, and obviously, Police can be there but they're not the Code Enforcement or Code Compliance arm per se. Now, I know this was thrown out before but perhaps having, you know, specific Code.., oops.., specific police officers cross trained in that, you know, Compliance portion, and they can actually issue violations, if that's an option, I, you know, I'd be open to it.

But, it just seems like a whole lot. And then, when you get phone calls where somebody is selling, you know, they're basically operating a restaurant out of their home and I think we seen this today that, you know, certain businesses are not fit for a residential neighborhood.

Who do you call on a Sunday? You know? And I just wanna make sure that we're addressing this because people, you know, people just wanna be able to live free from all of the unnecessary nuisances.

Chairperson Lawson: I did have a follow up with that, Mr. Sirmons.

You said if this is the desire. The Code Compliance.., the Code inspectors that you have, are these individuals assigned to be working on weekends or are they just additional positions that you need filled for weekday hours?

Development Services Director Sirmons: They are assigned.

Chairperson Lawson: For weekends?

Development Services Director Sirmons: Yes.

Chairperson Lawson: So they will be.., so, it's not that if it's the desire, you're putting it in the budget. And, if this budget is passed with these intent, their role is to work the additional hours that Councilman McCoy is stating?

Development Services Director Sirmons: As far as weekend coverage, we have, for a while, included Saturdays in the, in the shifts. And, and with officers would do is rotate who was working on Saturdays.

With the additional staff due to the grant, we now have two or three working.., at least two, sometimes three, every Saturday. One person on Sundays.

If the funding for the grant goes away, we probably wouldn't have three people on Saturdays, it will probably be back down to one or two. Holidays has never been a part of that, that calculation.

So, if we are adding holidays, that would be a calculation for additional overtime pay that would need to be allocated to the Department to cover that.

Chairperson Lawson: Understood.

Thank you.

Development Services Director Sirmons: Mhmm.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: To, to ask a question of, of Director Sirmons.

You know, with regards to these community inspectors, instead of facilitating an overtime situation and these are new positions, could you conceivably have a situation whereby those persons are hired and their.., their days may be Sunday through Thursday and they get Friday and Saturday off, while somebody has coverage on that?

'Cause what I.., what I don't wanna have a situation is where the weekends are always overtime and then we incur a bunch of fees associated with that. But, if there are new positions

and we tell persons that your first day of the week is Sunday and, you know, you're gonna be required to work holidays.

I want to ensure, and I think the Board wants to ensure, that every day, 365 days a year, we can say that we have somebody out there, that their job duties and responsibilities are to ensure that the Code is preserved and that there is Compliance activities.

So, you know, that, that's my question to you with respect to, you know, from an operational standpoint.

Development Services Director Sirmons: And, yes, Mr. Manager.

That is.., that's currently how we handle it. We have a, a staff person that, that works Tuesday through Saturday to make sure that we always have persons in place for that Saturday. So, there's two persons that come on the weekend.

If the desire is for that coverage through Sundays as well, we can make some adjustments, especially having new positions coming online, making sure the new person understands what the shift times would be so we can handle that.

There is some limitations on Sundays because all Code Compliance activities cannot take place on Sundays. There's no mail service, for example, and that would apply to holidays as well.

So, some of their activities will be [stammer] limited. But, in terms of having eyes on the City and those properties, we can facilitate that. So, the holidays, anyway we cut it based on the union contract, would be overtime.

But as far as Saturdays and Sundays, we can build that into the operational schedule of the division to make sure they are covered.

Chairperson Lawson: Thank you, sir.

Board Members?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: So, you mentioned body cameras. Are we going to.., can we expect that that's going to roll out for Code Compliance officers this Fiscal Year?

Development Services Director Sirmons: That, that is another thing that we are bringing up for this discussion for direction form the Board. It is not a built in part of the operations.

And, of course, there will be equipment and, and IT expenses associated with that. The Code officers would likely need to get new uniforms. Generally, those are [inaudible] to, to be attached to the polo type shirts that Code Compliance officers wear.

So, it's not.., it, it, it is something that we have been looking into based on comments coming from this Board. We, we understand that there are pros and cons to it. And we may be one of the first cities to pioneer something like this but we are prepared to adjust our operations as necessary, if that is a desire of the Board.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: It's certainly a desire because I've literally witnessed where Code officers have approached people who aren't specifically at a property but they're doing something in violation of the code.

And they don't have a walkie talkie. They have to pick up a cellphone and call 845-4123. If they don't have a camera readily accessible to document it, it's almost like it didn't occur. And if they can't attach it to a property, you know, then the violation didn't occur.

And then, when you have someone that may be combative or approaches a Code officer with, you know, with the intent of threatening or doing harm, certainly I would hope that there is some sorta, you know, detective measure that we can have in place to ensure that we're, you know, giving our.., our, our officers, our Compliance offers, the best tools that they have out there. So certainly, for me, it's, you know, it, it should be automatic.

And, you know, you don't haves to go far. I mean, the Chief said it already, we're dealing with a whole lot more in terms of Signal 20's mental illness where folks are being Baker Act, and I folks doing all kinda stuff between, you know…

I mean, and this.., sometimes, you know, they don't even know that they're doing something that's illegal or that's not permitted. So certainly, I think we should be doing… And most, most of all, is the illegal dumping.

You, you show up and now all of a sudden, you got a yard full of, you know, eighty used tires. And what do you do with that? You know? Compared to if a officer drives up and sees it, you know, and then now you have a little bit more to go on. So.

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: From, from my perspective, I think it is a.., also a, a Code Compliance officer safety issue thing as well. I think having the body worn camera ensures that the interactions that Staff has with members of the public is, is captured.

I think also, it will provide for.., I know we have a great level of service considering the circumstances but I think it will also ensure that those moments and those interactions with Code Compliance officers are captured.

Now, yes. There is gonna be additional cost as it relates to the acquire'.., the, the requirements to retain the information, you know, redacting the information. And then, ultimately, providing that information, if, if it's germane to the testimony that.., in a Code Compliance case.

But, I do believe in the grand scheme of things, it is a good thing. Other municipalities, and even the county governments are switching towards that. And there have been.., I have gotten phone calls and, and you all have probably gotten phone calls as well, concerning Code Compliance officer interactions.

And, it is always good when you can go to the video and show that our folks acted appropriately and that is, in fact, captured. And so, that is something that we want.., that's a level of service change.

And that's a significant modification to what the requirements are going to be for Code Compliance officers because we're gonna have to write that into, obviously, the union contract and we're gonna have to tell them that their body worn cameras are to be activated.

And so, there's policy and there's some things that have to be built out but we want to get the temperature of the Board to see if that.., if, if you are in support of such an action. From Administration's perspective, I think it would be a good tool to add to, to the services that we're providing.

And I think it will assist in some of those Code Compliance interactions because, right now, our employees are running around with their cellphone, trying to capture things. And, some things are not audible, and some things are hard to be able to, to decipher what is, in fact, occurring where the body worn camera can, can assist tremendously in that effort.

Chairperson Lawson: Thank you, Mr. Evans.

Councilperson Miller-Anderson: Mr. Chair?

Chairperson Lawson: Ms.., Councilwoman Miler-Anderson, go ahead.

Councilperson Miller-Anderson: So, do we have a cost for it? I mean, I know when we did for Police, it was a pretty hefty cost.

City Manager Evans: The… Mr. Chair, if I may?

We don't have the specific cost. 'Cause, what we would do is utilize, obviously, the same technology, same vendors. We would have to create a separation for what the IT infrastructure would be for that side.

Director Sirmons, I don't know if you all were able to, to get what the number would be for that. But you're probably talking, at best, how many additional cameras?

And, and, Chief, I don't know if you guys had some information that you can provide as it relates to the cost for the units and the like, and.., so we can…But, we'll be able to refine it once the Board says if this is the direction we wanna go, we can provide you more specificity on that.

Gentleman, do you have any…?

Development Services Director Sirmons: Yeah.

I can.., as they come up, I can say that our Staff is much smaller than Police, of course.

Councilperson Miller-Anderson: Right.

Development Services Director Sirmons: We will be looking at probably six to eight cameras necessary. But, I know they know more detail on all of the infrastructure involved to operate that kind of system.

Police Chief Coleman: Council, Chief Coleman, Police Department.

Each unit, camera, about eight hundred to $1,000. But the cost for that unit is storage. That's the biggest cost, is for the storage and I don't have the actual number at this current time but I'll get it to you. About.., between eight hundred to $1,000 per unit for the camera. The cost.., the biggest cost will be the storage.

Councilperson Botel: I don't understand that.

City Manager Evans: And, Mr. Chair?

Chief…

Chairperson Lawson: Mr. Evans.

City Manager Evans: …do, do your officers have two cameras or is it one camera per person, or do they have a backup? Or, how do you have the redundancies?

Police Chief Coleman: Two cameras.

Can you [stammer].., you stand up for me? You have two cameras. One for a backup. So, it'll eight hundred to $1,000 per camera.

Councilperson Miller-Anderson: Okay.

Thank you.,

Police Chief Coleman: And all our officers, and our traffic aides, have cameras.

City Manager Evans: And, and, Mr. Chair, if I may?

If this is a, a direction that the Board would like to see us proceed forward, I would probably, if we can, depending on how quickly we can obtain the devices, I would look to acquire those devices out of this Fiscal Year's budget with leftover monies that we have from salary savings or any unexpended monies in the Department.

So, it wouldn't necessarily.., maybe the, the storage.., or, the maintenance fees or any fees or any fees associated with that, that would maybe be the only thing that you do pay. But,

the actual purchasing of the equipment, if I can get it in hand before the end of the Fiscal Year, then it would be charged against this Fiscal Year, if that's a direction that the Board want to see Staff proceed forward, we would go ahead and order those immediately.

Councilperson Botel: [Inaudible].

Councilperson McCoy: Mr. Chair, sounds good to me.

Chairperson Lawson: Thank you, sir.

Councilperson Miller-Anderson: [Inaudible].

[Pause]

Chairperson Lawson: Good? Okay.

Okay, Mr. Evans?

City Manager Evans: Alright.

Thank you, Director Sirmons.

Next Department, Parks & Recreation. Mr. Blankenship.

[Pause]

Chairperson Lawson: And, Mr. Evans, I was actually researching the docking bays and the price. You're looking at about anywhere between eight hundred and $1,000 for storage space, per unit. So, that would be an additional $8,000 budgeted just for storage.

So, not, not to pricey for the storage and the impact of actually having these cameras for the Department, in addition to the actual cost of the unit. So.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Council'…

Councilperson Botel: What does storage mean? With the…

Chairperson Lawson: Uh…

Councilperson Botel: …floating files?

Chairperson Lawson: Yeah.

Councilperson Botel: Yeah.

Chairperson Lawson: Just storing the data for the footage from the camera.

Mr. Blankenship. How are you, sir?

Parks & Recreation Director Blankenship: Good evening, Chair, Council. Richard Blankenship, Parks & Recreation Director.

I just wanna go over some of our.., the Department's goals for the upcoming Fiscal Year. As far as a sustainable economy. Riviera Beach is a, a hotbed for amateur sports. So, we're targeting twenty heads and beds events for the next year.

And just to give you some idea of what that means is, for example, we will host the Beach Tennis World Cup in November. We hosted it last August and there was a $1.2 million economic impact, as estimated by the Palm Beach County Sports Commission.

Building great neighborhoods. We wanna further implement the Master Plan priority list. We wanna position ourselves to be able to [stammer] to apply for whatever grant opportunities or funding opportunities that we have.

Secondly, we wanna upgrade the aftercare summer program with technology and, more importantly, tutoring. Last year, we were in a position that we o'.., could offer tutoring to football, cheer, the basketball program, and the baseball program and we saw quite a bit of interest in those programs.

And we saw quite a bit of interest in those programs. So now, we wanna expand that into the aftercare and the summer programs intently.

Operational excellence. Again, we wanna start closing out these grants that we have now, Lone Pine, Goodmark, Monroe Heights so that we can be in a position to.., as we move forward with the Master Plan, be in a position to, to submit grants to implement those priorities.

Complete Tate's Gym renovations. We're, we're under design right now. We have two grants to do that. And it is in the CIP to provide enough funding to complete those renovations.

Implement the urban forestry activities. We have one grant right now for, for forestry and we're well aligned too get a large urban forestry grant that we can use Citywide to do everything from plant trees to remove exotics to a whole lotta stuff.

Enhancing government stewardship.

Prepare ourselves for submitting some grants for Dan Calloway renovations. We know in January of '24 there's gonna be some large grants that become available that we wanna be in a position to apply for, to help us try to fund those projects.

Implement fee increases. I'm gonna let my successor handle that one. So, that may be coming to you later.

And then, again, community planning for the Master Plan projects as.., well, not only the Master Plan projects but the, the bond referendum, plus the Master Plan projects. Just getting ready educate the public on that and then do the public charetting on exactly what those facilities, or those parks are gonna look like.

And with that, I will take any questions you may have.

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Mr. Chair, thank you.

The recreation superintendent position, how many positions did you have.., how many of those recreation superintendent positions…

Parks & Recreation Director Blankenship: Just one.

Councilperson McCoy: And it's…

Parks & Recreation Director Blankenship: One position.

Councilperson McCoy: …it's vacant?

Parks & Recreation Director Blankenship: Well, it was created last year, and then unfunded this year.

Councilperson McCoy: So it was never filled?

Parks & Recreation Director Blankenship: Right.

Councilperson McCoy: Okay.

And, what's the basis on the unfunded maintenance position?

Parks & Recreation Director Blankenship: It has been open for well over a year. Unfilled. So, I think it was more of a burden to have it on the books then to continue to leave it there.

Councilperson McCoy: Okay.

Parks & Recreation Director Blankenship: It was a part time position as well.

Councilperson McCoy: Thank you.

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: Mr. B., thank you so much for time.

Mr. Evans.

City Manager Evans: Mr. Chair, at this time, I will turn the presentation over to Ms. Deirdre Jacobs, the Assistant City Manager, presenting with Mr. Bailey on the Public Works Department. And Mr. Clark.

Assistant City Manager Jacobs: Good evening. For the record, my name is Deirdre Jacobs. I'm the Assistant City Manager here with the City of Riviera Beach. Here, along with me to make the presentation on behalf of the Public Works Department is Sedrick Clark.

Sedrick is the Operations Manager. As well as Terrence Bailey. Mr. Bailey is the City's Engineer.

We first.., I would like to thank City [stammer] Administration, Mr. Evans, for your support for the Public Works Department, as well as the Council and the Mayor for your support as we move forward on a regular basis with implementation of the various Public Works activities.

We know that our City is simply eight square miles but we have a wealth of infrastructure needs and challenges that exist here in our City as it unique in many different ways. Our Staff is compromised of approximately forty-one persons, with a budget of near to $6 million over the last couple of years.

One of the goals that we attempt to achieve is to assure that our [stammer] our City is aesthetically pleasing. We work really hard. When I say we, I mean the men and women of the Public Works Department to make sure that when we have visitors, that our visitors can really appreciate the value that, and the services that we bring to the City, as well as our residents, in terms of being able to consistently be made aware that, whenever they call or whenever there is something that needs to be taken of on a regular basis, that our Public Works Staff works really hard to make sure that those area are met.

If you read through the presentation that was put together for our Department, there are approximately six different divisions in terms of function within the Public Works Department. It would be Administration, stormwater, Engineering, streets and grounds, fleet, and…

What's the last one?

[Inaudible comment]

Assistant City Manager Jacobs: Stormwater. I'm sorry. I'm sorry.

Did I stormwater?

Stormwater Manager Clark: Property maintenance.

Assistant City Manager Jacobs: Property maintenance. Thank you.

So, if we start with the very first slide, it deals with just Public Works in general. And, we listed out, as all of the other departments did, we went through the various goals that the City has attained as far as reaching certain milestones with regards to activities and services.

Up under achieving a sustainable [stammer] economy. I'm sorry. We just received a Vulnerability Resilience Grant from the State of Florida, the Department of Environmental Protection.

That grant provides approximately $300,000 to assist us with flood and sea level rise assessments. It's been integrated into a larger system wherein a couple of years ago we were given a task of coming up with a two year initiative to go about determining just the.., whether or not the conditions of our [stammer] infrastructure were where they work and how we go about making sure that we would move forward with maintaining them and/or improving them.

So, that particular grant will work in concert with the ongoing project in order for us to figure out how is it that we go about, in a strategic fashion, with moving forward with improving our infrastructure systems.

As far as communicating with local businesses and vendors. We try really hard on a regular basis, to work with small and local businesses, to ensure that any of our activities that are

contracted out, that those activities are first being able to be undertaken by those individuals or businesses that are local in our community.

Right now, we are working feverishly with contractors in order make sure that our medians are manicured on a regular basis.

You wanna do building great neighborhoods?

[Inaudible comment]

Assistant City Manager Jacobs: No.

We're.., Terrence will take on our next goal with regards to building great neighborhoods. And we'll start with our efforts concerning the Palm Tran bus shelters.

City Engineer Bailey: Yes.

We acknowledge that there are not enough Palm Tran bus shelters in the community. And, those that we do have are aged. We've been in direct communication with Palm Tran. They are looking to roll out replacement of the existing bus shelters.

They are working on the design and then RFP for installation of new bus shelters. At this time, we have budget funds allocated. And once that solicitation is completed, we will integrate our partnership a little bit closer to additional bus shelters at locations of our choosing, at our high ridership locations.

So, as part of transit mobility and just building good communities, having additional bus shelters so that individuals can get out of inclement weather, especially in the summer when it's very, very hot or raining, having bus shelters is a, is a must.

You'll notice that some of the new developments have installed bus shelters. Amazon installed a bus shelter at Obama & 13th, Riviera Cove installed one at 34th & Broadway. And I

believe there are a few more that were installed.., one was installed in front of Stonybrook, on MLK.

So, very large developments that have a bus shelter in front of them, we requested through the development process, that they install it to serve their community and ours. And, generally, that is accomplished, so we will expand that program to continue beautifying the community and providing that needed respite location for those who use mass transit.

Assistant City Manager Jacobs: In conjunction, this Department has been tasked with holiday lighting project over the last two years. We've worked with.., along with the CRA and a private vendor to come up with ways in which, during the holidays, we can beautify our City.

We're hopeful that this year, it's my understanding, that there was a solicitation where the bids were just received, where we would also be able to utilize a vendor to help us with making sure that the holiday lighting project is a successful one, and [stammer], and a unique one for this particular year.

With regards to welcome signs. There are welcome signs throughout the City of Riviera Beach, especially in terms of identifying neighborhoods. It's our goal to continue to work with our residents to make sure that the welcome signs are attractive.

And, whenever there is a need, to replace them or improve the welcome signs if they become deteriorated in any form or fashion, that we work closely to make sure that that they're continually maintained and pleasing to the eyes.

The Police Department mentioned earlier about homeless camps. We do have dedicated Staff that has been working along with the Police Department in order to assure that the homeless camps are cleaned up within the City.

It's.., we're hopeful that we'll cont'.., we'll be able to continue to work along with the [stammer] Police Department, and even improve operations whenever we're called on to assist them with those particular services.

I'm gonna ask Terrence if he would speak on Reimagining Riviera Beach Capital Improvement Program.

City Engineer Bailey: Alright.

Council, I.., I'll keep it brief, as we just had our capital meeting where we went down all of the capital projects. But, as you are aware, we had a great grand opening for Fire Station 88. Fire Station 87 Site Plan has been approved. And, as the Chief mentioned, the groundbreaking, or wall busting, will be on September 9th to kick off the Fire Station 87 project.

We're currently diligently working toward Fire Station 86 on the Island and advancing that project. Hopefully, in the next four to six weeks, we'll have more to report with a reasonable timeline for solicitation and progress on that project, as well as the water tank that is on that property.

As you know, you reviewed and approved permission for the City to move forward with the Police station. Again, within the next few weeks, you will see a timeline on a solicitation for the Police building.

And I believe you're adept at what is going on at the water treatment plant. So, within the next thirty-six to.., I'm sorry. I forgot City Hall. It is our fervent vision that, at the September 6th meeting, we will be able to have a very cogent conversation about our progress at City Hall and where we re with that project so we can move into the next component of advancing delivering City Hall and a development of scale to the community.

So, with that, in the next six to eight weeks, we'll be able to provide a true roadmap for all the building construction and the Reimagine Riviera Beach that'll take forward for the next five years.

Assistant City Manager Jacobs: Along with those particular improvements, we do have certain departments over at City Hall, our existing City Hall, that have needs for improvements as well in terms of rehab for the breakrooms.

So, City Administrator has taken on a project. You'll see in the next couple of months, at the very latest, it'll be completed with regards to Public Works Staff going in with contactors to just do improvements, basic improvements, to those break areas on behalf of our City employees.

That will fall up under our facilities department, which also provides different types of services and activities for the various infrastructure systems that are a part of our public assets.

An additional goal would be to accelerate operational excellence. In that particular area, we chose to deal with the Queue Alert System. Our Department, Public Works, is a department that receives tons and tons of queue alerts in comparison to other de'.., comparison, excuse me, to other departments.

We've actually established a dedicated Staff person that has gone back, over the last year, and gone through certain.., the queue alter system in order to minimize the queue alters that are existing and to work diligently to ensure that any future queue alters are addressed in a timely manner.

Strengthen community engagement. There is one particular initiative that's about to take place within the next thirty days, and that's the Let's Talk Trash event. That particular event is an event wherein Staff will work along with the Goode Company to just bring the.., bring

attention to our customers concerning the services that have been provided, concerning solid waste activities.

We're hopeful that, as a part of that, we all know that the Goode Company is.., this is their first year in operation and there are challenges and pitfalls whenever any new activity takes.., takes place. So, we're hopeful that, as a part of community engagement, that we'll be able to use that particular activity in order to engage our residents and have a better understanding of their concerns and interests.

We also work along with Brittany Collins. She is a great as'.., asset to us in terms of informing the public of the various activities that take place, and information concerning the Public Works Department.

So, if you've noticed since Brittany has been here, we've worked really hard to make sure that our services and activities, again, are shared with the public.

The next slide deals with the fleet services division of the Public Works Department. And, one of the goals that deals with the sustainable economy, we spoke of ways in which we could enlarge the, the total number of charger.., charges.., charging stations, excuse me, for electrical vehicles.

Right now, there are, are stations at the Library,… Where else? Over here at the Marina Event Center. And, I think at Ocean.., Ocean Walk. So, I… Is it Fire station 88 where we're about to install?

City Engineer Bailey: Mhmm.

Assistant City Manager Jacobs: Okay.

So, we are considering installing, over at the new Fire Staton, which would be 87, they'll be also installed at Fire Station 88. And wasn't it one more? Public Works building? So, Staff is considering the Public Works building, I believe, and City Hall. Right?

City Engineer Bailey: Mhmm.

Assistant City Manager Jacobs: And City Hall.

So, that was something that we mentioned up under that particular goal.

Accelerating…

Chairperson Lawson: Ms. Jacobs?

Assistant City Manager Jacobs: Yes, sir.

Chairperson Lawson: Are you considering the new City Hall or the current City Hall facility?

Assistant City Manager Jacobs: The current City Hall. Yeah.

Chairperson Lawson: Thank you.

Assistant City Manager Jacobs: You're welcome.

As far as accelerating operational excellence, the fleet services department, we do have tracking systems in place. We probably would be accurate to say that we haven't really utilized those systems in a way that we could have, in a more, probably a more productive or efficient or effective way that we could have done so.

So, we decided that we would utilize, this year, Fiscal Year '23, '24 in order to put systems in place, begin to collect data wherein we would be able to better monitor the use of our, our rolling fleet in a… In particular, we believe that that'll probably help us to be able to better determine, not only the amount of vehicles that we actually need but just the effectiveness of us being able to control those particular systems more so than we do now.

We have a plan in place where our staff will actually work with the department heads in order to teach them how to be able to monitor the vehicles within their departments as well. Mr. Evans mentioned earlier about parking, how is it that we manage a parking system once we get that into place?

That was a discussion of the Public Works Department as well, considering our fleet staff, how they would play a role in order to help us to be able to make sure that whatever parking system that we come up with, that we'll be able to utilize Staff from that particular division to help us out with that.

Do you wanna add anything?

City Engineer Bailey: Nope.

[Inaudible]...

Assistant City Manager Jacobs: Okay.

City Engineer Bailey: …[Inaudible].

Assistant City Manager Jacobs: So, Sedrick will help us out with the stormwater division, in terms of where we are with that.

Stormwater Manager Clark: To achieve sustainability economy, increasing the NPDES inspection on construction sites and existing stormwater networks. But we're going out after every rain event to do a system, do a check on construction sites to make sure there's no illicit runoff or pollution going into the.., into our storm drain system.

What was the other one? You had the notes on there. For the.., I didn't.., I don't have the notes on it.

City Engineer Bailey: Also, as part of our NPDES system, we use GIS and ESI software in order to do better tracking than what we do currently, as well as for our maintenance operations and stormwater.

Whether that be street cleaning, cleaning of pipes. There are existing software applications that will help you qualify and quantify what you are doing. We're doing a great job out there in the streets but, unfortunately, the stormwater network is not something that you can, short of a canal, see with the naked eye.

Well, so, we wanna be able to track some of that good work that our Staff is doing and quantify that in, in a data set, that is presentable and reliable so we can benchmark our operations against other communities.

And that's generally the improvements that we recommend, that we anticipate achieving in the stormwater division for this year.

And with that, we'll answer any questions.

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: And, and if I can have the Finance Director join us as well.

This is one of the things that I think we really need to have a, a more, stormwater specifically, we need to have a more robust conversation because, in my experience, stormwater, you, you have to look at it in three different.., you look at the funds in three different traunches, operations, maintenance, and capital projects.

But if you can look at the monies that are generated for the purposes of the stormwater department, you have very little monies for capital projects. And as a coastal community, and when we talk about sea level rise and we talk about some of the issues that you all have heard in

a variety of Council meetings concerning drainage and some of the issues concerning infrastructure, it's important that we have the discussion about the stormwater rate and what the stormwater assessment is because, you are very heavy on the personnel side and the operation side.

And I did wanna have Mr. Sherman provide some, some additional commentary to that because that is some opportunity as we look to rebuild our community and Reimagine our community, we have to really hit a homerun when it comes to the infrastructure.

And, how do we assist in providing mitigation as it relates to stormwater runoff? Because, invariably, you're gonna get to a point where you're going to have to treat stormwater the same way, or in the certain fashion, that you treat wastewater, especially when you're discharging right into the Lake Worth Lagoon, and into the ocean.

So, I, I did want talk a little bit on the fund side, from Mr. Shermans' perspective. But this a, a, a division that's certainly.., I can see a lot of expenditures and a lot of projects coming to fruition just because of the nature of what we need to do as a community.

Unk.: Okay.

[Inaudible]

Finance and Administrative Services Director Sherman: And I'm sure you don't mind. Again, Randy Sherman, Finance Director.

Yeah. The, the difference between stormwater and, and the Utility District is, stormwater, it's a flat rate. So, the only time you really see the revenues change is when you see growth.

So, you see a little bit of growth, you know, between ’23 and ’24, as you bring on more units but what happens is, because again, the revenues are fairly flat year to year, soon as the operational costs go up, that means you’re spending less and less on capital.

And we talked about, not this budget session that we had back in July over at the Ambassador Center, but last year we talked about it, that again, your capital is starting to squeeze out.

So, we have looked at, at very various rate scenarios. We’re waiting for the Stormwater Master Plan to be completed so we can map that out. The last time we changed the stormwater rates was in 2015.

So again, once we get that Master Plan, we’ll be able to put together a rate scenario that, again, will be able to address, you know, the needs of the stormwater program.

We do have the ability, obviously, to borrow more but, again, we would have to get the rates in place if, if we need to go to a prefunding type capital project, rather than something we’re gonna fund, you know, on a year to year basis.

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Councilwoman Botel, go ahead.

Councilperson Botel: Thank you. Maybe this is for Mr. Evans, I’m not sure.

Lake Park got some grant money, I think it was county money, to do their swale project, to help with their stormwater. Are we looking at doing anything like that?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Certainly.

An'.., any opportunity for, for grant funding we're gonna try to pursue that. But, absolutely. There is.., to look at swales and bioswales, and anywhere to, to treat the water before it gets into the canals and into the Lagoon, I think has to be a very strong priority of this Board if we wanna preserve what we have.

Councilperson Botel: I have other questions but not about stormwater.

Can I go back to the beginning? Back to Public Works?

Chairperson Lawson: Of course.

Councilperson Botel: Okay.

Chairperson Lawson: Any other questions for stormwater while we're on this?

[Pause]

Chairperson Lawson: Go ahead, Councilwoman Botel.

Councilperson Botel: Thank you.

You mentioned the Vulnerability Assessment Grant that we got and I'm wondering, will that grant help us understand the potential for.., the potential need for breakwaters on the Island to help us preserve the, the beach area?

City Engineer Bailey: I don't have an answer on top of my head 'cause the, the vulnerability assessment has a, a litany of different elements that it looks at.

I, I think it's more for critical infrastructure as a first pass. I think water, sewer, drainage, lift stations, critical infrastructure. [Inaudible] buildings, seawalls and things of that nature. I don't know if.., because we are following the state's model, if an evaluation across the entire state for breakwaters is one of the mandatory listed evaluation elements, it'll be in there.

But, I would need to go back to the base document to see, and confirm, whether or not breakwaters was one of the elements that need to be evaluated.

Councilperson Botel: It would be good to know that because if you live on the Island, it's critical. [Chuckle]. It's, it's something that, I'm sure, that we need to take a look at. And I.., that would be an opportunity to do it with that vulnerability assessment for sure.

I do wanna say something more about the Queue Alert System. I'm so happy to know that you've got a dedicated person addressing those issues.

Do you have an idea now of what the status is of those requests? Is it.., has been widdled down? Because, as of several months ago when I asked, there was a huge backlog. So, is that now.., has that been taken care of? Is it pretty much under control?

Assistant City Manager Jacobs: So… Mr. Lawson, if it's okay?

Chairperson Lawson: Go ahead.

Assistant City Manager Jacobs: Dr. Botel, I can't answer your question specifically with regards to the number. There was an exorbitant amount of queue alters that were in there. As I mentioned earlier, it's predominately for Public Works because of the nature and comparison to other departments because of the nature of what it does.

But I, I will be glad to find out for you…

Councilperson Botel: Thank you.

Assistant City Manager Jacobs: …where we stand, as compared to where we were when we first started. But, there is a person that only works…

Councilperson Botel: Great.

Assistant City Manager Jacobs: …on that.

Okay?

Councilperson Botel: Thank you.

Chairperson Lawson: Anything else to add?

Councilperson Botel: That's it.

Thank you.

Chairperson Lawson: Thank you.

Board Members?

[Pause]

Chairperson Lawson: Thank you. Thank you all for the presentation.

Mr. Evans, before we go into the next presentation, the next budget workshop is scheduled for S'.., August 30th. And, is that a continuation of what we have in front of us or is it separate items then what we have in front of us?

City Manager Evans: Mr. Chair?

DL; Please.

City Manager Evans: It, it most likely is gonna be a recap, but it also is, in the event that the Board doesn't get through this, provides the opportunity. But, it is recap of the.., of all the information.

Chairperson Lawson: Okay.

So, it's gonna be a recap. And, we're going through all these Items so, the 30th.., the 30th that we're looking at would be just a recap of these Items. But, if we don't get through this tonight, if we do a hard stop tonight, then we can complete these Items on the 30th?

City Manager Evans: Yes, Mr. Chair.

Chairperson Lawson: Okay. Alright.

Well, Board, I was looking at 9:00 p.m. to see what my colleagues thought with that time. So that we can close this out, get through what we do until 9:00 and then finish up at the next meeting.

Unk.: [Inaudible].

Chairperson Lawson: No.

So, that's a question for the Board. What time do they wanna go to?

Councilperson Miller-Anderson: [Inaudible] lovely people sitting here looking at us. They might just wanna get it over with.

Chairperson Lawson: Any suggestions form the Board?

City Attorney Wynn: Ms. Miller-Anderson, you have to use your mic. It's [stammer]… For the record, everyone can hear you.

Councilperson Miller-Anderson: I said, all of those people, lovely people, sitting there look like they're anxious to present tonight.

City Manager Evans: And, and, Mr. Chair?

I will tell you those same anxious faces will be the same faces that you can see on the 30th.

[Chuckles]

Councilperson Miller-Anderson: Okay.

Chairperson Lawson: So, if we're going through the whole presentation tonight, I'm not sure if we need a recap on the 30th. So, let's go ahead and make a decision.

Do we go through everything tonight or do we complete it on the 30th, then come back?

Councilperson Miller-Anderson: Well, let's see where we get around 9:00, 9:15.

Chairperson Lawson: Yeah.

Councilperson Miller-Anderson: And then we'll just see. It depends on how many questions… He has.., he has been kinda quiet so that's…

Chairperson Lawson: Go ahead, Mr…

Councilperson Miller-Anderson: …moving kinda…

Chairperson Lawson: …Evans.

Councilperson Miller-Anderson: …fast.

Chair Pro Tem Lanier: [Inaudible]

Councilperson McCoy: I take exception to that.

[Chuckle]

Chairperson Lawson: Go ahead, Mr. Evans.

Councilperson McCoy: I, I…

City Manager Evans: [Inaudible]…

Councilperson McCoy: …think…

Chairperson Lawson: I'm sorry.

Councilman McCoy, you had a question?

Councilperson McCoy: I, I think because I've actually, at some point, had conversation with all of these department heads. So, some of this stuff is not new to me so I'm, I'm grateful that they were pretty thorough and brief. Emphasis on brief.

So, I know we gotta.., the Library coming up and they're doing a lotta great things over there.

[Chuckles]

Councilperson McCoy: So, I was… I like 9:00 o'clock.

Chairperson Lawson: Councilwoman Bo'.., Councilwoman Botel?

Councilperson Botel: I thought I was.., I, I was [chuckle] just asking you what the…

Chairperson Lawson: What ti'…

Councilperson Botel: …conversation was.

Chairperson Lawson: No, no.

What time… We were saying 9:00. Would 9:00…

Councilperson Botel: 9:00.., 9:00 is good.

Chairperson Lawson: 9 works for you?

Councilperson Miller-Anderson: I mean, I'm not gonna argue with it.

Councilperson McCoy: No.

'Cause at this point, right? Somebody.., 'cause I see… You know what's so weird, right? If you look at this, you see what's the last budget? The very last budget. Is the legislative budget.

[Chuckles]

Councilperson McCoy: So, you know, I was hoping we were gonna talk about increasing travel, and perhaps even salaries and that sorta thing. Sol…

Chairperson Lawson: Councilman, we can move it up under discussions tonight, if you'd…

Councilperson McCoy: No.

Let's…

Chairperson Lawson: …like.

Councilperson McCoy: …go ahead and get Mr. Brody out of the way. He's… Let's go, Mr. Brody.

Chairperson Lawson: Mr. Brody, you're up next.

Councilperson McCoy: So, 9:00 o'clock?

Chairperson Lawson: I'm shooting for 9:00.

[Inaudible comment]

Library Director Brody: Adam Brody, Library Director for the City of Riviera Beach.

City Manager Evans: Mr. Brody, just.., we're gonna be brief and…

[Chuckles]

Chairperson Lawson: So…

City Manager Evans: And, and…

Chairperson Lawson: …to…

City Manager Evans: …we're not trying to make them into librarians. Alright?

[Chuckles]

Chairperson Lawson: And, to that point, we're trying to get through as much as possible. So [chuckle], go ahead, Mr. Brody.

Library Director Brody: Absolutely.

Chairperson Lawson: And welcome. [Chuckle].

Library Director Brody: Thank.., thank you so much, Mr. Chair. City Council, Mr. Evans, thank you so much.

So, I'm gonna run, run through the budget goals for 2024. With no significant budget changes going into the next fiscal cycle, we'll just get right into it.

[Stammer] Achieve a sustainable economy. The Library will continue to explore new and innovative ideas, which will set the stage for the new Riviera beach Public Library. Findings and ideas for the new Riviera Beach Public Library will be shared with Riviera Beach's City Engineer and, also, as Director Sirmons mentioned earlier, Riviera Beach's principle planner as conversations continue to progress regarding the new Riviera Beach Public Library.

Ideas will include, but not limited to, study space, collection layout, and also, a play space for children as well. Within the last year, the Library has.., we've.., various newer libraries

have been visited, such as Mandel Public Library, Lantana Road's Public Library, Jupiter Public Library, Boynton Beach Public Library.

So, we're definitely gaining some ideas and trying to synthesize those ideas into a, a working plan going into the new Riviera Beach Public Library. But really, there'.., there's no better time than right now, considering that we now have the support of the principle planer's steering committee to continue to channel these conversations and forge a path as conversation continue to progress regarding the, the new Riviera Beach Public Library.

Bild great neighborhoods. We're gonna develop a technology plan in order to.., in order to enhance education, awareness, and accessibility in order to meet the needs of the community. The Library will champion various initiatives in order to establish a stronger technology presence.

This include basic level computer classes, as a long term initiative. Within the last year, we, we've implemented computer classes intermittently but we're looking to implement that as a long term initiative..

The classes were very successful so we're definitely looking for a long term route with the basic level computer classes.

And, in addition, we're looking to develop classes, also, in support of the Library's digital subscription services. Along with the installation of our digital subscriptions on, on our public terminal computers, which include the adult and children section, as an achievement for last year, the Lib'.., our various electronic resources received record breaking statistics as it relates to our virtual academic support platform, Brainfuse.

As it relates to our virtual news and information platform NewsBank, and also, our virtual language resource, Mango. They received record breaking statistics and we're looking to find a way to continue that momentum.

Classes in support of these resources, along with the installation of these resources for more accessibility in our public terminal computers, I think will be a very good.., something to kinda keep that momentum going.

So, we're very much looking forward to establishing that. And also, increasing our Library physical holdings as it relates to the latest Microsoft Office Suite books as well. So, that is the plan as it relates to technology.

Accelerate operational excellence. We're looking to pioneer library specific questions on the community value survey, in order to identify and address areas of operational need and improvement.

Although various conclusions were drawn from the previous community value survey, the questions were not designed to be Library specific. A series of questions have been developed, which will help the Riviera Beach Public Library team identify areas of immediate need.

Various areas of inquiry include the library collection, services for adults, services for children, electronic resources, and.., and, of course, space.

Once these questions are answered from the community, the Library will have more concrete data as critical decisions are made. Measurable feedback.

Government stewardship and accountability. We're looking to establish new services in support of public health, and human services in conjunction with the new partnership with the Health Council of Southeast Florida.

Toward the latter part of the 2023 fiscal cycle, the Library established a new relationship with the Health Council of Southeast Florida.

One thing that we.., that the Library team noticed was, one of the number one questions that we received is, how do I fill out that social security application? How do I fill out the health insur'.., that health insurance application? How do I navigate the process of paying my Utility bill?

And this relationship involves application based support in areas such as health insurance applications, social security applications. And also, paying Utility bills. And, we have support at the Library for six hours a week.

So, we're very fortunate to have that. It's been a great support system. But the Library will not only continue with this service, but we will also work with the Health Council of Southeast Florida and establishing classes in support of health topics such as COVID-19, opioids, and HIV. And, we're looking for that to start in October.

And finally, community engagement and empowerment. The Library is looking to expand lines of communication regarding Library resources and services. Over the last year, the Library has utilized various electronic mediums in order to expand the word about Library happenings.

We've used Facebook, Instagram, Twitter, and also, the Blue Heron Newsletter as well. Also, we, we've.., we have our Library calendar as well on the Library website. And also, a Library album as well which kinda outlines a lot of the various happenings that have occurred at the Library over the last year.

But, the Library will work with Riviera Beach's communication department as the starting point, in order to explore these additional avenues for communication, as it relates to

getting the word out about Library happenings. So, we'll be having those conversations pretty soon.

And, those are the goals. And I'm happy to take any questions that you might have.

Chairperson Lawson: Thank you, Mr. Brody.

And, Pro Temp Lanier, did you have anything?

[Pause]

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Council'…

Chair Pro Tem Lanier: No.

I have nothing.

Chairperson Lawson: Thank you.

Councilman McCoy.

Councilperson McCoy: Thank you.

Mr. Brody, or Mr. Evans, or Members, you know, I thought, at some point, we had a mobile library. Did we not?

City Manager Evans: Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Yes, we did.

Councilperson McCoy: Is it still operational?

City Manager Evans: No.

It is not operational. That particular mobile library, and probably Mr. Sherman can provide a'.., additional details because I think it was one of the things, early on. There.., there was issues with regards to staffing of it.

The vehicle had issues, that it was not operable. And so, because of those different things and there wasn't much involvement from the community, so that, that particular service did go away.

But I think we've had conversations about the possibility or feasibility. But that, that's what happened to the mobile library.

Councilperson McCoy: Well, and I'm just brainstorming here but, you know, I, I can specifically recall seeing one. But, I've seen organizations, nonprofit organizations throughout Palm Beach County that's worked with Palm Beach County and Palm Tran to use some of those surplus buses that they have, and have them repurposed.

And they're essentially doing the same things. And I know now that we've moved our library services over at almost, basically, in the industrial area over on the western side of town, you know, similar to what we do in terms of FoundCare, is there an opportunity to repurpose perhaps one of those vehicles?

I know, you know, [stammer] potentially, Police is gonna be surplussing their mobile command center.., I mean, even if it's just providing internet access to one of the local community centers.

And I know, you know, many of these programs, as you probably are aware, Mr. Brody, through, you know, these kinda engagement programs, if you go in and put a proposal together to Childrens' Services Council, you know, they make these kinda dollars available for you to repurposed and have those kinda programs available, you know for these communities that are underserved or don't have access to internet and, and, and computers.

So, I think, you know, if that's not a huge lift, I don't exactly what Police timeline is on their new mobile command center but certainly there's an opportunity to, you know, seek out, you know, opportunities and avenues.

And I, and I think that speaks directly to your last goal of strengthening community engagement. Because, I know, you know, it was just a stones throw away for many kids to walk right to the Library when it was positioned on West Blue Heron Boulevard.

But now, you know, along Congress, you know, it's, it's a little bit more of a challenge because you don't have it right in the center of the neighborhood. But certainly, if there's an opportunity that doesn't require a whole lot of capital investment and we can utilize some grant funding, I think that's something certainly worth exploring.

Because, you know, once kids get outta school, they don't get back in front of actually having those tools until they get back into school. You know? Like, access to computers and tablets, and that sorta.., those sorta things.

So I thinks that's something, if there's an opportunity, that we should look at.

City Manager Evans: Mr., Mr. Chair, if I may?

Chairperson Lawson: Mr. Evans, go ahead.

City Manager Evans: Certainly.

We can, we can have the discussion and Mr. Brody and I can look for some options, whether it's by virtue of grant funding or any vehicles that we have that we may be able to, to surplus.

Now, the mobile command that PD has, we may have to look at another type of vehicle 'cause I know that mobile command probably has more issues than, than the previous vehicle that we utilized for our library services.

So we can probably look at some of the vehicles that we may have that don't have a bunch of miles on it and see if there's some grant funding available that can accomplish that very same thing.

The other thing I did want to, to hit on is our next iteration of our summer camp program, next year, is gonna be very academic focused. We are gonna utilize sports and, and recreational activities for the purpose of providing for physical activity.

But, we are going to look to bring teachers onboard as our camp counselors and really emphasize the education component because we know that during the summer, our kids slide as it relates to their education.

And so, we do wanna provide that opportunity to really push for them to lean.., to get ahead and, and lean forward. So, the whole summer camp experience, the whole camp experience in the City is gonna change drastically from what we've previously been providing.

And so, just be prepared for the conversation when I do come back to the Board to talk about the fiscal resources that are needed to facilitate that. But we really wanna have a camp that is better than the school experience, but the school experience.

Because, we see the, the value in that and I think that will help address some of the challenges that we articulated in the letter that was provided to the School District.

But certainly, on the.., on the access to, to books and internet café and, and, and the like, we can certainly look at a larger van or something that can address the, the Councilperson's comments.

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy, go ahead.

Councilperson McCoy: Mr. Brody, do.., I know we have security personnel still there, right?

Library Director Brody: Yes.

Councilperson McCoy: Do we, do we log the number of, of visitors that we have coming in and out of the Library on a daily basis, just for statistical and recordkeeping purposes?

Library Director Brody: Yes, we do.,

We actually have an electronic tra'.., traffic counter supplied by a vendor called Bibliotheca that measures the amount of people going in, and also the amount of people going out.

Councilperson McCoy: Okay. Alright. Good.

Chairperson Lawson: Thank you, Mr. Brody.

Thank you so much for the presentation, sir.

Library Director Brody: Thank you.

City Manager Evans: Alright.

Mr. Chair, if I may?

Chairperson Lawson: Thank you, Mr. Evans.

City Manager Evans: Next presenter, Mr. Pierre Smith, Information Technology.

Interim Chief Information Officer Smith: Good evening, Chair, Council, City Manager, and my colleagues. My name is Pierre Smith and I'm the Interim Chief Information Officer for the City of Riviera Beach.

As we move into this era, we're moving into a time where AI technology is being interjected in every.., in our daily activities and the things we do. The IT Department, at this time, have a prime opportunity to mold, shape, and move the City forward and change our

perception and culture of how we interact with the public, and how we do our day to day activities.

In doing so, the IT Department will face some challenges. Some of those challenges were due to COVID, far as inventory and supply shortages, able to get products. Some challenges are the availability of vendors to provide the service.

And then, we also have the challenge of hackers and security, threats. Just like we're going to the AI age, hackers and security persons who present a threat, also have the same technology. So, we have to up our game.

To achieve a sustainable economy. The base of each.., of any organization is communication. As we go into 2023, AT&T and other service providers of that type of service, have moved away from copper and they're going to a more fiber centric communication mechanism to provide phone services and communication services.

In all of this, we have moved to a Microsoft, or integrated a Microsoft teams unified in a more robust communications platform. And, as we go into 2023, we'll be tweaking that pa'.., platform so that it could be more in tune to what the City needs and provide a better mode of communication to our Staff members, to communicate internally, and in some cases, communicate externally to the public.

Build great neighborhoods. To continue to upgrade. And one thing that we need to do is being able to support our public services. One thing we're.., one initiative that we're going forward with is providing new laptops and just new equipment to our Police Department, our Fire Department, and any other department that's providing a service to the public.

So, our goal this year is that we're gonna upgrade the equipment, keep them on the schedule, and make sure that we follow through with what we have provisioned in our budget to, to give to those services.

We're gonna give Chief Coleman and Deputy Chief Coppin the support that they need.

Another thing that.., another initiative that the IT Department is moving forward with is upgrading the CRA's infrastructure. As we know, the CRA's infrastructure is in dire need of, of upgrading. And, we have taken on the responsibility of providing that service to the CRA.

Accelerated operational excellence. One thing that we're introducing into the City, that wasn't introduced before is, the introduction of SD-WAN technology. And what that is, is a software defined wide area network.

What that equates to is, savings for the City. In the past, we had switches and, and physical things that we used to switch and route our traffic. And also, to provide access to cloud services.

By going to SD-WAN, or a software defined wide area network, what that does, it takes that physical component out provides us direct access to provide those services. It also allows our communication aspect of the City to communicate on a.., on a two way perspective, as opposed to that one way sending information out.

Also, the IT Department will be working more closely with the Finance and the Procurement Department to streamline and manage and consolidate all IT related goods and services, which is what Mr. Sherman explained earlier.

Now, what that does is, that helps us to combat the rising cost. From year to year, we've noticed that IT related cost of goods and services and materials have increased between sixteen and twenty-two percent. And it's expected to continue to get higher.

The better that the IT Department can manage those services and procure those, those items, and, and using the, the, the benefit of what we already have at the City, which is the Finance Department and the Procurement Department, we can work more closely with them so that we can make sure that the City is getting the best price and the best services.

Enhance government stewardship and accountability. We will continue to expand the City's cyber security awareness. And this is done on a two part level. One is by introducing industry standard and mechanisms that protects the City.

The second part is by training the employees, and training Staff, how to better recognize those threats. The better.., as much as we can avoid those threats by recognizing it sooner and, and being able to approach it better, then we won't need to utilize the software and services as much. But, that's a combination of both and we have to work together to do that.

Strengthen community engagement. In the past, the IT Department had worked with the Parks Department to provide.., to utilize the CDBG grant and we were able to provide Wi-Fi access to all five of the parks.

The accomplishment that we made is that there were no funds that was returned and we were able to utilize those funds to provide those services to our community. As we go forward into 2023, there's a program that's already initiated, that's been initiated since 2021.., or, 2020 and we was able to reach out to Michael Butler at Palm Beach County.

And what it does is, it's a program that provides a gateway between the School Board and Palm Beach County. And what it does, it provides broadband access to our students who have been identified by the School District as unserved or underserved.

Fire Station 88 was a platform for that and we provided a space for the infrastructure for the county to run those lines through our Fire Stations and through our new infrastructure and our new buildings so that we can be able to utilize that service when it becomes available.

We believe that that will help the community, it will help those students who are underserved or unserved, and it will also help increase the ability for our, for our students to reach those services that they couldn't normally reach, online schooling., tutoring, just about anything that you can think of that is educational related.

Now it relies on that type of technology. And, we have that.., we have slated for that to be built in.

And that concludes. Is there any questions or concerns?

Councilperson Botel: Mr. Chair?

Chairperson Lawson: Dr. Botel, go ahead.

Councilperson Botel: Thank you.

Now, Tyler is a program that we purchased from an outside vender.

Interim Chief Information Officer Smith: Yes.

Councilperson Botel: Is, is that vendor looking at incorporating AI into Tyler or is that something we encourage them to do? And I'm asking specifically because there are some new products on the market, or coming to market very soon, that would help, for example, our Development Services Department speed up the process that they use for approving permits.

And I'm wondering if Tyler will be incorporating any kind of those AI enhancements? If you know.

Interim Chief Information Officer Smith: Yes.

So, some of the things that's coming down the pipeline is that Development Services is currently using a product from Tyler called EnerGov. What EnerGov does, it takes all those processes that they used to utilize and, and do by hand and it automates that system so that they can turn around a permit as fast as possible.

Now, that depends on the design, or the integration of the EnerGove product. And we're currently working with Development Services to develop that product.

Future things, as of last Friday, there was a update to your Tyler system that almost everyone can see far as the way it look. One of those things is that the technology that's in Tyler allows it to identify and, and provide more metadata so that Tyler can help us in the integration of our products going forward.

So, there's a buildout in the Purchasing Department that's about to take place in the near future for contracts. Also, we have integration going on with B2Go. Also, we have a buildout that will be proceeding with HR.

So, as we go forward and able to marry these products together, you'll start seeing, or more users use it. You'll start seeing more automation with the product, and you also see the City become more efficient in using the product.

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: Mr. Pierre, thank you so much and thank you for the presentation, sir.

Interim Chief Information Officer Smith: Right.

Thank you.

[Inaudible comments]

Councilperson Miller-Anderson: [Stammer] we probably shouldn't even start another one. Should we? 8:54.

Councilperson Botel: I don't care. I can do one more. I'll do one more.

Chairperson Lawson: You guys wanna finish with the Human Resource?

Yeah. Let's go ahead, Mr. Evans. Let's finish Human Resources.

Councilperson Botel: Just this one and that's it.

Chairperson Lawson: Okay.

City Manager Evans: Alright.

Mr. Chair and Members of the Board, HR Director Bartley.

Human Resources Director Bartley: Good evening, Chair. Jackie Bartley, HR Director.

So, I speak very quickly so I won't keep you guys too long. And since I'm actually new, I don't have a lot of things to talk about. However, there's some highlights that took place since I started in May.

And, there's one in particular that I wanted to highlight, was basically… Before I started, the HR team that was in place, was able to digitize all the personal files. That was not a easy task and I wanna give them some credit for doing that.

Since I have started, we have hired over forty-six new hires, to present. And think that has been a big accomplishment because it takes a long time for employees to go through the process. So, hiring forty-six people, I believe, was like a great accomplishment.

In May, when I started, I partnered with Councilman [stammer].., Chairperson Lawson to hold a mental wellness day for employees. And that was one of the first things I did when I.., we partnered with you. We had a great turnout and, you know, I think was a great highlight.

Moving forward to 2024, we have a robust goal.., robust goals and accomplishments we would like to take place.

For achieve a sustainable economy, I'm not gonna go through the entire list be'… We wanna revamp employee recruitment process. Right now, we're in the process of redesigning how, one, how to recruit people for positions. We wanna make sure that the process is fair.

The length of time we onboard people is, is gonna be shortened. We wanna also improve the, the orientation process so when a person comes onboard, they know from day one, this is where you go.

You'll have all the equipment, all the tools you will need to be able to flourish in your job on day one.

To build great neighborhood. We have been holding, like, Wellness Tuesdays. We wanna increase that. And what the Wellness Tuesdays have been doing is basically holding informational sessions where people learn about, like, diabetes, cardiac information, anxiety and depression.

And we wanna make sure we keep those clinics going because, one, we find that it's been very beneficial to employees. And, you know, we also encourage employees.., people in the neighborhood to come as well. So, it's not just limited to employees but also to the community as well.

Accelerate operation excellence. We're in the process of building out the Tyler system, which is also gonna help us with recruiting. So, from day one a vacancy is available, we start the process in Tyler.., and opposed to using a different system to do that. So, recruiting, all the way to onboard, everything will be done through Tyler.

We've already begun the process in starting to building out certain features. And that is something that's gonna be ongoing until we have the entire onboard.., recruiting, all the way down to the end, on.., onboard.

The other thing we wanna do that is concerning, is also to develop a robust training for employees, comprehensive supervisor training for people who have been placed in supervisor or manager positions.

Because, one, we are placing them in these positions, we wanna also give them the tools that they could succeed. The intent is to have people succeed in their new roles. We also wanna make sure that, that information available to them so we can do training on a regular basis for that.

Enhance government stewardship and accountability. We also wanna build out a,a proper performance management system. I'm not su'.., I'm not sure what it looks like now but I.., there are not a lot of people are being evaluated.

'Cause sometimes when we ask for evaluation, 'Oh, we haven't been evaluated months or we haven't [stammer] been evaluated in years.' So, I wanna also build that out so everyone is.., one'.., day one when you start, you know these are you tasks and responsibilities and these are how you're gonna.., we are gonna be able to determine how you're performing those responsibilities.

And strengthening community engagement. One thing I will love to do is to partner with schools to do, like, career fairs where we'll be able to go into schools and have, like, conversations with students so they understand, hey, this is Riviera Beach. It's the greatest place you work.., for you to work. When you graduate from school, this will be a great place to be.

So, we wanna also hold job fairs and do on the spot interviews. So, if we meet a candidate that's ready to work, we can hire those.., that candidate and opposed to having them go through the whole process. So, we're hoping to have a few [stammer] job fairs as well, [inaudible] this concern.

Thank you. I'd love to answer any questions if you have any.

Chairperson Lawson: Board Members?

[Pause]

Chairperson Lawson: Ms. Jackie, thank you for hitting the ground running. You've done a phenomenal job. And thank you for all the hires you've brought in so far.

Human Resources Director Bartley: Thank you.

Chairperson Lawson: Thank you.

Additional questions from the Board?

[Pause]

Chairperson Lawson: Alright.

So, we're gonna leave off on Human Resources and then on the 30th, we'll pick up with Procurement.

VI. ITEM NO. VI

CLOSING COMMENTS

Chairperson Lawson: Mr. Evans, any closing comments?

Councilperson McCoy: Mr. Chair?

Chairperson Lawson: Councilman McCoy.

Councilperson McCoy: So, you know, I.., you know, as, as we were sitting here, hearing some of these presentations, I, I have to say, some.., at least for a very few, this is probably the

only time that we really get an operational understanding, form what some of these departments do, if we don't deal with them on a regular.

Certainly, Human Resources. I mean, we only got hired one time. Right? We only started one time. But certainly, it's good to know.

But, Mr. Evans, there's always an opportunity for us to have these conversations with your department heads. Not to avoid doing it here but certainly, on the interim, I think I've probably been in Development Services and Procurement probably the most among some of the department because that seem'… And, Finance as well.

But certainly…

[Chuckles]

Councilperson McCoy: …Ms. Wynn. So actually, I have a office in Legal so you don't even count, Ms. Wynn. But yeah, certainly, I think, Members, there's always an opportunity to have these discussions with department heads.

Because, some of this stuff, you know, I'm familiar with and I was really delighted to see some of this stuff. I don't know much about fiberoptics, so, thank you, Mr. Smith with that. But, s'.., but it is very interesting. AI is doing a whole lot, especially in terms of the Finance realm.

So, Ms. Reynolds and Mr. Sherman, watch out 'cause, you know, they're literally about to take over this whole Finance industry.

City Manager Evans: [Chuckle].

Chairperson Lawson: They didn't look worried at all.

[Chuckles]

City Manager Evans: Mr…

Chairperson Lawson: Mr. Evans, go ahead. [Chuckle].

City Manager Evans: Mr. Chair, with regards to that and to that point is, AI is, is, is a real thing that we have to be conscientious about because it, it is changing the way in which we do business.

But certainly, we'll come back with the re'.., remaining part of the presentation, and then we'll recap some of the items, just to get clarity of direction from the Board. And then, make sure that everything that we talked about concerning, even body worn cameras and, you know, some of the other items operationally that we made sure we incorporated all the Board's feedback so we can get the budget prepared for your first and second reading.

So… And, one of the things I think we do need to consider, the.., the environment that we live in, with regards to our, our work experience and the projects and initiatives, is moving so quickly that I would, not to burden the Board with additional meetings, but I think on those months that we have a.., the fifth Wednesday of the month, I think we should have a workshop discussion where it gives you the opportunity to have interactions with the department heads in a more.., less formal environment to hear some of the projects and initiatives and get some of the updates on, on what you all have been getting asked about.

And so, that's something that we do want to roll out. Starting.., after the budget is adopted, on those months that we have a Wednesday that's a fifth Wednesday of the month, we can have a two hour workshop.

And, the Board can set the, the items that they wanna discuss, and then we can prepare the Agenda accordingly.

That concludes my comments, Mr. Chair.

Chairperson Lawson: Thank you, Mr. Evans.

And, I wanted to just kinda piggyback before my Board gives their closing comments, in regards to preparing that Agenda accordingly. From what I'm hearing, September 6th is gonna be a healthy Agenda based upon some of the Items we didn't fulfill, and then a lot of new Items.

It's.., since we have all of our department heads here, just letting them know that the Board.., I, I don't want every item to be a fire drill or an emergency purpose. I want them to come to us fully cooked.

I wanna have all the information prepared and ready to go, and as many Items that are routine in nature as we can get in Consent.

As our Board stated, my colleague said that he has.., he has an office set in, in the.., I believe the Attorney's Office. So, everybody should be taking time to just meet with the Board, addressing concerns so that we can get the business of the City done when we get to these meetings.

'Cause as you've seen, this Board has no interest.., this is a seasoned Board, veteran Board. They have no interest in staying here all night. We can get the business done within a timely fashion.

Because, every one of us are professionals.

So, as long as we do the research, review, and make sure everything is properly cooked, we're not gonna be rushing through any Items anymore. We're going to just be closing this off when these meetings are scheduled to be closed.

So, whatever we have, Mr. Evans, please, let's try to keep this Agenda as tight as possible and making sure everything is fully vetted. And then, we as a Board, will commit to making sure that we had those meetings, doing our Agenda reviews, and doing the due diligence to be prepared for them.

But, just understanding that this Board is prepared to move the City forward but we have to it professionally and proficiently within the, the timeframe that we have allotted.

Colleagues? Dr. Botel?

[Pause]

Chairperson Lawson: KaShamba Miller-Anderson?

Councilperson Miller-Anderson: None.

Chairperson Lawson: Thank you, Board Member.

Councilman McCoy?

Councilperson McCoy: No, sir.

Chairperson Lawson: Councilwoman Lanier?

Chair Pro Tem Lanier: None.

ADJOURNMENT

Chairperson Lawson: If there's no further business of the City, this meeting is adjourned.

[Gavel]

[End of video]

City Employees, Public Comment Speakers and Others

Finance and Administrative Services Director Randy Sherman	Finance and Administrative Services Director Sherman
Fire Chief John Curd	Fire Chief Curd
Police Chief Michael Coleman	Police Chief Coleman
Deputy Police Chief Kevin Copping	Deputy Police chief Coppin
Development Services Director Clarence Sirmons	Development Services Director Sirmons
Parks & Recreation Director Richard Blankenship	Parks & Recreation Director Blankenship
Assistant City Manager Deirdre Jacobs	Assistant City Manager Jacobs
Public Works – Stormwater Manager Sedrick Clark	Stormwater Manager Clark
City Engineer Terrence Bailey	City Engineer Bailey
Library Director Adam Brody	Library Director Brody
Interim Chief Information Officer Pierre Smith	Interim Chief Information Officer Smith
Human Resources Director Ja Jacqueline Bartley	Human Resources Director Bartley

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Jacqueline Bartley, Human Resources Director

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Board Appointment to General Employees' Pension Board**

Date: January 17, 2024

CC: General Public

Background:

The general administration and responsibility of the City's General Employees' retirement system is provided through the City's General Employees' Pension Board (Board). Appointments or elections to the Board are governed by Sections 14-27 of the City Code of Ordinances. The Board consists of seven members (trustees), with two (2) members appointed by the Mayor, two (2) members appointed by the City Council, and three (3) members elected by active members in the retirement plan.

Currently, one (1) appointed position on the Board expired as of November 30, 2022. The position consisted of one (1) appointee of the Mayor. The Mayor's appointee, Ms. Bessie Brown, is not applying for reappointment after the expiration of her term.
Mayor Felder has indicated his desire to appoint Ms. Felicia Scott. Ms. Scott's application is attached for your review and consideration. Please note that Section 14-27 requires that a majority of the City Council approve the Mayor's appointment.

City Goals:

To strengthen community engagement and empowerment to create opportunities for learning and participation in government through leadership academies, board and committee appointments, and various citizen advisory boards.

Fiscal/Budget Impact:

There is no budget or fiscal impact.

Recommendation:

Staff recommends the appointment of Ms. Scott to the Board as the Mayor's appointee.

Attachments:

1. Pension Board Application for Appointment (002).pdf

CITY OF RIVIERA BEACH
APPLICATION FOR ADVISORY BOARD APPOINTMENTS

Your Service to our City is Earnestly solicited

Service on a Board or Committee provides citizens with an opportunity to help shape policy and direction for the City of Riviera Beach. Residents and Business owners and operators are cordially invited to apply for appointment by the City Council to a City Board. **Applications are valid for three (3) years.**

Application is for New Appointment to the Surtax Oversight Citizen Advisory Committee
(Per Section 112.317 Florida Statutes, Members of Some Boards are required to file a Financial Disclosure Report.)

Please type or print information.

Name: Felicia A. Scott E-Mail Address: Tofe3785@yahoo.com

Residential Address: 834 W. 10th Street City: Riviera Beach Zip Code: 33404

Telephone Number: 561-863-0501 Business Number: 561-840-4824 Mobile Number: 561-248-8494

EDUCATION:

Name of High School: St. Mary's of Redford Location: Detroit Michigan

College (if applicable): Tuskegee Institiute/University Location: Tuskegee Alabama

Years Completed: 4 Degree: BS Field of Study: Sociology

Other professional or technical training (Name of school, course name, etc.: Certified FPPT

EMPLOYMENT:

Current or Last employer: City of Riviera Beach Address: 600 W. Blue Heron Blvd

Position: Civil Drug Court Program Manager Years of Service: 20

Duties: Oversee the operations of the City's Community Court

OTHER QUALIFICATIONS: Briefly describe below any specific expertise and /or abilities that would pertain to your service on a city board:

Former trustee of the General Employee pension Board prior to retirement.

MEMBERSHIP:

City of Riviera Beach: National Association of Court Management Years in Membership Office Held, If any): 14

Outside of City: NADCP- National Association of Drug Court Professionals Years in Membership Office Held, If any): 16

DIVERSITY FACTORS (Voluntary): Please list any characteristics about yourself or relevant experience concerning diversity and inclusion that may enhance the city's efforts to appoint people of diverse backgrounds to its advisory boards.

I am a retired City of Rivera Beach employee who formerly served on the general employee pension board. Additionally I received my certification as a pension plan trustee, that is essential and required.

RECOMMENDED BY: If an organization or municipality, please include name of the entity, contact person and phone number; if an individual(s) provide name and telephone number(s).

Organization Name: _____ Contact Person: _____ Telephone Number: _____

Organization Name: _____ Contact Person: _____ Telephone Number: _____

REFERENCES:

Name: Hyacianthia Becton Address: 500 W. 24th St Riviera Beach, Fl 33404 Telephone Number: 561-351-8473

Name: Betty Kindrick Address: 600 w 34th street Riviera Beach, Fl Telephone Number: 561-324-1917

ACKNOWLEDGEMENT (Check Below):

- ☐ **I understand that in accordance with Florida Sunshine Law, this information will be available for public review and I waive any objection to such publication.**
- ☐ **I understand that appointment to any of the positions indicated above is a voluntary service.**
- ☐ **If appointed, I agree to faithfully and fully perform the duties of my office, will make every endeavor to serve my full term, and will comply with all laws or ordinances of the City, County, and State of Florida, particularly those pertaining to the conduct of public office and the financial disclosure requirements, if applicable, to my position.**
- ☐ **I understand, if appointed, an updated application must be submitted to seek appointment to another advisory board.**
- ☐ **I understand that, if appointed, I must take the oath of office prescribed in the Florida Statutes.**

Felicia A. Scott
Signature of Applicant

January 26, 2023
Date

Please Completely Fill Out and Return this Application to the Office of the City Clerk,
City of Riviera Beach, 600 West Blue Heron Blvd., Riviera Beach, FL 33404 *(561) 845-4090 * cityclerk@rivierabeach.org

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Planning & Zoning Board Appointments**

Date: January 17, 2024

CC: General Public

Background:

The Planning and Zoning Board is an advisory board of the City Council, comprised of five regular members and five alternate members. All members are appointed by the City Council and serve in a voluntary capacity for three-year terms. This board is primarily tasked with reviewing Site Plan Applications, plat applications, new Land Development Regulations, Comprehensive Plan Amendments and the Capital Improvement Plan.

In December of 2023, City Council approved Ordinance 4196 which restructured the P&Z board. This change resulted in a five-member board with five alternates. This appointment item will reappoint previously seated members to the board and add one new board member for the newly created district 5 seat.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:

There will be no fiscal impact from this Item.

Recommendation:

Staff recommends the following actions:

1) Reappoint Mr. William A Wyly as a Planning & Zoning Board member in the position of Alternate for district 3.
2) Reappoint Mrs. Rena Burges as a Planning & Zoning Board member in the position of board member for District 1.
3) Reappoint Mr. Anthony Brown as a Planning & Zoning Board member in the position of alternate for District 1.
4) Reappoint Mr. James Gallon as a Planning & Zoning Board member in the position of alternate for District 3.
5) Reappoint Mrs. Margaret Shepherd to the Planning & Zoning Board in the position of board member for District 2.
6) Appoint Mr. Bruce Guyton to the Planning & Zoning Board in the position of board member for District 5 (at large).

Attachments:

1. Guyton- Signed PZB Application.pdf
2. Guyton Resume_v4.pdf
3. Board Reappointments January '24.docx

APPLICATION FOR CITY OF RIVIERA BEACH ADVISORY BOARD

Please Note: Pursuant to 119.07 F.S. the information provided in this application is considered to be public record, except as provided by law.

Application for Planning and Zoning Board
NAME OF BOARD

Name: Bruce Guyton **Home Address:** 1247 W. 26th Court

City: Riviera Beach **State:** FL **Zip:** 33404 **Contact No:** 561-628-7166

Contact No. : _____ **Email Address:** bguyton33@gmail.com

Are you currently serving on a City Board or Committee? **Yes** ( ) **No** (✔)

If so, please indicate name: _____ **Date of Service(s)** _____

Meeting Availability:

Morning meetings ( ) Afternoon meetings ( ) Evening meetings (✔)

If appointed, what is your desired outcome?

Contribute to recommending quality projects that will create jobs for city residents and increase the city's ad valorem tax base.

Currently Employed: **Yes** (✔) **No** ( ) **Retired** ( )

Current Employer: Palm Tran

Address: 3201 Electronics Way **City:** West Palm Beach **State:** FL **Zip:** 33407

Profession: Senior Transit Planner **Length:** 21 Years

Preferred mailing address: Same as above

Could your occupation or employment present a conflict of interest on municipal subject matters discussed or decided upon by the Advisory Board? Yes ( ) No (✔)

Not Sure ( ) Please explain: I served on the Riviera Beach PZ&B in the 1980s. I also served representing District 1.

2/15/2022 3:36 PM

Please briefly explain your knowledge, experience, and interest in municipal functions; municipal charter, financing, Florida Constitution, and Florida Statutes pertaining to municipal law; if none, provide your experiences or skills in dealing with business or communication:

I served on the Riviera Beach PZ&B in the 1980s. I also served 3 City Council terms, representing District 1.

Educational Background

High School Diploma/GED Yes ☑ No ☐ Degree or Certificate Yes ☑ No ☐

If yes, Name of Institution: Florida Atlantic University Course of Study Master's Degree Urban and Regional Planning

Are you registered and actively Vote in Palm Beach County? Yes ☑ No ☐

Are you currently participating in civic or community activities? Yes ☑ No ☐

If yes, explain: I just stepped down as presdident of the Council of Minority Transportation Officials (COMTO). I am still a general member.

I understand the duties, rules and time commitment to the Advisory Board to which I have applied:

Bruce Hedgspeth 1/8/2023

Signature Date

How did you learn about the Advisory Board?

City's website ☐ Community group ☐ Newspaper ☐ Other ☑

Including a copy of your resume is not required but welcomed. Florida Law may require you to file a Financial Disclosure Form; notification is provided upon appointment to a City Advisory Board.

Please return application and resume: Office of the City Clerk, 600 West Blue Heron Blvd, Ste 140, Riviera Beach, FL 33404; via email @ cityclerk@rivierabeach.org; via fax – (561) 840-3438.

Bruce A. Guyton

1247 W. 26th Court, Riviera Beach, FL 33404 l C: 561-628-7166 l bguyton33@gmail.com

Professional Objective

Seeking a challenging and rewarding mid to senior level transit related staff position.

Professional Summary

Seasoned public sector professional with close to thirty (30) years of municipal and county government experience, which includes twenty (20) plus years of transit experience. In addition to staff level experience, I also served three (3) terms as a Riviera Beach City Councilman (1991-1993, 1993-1995, 2013-2016).

Experience

Senior Transit Planner — **Sept 2021 – Present**
Palm Beach County – Palm Tran — **West Palm Beach, FL**

- Strategic Planning
- Managing Bus Stop Complaints
- Coordinating Detours with Operations and Marketing
- Attending Pre-Construction Meetings
- Monitoring Road Construction Projects for Possible Detours
- Reviewing Construction Plans
- **Project** Manager – Bus Bench Contract
- **Project** Manager – Bus Shelter Contract
- Co-Manage Simme Seat Expansion Project
- Assist with bus driver bid process
- Special projects, as assigned

Transit Planner II — **July 2019 – Sept 2021**
Palm Beach County - Palm Tran — **West Palm Beach, FL**

- **Project** Manager – Bus Bench Contract
- **Project** Manager – Bus Shelter Contract
- Co-Manage Simme Seat Expansion Project
- Assist with bus driver bid process
- Special projects, as assigned

Senior Site Planner — **Nov 2018 – June 2019**
Palm Beach County - Zoning Division — **West Palm Beach, FL**

- Professional site planning work involving all phases of the land development process
- Enforcing and interpreting Palm Beach County Unified Land Development Code (ULDC)
- Supervising three site planners

Manager of Governmental Affairs — **Feb 2018 – Nov 2018**
Palm Beach County – Palm Tran — **West Palm Beach, FL**

- Monitored legislative issues at the local, state and federal levels
- Attended legislative sessions at the county, state and federal levels
- Met with policymakers, and staff at all levels, regarding legislative issues that impact Palm Tran
- In collaboration with the Executive Leadership team, developed a legislative strategy and agenda
- Initiated community outreach and engagement, as needed, to advance the legislative agenda
- Identified potential funding and/or grants to advance Palm Tran's goals and operations

City Councilman — **Mar 2013 – Mar 2016**
City of Riviera Beach — **Riviera Beach, FL**

- One of five elected officials who set policy for the city
- One of five elected officials who evaluated the performance of the City Manager, City Attorney and the Community Redevelopment Agency Executive Director

Planner **May 2002 – Feb 2018**
Palm Beach County – Palm Tran **West Palm Beach, FL**

- Facilitated and oversaw process for Palm Tran to receive Automatic Passenger Counter (APC) certification from the Federal Transit Agency (FTA)
- Monitored the Automatic Passenger Counter (APC) system to comply with the certification issued by the Federal Transit Administration (FTA)
- Collected Ridership Data
- Managed Bus Shelter Contract
- Managed Bus Bench Contract
- Assisted bid process for bus drivers
- Assisted with the Disadvantaged Business Enterprise (DBE) outreach program.
- Responded to rider complaints
- Assisted with special projects, as assigned

Planner **Jan 1998- May 2002**
Palm Beach County - Housing and Community Development **West Palm Beach, FL**

- Ran day-to-day operations of the Westgate Community Redevelopment Agency (CRA) for the first 3 years, including but not limit to: annual budget preparation; overseeing major infrastructure project; grant preparation; monitoring of the tax increment fund (TIF); advising the Westgate CRA Board of Directors on issues impacting the agency; prepared all reports required by outside agencies and governmental entities
- Reviewed Community Development Block Grant (CDBG) applications
- Provided professional and technical assistance to grant applicants
- Monitored grant recipients for contract compliance
- Reviewed and analyzed data submitted by grant recipients

Education

Master's Degree: Urban and Regional Planning
Florida Atlantic University
Boca Raton, Florida
2010

Bachelor of Science Degree: Business Administration (Major), Accounting (Minor)
Wiley College
Marshall, Texas
1982

Affiliations

Founding President, Conference of Minority Transportation Officials (COMTO) Palm Beach County
Member, COMTO Council of Presidents
Member, COMTO National Legislative Advisory Council
Chair, COMTO 2019 National Convention Legislative Committee
Member, Government Affairs Committee, American Public Transportation Association (APTA)
Member, Government Affairs Committee, Florida Public Transportation Association (FPTA)
Member, Kappa Alpha Psi Fraternity, Inc.

Proposed Structure		
Frank X. Fernandez, Chair	Voting	District # 4
Group: C		
Bruce Guyton	Voting	District # 5 (At large)
Group: A		
Vacant, Alternate District 2	Vote during temp absence of any board members	District # 2
Group: A		
Rena Burgess, Board Member	Voting	District # 1
Group: B		
	Vote during temp absence of any board members	
Anthony Brown, Alternate District 1		District # 1
Group: B		
James Gallon, Board Member	Vote during temp absence of any board members	District # 3
Group: B		
Margaret Shepherd, Board Member	Voting	District # 2
Group: C		
Vacant, Alternate District 4	Vote during temp absence of any board members	District # 4
Group: C		
William A. Wyly, Vice Chair, Alternate District 3	Voting	District # 3
Vacant, Alternate District 5	Vote during temp absence of any board members	District # 5 (At large)
		Mayor Appointed

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Councilmembers

From: John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 006-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue; authorizing the City Manager to issue work orders to Temple Inc. for implementation of the City's Public Safety Signal Pre-emption System in an amount not to exceed $250,000; authorizing the Director of Finance to establish Project 24020 – Signal Pre-emption System funded by unencumbered Fire Impact Fees and to make payment from same; and providing an effective date.**

Date: January 17, 2024

CC: General Public

Background:

On September 8, 2023, the U.S. Department of Veterans Affairs notified the City of Riviera Beach of their determination not to extend the existing lease for Fire Station 89 at 7501 North Military Trail. This lease is scheduled to expire on November 08, 2029. Based on the stipulation and terms of the current lease, the City is obligated to maintain the existing building in an operable and functional condition for the duration of the agreement. It is anticipated by staff that a $1.7 Million dollar investment into the property will be required to fulfill this condition until the expiration of the lease agreement in 2029. Staff anticipates a six (6) month design period, and an eight (8) month window of which operations at Fire Station 89 will need to be relocated to allow for construction. During staff presentation, a variety of

options were presented ranging from $300,000 with a 90 day implementation schedule to $30 Million and a five (5) year implementation. At the November 1, 2023 City Council meeting, the Council selected Option 2 for the relocation of Fire Station 89 to Fire Station 88 and implement Pre-emption lighting to mitigate effects to response time along the Military Trail corridor.

City Goals:

The City-wide Goals are to Strengthen Community Engagement, Accelerate Operational Excellence and Build Great Neighborhoods.

Fiscal/Budget Impact:

$250,000

Recommendation:

It is Staff recommendation for Fire Station 89 to relocate to Fire Station 88 as soon as operational available following the implementation of pre-emption lighting via Work order to Temple Inc.

Attachments:

1. Resolution 006-24 - FS89 relocation Preemption 12-06-2023 RMS.doc
2. Riviera Beach Fire Department Lease Notification Final.pdf
3. Rivera Beach Glance APL R8 12-11-23.pdf
4. APL - Original - State Contract Contract Document.pdf

Resolution Number 006-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue; authorizing the City Manager to issue work orders to Temple Inc. for implementation of the City's Public Safety Signal Pre-emption System in an amount not to exceed $250,000; authorizing the Director of Finance to establish Project 24020 – Signal Pre-emption System funded by unencumbered Fire Impact Fees and to make payment from same; and providing an effective date.

Whereas, on September 8, 2023 City Staff received communication from the U.S. Department of Veterans Affairs that the lease for Fire Station 89 will expire in 2029 with no opportunity for renewal; and

Whereas, on November 1, 2023 City Staff made a presentation to the City Council on options to address Fire Station 89 and Council selected Option 2 relocating Fire Station 89 to Fire Station 88 and implementing Pre-emption lighting; and

Whereas, on September 20, 2023 City Council approved Resolution 133-23 authorizing the use of State of Florida Contracts; and

Whereas, Staff has identified unencumbered Fire Impact Fees as the appropriate funding source.

Now, Therefore, be it resolved by the City Council of the City of Riviera Beach, Florida that:

Section 1. That the City Council acknowledges the VA non-renewal of the lease and relocation of Fire Station 89 to Fire Station 88 on Congress Avenue.

Section 2. The City Council elects to relocate Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue and Blue Heron Boulevard.

Section 3. The City Council shall authorize the City Manager to issue Work Orders to Temple Inc. for implementation of the City's Public Safety Signal Pre-emption.

Section 4. The City Council shall authorize the Director of Finance to establish Project 24020 – Signal Pre-emption System funded by unencumbered Fire Impact Fees and to make payment from same.

Section 5. This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Approved this ____ day of _____, 2024.

Approved:

_____

Ronnie L. Felder
Mayor

Attest:

_____

Debrah S. Hall, CMC
Certified Municipal Clerk
Interim City Clerk

Motioned By: _____

Seconded By: _____

T. McCoy: ____

K. Miller-Anderson: ____

S. Lanier: ____

J. Botel: ____

D. Lawson: ____

Reviewed As To Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

U.S. Department of Veterans Affairs
Veterans Health Administration
West Palm Beach VA Healthcare System

7305 North Military Trail
West Palm Beach, FL 33410

September 8, 2023

City of Riviera Beach
1481 W 15th Street, 2nd Floor
Riviera Beach, FL 33404

Dear Mr. Evans,

The United States Department of Veterans Affairs (VA) entered into a 35-year Enhanced Use Lease (EUL) with the City of Riviera Beach on approximately 1.0 acres of land in the northeast corner of the VA property in 1994. Due to an existing and projected clinical space deficit, the West Palm Beach VA Healthcare System (WPBVAHCS) requires recovery of this space at the expiration of the lease in 2029. This space will be utilized to reduce a one million foot space gap by constructing a large, free-standing Mental Health Outpatient Clinic.

The West Palm Beach VA Medical Center (WPBVAMC), one of eight sites of care within WPBVAHCS, has limited and confined property available for any site expansion or construction, with the remaining space comprised of surface parking and mandatory retention ponds for water runoff. Additionally, the campus is surrounded by protected wetlands and major roadways, thereby restricting alternative considerations for acquisition of adjacent land. Due to limitation of available space and (usable) land at the WPBVAMC, it is necessary to locate the expanded Mental Health (MH) complex on the site currently occupied by the City of Riviera Beach Fire Station. This places the new MH complex in the only location with private and discreet entrance/exit, and co-locates mental health services adjacent to the facility's Residential Rehabilitation Treatment Program, also known as Domiciliary.

Based on current space needs to support all Veterans in our catchment area, comprised of seven counties, WPBVAHCS made the difficult decision to not extend or renew the EUL with the City of Riviera Beach. This decision does not affect WPBVAHCS' intent to coordinate space for a continued fire department presence on property and initial discussions have taken place to determine various courses of action.

Please know our leadership team values the partnership over the past 29 years and look forward to continued support moving forward.

Respectfully,

Cory P. Price
Executive Director
West Palm Beach VA Healthcare System

TEMPLE, INC.

P.O. Box 2066 / 50 Davis Street
Decatur, AL 35602
Phone: 800/633-3221, Local 386-615-8246
Fax: 256/353-4578, Local 386-615-4866

1954 - 2023
Serving the South's Traffic Needs for Over 50 Years

TO: Rivera Beach

DATE: **11-Dec-23**

TERMS: Net 30 Days, FOB Shipping Point, Prepaid and Allowed

Glance Pre-Empt System - Two Year Data Plan.

DELIVERY: **4 to 6 Weeks ARO**

SALESPERSON: **Sheldon Pafford**

QUOTE #: Rivera Beach Glance APL R8 12-11-23

CONDITIONS: The prices and terms on this quotation are subject to verbal changes or other agreements unless approved in writing by Temple, Inc.. All quotations and agreements are contingent upon strikes, accidents, fires, availability of materials and all other causes beyond our control. Prices are based on cost and conditions existing on the date of the quotation and are subject to changes by Temple, Inc. before final acceptance.

Quantity	Description	Price	Extended
31	Glance TIMM 500 Preemption/Priority System AI 500-086-02 – Preempt/Priority FMU2 4G Video with 4-port switch Conn/Svc/Supp Plan CAT4 Video 5 Yr C&S Plan - Cabinet - Standard Line Item 969, 663-01-011, Page 61 /126	$ 5,397.00	**$167,307.00**
31	Discount for Two Year C&S Plan Only	$ (1,143.00)	**$ (35,433.00)**
	Discounted Total for Cabinet Devise		**$131,874.00**
13	Glance TIMM 500 Preemption/Priority System Vehicle Kit 5-yr Fixed Conn/Svc/Supp Plan Standard - Vehicle Kit Line Item 969, 663-001-011e, page 86/126	$ 4,237.00	**$ 55,081.00**
13	Discount for Two Year C&S Plan Only	$ (1,143.00)	**$ (14,859.00)**
	Discounted Total for Vehicle Kits		**$ 40,222.00**
1	**Gerelco Installation - 31 FMU's - Estimate**	$ 23,650.00	**$ 23,650.00**
1	**Strobes R Us - 13 Vehicle Kits - Estimate**	$ 19,734.00	**$ 19,734.00**
	Glance Total		**$215,480.00**
	DOT-ITB-23-9037-SJ		

Quote Valid for 30 Days

Sheldon Pafford
Account Representative

State of Florida
Department of Transportation

FDOT Approved Products List (APL) Traffic Equipment

Agency Term Contract

BID# DOT-ITB-23-9037-SJ

EFFECTIVE DATES: MARCH 14, 2023 – MARCH 13, 2024

FDOT APL Traffic Equipment		DOT-ITB-23-9037-SJ	
VENDORS	**MFMP Contract #**	**VENDORS**	**MFMP Contract #**
360 Network Solutions, LLC	CR602	MG Squared	CR619
Blackhawk Enterprises, Inc.	CR603	Pelco Products, Inc.	CR620
Blue-Band LLC	CR604	Safety Zone Holdings, Inc. dba Safety Zone Specialists	CR626
Control Technologies	CR605	Siemens Ruggedcom	CR628
Cubic ITS, Inc.	CR606	Sky Bracket	CR629
Daktronics	CR607	Skyline Products	CR630
Eco Partnering Innovations, LLC	CR608	Earnest Products, Inc. dba Southern Manufacturing	CR631
Econolite Control Products, Inc.	CR609	Street Smart Rental	CR632
Express Supply, Inc.	CR610	Temple, Inc.	CR633
General Traffic Equipment Corp.	CR611	Think It AI	CR634
GovComm, Inc.	CR612	TKH Security, LLC	CR635
Intelligent Transportation Service, Inc.	CR613	Integrated Synergy	CR636
Iteris, Inc.	CR614	Transportation Control Systems, Inc.	CR639
ITS Plus, Inc.	CR615	Transportation Solutions and Lighting	CR640
K&K Systems, Inc.	CR616	Ver-Mac, Inc.	CR641
Intelicom Inc, dba Lite Sys, Inc.	CR617	Wavetronix LLC	CR642
Lux Solar, Inc.	CR618		

Note: All purchase orders issued against this contract must reference the following items: Line Number, APL Certification/Configuration No., Manufacturer, Product Category and the Model/Product/Component Description

ORDERING INSTRUCTIONS

MFMP Contract #: **CR602**

Bid Number: DOT-ITB-23-9307-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): 46-3420963-002

VENDOR: 360 Network Solutions, LLC

ADDRESS: 2146 Roswell Road Suite 108 #1105

CITY, STATE, ZIP: Marietta, GA 30062

TELEPHONE: 678-637-9542

TOLL FREE NO.: 855-463-6067

E-MAIL: billy@360ns.net

DELIVERY: DELIVERY WILL BE MADE WITHIN **30** DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Rachel Cohen - Client Relations Manager

ADDRESS: 2146 Roswell Road Suite 108 #1105

CITY, STATE, ZIP: Marietta, GA 30062

TELEPHONE: 770-329-6915

TOLL FREE NO.: 855-463-6067

E-MAIL ADDRESS: rachel@360ns.net

WEB ADDRESS: www.360ns.net

ORDERING INSTRUCTIONS

MFMP Contract #:CR603

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F59-3152989-001

VENDOR: Blackhawk Enterprises Inc.

ADDRESS: 1400 Village Sq. #3-216

CITY, STATE, ZIP: Tallahassee, FL 32312

TELEPHONE: 850-766-1388

TOLL FREE NO.:

E-MAIL: blhawk99@aol.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: James S. LaBatt, President

ADDRESS: 1400 Village Sq. #3-216

CITY, STATE, ZIP: Tallahassee, FL 32312

TELEPHONE: 850-766-1388

TOLL FREE NO.:

E-MAIL ADDRESS: blhawk99@aol.com

WEB ADDRESS: www.blackhawkenterprises.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR604

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F45-1433362-003

VENDOR: Blue-Band, LLC

ADDRESS: 1445 Dolgner Place, #36

CITY, STATE, ZIP: Sanford, FL 32771

TELEPHONE: 877-577-7572 x2

TOLL FREE NO.: None

E-MAIL: Sales@blue-band.net

DELIVERY: DELIVERY WILL BE MADE WITHIN 30-60 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Kevin Yorke - CEO

ADDRESS: 1445 Dolgner Place #36

CITY, STATE, ZIP: Sanford, FL 32771

TELEPHONE: 877-577-7572 x2

TOLL FREE NO.: None

E-MAIL ADDRESS: sales@blue-band.net

WEB ADDRESS: www.blue-band.net

ORDERING INSTRUCTIONS

MFMP Contract #: CR605

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F59-2038877-001

VENDOR: Control Technologies, Inc.

ADDRESS: 2776 S Financial Ct

CITY, STATE, ZIP: Sanford, FL, 32773

TELEPHONE: 407-330-2800

TOLL FREE NO.: 800-865-2745

E-MAIL: info@cttraffic.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Pete Ganci, VP

ADDRESS: 2776 S Financial Ct

CITY, STATE, ZIP: Sanford, FL, 32773

TELEPHONE: 407-330-2800

TOLL FREE NO.: 800-865-2745

E-MAIL ADDRESS: pganci@cttraffic.com

WEB ADDRESS: www.ct-grp.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR606

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F74-2019144-001

VENDOR: Cubic ITS, Inc.

ADDRESS: 522 Gillingham Ln

CITY, STATE, ZIP: Sugar Land, TX 77478

TELEPHONE: 281-240-7233 or 954-837-3070

TOLL FREE NO.: n/a

E-MAIL: TrafficwareCustomerCare@cubic.com; tamara.fagan@cubic.com

DELIVERY: Cubic (Trafficware) items-Delivery 160-240 days
Cubic (GridSmart) items-Delivery 30-days

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Tammy Fagan, Manager - ITS Sales

ADDRESS: 522 Gillingham Ln

CITY, STATE, ZIP: Sugar Land, TX 77478

TELEPHONE: 281-240-7233 or 954-837-3070

TOLL FREE NO.: n/a

E-MAIL ADDRESS: tamara.fagan@cubic.com; travis.topa@cubic.com

WEB ADDRESS: https://transportation.cubic.com/

ORDERING INSTRUCTIONS

MFMP Contract #: CR607

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F46-0306862-002

VENDOR: Daktronics Inc.

ADDRESS: 201 Daktronics Drive

CITY, STATE, ZIP: Brookings, SD 57006

TELEPHONE: 605-692-0200

TOLL FREE NO.: 1-800-325-8766

E-MAIL: trevor.slaight@daktronics.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 180 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Trevor Slaight

ADDRESS: 201 Daktronics Drive

CITY, STATE, ZIP: Brookings, SD 57006

TELEPHONE: 605-692-0200

TOLL FREE NO.: 1-800-325-8766

E-MAIL ADDRESS: trevor.slaight@daktronics.com

WEB ADDRESS: www.daktronics.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR608

Bid Number:DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F46-2931633-004

VENDOR: Eco Partnering Innovations, LLC

ADDRESS: 1445 Dolgner Place

CITY, STATE, ZIP:Sanford, FL 32771

TELEPHONE: 407-377-7540

TOLL FREE NO.:

E-MAIL: epi-estimating@ecopartnering.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Stephanie Hoback - Principal

ADDRESS: 4610 McCahill Road

CITY, STATE, ZIP: Chattanooga, TN 37415

TELEPHONE: 407-377-7540 x1

TOLL FREE NO.: none

E-MAIL ADDRESS: stephanie.hoback@ecopartnering.com

WEB ADDRESS: www.ecopartnering.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR609

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F95-3196532-008

VENDOR: Econolite Control Products, Inc. (Econolite)

ADDRESS: 1250 N Tustin Ave

CITY, STATE, ZIP: Anaheim, CA 92807

TELEPHONE: 714-630-3700

TOLL FREE NO.: NA

E-MAIL: sesales@econolite.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 95 DAYS AFTER RECEIPT OF PURCHASE ORDER. See estimated delivery time notes in bid

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Connie Braithwaite, Senior Account Manager, Florida

ADDRESS: 1250 N Tustin Ave

CITY, STATE, ZIP: Anaheim, CA 92807

TELEPHONE: 904-759-0745

TOLL FREE NO.: NA

E-MAIL ADDRESS: cbraithwaite@econolite.com, jjohnsonniven@econolite.com, sesales@econolite.com

WEB ADDRESS: econolite.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR610

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F20-5497315-002

VENDOR: **Express Supply, Inc.**

ADDRESS: 632 Gatlin Ave

CITY, STATE, ZIP: Orlando, FL 32806

TELEPHONE: 407-497-8614

TOLL FREE NO.: N/A

E-MAIL: mschulting@cfl.rr.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Mark Schulting

ADDRESS: 632 Gatlin Ave

CITY, STATE, ZIP: Orlando, FL 32806

TELEPHONE: 407-4978614

TOLL FREE NO.: N/A

E-MAIL ADDRESS: mschulting@expresssupply.net

WEB ADDRESS: www.expresssupply.net

ORDERING INSTRUCTIONS

MFMP Contract #: CR611

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F13-3095949-001

VENDOR: **GENERAL TRAFFICE EQUIPMENT CORP.**

ADDRESS: 259 BRIADWAY

CITY, STATE, ZIP: NEWBURGH NY 12550

TELEPHONE: 845-569-9000

TOLL FREE NO.:

E-MAIL: RAYS@GENERALTRAFFICEQUIP.COM

DELIVERY: DELIVERY WILL BE MADE WITHIN DAYS AFTER RECEIPT OF PURCHASE ORDER. 30 DAYS

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: RAYSMOND STAFFON PRESIDENT

ADDRESS: 259 BROADWAY

CITY, STATE, ZIP: NEWBURGH NY 12550

TELEPHONE: 845-569-9000

TOLL FREE NO.:

E-MAIL ADDRESS: RAYS@GENERALTRAFFICEQUIP.COM

WEB ADDRESS: WWW.GENERALTRAFFICEQUIPENTCORP.COM

ORDERING INSTRUCTIONS

MFMP Contract #: CR612

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F45-4470922-001

VENDOR: GovComm, Inc.

ADDRESS: 3830 SW 30 Avenue

CITY, STATE, ZIP: Ft Lauderdale, Florida 33312

TELEPHONE: (305) 937-2000 x 7101

TOLL FREE NO.: None

E-MAIL: Sales@GovComm.us

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Craig Waltzer

ADDRESS: 3830 SW 30 Avenue

CITY, STATE, ZIP: Ft Lauderdale, Florida 33312

TELEPHONE: (305) 937-2000 x 7101

TOLL FREE NO.: None

E-MAIL ADDRESS: cwaltzer@GovComm.us

WEB ADDRESS: www.GovComm.us

ORDERING INSTRUCTIONS - Intelligent Transportation Services, Inc.
MFMP Contract #: CR613

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: RESELLER FOR SIEMENS RUGGEDCOM: All orders for Siemens Ruggedcom must be placed with the following Authorized Resellers (Transportation Control Systems, Inc.; Temple Inc,; or Intelligent Transportation Services, Inc.

FEDERAL EMPLOYER ID NUMBER (FEID): F59-3003934-001

VENDOR: Intelligent Transportation Services, Inc.

ADDRESS: 3205 South Access Road, Suite A

CITY, STATE, ZIP: Englewood, FL 34224

TELEPHONE: 407-492-6664

TOLL FREE NO.:

E-MAIL: tmalone@itstraffic.us

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 - 120 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Tim Malone, President

ADDRESS: 3205 South Access Road, Suite A

CITY, STATE, ZIP: Englewood, FL 34224

TELEPHONE: 407-492-6664

TOLL FREE NO.:

E-MAIL ADDRESS: tmalone@itstraffic.us

WEB ADDRESS: www.itstraffic.us

ORDERING INSTRUCTIONS

MFMP Contract #: CR614

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F95-2588496-005

VENDOR: Iteris, Inc

ADDRESS: 1700 Carnegie Ave - Suite 100

CITY, STATE, ZIP: Santa Ana, CA 92705

TELEPHONE: 949-270-9615

TOLL FREE NO.:

E-MAIL: RS-Sales-Support@iteris.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 90 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: W Stokes Wallace - Southeastern Regional Sales Manager

ADDRESS: 1501 Arthur St

CITY, STATE, ZIP: Orlando, FL 32804

TELEPHONE: 407-383-1845

TOLL FREE NO.:

E-MAIL ADDRESS: wsw@iteris.com

WEB ADDRESS: www.iteris.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR615

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F20-3858711-002

VENDOR: ITS Plus, Inc.

ADDRESS: 6220 Trailwood Dr

CITY, STATE, ZIP: Plano, TX 75024

TELEPHONE: 817-404-9287

TOLL FREE NO.: 1-833-487-7587

E-MAIL: info@itsplus3.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Staci Ingram - President

ADDRESS: 6220 Trailwood Dr

CITY, STATE, ZIP: Plano, TX 75024

TELEPHONE: 817-404-9287

TOLL FREE NO.: 1-833-487-7587

E-MAIL ADDRESS: staci.ingram@itsplus3.com

WEB ADDRESS: www.itsplus3.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR616

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F72-1370925-003

VENDOR: **K&K Systems, Inc.**

ADDRESS: 687 Palmetto Road

CITY, STATE, ZIP: Tupelo, MS 38801

TELEPHONE: 662-566-2025

TOLL FREE NO.: 888-414-3003

E-MAIL: sales@k-ksystems.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 45-60 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Troy G. Keith, President

ADDRESS: 687 Palmetto Road

CITY, STATE, ZIP: Tupelo, MS 38801

TELEPHONE: 662-566-2025

TOLL FREE NO.: 888-414-3003

E-MAIL ADDRESS: sales@k-ksystems.com

WEB ADDRESS: www.k-ksystems.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR617

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F81-0489057-002

VENDOR: LiteSys Inc. (Intelicom, Inc.)

ADDRESS: P.O Box 239, 150 Pollywog Lane

CITY, STATE, ZIP: Belgrade, MT 59714

TELEPHONE: 406-388-9317

TOLL FREE NO.: 800-533-7441

E-MAIL: sales@litesys.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Kendall Kanning, Corporate Sales Representative

ADDRESS: P.O. Box 239, 150 Pollywog Lane

CITY, STATE, ZIP: Belgrade, MT 59714

TELEPHONE: 406-388-9317

TOLL FREE NO.: 800-533-7441

E-MAIL ADDRESS: kendall@litesys.com

WEB ADDRESS: www.litesys.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR618

Bid Number: **DOT-ITB-23-9037-SJ**

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F47-1842676-002

VENDOR: Lux Solar, Inc.

ADDRESS: 10891 La Reina Rd, Suite 100

CITY, STATE, ZIP: Delray Beach, FL 33446

TELEPHONE: (954)608-4608

TOLL FREE NO.:

E-MAIL: maj@lux-solar.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Wael "Maj" Majdalawi, PE, PTOE

ADDRESS: 10891 La Reina Road, Suite 100

CITY, STATE, ZIP: Delray Beach, FL 33446

TELEPHONE: (954) 608-4608

TOLL FREE NO.:

E-MAIL ADDRESS: maj@lux-solar.com

WEB ADDRESS: www.iiRPM.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR619

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F63-0927870-002

VENDOR: MG-SQUARED, Inc.

ADDRESS: 3301 Oakhill Drive

CITY, STATE, ZIP: Birmingham, AL 35216

TELEPHONE: 205-823-6688

TOLL FREE NO.:

E-MAIL: Martin@mgsquared.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 70 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Martin A. Maners, III (Vice President & General Counsel)

ADDRESS: 3301 Oakhill Drive

CITY, STATE, ZIP: Birmingham, AL 35216

TELEPHONE: 205-823-6688

TOLL FREE NO.:

E-MAIL ADDRESS: Martin@mgsquared.com

WEB ADDRESS: www.LoweringSystemS.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR620

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO: All orders for Pelco Products, Inc must be placed with the following Authorized Resellers (Transportation Control Systems, Inc. or Temple, Inc.)

FEDERAL EMPLOYER ID NUMBER (FEID): F73-1237747-002

VENDOR: Pelco Products, Inc.

ADDRESS: 320 West 18th Street

CITY, STATE, ZIP: Edmond, OK 73013

TELEPHONE: 405-340-3434

TOLL FREE NO.:

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Kevin Hanke, Sales Manager

ADDRESS: 320 West 18th Street

CITY, STATE, ZIP: Edmond, OK 73013

TELEPHONE: 405-340-3434

TOLL FREE NO.:

E-MAIL ADDRESS: sales@pelcoinc.com

WEB ADDRESS:

ORDERING INSTRUCTIONS

MFMP Contract #: CR626

Bid Number: DOT-ITB-23-9073-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F87-3165409-001

VENDOR: Safety Zone Holdings, Inc dba Safety Zone Specialists

ADDRESS: PO Box 90764

CITY, STATE, ZIP: Lakeland, FL 33804-0764

TELEPHONE: 863-816-3402

TOLL FREE NO.: N/A

E-MAIL: ofcmgr@safetyzonespecialists.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 14-28 (SolarTech) & 28-35 (Wanco) DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Holly Mason, General Manager

ADDRESS: PO Box 90764

CITY, STATE, ZIP: Lakeland, FL 33804-0764

TELEPHONE: 863-816-3402

TOLL FREE NO.: N/A

E-MAIL ADDRESS: ofcmgr@safetyzonespecialists.com

WEB ADDRESS: www.safetyzonespecialists.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR628

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: RESELLER FOR SIEMENS RUGGEDCOM: All orders for Siemens Ruggedcom must be placed with the folloing Authorized Resellers (Transportation Control Systems, Inc.; Temple Inc,; or Intelligent Transportation Services, Inc.

FEDERAL EMPLOYER ID NUMBER (FEID): F13-2762488-065

VENDOR: **Siemens Ruggedcom**

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Randall Carl, National Sales Manager

ADDRESS: 100 Technology Drive

CITY, STATE, ZIP: Alphareta, Ga, 30005

TELEPHONE: 212.672.4011

TOLL FREE NO.:

E-MAIL ADDRESS: randall.carl@siemens.com

WEB ADDRESS:

ORDERING INSTRUCTIONS

MFMP Contract #: CR629

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F36-2369792-002

VENDOR: Sky Bracket

ADDRESS: 2135 15th Street

CITY, STATE, ZIP: Rockford, IL 61104

TELEPHONE: 815-229-1600

TOLL FREE NO.:

E-MAIL: mwilton@skybracket.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 10-15 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Mel Wilton National Sales Manager

ADDRESS: 2135 15th Street

CITY, STATE, ZIP: Rockford, IL 61104

TELEPHONE: 815-229-1600

TOLL FREE NO.:

E-MAIL ADDRESS: mwilton@skybracket.com

WEB ADDRESS: www.SKYBRACKET.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR630

Bid Number: DOT-ITB-21-9079-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F84-0641323-003

VENDOR: **Skyline Products, Inc.**

ADDRESS: 2903 Delta Drive

CITY, STATE, ZIP: Colorado Springs, CO 80903

TELEPHONE: 719-884-6022

TOLL FREE NO.:

E-MAIL: timhershberger@skylineproducts.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 120 DAYS AFTER RECEIPT OF PURCHASE ORDER BARRING ANY SUPPLY CHAIN ISSUES

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Tim Hershberger, Sales Manager

ADDRESS: 2903 Delta Drive

CITY, STATE, ZIP: Colorado Springs, CO 80910

TELEPHONE: 719-884-6022

TOLL FREE NO.:

E-MAIL ADDRESS: timhershberger@skylineproducts.com

WEB ADDRESS: www.skylineproducts.com

ORDERING INSTRUCTIONS

MFMP Contract No.: CR631

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F**59-3223520-001**

VENDOR: **Earnest Products, Inc. dba Southern Manufacturing**

ADDRESS: **2000 E Lake Mary Blvd**

CITY, STATE, ZIP: **Sanford, FL 32773**

TELEPHONE: **407-894-8851**

TOLL FREE NO.: **800-866-5699**

E-MAIL: **orders@southernmfg.com**

DELIVERY: DELIVERY WILL BE MADE WITHIN 180 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: **Alex Otero, Sales Engineer**

ADDRESS: **2000 E Lake Mary Blvd**

CITY, STATE, ZIP: **Sanford, FL 32773**

TELEPHONE: **407-915-5982**

TOLL FREE NO.: **800-866-5699**

E-MAIL ADDRESS: **aotero@southernmfg.com**

WEB ADDRESS: **www.southernmfg.com**

ORDERING INSTRUCTIONS

MFMP Contract #: CR632

Bid Number:DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F31-1659318-003

VENDOR: Street Smart Rental, LLC

ADDRESS: 6811 137th NE

CITY, STATE, ZIP: Columbus, MN, 55025

TELEPHONE: 651-653-4648

TOLL FREE NO.: 888-653-6800

E-MAIL: rkilpatrick@streetsmartreental.com; jdrake@streetsmartrental.com; candria@streetsmartrental.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 60 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Ryan Kilpatrick - Government Sales Specialist, Jordan Drake, Southeast Region Sales Manager

ADDRESS: 5107 Edwards Road

CITY, STATE, ZIP: Taylors, SC, 29687

TELEPHONE: (864) 884-8140

TOLL FREE NO.:

E-MAIL ADDRESS: rkilpatrick@streetsmartreental.com; jdrake@streetsmartrental.com

WEB ADDRESS: https://www.streetsmartrental.com/

ORDERING INSTRUCTIONS

MFMP Contract #: CR633

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: RESELLER FOR PELCO PRODUCTS, INC. and SIEMENS RUGGEDCOM: All orders for Pelco Products, Inc. must be placed with the following Authorized Resellers (Transportation Control Systems, Inc. or Temple, Inc.) All orders for Siemens Ruggedcom must be placed with the following Authorized Resellers (Transportation Control Systems, Inc.; Temple, Inc.; or Intelligent Transportation Services, Inc.

FEDERAL EMPLOYER ID NUMBER (FEID): F63-0573758-001

VENDOR: Temple, Inc.

ADDRESS: 305 Bank St NE

CITY, STATE, ZIP: Decatur, AL 35601

TELEPHONE: 256 353-3820

TOLL FREE NO.: 800 633-3221

E-MAIL: orders@temple-inc.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30-180 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Keith Frasier, Florida Sales

ADDRESS: 305 Bank St. NE

CITY, STATE, ZIP: Decatur, AL 35601

TELEPHONE: 256 353-3820

TOLL FREE NO.: 800 633-3221

E-MAIL ADDRESS: keith.frasier@temple-inc.com

WEB ADDRESS: temple-inc.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR634

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F82-1328542-001

VENDOR: Think IT Ai (GovBros, LLC)

ADDRESS: 121 Madison Street South

CITY, STATE, ZIP: Saint Petersburg, Florida, 33711

TELEPHONE: 813-421-1606 ext. 1

TOLL FREE NO.: n/a

E-MAIL: insidesales@thinkitai.com

DELIVERY: DELIVERY WILL BE MADE WITHIN ***varies*** DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Charles Elliott

ADDRESS: 121 Madison Street South

CITY, STATE, ZIP: Saint Petersburg, Florida 33711

TELEPHONE: 813-421-1606 ext. 704

TOLL FREE NO.: n/a

E-MAIL ADDRESS: charles@thinkitai.com

WEB ADDRESS: https://thinkitai.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR635

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO: Orders can be placed with TKH Security, LLC, or these Authorized Resellers (Integrated Synergy, Inc.)

FEDERAL EMPLOYER ID NUMBER (FEID): F26-2047919-001

VENDOR: TKH Security LLC

ADDRESS: 5340 Spectrum Drive, Suite C

CITY, STATE, ZIP: Frederick, MD 21703

TELEPHONE: 301-444-2200

TOLL FREE NO.:

E-MAIL: sales.us@tkhsecurity.com

DELIVERY: DELIVERY WILL BE MADE WITHIN DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Amy Fleck, Sales & Markeing

ADDRESS: 5340 Spectrum Drive, Suite C

CITY, STATE, ZIP: Frederick, MD 21703

TELEPHONE: 301-444-2200 x 671

TOLL FREE NO.:

E-MAIL ADDRESS: a.fleck@tkhsecurity.com

WEB ADDRESS: tkhsecurity.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR636

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO: Orders can be placed with TKH Security, LLC, or these Authorized Resellers (Integrated Synergy, Inc.)

FEDERAL EMPLOYER ID NUMBER (FEID): F80-0830775-002

VENDOR: Integrated Synergy, Inc.

ADDRESS: PO Box 320154

CITY, STATE, ZIP: Cocoa Beach, Fl 32932

TELEPHONE: (321) 302-2060

TOLL FREE NO.:

E-MAIL: jenny@integratedsynergyinc.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR639

Bid Number: DOT-ITB-23-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: RESELLER FOR PELCO PRODUCTS, INC. and SIEMENS RUGGEDCOM: All orders for Pelco Products, Inc. must be placed with the following Authorized Resellers (Transportation Control Systems, Inc. or Temple, Inc.) All orders for Siemens Ruggedcom must be placed with the following Authorized Resellers (Transportation Control Systems, Inc.; Temple, Inc.; or Intelligent Transportation Services, Inc.

FEDERAL EMPLOYER ID NUMBER (FEID): 59-1673144

VENDOR: Transportation Control Systems, Inc.

ADDRESS: 1100 S. 86th Street

CITY, STATE, ZIP: Tampa, FL 33619

TELEPHONE: 813 630-2800

TOLL FREE NO.: 800 886-2735

E-MAIL: sales@tcstraffic.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30-180 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Cary Hudkins, Sales Engineer

ADDRESS: 1100 S. 86th Street

CITY, STATE, ZIP: Tampa, FL 33619

TELEPHONE: 813 630-2800

TOLL FREE NO.: 800 886-2735

E-MAIL ADDRESS: sales@tcstraffic.com

WEB ADDRESS: tcstraffic.com

ORDERING INSTRUCTIONS

MFMP Contract #: CR640

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): 821939113-001

VENDOR: Transportation Solutions and Lighting

ADDRESS: 980 N. Federal Hwy Suite 110

CITY, STATE, ZIP: Boca Raton, FL 33432

TELEPHONE: 800-216-4044

TOLL FREE NO.: 800-216-4044

E-MAIL: Sales@tsandl.us / brad@tsandl.us/ Customerservice@tsandl.us

DELIVERY: DELIVERY WILL BE MADE WITHIN 45 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Bradford Berner/ VP Sales

ADDRESS: 980 N. Federal Hwy Suite 110

CITY, STATE, ZIP: Boca Raton, FL 33432

TELEPHONE: 800-216-4044

TOLL FREE NO.: 800-216-4044

E-MAIL ADDRESS: Sales@tsandl.us / brad@tsandl.us/ Customerservice@tsandl.us

WEB ADDRESS: www.tsandl.us

ORDERING INSTRUCTIONS

MFMP Contract #: CR641

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): S98-1359787-001

VENDOR: Ver-Mac Inc.

ADDRESS: 3479 Pollok Drive

CITY, STATE, ZIP: Conroe, TX 77303

TELEPHONE: 418-644-1303

TOLL FREE NO.: 888-488-7446

E-MAIL: orders@ver-mac.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 30 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: Tommy Lockwood - Regional Sales Manager

ADDRESS: 3479 Pollok Drive

CITY, STATE, ZIP: Conroe, TX 77303

TELEPHONE: 336-250-0494

TOLL FREE NO.: 888-488-7446

E-MAIL ADDRESS: tommy.lockwood@ver-mac.com

WEB ADDRESS: www.ver-mac.com

ORDERING INSTRUCTIONS
MFMP Contract #: CR642

Bid Number: DOT-ITB-23-9037-SJ

Title: **FDOT APL Traffic Equipment**

NOTE: ALL ORDERS SHOULD BE DIRECTED TO:

FEDERAL EMPLOYER ID NUMBER (FEID): F82-0525153-001

VENDOR: Wavetronix, LLC.

ADDRESS: 1827 West 650 North

CITY, STATE, ZIP: Springville, Utah, 84663

TELEPHONE: (407) 366-5144

TOLL FREE NO.: N/A

E-MAIL: flsales@wavetronix.com

DELIVERY: DELIVERY WILL BE MADE WITHIN 90 DAYS AFTER RECEIPT OF PURCHASE ORDER.

PRODUCT INFORMATION: DIRECT QUESTIONS TO:

NAME & TITLE: FL Sales, Rick Martin, Sales Manager & Jan Siegler, Sales Manager

ADDRESS: 3000 Dovera Drive, Suite 100

CITY, STATE, ZIP: Oviedo, Florida, 32765

TELEPHONE: (407) 366-5144

TOLL FREE NO.: N/A

E-MAIL ADDRESS: flsales@wavetronix.com

WEB ADDRESS: www.wavetronix.com

Line Number	APL Certification #	Manufacturer	Product Category	Model/Product/Component Description	QTY./ Unit	Estimated Delivery Time (days)	Bid Price	Vendor
1	660-005-004	3M Bondo	Loop Sealant	BONDO P-606	5 Gallons	120	$ 639.60	Think IT Ai
2	700-023-008	Adaptive Micro Systems, LLC	Dynamic Message Sign - Front Access DMS	Alpha Express, AX2020 (RGB Full Color 20mm pitch)	1			No Award
3	700-024-005	Adaptive Micro Systems, LLC	Dynamic Message Sign - Embedded DMS	AX3500	1			No Award
4	700-019-007	All Traffic Solutions	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Shield Series	1			No Award
5	685-002-009	Alpha Technologies	Uninterruptible Power Supply	FXM 350 Series	1	182 - 196	$ 842.00	Temple, Inc.
6	685-002-009	Alpha Technologies	Uninterruptible Power Supply	FXM 650 Series	1	150	$ 1,831.00	Intelligent Transportation Services, Inc.
7	685-002-009	Alpha Technologies	Uninterruptible Power Supply	FXM 1100 Series	1	150	$ 2,196.00	Intelligent Transportation Services, Inc.
8	685-002-009	Alpha Technologies	Uninterruptible Power Supply	FXM 2000 Series	1	150	$ 2,835.00	Intelligent Transportation Services, Inc.
9	685-002-020	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 650 Series (650-48 with 4 - 56AH or larger batteries)	1	182 - 196	$ 2,592.00	Temple, Inc.
10	685-002-020	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 650 Series (650-24 with 2 - 56 AH or larger batteries)	1	182 - 196	$ 1,857.00	Temple, Inc.
11	685-002-020	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 1100 Series (with 4 - 56 Ah or larger batteries)	1	182 - 196	$ 2,858.00	Temple, Inc.
12	685-002-020	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 1100 Series (with 4 - 80 Ah or larger batteries)	1	182 - 196	$ 3,028.00	Temple, Inc.
13	685-002-020	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 2000 Series (with 4 - 100 Ah or larger batteries)	1	182 - 196	$ 3,356.00	Temple, Inc.
14	635-001-077	American Polymer Company	Pull Box and Cover	APC 1324 Series (13x24x18)	1			No Award
15	635-001-077	American Polymer Company	Pull Box and Cover	APC 1324 Series (13x24x24)	1			No Award
16	635-001-077	American Polymer Company	Pull Box and Cover	APC 1324 Series (13x24x36)	1			No Award
17	635-001-078	American Polymer Company	Pull Box and Cover	APC 1730 Series (17x30x18)	1			No Award
18	635-001-078	American Polymer Company	Pull Box and Cover	APC 1730 Series (17x30x24)	1			No Award
19	635-001-078	American Polymer Company	Pull Box and Cover	APC 1730 Series (17x30x36)	1			No Award
20	635-001-079	American Polymer Company	Pull Box and Cover	APC 2436 Series (24x36x18)	1			No Award
21	635-001-079	American Polymer Company	Pull Box and Cover	APC 2436 Series (24x36x24)	1			No Award
22	635-001-079	American Polymer Company	Pull Box and Cover	APC 2436 Series (24x36x36)	1			No Award
23	102-048-005	American Signal Company	Portable Changeable Message Sign (PCMS) - 18 inch Characters	CMS-T331	1			No Award
24	102-048-011	American Signal Company	Portable Changeable Message Sign (PCMS) - 18 inch Characters	CMS-T331.1D	1			No Award
25	102-052-003	American Signal Company	Portable Radar Speed Display Unit	Digibrite 100 Advantage	1			No Award
26	684-005-005	Antaira Technologies, LLC	Media Converter	IMP-C1000-SFP-bt-T	1	120	$ 620.40	Think IT Ai
27	684-005-005	Antaira Technologies, LLC	Media Converter	IMP-C1000-SFP-bt-24-T	1	120	$ 849.60	Think IT Ai
28	685-002-018	APC by Schneider Electric	Uninterruptible Power Supply	XU1K3LLXXRCC (with 4 - 50Ah batteries for ITS)	1	120	$ 6,143.75	Think IT Ai
29	685-002-018	APC by Schneider Electric	Uninterruptible Power Supply	XU1K3LLXXRCC (with 4 - 100Ah batteries for traffic signals)	1	160 days	$ 5,100.00	Cubic ITS, Inc.
32	635-001-020	Armorcast Products Company	Pull Box and Cover	A6001946TAPCX12 (13x24) (12 inch depth)	1			No Award
33	635-001-027	Armorcast Products Company	Pull Box and Cover	A6001640TAPCX Series (17x30) (l 12 inch depth)	1			No Award
34	635-001-027	Armorcast Products Company	Pull Box and Cover	A6001640TAPCX Series (17x30) (18 inch depth)	1			No Award
35	635-001-027	Armorcast Products Company	Pull Box and Cover	A6001640TAPCX Series (17x30) (22 inch depth)	1			No Award
36	635-001-027	Armorcast Products Company	Pull Box and Cover	A6001640TAPCX Series (17x30) (24 inch depth)	1			No Award
37	635-001-029	Armorcast Products Company	Pull Box and Cover	A6001430TAPCX (30x48) (36 inch depth)	1			No Award
38	635-001-030	Armorcast Products Company	Pull Box and Cover	A6001974TAPCX (24x36) (18 inch depth)	1			No Award
39	635-001-030	Armorcast Products Company	Pull Box and Cover	A6001974TAPCX (24x36) (24 inch depth)	1			No Award
40	635-001-030	Armorcast Products Company	Pull Box and Cover	A6001974TAPCX (24x36) (30 inch depth)	1			No Award
41	635-001-030	Armorcast Products Company	Pull Box and Cover	A6001974TAPCX (24x36) (36 inch depth)	1			No Award
42	635-001-030	Armorcast Products Company	Pull Box and Cover	A6001974TAPCX (24x36) (42 inch depth)	1			No Award
43	635-001-055	Armorcast Products Company	Pull Box and Cover	A6001460TAPCX (30x60) (24 inch depth)	1			No Award
44	635-001-055	Armorcast Products Company	Pull Box and Cover	A6001460TAPCX (30x60) (30 inch depth)	1			No Award
45	635-001-055	Armorcast Products Company	Pull Box and Cover	A6001460TAPCX (30x60) (36 inch depth)	1			No Award

46	635-001-055	Armorcast Products Company	Pull Box and Cover	A6001460TAPCX (30x60) (48 inch depth)	1			No Award
47	620-002-001	ASCO Power Technologies, L.P.	Surge Protective Device for 120V or 120_240V Power	Catalog #425; Formerly TE(xx)XCS10A Series	1			No Award
48	620-002-002	ASCO Power Technologies, L.P.	Surge Protective Device for 120V or 120_240V Power	Catalog #425; Formerly TE(xx)XCS104XA Series	1			No Award
49	620-002-004	ASCO Power Technologies, L.P.	Surge Protective Device for 120V or 120_240V Power	430 (Formerly TE(xx)XDS(yy)4XA Series)	1			No Award
50	620-002-005	ASCO Power Technologies, L.P.	Surge Protective Device for 120V or 120_240V Power	Catalog #420; Formerly SPDee S50A Series	1			No Award
51	620-002-009	ASCO Power Technologies, L.P.	Surge Protective Device for 120V or 120_240V Power	Catalog #340; Formerly G-Series	1			No Award
52	620-002-012	ASCO Power Technologies, L.P.	Surge Protective Device for 120V or 120_240V Power	Catalog #256; Formerly EMERSON/EDCO - SHA-1235 FS (Fomerly SHA1230FS)	1			No Award
53	682-002-016	Axis Communications	Camera - Dome	Q6075-E (01752-004)	1	30	$ 2,373.56	Control Technologies, Inc
54	682-002-017	Axis Communications	Camera - Dome	Q6125LE	1			No Award
55	682-004-003	Axis Communications	Camera - Thermal/Visible Hybrid	01442-004	1	90	$ 2,865.00	Intelligent Transportation Services, Inc.
56	682-005-002	Axis Communications	Camera - Fixed	01702-001	1	30	$ 1,369.64	Control Technologies, Inc
57	682-002-021	Axis Communications	Camera - Dome	01925-004	1	30	$ 2,341.95	Control Technologies, Inc
58	684-001-005	B+B SmartWorx	Device Server	VLINX VES Series	1	120	$575	Transportation Control Systems
59	684-001-007	B+B SmartWorx	Device Server	EKI15XX-CI-I	1	120	$1,250.00	Transportation Control Systems
60	684-002-017	B+B SmartWorx	Managed Field Ethernet Switch	EKI7700 series	1	120	$3,087.00	Transportation Control Systems
61	684-005-003	B+B SmartWorx	Media Converter	IMC-350I-SE-A	1	120	$764.00	Transportation Control Systems
62	660-005-030	BASF C C Building Systems	Loop Sealant	MasterSeal SL 180	5 Gallons			No Award
63	660-024-005	Blue-Band	BB-Coll-0001, BB-D-TX-0001	Collector & D-TX	1		APL Configurations	Blue-Band
64	660-027-011	BLYNCSY	Vehicle Detector - AVI (Automatic Vehicle Identification)	BLYNC 1218	1	30	$ 19,148.09	Control Technologies, Inc
65	682-002-019	Bosch Security Systems, Inc.	Camera - Dome	VG5-ITS1080P-30X6	1	90	$ 4,314.00	Transportation Control Systems
66	682-005-001	Bosch Security Systems, Inc.	Camera - Fixed	Bosch 8000I series (NDE-8502-R)	1	90	$ 3,000.00	Transportation Control Systems
67	682-005-001	Bosch Security Systems, Inc.	Camera - Fixed	Bosch 8000I series (NDE-8502-RT)	1	90	$ 3,000.00	Transportation Control Systems
68	682-005-001	Bosch Security Systems, Inc.	Camera - Fixed	Bosch 8000I series (NDE-8503-R)	1	90	$ 3,000.00	Transportation Control Systems
69	682-005-001	Bosch Security Systems, Inc.	Camera - Fixed	Bosch 8000I series (NDE-8503-RT)	1	90	$ 3,000.00	Transportation Control Systems
70	682-005-001	Bosch Security Systems, Inc.	Camera - Fixed	Bosch 8000I series (NDE-8504-R)	1	90	$ 3,000.00	Transportation Control Systems
71	682-005-001	Bosch Security Systems, Inc.	Camera - Fixed	Bosch 8000I series (NDE-8504-RT)	1	90	$ 3,000.00	Transportation Control Systems
72	682-001-008	Bosch Security Systems, Inc.	Camera - External Positioner	MIC-ITS4K-WE12X6	1	90	$ 13,894.00	Transportation Control Systems
73	682-001-008	Bosch Security Systems, Inc.	Camera - External Positioner	MIC-ITS4K-GE12X6	1	90	$ 13,894.00	Transportation Control Systems
74	682-001-009	Bosch Security Systems, Inc.	Camera - External Positioner	MIC IP HD Series (Firmware Version: 5.95.0011)	1	90	$ 8,840.00	Transportation Control Systems

75	620-004-007	BTU Research	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	BTU-POE-ETH	1	30 - 42	$ 48.00	Temple, Inc.
76	620-004-007	BTU Research	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	BTU-POE-PLUS	1	30 - 42	$ 52.00	Temple, Inc.
77	684-002-031	BTU Research	Managed Field Ethernet Switch	BTU-SS-150W/350WH-1400WH-L3-DOT	1			No Award
78	684-002-031	BTU Research	Managed Field Ethernet Switch	BTU-SS-150W-240/350WH-1400WH-L3	1			No Award
79	665-003-012	Campbell Company	Pedestrian Detector	DCC 200	1	30	$ 81.55	Control Technologies, Inc
80	665-004-010	Campbell Company	Audible/Tactile Pedestrian Detector	Guardian	1	30	$ 956.27	Control Technologies, Inc
81	654-001-004	Carmanah Technologies Corp.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	R920	1			No Award
82	654-001-005	Carmanah Technologies Corp.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SC315-SOLAR	1			No Award
83	654-001-006	Carmanah Technologies Corp.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SC315-AC	1			No Award
84	654-001-012	Carmanah Technologies Corp.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	R920-F	1	42 - 56	$ 4,381.00	Temple, Inc.
85	654-001-013	Carmanah Technologies Corp.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SC315-G	1	42 - 56	$ 4,047.00	Temple, Inc.
86	654-001-014	Carmanah Technologies Corp.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	R920E	1	42 - 56	$ 3,430.00	Temple, Inc.
87	700-019-001	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-15	1	42 - 56	$ 6,554.00	Temple, Inc.
88	700-019-002	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SC-18 SERIES	1	42 - 56	$ 7,530.00	Temple, Inc.
89	700-022-004	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	SpeedCheck-15-AS	1	42 - 56	$ 6,637.00	Temple, Inc.
90	700-026-004	Carmanah Technologies Corp.	Sign Beacon	R247E Red	1	42 - 56	$ 2,542.00	Temple, Inc.
91	700-026-013	Carmanah Technologies Corp.	Sign Beacon	R247-G Series	1	42 - 56	$ 3,667.00	Temple, Inc.
92	700-026-014	Carmanah Technologies Corp.	Sign Beacon	R829-G Series	1	42 - 56	$ 3,900.00	Temple, Inc.
93	700-026-020	Carmanah Technologies Corp.	Sign Beacon	R829-E	1	42 - 56	$ 2,653.00	Temple, Inc.
94	700-026-021	Carmanah Technologies Corp.	Sign Beacon	R829-F	1	42 - 56	$ 3,652.00	Temple, Inc.
95	700-026-022	Carmanah Technologies Corp.	Sign Beacon	R247-F	1	42 - 56	$ 3,624.00	Temple, Inc.
96	700-026-023	Carmanah Technologies Corp.	Sign Beacon	R820-F	1	42 - 56	$ 4,233.00	Temple, Inc.
97	700-026-024	Carmanah Technologies Corp.	Sign Beacon	R820-E	1	42 - 56	$ 3,149.00	Temple, Inc.
98	700-026-025	Carmanah Technologies Corp.	Sign Beacon	R820-G	1	42 - 56	$ 4,432.00	Temple, Inc.
99	700-027-005	Carmanah Technologies Corp.	Illuminated Sign - Highlighted Sign	LED Enhanced Sign V2	1	42 - 56	$ 873.00	Temple, Inc.
100	660-014-005	Carmanah Technologies Corp.	Wrong Way Vehicle Detection System	WW400D + WW400S (solar version)	1	56 - 70	$ 61,579.00	Temple, Inc.
101	660-014-005	Carmanah Technologies Corp.	Wrong Way Vehicle Detection System	WW400D + WW400S (AC version)	1	42 - 56	$ 39,957.00	Temple, Inc.
102	700-019-009	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SPEEDCHECK-12 (AC version)	1	42 - 56	$ 3,657.00	Temple, Inc.
103	700-019-009	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SPEEDCHECK-12 (solar version)	1		see configurations	Temple, Inc.
104	635-001-076	Channell Commercial Corporation	Pull Box and Cover	BULKU 1324-18	1			No Award
105	635-001-076	Channell Commercial Corporation	Pull Box and Cover	BULKU 1730-18	1			No Award
106	635-001-076	Channell Commercial Corporation	Pull Box and Cover	BULKU 2436-24	1			No Award
107	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE3200	1	30 days	$ 2,303.57	360 Network Solutions
108	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE3300	1	30 days	$ 2,624.44	360 Network Solutions
109	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE3400	1	30 days	$ 4,358.33	360 Network Solutions
110	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE4000 Series	1	120	$ 2,870.73	Think IT Ai
111	684-002-029	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE5000	1	30 days	$ 8,556.20	360 Network Solutions
112	684-002-030	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE4010	1	30 days	$ 5,567.54	360 Network Solutions
113	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	IE 2000 Series	1	120	$ 847.17	Think IT Ai
114	620-002-010	Citel, Inc.	Surge Protective Device for 120V or 120_240V Power	DS70RS Series (120V only)	1	30	$ 96.00	Intelligent Transportation Services, Inc.

115	620-002-011	Citel, Inc.	Surge Protective Device for 120V or 120_240V Power	M50-120S/T Series	1	30	$ 148.00	Intelligent Transportation Services, Inc.
116	620-002-011	Citel, Inc.	Surge Protective Device for 120V or 120_240V Power	DS72US/DS73US Series	1		See APL Configurations	Intelligent Transportation Services, Inc.
117	620-003-002	Citel, Inc.	Surge Protective Device at Point of Use	MLPC1 Series	1	30	$ 49.00	Intelligent Transportation Services, Inc.
118	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DLA-12D3 (12VDC)	1	30	$ 66.00	Intelligent Transportation Services, Inc.
119	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DS220S-24DC (24VAC)	1	30	$ 88.00	Intelligent Transportation Services, Inc.
120	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DS230S-48DC (48VDC)	1	30	$ 88.00	Intelligent Transportation Services, Inc.
121	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DLA-06D3 (2-wire RS422)	1	30	$ 66.00	Intelligent Transportation Services, Inc.
122	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DLA2-06D3 (4-wire RS422)	1	30	$ 88.00	Intelligent Transportation Services, Inc.
123	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	MJ8-Cat5E (Ethernet)	1	30	$ 65.00	Intelligent Transportation Services, Inc.
124	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	MJ8-POE-A (Ethernet)	1	30	$ 65.00	Intelligent Transportation Services, Inc.
125	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	MJ8-POE-B (Ethernet)	1	30	$ 65.00	Intelligent Transportation Services, Inc.
126	620-004-002	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DINBNC-HD (Video)	1	30	$ 68.00	Intelligent Transportation Services, Inc.
127	620-004-008	Citel, Inc.	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DLA2-12D3 Series	1	30	$ 88.00	Intelligent Transportation Services, Inc.
128	685-002-001	Clary Corporation	Uninterruptible Power Supply	SP560	1	168 - 182	$ 2,618.00	Temple, Inc.
129	685-002-001	Clary Corporation	Uninterruptible Power Supply	1250LE	1	168 - 182	$ 3,339.00	Temple, Inc.
130	685-002-001	Clary Corporation	Uninterruptible Power Supply	1250LX	1	168 - 182	$ 3,909.00	Temple, Inc.
131	685-002-001	Clary Corporation	Uninterruptible Power Supply	2000LX	1	168 - 182	$ 4,618.00	Temple, Inc.
132	641-008-001	CLS-North Star Lighting	Camera Lowering Device	CDP6-16HDxx	1		See APL Configurations	Intelligent Transportation Services, Inc.
133	641-008-001	CLS-North Star Lighting	Camera Lowering Device	CEPM-16HDxx	1		See APL Configurations	Intelligent Transportation Services, Inc.
134	684-001-006	Communication Networks	Device Server	CNFE3DOE2/M	1	30	$ 603.00	Intelligent Transportation Services, Inc.
135	684-002-006	Communication Networks	Managed Field Ethernet Switch	CNGE3FE8MS (POE)(HO)	1		See APL Configurations	Intelligent Transportation Services, Inc.
136	684-002-006	Communication Networks	Managed Field Ethernet Switch	CNGE11FX3TX8MS (POE)(HO)	1		See APL Configurations	Intelligent Transportation Services, Inc.
137	684-002-006	Communication Networks	Managed Field Ethernet Switch	CNGE20MS	1	30	$ 1,877.00	Intelligent Transportation Services, Inc.
138	684-005-002	Communication Networks	Media Converter	CLSeries	1		See APL Configurations	Intelligent Transportation Services, Inc.
139	684-005-002	Communication Networks	Media Converter	CN Series	1		See APL Configurations	Intelligent Transportation Services, Inc.
140	684-005-004	Communication Networks	Media Converter	FDX60 Serial data over fiber	1	30 days	$ 836.00	360 Network Solutions
141	684-002-039	Communication Networks	Managed Field Ethernet Switch	CNXE2GE2TX8MSPOE	1	30	$ 2,313.00	Intelligent Transportation Services, Inc.
142	684-002-035	Comtrol Corp	Managed Field Ethernet Switch	Rocketlinx ES8520-XT, 32142-2	1			No Award
143	676-002-007	Control Technologies	Wired Cabinet Assembly Type IV	TYPE IV	1	30	$ 10,764.67	Control Technologies, Inc
144	676-003-002	Control Technologies	Wired Cabinet Assembly Type V	TYPE V	1	30	$ 12,016.85	Control Technologies, Inc
145	676-009-005	Control Technologies	Wired Cabinet Assembly Type III	TYPE III	1	30	$ 9,512.51	Control Technologies, Inc
146	676-011-004	Control Technologies	Wired Cabinet Assembly Type I	CT-FL1	1	30	$ 1,993.20	Control Technologies, Inc
147	676-036-001	Control Technologies	170 Controller Cabinet	552-AT	1	30	$ 24,118.80	Control Technologies, Inc
148	676-036-003	Control Technologies	170 Controller Cabinet	660 AT	1	30	$ 24,853.27	Control Technologies, Inc

149	676-040-001	Control Technologies	170 Wired Cabinet Type 552	MD 552X	1	30	$ 23,398.87	Control Technologies, Inc
150	676-041-001	Control Technologies	170 Wired Cabinet Type 662	MD 660X	1	30	$ 24,126.07	Control Technologies, Inc
151	620-002-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for 120V or 120_240V Power	ZoneDefender PRO Series	1			No Award
152	620-003-001	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device at Point of Use	RackPro Series	1			No Award
153	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24574,12VDC	1			No Award
154	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB91172,12VDC	1			No Award
155	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24580, 24VAC	1			No Award
156	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24582, 48VDC	1			No Award
157	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB90957, 48VDC	1			No Award
158	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24584, Video	1			No Award
159	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24518, RS485	1			No Award
160	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24528, RS422	1			No Award
161	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24558, T1	1			No Award
162	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24596, Ethernet	1			No Award
163	620-004-006	Cooper Crouse-Hinds MTL (formerly Atlantic	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	ZoneBarrier ZB24597, POE	1			No Award
164	684-004-007	Core Tec Communications, LLC	Video Encoder	VCX-7401	1			No Award
165	653-001-001	Cost Cast, Inc.	Pedestrian Signal Bracket Sand Cast	1915	1	45	see config page	Transportation Solutions and Lighting
166	659-001-007	Cost Cast, Inc.	Vehicle Signal Bracket	1902,1902B	1	45	see config page	Transportation Solutions and Lighting
167	659-001-008	Cost Cast, Inc.	Vehicle Signal Bracket	1903,1903B	1	45	$ 193.00	Transportation Solutions and Lighting
168	659-001-009	Cost Cast, Inc.	Vehicle Signal Bracket	PN1904,1904B	1	45	$ 196.00	Transportation Solutions and Lighting
169	659-001-018	Cost Cast, Inc.	Vehicle Signal Bracket	1902B-C	1	45	$ 40.00	Transportation Solutions and Lighting
170	659-001-019	Cost Cast, Inc.	Vehicle Signal Bracket	1902XL-C	1	45	$ 382.00	Transportation Solutions and Lighting
171	659-001-020	Cost Cast, Inc.	Vehicle Signal Bracket	1902BXL-C	1	45	$ 414.00	Transportation Solutions and Lighting
172	659-001-026	Cost Cast, Inc.	Vehicle Signal Bracket	1903B	1	45	$ 217.00	Transportation Solutions and Lighting
173	659-001-027	Cost Cast, Inc.	Vehicle Signal Bracket	1902B	1	45	$ 96.00	Transportation Solutions and Lighting
174	659-001-032	Cost Cast, Inc.	Vehicle Signal Bracket	1917	1	45	$ 117.00	Transportation Solutions and Lighting
175	659-001-047	Cost Cast, Inc.	Vehicle Signal Bracket	1916A	1	45	$ 157.00	Transportation Solutions and Lighting
176	659-003-004	Cost Cast, Inc.	Signal Head Spacer	19812	1	45	$ 58.00	Transportation Solutions and Lighting
177	659-003-005	Cost Cast, Inc.	Signal Head Spacer	1908	1	45	$ 63.00	Transportation Solutions and Lighting
178	659-003-006	Cost Cast, Inc.	Signal Head Spacer	1912	1	45	$ 63.00	Transportation Solutions and Lighting

179	659-004-002	Cost Cast, Inc.	Disconnect Hanger	1901T	1	45	$ 216.50	Transportation Solutions and Lighting
180	659-004-005	Cost Cast, Inc.	Disconnect Hanger	1901T	1	45	$ 211.00	Transportation Solutions and Lighting
181	659-004-024	Cost Cast, Inc.	Disconnect Hanger	1900T	1	45	$ 125.00	Transportation Solutions and Lighting
182	659-004-025	Cost Cast, Inc.	Disconnect Hanger	1900T	1	45	$ 133.00	Transportation Solutions and Lighting
183	659-005-003	Cost Cast, Inc.	Adjustable Hanger	1906	1	45	$ 63.50	Transportation Solutions and Lighting
184	659-005-007	Cost Cast, Inc.	Adjustable Hanger	1906FLA	1	45	$ 61.00	Transportation Solutions and Lighting
185	659-010-002	Cost Cast, Inc.	Spanwire Clamp	1909	1	45	$ 40.00	Transportation Solutions and Lighting
186	659-011-007	Cost Cast, Inc.	Sign Bracket	1920-10	1	45	$ 31.00	Transportation Solutions and Lighting
187	659-011-008	Cost Cast, Inc.	Sign Bracket	1920-20	1	45	$ 34.00	Transportation Solutions and Lighting
188	659-011-009	Cost Cast, Inc.	Sign Bracket	1920-10D	1	45	$ 47.00	Transportation Solutions and Lighting
189	659-011-010	Cost Cast, Inc.	Sign Bracket	1920-20D	1	45	$ 51.00	Transportation Solutions and Lighting
190	659-011-016	Cost Cast, Inc.	Sign Bracket	1921-10	1	45	$ 30.00	Transportation Solutions and Lighting
191	659-011-017	Cost Cast, Inc.	Sign Bracket	1921-20	1	45	$ 31.00	Transportation Solutions and Lighting
192	659-011-023	Cost Cast, Inc.	Sign Bracket	1922	1	45	$ 93.00	Transportation Solutions and Lighting
193	659-011-026	Cost Cast, Inc.	Sign Bracket	1923	1	45	$ 71.00	Transportation Solutions and Lighting
194	659-011-029	Cost Cast, Inc.	Sign Bracket	1922A	1	45	$ 93.00	Transportation Solutions and Lighting
195	659-011-030	Cost Cast, Inc.	Sign Bracket	1916A	1	45	$ 119.00	Transportation Solutions and Lighting
196	659-013-001	Cost Cast, Inc.	Tri-Stud to Nipple Adapter	1914	1	45	$ 23.00	Transportation Solutions and Lighting
197	659-015-001	Cost Cast, Inc.	Extension Bar	1906-E	1	45	$ 40.00	Transportation Solutions and Lighting
198	659-026-002	Cost Cast, Inc.	Mast Arm Clamp	1919A	1	45	$ 41.00	Transportation Solutions and Lighting
199	659-030-001	Cost Cast, Inc.	Clevis Adaptor	1930	1	45	$ 28.00	Transportation Solutions and Lighting
200	659-031-007	Cost Cast, Inc.	Mast Arm Signal Mounting	PN 1927	1	45	$ 75.00	Transportation Solutions and Lighting
201	659-031-018	Cost Cast, Inc.	Mast Arm Signal Mounting	Value-Brac Model 1416-XX-XXX	1	45	see config page	Transportation Solutions and Lighting
202	659-035-007	Cost Cast, Inc.	Mast Arm Camera Mounting	1428-E-Cxx-Gyy	1	45	see config page	Transportation Solutions and Lighting
203	659-035-008	Cost Cast, Inc.	Mast Arm Camera Mounting	1444-CXX-2X48-1	1	45	see config page	Transportation Solutions and Lighting
204	659-036-001	Cost Cast, Inc.	Span Wire Sign Mounting	1919A	1	45	$ 42.00	Transportation Solutions and Lighting
205	665-003-016	Cost Cast, Inc.	Pedestrian Detector	1347-F	1	45	$ 85.00	Transportation Solutions and Lighting
206	682-001-005	CostarHD	Camera - External Positioner	Rise 4260 Series	1		See APL Configuations	Intelligent Transportation Services, Inc.

207	682-002-011	CostarHD	Camera - Dome	4220HD Series	1	30	$ 3,085.00	Intelligent Transportation Services, Inc.
208	682-004-002	CostarHD	Camera - Thermal/Visible Hybrid	RISE 4290 Series	1	30	$ 20,893.00	Intelligent Transportation Services, Inc.
209	660-015-036	Cubic ITS, Inc. (Gridsmart)	Vehicle Detector - Video	GS Series	1	30	$ 17,369.00	Cubic ITS, Inc.
210	660-003-035	Cubic ITS, Inc. (Trafficware)	Vehicle Loop Detector 1 Channel Auto Shelf Mount	710-TX / I	1			No Award
211	660-008-012	Cubic ITS, Inc. (Trafficware)	Vehicle Loop Detector 2 Channels Auto Rack Mount	722-TX / I	1			No Award
212	660-015-025	Cubic ITS, Inc. (Trafficware)	Vehicle Detector - Video	VU 2F	1			No Award
213	660-017-002	Cubic ITS, Inc. (Trafficware)	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	722 TXC	1			No Award
214	660-017-009	Cubic ITS, Inc. (Trafficware)	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	722L	1	160 days	$ 250.00	Cubic ITS, Inc.
215	660-022-004	Cubic ITS, Inc. (Trafficware)	Vehicle Detector - Loop 4 Channels TS2 Type D (with Timings)	724L	1	160 days	$ 400.00	Cubic ITS, Inc.
216	660-024-003	Cubic ITS, Inc. (Trafficware)	Wireless Magnetometer Assembly	VDS-POD	1			No Award
217	671-016-005	Cubic ITS, Inc. (Trafficware)	Controller - NEMA TS2 Type 1	980-A2100	1			No Award
218	671-016-008	Cubic ITS, Inc. (Trafficware)	Controller - NEMA TS2 Type 1	980 ATC Type 1	1	240 days	$ 2,600.00	Cubic ITS, Inc.
219	671-016-014	Cubic ITS, Inc. (Trafficware)	Controller - NEMA TS2 Type 1	Commander ATC Traffic Controller	1	240 days	$ 3,160.00	Cubic ITS, Inc.
220	671-017-003	Cubic ITS, Inc. (Trafficware)	Controller - NEMA TS2 Type 2	981-A1100	1			No Award
221	671-017-006	Cubic ITS, Inc. (Trafficware)	Controller - NEMA TS2 Type 2	980 ATC Type 2	1	240 days	$ 2,800.00	Cubic ITS, Inc.
222	671-017-014	Cubic ITS, Inc. (Trafficware)	Controller - NEMA TS2 Type 2	Commander ATC Traffic Controller	1	240 days	$ 3,630.00	Cubic ITS, Inc.
223	671-018-004	Cubic ITS, Inc. (Trafficware)	2070L Unit (Lite Unit for 170 Cabinet)	2070	1			No Award
224	671-019-007	Cubic ITS, Inc. (Trafficware)	2070 Unit (Full Unit for 170 Cabinet)	2070LX	1			No Award
225	671-020-001	Cubic ITS, Inc. (Trafficware)	2070LCN Unit (Lite Unit for TS1 Cabinet)	2070N	1			No Award
226	671-028-001	Cubic ITS, Inc. (Trafficware)	2070LC Unit (Lite Unit for ITS & TS2 Cabinets)	2070LN2	1	240 days	$ 4,995.00	Cubic ITS, Inc.
227	676-002-014	Cubic ITS, Inc. (Trafficware)	Wired Cabinet Assembly Type IV	70008-TS2FL4	1	240 days	$ 15,700.00	Cubic ITS, Inc.
228	676-003-010	Cubic ITS, Inc. (Trafficware)	Wired Cabinet Assembly Type V	P-44 70006-FL	1	240 days	$ 16,250.00	Cubic ITS, Inc.
229	676-004-040	Cubic ITS, Inc. (Trafficware)	Surge Protective Device	SRA-6LC LOOP	1			No Award
230	676-004-041	Cubic ITS, Inc. (Trafficware)	Surge Protective Device	SRA-6LCP LOOP	1			No Award
231	676-023-004	Cubic ITS, Inc. (Trafficware)	Wired Cabinet Assembly TS-2 Size 6	70006-TS2/FL	1	240 days	$ 16,900.00	Cubic ITS, Inc.
232	676-032-001	Cubic ITS, Inc. (Trafficware)	Wired Cabinet Assembly TS-2 19" Rack	70006-NITS	1			No Award
233	678-003-019	Cubic ITS, Inc. (Trafficware)	Conflict Monitor Type 12	SERIES 500	1			No Award
234	678-008-020	Cubic ITS, Inc. (Trafficware)	Time Switch Type 1	SERIES 100	1			No Award
235	678-016-002	Cubic ITS, Inc. (Trafficware)	Malfunction Management Unit Type 16	MMU-516	1			No Award
236	678-016-007	Cubic ITS, Inc. (Trafficware)	Malfunction Management Unit Type 16	MMU-516L-E	1	160 days	$ 1,341.00	Cubic ITS, Inc.
237	678-017-005	Cubic ITS, Inc. (Trafficware)	Cabinet Power Supply (TS2)	PS2D	1	160 days	$ 662.00	Cubic ITS, Inc.
238	678-018-002	Cubic ITS, Inc. (Trafficware)	Bus Interface Unit (TS2)	BIU-130	1			No Award
239	678-018-005	Cubic ITS, Inc. (Trafficware)	Bus Interface Unit (TS2)	BIU-700-TW	1	160 days	$ 376.00	Cubic ITS, Inc.
240	678-016-010	Cubic ITS, Inc. (Trafficware)	MMU2-16LEIP-TW	Trafficware Group, Malfunction Management Unit Type 16, MMU2-16LEIP-TW	1			No Award
241	700-020-005	Daktronics, Inc.	Dynamic Message Sign - Walk-In DMS	VF-2020 Series (Full Color 20mm pitch)	1		See APL Configurations	Daktronics
242	700-020-005	Daktronics, Inc.	Dynamic Message Sign - Walk-In DMS	VF-2020 Series (Full Color 34mm pitch)	1			No Award
243	700-023-001	Daktronics, Inc.	Dynamic Message Sign - Front Access DMS	VF-2420 Series (Monochrome Amber 46mm pitch)	1			No Award
244	700-023-003	Daktronics, Inc.	Dynamic Message Sign - Front Access DMS	VF-2420 Series (RGB Full Color 20mm pitch)	1		See APL Configurations	Daktronics
245	700-023-003	Daktronics, Inc.	Dynamic Message Sign - Front Access DMS	VF-2420 Series (RGB Full Color 34mm pitch)	1			No Award
246	700-023-007	Daktronics, Inc.	Dynamic Message Sign - Front Access DMS	VX-242X Series	1		See APL Configurations	Daktronics
247	700-024-001	Daktronics, Inc.	Dynamic Message Sign - Embedded DMS	VM-1020 Series (White/Amber/Tri-color 46mm pitch)	1			No Award
248	700-024-001	Daktronics, Inc.	Dynamic Message Sign - Embedded DMS	VM-1020 Series (White/Amber/Tri-color 66mm pitch)	1			No Award

249	700-024-001	Daktronics, Inc.	Dynamic Message Sign - Embedded DMS	VM-1020 Series (Full Color 20mm pitch)	1		See APL Configurations	Daktronics
250	700-025-002	Daktronics, Inc.	Dynamic Message Sign - DMS LED Retrofit Kit	Retrofit Series (Monochrome Amber 66mm and Color 20mm)	1			No Award
251	678-005-008	Deltrol Controls	Transfer Relay	295 SERIES	1	30	$ 61.56	Control Technologies, Inc
252	650-010-033	Dialight Corporation	12" LED Red Signal	433-1210-003XLF	1	98 - 112	$ 37.00	Temple, Inc.
253	650-010-038	Dialight Corporation	12" LED Red Signal	433-1210-003XLF15	1	98 - 112	$ 44.00	Temple, Inc.
254	650-011-022	Dialight Corporation	12" LED Red Arrow Signal	432-1314-001XODF	1	98 - 112	$ 44.00	Temple, Inc.
255	650-011-027	Dialight Corporation	12" LED Red Arrow Signal	432-1314-001XOF15	1	98 - 112	$ 56.00	Temple, Inc.
256	650-012-017	Dialight Corporation	12" LED Yellow Signal	433-3230-901XLF	1	98 - 112	$ 44.00	Temple, Inc.
257	650-012-023	Dialight Corporation	12" LED Yellow Signal	433-3230-901XLF15	1	98 - 112	$ 51.00	Temple, Inc.
258	650-013-021	Dialight Corporation	12" LED Green Signal	433-2220-001XLF	1	98 - 112	$ 40.00	Temple, Inc.
259	650-013-026	Dialight Corporation	12" LED Green Signal	433-2220-001XLF15	1	98 - 112	$ 48.00	Temple, Inc.
260	650-014-014	Dialight Corporation	12" LED Yellow Arrow Signal	431-3334-901XODF	1	98 - 112	$ 40.00	Temple, Inc.
261	650-014-019	Dialight Corporation	12" LED Yellow Arrow Signal	431-3334-901XOF15	1	98 - 112	$ 56.00	Temple, Inc.
262	650-015-014	Dialight Corporation	12" LED Green Arrow Signal	432-2324-001XODF	1	98 - 112	$ 42.00	Temple, Inc.
263	650-015-019	Dialight Corporation	12" LED Green Arrow Signal	432-2324-001XOF15	1	98 - 112	$ 56.00	Temple, Inc.
264	650-018-002	Dialight Corporation	Programmable Visibility Red LED Lamp for Optically Programmable Signal	P46-3R33-003	1	98 - 112	$ 56.00	Temple, Inc.
265	650-019-002	Dialight Corporation	Programmable Visibility Yellow LED Lamp for Optically Programmable Signal	P46-3Y33-003	1	98 - 112	$ 56.00	Temple, Inc.
266	650-020-002	Dialight Corporation	Programmable Visibility Green LED Lamp for Optically Programmable Signal	P46-3G33-003	1	98 - 112	$ 91.00	Temple, Inc.
267	653-017-014	Dialight Corporation	12" LED Hand and Person Module	430-6450-001XF	1	98 - 112	$ 126.00	Temple, Inc.
268	653-017-015	Dialight Corporation	12" LED Hand and Person Module	430-6472-001XF	1	98 - 112	$ 131.00	Temple, Inc.
269	653-022-011	Dialight Corporation	Countdown Pedestrian Signal	430-7773-001XF	1	98 - 112	$ 88.00	Temple, Inc.
270	653-022-014	Dialight Corporation	Countdown Pedestrian Signal	430-6479-805XF	1	98 - 112	$ 151.00	Temple, Inc.
271	684-001-001	Digi International	Device Server	Portserver TS Hcc Mei	1	120	$ 979.25	Think IT Ai
272	620-004-009	DITEK	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DTK-MRJPOES	1	60	$ 55.81	Think IT Ai
273	620-004-010	DITEK	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DTK-DR5B	1	60	$ 56.23	Think IT Ai
274	620-004-010	DITEK	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DTK-DR12B	1	60	$ 55.81	Think IT Ai
275	620-004-010	DITEK	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DTK-DR24B	1	60	$ 55.81	Think IT Ai
276	620-004-010	DITEK	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	DTK-DR48B	1	60	$ 60.00	Think IT Ai
277	660-005-024	Durant Performance Coatings	Loop Sealant	STAT-A-FLEX Loop Sealant	5 Gallons			No Award
278	660-003-043	Eberle Design Inc.	Vehicle Loop Detector 1 Channel Auto Shelf Mount	LMD301 SERIES	1			No Award
279	660-003-044	Eberle Design Inc.	Vehicle Loop Detector 1 Channel Auto Shelf Mount	LMD301t SERIES	1	30	$ 234.28	Control Technologies, Inc
280	660-008-025	Eberle Design Inc.	Vehicle Loop Detector 2 Channels Auto Rack Mount	LM222	1	30	$ 141.44	Control Technologies, Inc
281	660-008-032	Eberle Design Inc.	Vehicle Loop Detector 2 Channels Auto Rack Mount	LMD 602T	1			No Award
282	660-008-033	Eberle Design Inc.	Vehicle Loop Detector 2 Channels Auto Rack Mount	LM602 SERIES	1			No Award
283	660-008-034	Eberle Design Inc.	Vehicle Loop Detector 2 Channels Auto Rack Mount	LMD222 SERIES	1	30	$ 145.20	Control Technologies, Inc
284	660-008-035	Eberle Design Inc.	Vehicle Loop Detector 2 Channels Auto Rack Mount	LM602 SERIES	1			No Award
285	660-009-011	Eberle Design Inc.	Vehicle Loop Detector 4 Channels Auto Rack Mount	LMD604 SERIES	1			No Award

286	660-009-012	Eberle Design Inc.	Vehicle Loop Detector 4 Channels Auto Rack Mount	LMD604t SERIES	1		No Award
287	660-009-013	Eberle Design Inc.	Vehicle Loop Detector 4 Channels Auto Rack Mount	LMD224 SERIES	1	30	$ 299.36	Control Technologies, Inc
288	660-016-003	Eberle Design Inc.	Vehicle Detector - Loop 2 Channels TS2 Type A (no Timings)	LM622 SERIES	1	30	$ 141.44	Control Technologies, Inc
289	660-016-004	Eberle Design Inc.	Vehicle Detector - Loop 2 Channels TS2 Type A (no Timings)	LMD622 SERIES	1	30	$ 145.20	Control Technologies, Inc
290	660-017-007	Eberle Design Inc.	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	ORACLE 2E	1	30	$ 266.76	Control Technologies, Inc
291	660-017-008	Eberle Design Inc.	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	LMD 622T	1	30	$ 171.98	Control Technologies, Inc
292	660-022-005	Eberle Design Inc.	Vehicle Detector - Loop 4 Channels TS2 Type D (with Timings)	LMD624t SERIES	1	30	$ 330.88	Control Technologies, Inc
293	660-023-002	Eberle Design Inc.	Vehicle Detector - Loop 4 Channels TS2 Type B (no Timings)	LMD624 SERIES	1	30	$ 299.36	Control Technologies, Inc
294	678-003-010	Eberle Design Inc.	Conflict Monitor Type 12	SSM-12LE	1	30	$ 849.37	Control Technologies, Inc
295	678-004-004	Eberle Design Inc.	Load Switch	510	1	30	$ 44.48	Control Technologies, Inc
296	678-007-003	Eberle Design Inc.	Flasher Type 3	810	1	30	$ 45.57	Control Technologies, Inc
297	678-012-002	Eberle Design Inc.	Conflict Monitor Type 18	SSM-18LE	1		No Award
298	678-016-005	Eberle Design Inc.	Malfunction Management Unit Type 16	MMU-16LE (SMART MONITOR) SERIES	1		No Award
299	678-016-006	Eberle Design Inc.	Malfunction Management Unit Type 16	MMU-16E	1	30	$ 817.74	Control Technologies, Inc
300	678-016-008	Eberle Design Inc.	Malfunction Management Unit Type 16	MMU2-16LEip	1	30	$ 1,046.68	Control Technologies, Inc
301	678-017-003	Eberle Design Inc.	Cabinet Power Supply (TS2)	PS200	1	30	$ 378.27	Control Technologies, Inc
302	678-018-003	Eberle Design Inc.	Bus Interface Unit (TS2)	BIU-700	1	30	$ 291.12	Control Technologies, Inc
303	678-021-001	Eberle Design Inc.	Cabinet Power Supply (170)	206L	1	30	$ 281.91	Control Technologies, Inc
304	678-022-002	Eberle Design Inc.	Conflict Monitor for 170 Controllers	210ECL	1		No Award
305	678-023-001	Eberle Design Inc.	Conflict Monitor for 170/2070 Controllers	2010ECL SERIES	1	30	$ 712.29	Control Technologies, Inc
306	678-023-002	Eberle Design Inc.	Conflict Monitor for 170/2070 Controllers	2018KCL SERIES	1	30	$ 946.69	Control Technologies, Inc
307	678-023-003	Eberle Design Inc.	Conflict Monitor for 170/2070 Controllers	2018ECL SERIES	1	30	$ 981.60	Control Technologies, Inc
308	650-002-006	Econolite	12" Die Cast Vehicle Signal	BLACK D.C. WITH POLY	1		No Award
309	650-008-001	Econolite	Plastic Vehicle Signal Assembly	TP31F2APEON	1		No Award
310	650-022-001	Econolite	Backplate (Retroreflective)	E1694P4_-14-T2	1		No Award
311	650-022-001	Econolite	Backplate (Retroreflective)	E1612G6-14-T2	1		No Award
312	660-015-029	Econolite	Vehicle Detector - Video	AUTOSCOPE RACKVISION PRO2	1	80	$ 15,251.00	Econolite
313	660-015-037	Econolite	Vehicle Detector - Video	Vision	1	80	$ 28,791.00	Econolite
314	671-017-010	Econolite	Controller - NEMA TS2 Type 2	Cobalt 2100	1	40	$ 4,035.00	Econolite
315	671-018-006	Econolite	2070L Unit (Lite Unit for 170 Cabinet)	Safetran ATC 2070E	1	40	$ 5,514.00	Econolite
316	671-019-003	Econolite	2070 Unit (Full Unit for 170 Cabinet)	Safetran ATC 2070C	1	40	$ 5,514.00	Econolite
317	671-024-003	Econolite	NEMA-170 Controller Unit	Safetran Cobalt-RackMount	1	60	$ 5,050.00	Econolite
318	671-028-002	Econolite	2070LC Unit (Lite Unit for ITS & TS2 Cabinets)	2070E (Previous Certification Number: 67120740803011)	1		No Award
319	676-002-011	Econolite	Wired Cabinet Assembly Type IV	M	1	95	$ 15,971.00	Econolite
320	676-003-009	Econolite	Wired Cabinet Assembly Type V	P-44	1		No Award
321	676-023-001	Econolite	Wired Cabinet Assembly TS-2 Size 6	TS2-1-55-12 SIZE 6 TS2 CABINET	1	120	$ 21,500.00	Econolite
322	676-023-005	Econolite	Wired Cabinet Assembly TS-2 Size 6	5381	1	95	$ 18,039.00	Econolite
323	676-035-009	Econolite	ITS Field Cabinet	Safetran STCABS #1284	1	95	$ 5,972.00	Econolite
324	678-004-001	Econolite	Load Switch	31095 G1	1	50	$ 72.00	Econolite
325	678-005-002	Econolite	Transfer Relay	136 4992	1		No Award
326	678-006-001	Econolite	Flasher Type 1	31065 G1	1	50	$ 47.00	Econolite
327	678-017-001	Econolite	Cabinet Power Supply (TS2)	PS-2412 CABINET POWER SUPPLY TS2	1		No Award
328	678-017-004	Econolite	Cabinet Power Supply (TS2)	PS-200E	1		No Award
329	678-018-001	Econolite	Bus Interface Unit (TS2)	BIU-64	1	50	$ 234.00	Econolite
330	685-002-002	Econolite	Uninterruptible Power Supply	DBL “M” LED SERIES	1		No Award
331	685-002-017	Econolite	Uninterruptible Power Supply	Zinc Blue Gen 2 (ITS Cabinet requires 2 - 500W batteries)	1	50	$ 15,015.00	Econolite

332	685-002-017	Econolite	Uninterruptible Power Supply	Zinc Blue Gen 2 (Traffic Signal Cabinet requires 4-XRT 3600W batteries)	1	50	$ 16,065.00	Econolite
333	685-003-001	Econolite	Uninterruptible Power Supply (Real-Time Active Power Conditioner)	DBL “M” SERIES	1			No Award
334	676-011-008	Electrotechnics Corporation dba ELTEC	Wired Cabinet Assembly Type I	24 HOUR CAUTION SYSTEM	1			No Award
335	678-020-001	Electrotechnics Corporation dba ELTEC	GPS Time Switch	TimeSync1-GPS	1			No Award
336	700-026-008	Electrotechnics Corporation dba ELTEC	Sign Beacon	SCHOOLMASTER	1			No Award
337	676-035-020	Enclose Manufacturing	ITS Field Cabinet	ITS Field Cabinet 336S Wired Enclosure	1			No Award
338	676-035-021	Enclose Manufacturing	ITS Field Cabinet	334	1			No Award
339	676-035-022	Enclose Manufacturing	ITS Field Cabinet	332D	1			No Award
340	650-010-034	Excellence Opto. Inc.	12" LED Red Signal	TRV-R12SG-D2T	1			No Award
341	650-011-023	Excellence Opto. Inc.	12" LED Red Arrow Signal	TRA-R12DG-IN	1			No Award
342	650-012-018	Excellence Opto. Inc.	12" LED Yellow Signal	TRV-Y12SG-D1T	1			No Award
343	650-013-022	Excellence Opto. Inc.	12" LED Green Signal	TRV-G12SG-D2T	1			No Award
344	650-014-015	Excellence Opto. Inc.	12" LED Yellow Arrow Signal	TRA-Y12DG-IN2	1			No Award
345	650-015-015	Excellence Opto. Inc.	12" LED Green Arrow Signal	TRA-G12DG-IN	1			No Award
346	653-017-016	Excellence Opto. Inc.	12" LED Hand and Person Module	TRP-C45DG-W2	1			No Award
347	653-022-013	Excellence Opto. Inc.	Countdown Pedestrian Signal	TRP-C45D3154C10	1			No Award
348	684-002-034	Extreme Networks	Managed Field Ethernet Switch	ISW 4GbP, 2GbT, 2-SFP	1	90	$ 1,136.12	Think IT Ai
349	684-002-033	Extreme Networks	Managed Field Ethernet Switch	ISW 8GbP, 4-SFP	1	90	$ 1,389.01	Think IT Ai
350	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	VIP3D.1s	1	30	$ 2,396.43	Control Technologies, Inc
351	660-015-024	FLIR ITS (Traficon)	Vehicle Detector - Video	VIP3D.2s	1	30	$ 3,714.23	Control Technologies, Inc
352	660-015-034	FLIR ITS (Traficon)	Vehicle Detector - Video	Traficam2	1	30	$ 1,549.65	Control Technologies, Inc
353	660-015-043	FLIR ITS (Traficon)	Vehicle Detector - Video	10-7151, 10-7150	1	30	$ 3,513.09	Control Technologies, Inc
354	660-028-001	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TrafiSense ETH/BPL #xx Series	1			No Award
355	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TrafiSense 2 690/645/632	1	30	$ 4,951.18	Control Technologies, Inc
356	660-028-003	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TrafiSense Dual 690	1	30	$ 6,682.10	Control Technologies, Inc
357	660-028-003	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TrafiSense Dual 645	1	30	$ 6,682.10	Control Technologies, Inc
358	660-028-003	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TrafiSense Dual 632	1	30	$ 6,682.10	Control Technologies, Inc
359	665-006-001	FLIR ITS (Traficon)	Thermal Passive Pedestrian Detector	TrafiSense ETH/BPL 3xx Series	1			No Award
360	665-006-002	FLIR ITS (Traficon)	Thermal Passive Pedestrian Detector	TrafiOne 195	1	30	$ 2,407.89	Control Technologies, Inc
361	665-006-002	FLIR ITS (Traficon)	Thermal Passive Pedestrian Detector	TrafiOne 156	1	30	$ 2,407.89	Control Technologies, Inc
362	660-005-029	Freedom ROC Industries (Distributor for Tri-Ar	Loop Sealant	TA-500	5 Gallons			No Award
363	650-010-037	GE Current	12" LED Red Signal	DR6-RTFB-VLA-013	1	30 DAY	$ 30.95	General Traffic
364	650-011-028	GE Current	12" LED Red Arrow Signal	DR6-RTAAN-VLA	1	60	$ 32.50	Transportation Control Systems
365	650-012-022	GE Current	12" LED Yellow Signal	DR6-YTFB-VLA-013	1	30 DAYS	$ 30.95	General Traffic
366	650-013-025	GE Current	12" LED Green Signal	DR6-GTFB-VLA-013	1	30 DAYS	$ 30.95	General Traffic
367	650-014-020	GE Current	12" LED Yellow Arrow Signal	DR6-YTAAN-VLA	1	60	$ 32.50	Transportation Control Systems
368	650-015-020	GE Current	12" LED Green Arrow Signal	DR6-GTAAN-VLA	1	60	$ 32.50	Transportation Control Systems
369	650-018-001	GE Current	Programmable Visibility Red LED Lamp for Optically Programmable Signal	DR3-RCFB-01A	1	30 DAYS	$ 84.94	General Traffic
370	650-019-001	GE Current	Programmable Visibility Yellow LED Lamp for Optically Programmable Signal	DR3-YCFB-01A	1	30 DAYS	$ 84.95	General Traffic
371	650-020-001	GE Current	Programmable Visibility Green LED Lamp for Optically Programmable Signal	DR3-GCFB-01A	1	30 DAYS	$ 84.95	General Traffic
372	653-022-018	GE Current	Countdown Pedestrian Signal	PS7-CFF1-VLA	1	3 days	$ 95.00	Transportation Solutions and Lighting
373	653-023-002	GE Current	12" LED Walking Person Module	PS6-WFM3-26A	1			No Award
374	650-016-002	General Traffic Equipment Corporation	12" Die Cast All LED Vehicle Signal Assembly	T30-ALUM-RYG-T-B-B-B-BB	1	30 DAYS	$ 378.00	General Traffic
375	653-019-002	General Traffic Equipment Corporation	16" X 18" Die Cast Aluminum Pedestrian Signal	P7-CDLED-GV-OV-B	1	45 days	$ 140.00	Transportation Solutions and Lighting

376	653-019-002	General Traffic Equipment Corporation	16" X 18" Die Cast Aluminum Pedestrian Signal	P8-CDLED-GV-OV-B	1	45 days	$ 140.00	Transportation Solutions and Lighting
377	659-031-025	General Traffic Equipment Corporation	Mast Arm Signal Mounting	RM-1000C-96	1	45 days	$ 150.00	Transportation Solutions and Lighting
378	660-008-036	Global Traffic Technologies, LLC	Vehicle Loop Detector 2 Channels Auto Rack Mount	900 SERIES	1	60	$ 1,500.00	Transportation Control Systems
379	660-009-014	Global Traffic Technologies, LLC	Vehicle Loop Detector 4 Channels Auto Rack Mount	900 SERIES	1	60	$ 3,000.00	Transportation Control Systems
380	660-025-001	Global Traffic Technologies, LLC	Magnetometer Probe	M-701	1	60	$ 2,000.00	Transportation Control Systems
381	660-025-002	Global Traffic Technologies, LLC	Magnetometer Probe	M-702	1	60	$ 2,000.00	Transportation Control Systems
382	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector	1	60	$ 13,150.00	Transportation Control Systems
383	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector	1	60	$ 15,011.44	Transportation Control Systems
384	660-014-004	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS Series (Solar Version)	1		APL Configurations	Eco Partnering Innovations
385	682-005-003	GovComm, Inc.	Camera - Fixed	GC-IL-Series	1	30	$ 1,295.00	GovComm
386	700-027-007	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series	1	30	APL Configurations	GovComm
387	682-005-004	GovComm, Inc.	GC-IL-U Series	Fixed Bullet Style Camera - U Series	1	30	$ 1,275.00	GovComm
388	682-002-022	GovComm, Inc.	GC-ICPO-U Series	GovComm, Camera - Dome, GC-ICPO-U Series	1	30	APL Configurations	GovComm
389	682-001-010	GovComm, Inc.	GC-ICPO-U Series	GovComm, Camera - External Positioner, GC-ICPO-U Series	1	30	$ 3,975.00	GovComm
390	620-002-013	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD80K	1		See APL Configuration	Intelligent Transportation Services, Inc.
391	620-002-013	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD100K	1	30	$ 273.00	Intelligent Transportation Services, Inc.
392	620-002-013	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD120K	1		See APL Configuration	Intelligent Transportation Services, Inc.
393	620-002-014	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO120-1P-A	1	30	$ 90.00	Intelligent Transportation Services, Inc.
394	620-002-014	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO120-2S-A	1	30	$ 103.00	Intelligent Transportation Services, Inc.
395	620-002-014	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO277-2S-A APL	1	30	$ 105.00	Intelligent Transportation Services, Inc.
396	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO120 DIN	1	30	$ 45.00	Intelligent Transportation Services, Inc.
397	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO120 DIN-R	1	30	$ 48.00	Intelligent Transportation Services, Inc.
398	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO120/240 DIN	1	30	$ 86.00	Intelligent Transportation Services, Inc.
399	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO120/240 DIN-R	1	30	$ 90.00	Intelligent Transportation Services, Inc.
400	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO208/120 DIN	1	30	$ 118.00	Intelligent Transportation Services, Inc.
401	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO208/120 DIN R	1	30	$ 123.00	Intelligent Transportation Services, Inc.
402	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO277 DIN	1	30	$ 47.00	Intelligent Transportation Services, Inc.
403	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO277 DIN-R	1	30	$ 50.00	Intelligent Transportation Services, Inc.
404	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO480/240 DIN	1	30	$ 86.00	Intelligent Transportation Services, Inc.

405	620-002-015	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	PRO480/240 DIN-R	1	30	$ 90.00	Intelligent Transportation Services, Inc.
406	676-004-012	HESCO/RLS	Surge Protective Device	HE 300-15	1	30	$ 53.00	Intelligent Transportation Services, Inc.
407	676-004-028	HESCO/RLS	Surge Protective Device	HE1700	1	30	$ 59.00	Intelligent Transportation Services, Inc.
408	676-004-029	HESCO/RLS	Surge Protective Device	HE642C	1	30	$ 43.00	Intelligent Transportation Services, Inc.
409	676-004-033	HESCO/RLS	Surge Protective Device	HE1800	1	30	$ 65.00	Intelligent Transportation Services, Inc.
410	676-004-034	HESCO/RLS	Surge Protective Device	VLP SERIES	1		See APL Configuration	Intelligent Transportation Services, Inc.
411	102-044-005	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M90 (Previous QPL# S102-0911)	1			No Award
412	102-044-007	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection WAAW 15 SB (Previous QPL # S102-0915)	1			No Award
413	102-044-010	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection Protect-O-Flash (Previous QPL # S102-1008)	1			No Award
414	102-044-011	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection Arrow Master III (Previous QPL # S102-1007)	1			No Award
415	102-044-014	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection WAAW 155BWA (Previous QPL # S102-0921)	1			No Award
416	102-044-015	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection Arrowmaster Led46 (Previous QPL # S102-0918)	1			No Award
417	102-044-016	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M-90B (Previous QPL# S102-0919)	1			No Award
418	102-044-017	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection WAAW 155BSTD (Previous QPL # S102-0920)	1			No Award
419	102-044-018	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M-90D (Previous QPL# S102-0922)	1			No Award
420	102-044-019	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M-90C (Previous QPL# S102-0923)	1			No Award
421	102-044-035	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M90 E-Z (Previous QPL# S102-1023)	1			No Award
422	102-044-036	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection M90 E-Z 25 (Previous QPL # S102-1028)	1			No Award
423	102-044-037	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection M90 E 15 Light (Previous QPL # S102-1025)	1			No Award
424	102-044-038	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection M90 E-Z 15 Light (Previous QPL # S102-1026)	1			No Award
425	102-044-039	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Work Area Protection M90 E 25 Light (Previous QPL # S102-1027)	1			No Award
426	102-044-040	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M90 E (Previous QPL# S102-1021)	1			No Award
427	102-044-041	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M90 E-Z (Previous QPL# S102-1024)	1			No Award
428	102-044-042	Hill & Smith Inc.	Trailer Mounted Arrow Board	Formerly Protection Services M90 (Previous QPL# S102-1022)	1			No Award
429	102-045-005	Hill & Smith Inc.	Vehicle Mounted Arrow Board	Formerly Protection Services MiniPar36 PFVM-15-PC (Previous QPL# S102-1113)	1			No Award
430	102-045-008	Hill & Smith Inc.	Vehicle Mounted Arrow Board	Formerly Protection Services 4896 (Previous QPL# S102-1118)	1			No Award
431	102-048-014	Hill & Smith Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	Formerly Work Area Protection-Precision Solar Controls Inc SMC 1000HE	1			No Award
432	102-048-015	Hill & Smith Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	Formerly Work Area Protection-Precision Solar Controls Inc SMC 2000FM	1			No Award

433	102-048-016	Hill & Smith Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	Formerly Work Area Protection-Precision Solar Controls Inc SMC 1000 HE06	1			No Award
434	102-048-017	Hill & Smith Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	Formerly Work Area Protection-Precision Solar Controls Inc SMC 2000-FM06	1			No Award
435	102-048-021	Hill & Smith Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	Formerly Work Area Protection-Precision Solar Controls Inc SMC 1000 ST	1			No Award
436	102-050-001	Hill & Smith Inc.	Portable Regulatory Sign	Formerly Protection Services Protect-O-Flash Regulatory Sign (Previous QPL# S102-1301)	1			No Award
437	102-050-004	Hill & Smith Inc.	Portable Regulatory Sign	Formerly Work Area Protection-Precision Solar Controls Inc Solar Assist Sign Trailer	1			No Award
438	102-052-007	Hill & Smith Inc.	Portable Radar Speed Display Unit	Formerly Protection Services Con-SAM (Previous QPL# S102-1911)	1			No Award
439	684-002-032	Hirschmann	Managed Field Ethernet Switch	Bobcat BRS	1			No Award
440	102-055-001	Horizon Signal Technologies, Inc.	Portable Traffic Signal	MODEL SQ3TS	1	60 Days	$ 30,182.00	Street Smart Rental
441	102-055-002	Horizon Signal Technologies, Inc.	Portable Traffic Signal	MODEL SQ2	1	60 Days	$ 10,566.00	Street Smart Rental
442	660-020-010	Houston Radar, LLC.	SpeedLane Pro	SpeedLane Pro	1	42 - 56	$ 8,824.00	Temple, Inc.
443	660-020-006	Image Sensing Systems (formerly EIS)	Traffic Data Detection System - Microwave	Sx-300	1	30 days	$ 4,995.00	Blackhawk Enterprises
444	660-020-008	Image Sensing Systems (formerly EIS)	Traffic Data Detection System - Microwave	RTMS ECHO	1	30 days	$ 4,995.00	Blackhawk Enterprises
445	660-027-006	Image Sensing Systems (formerly EIS)	Vehicle Detector - AVI (Automatic Vehicle Identification)	D-Model	1			No Award
446	660-027-006	Image Sensing Systems (formerly EIS)	Vehicle Detector - AVI (Automatic Vehicle Identification)	S-Model	1		See APL Configurations	Intelligent Transportation Services, Inc.
447	660-015-011	Iteris, Inc.	Vehicle Detector - Video	VANTAGE EDGE2-2N +/-EXT MODULES	1			No Award
448	660-015-012	Iteris, Inc.	Vehicle Detector - Video	VANTAGE EDGE2-1N +/-EXT MODULES	1			No Award
449	660-015-031	Iteris, Inc.	Vehicle Detector - Video	Vantage Vector	1			No Award
450	660-015-033	Iteris, Inc.	Vehicle Detector - Video	Vantage SmartSpan	1			No Award
451	660-015-044	Iteris, Inc.	Vehicle Detector - Video	NEXT-CCU	1	90 days	$ 19,666.75	Iteris
452	660-015-045	Iteris, Inc.	Vehicle Detector - Video	NEXT-CCU-SM2-TS2	1	90 days	$ 11,770.25	Iteris
453	660-015-045	Iteris, Inc.	Vehicle Detector - Video	NEXT-CCU-SM4-TS2	1	90 days	$ 19,666.75	Iteris
454	660-015-046	Iteris, Inc.	Vehicle Detector - Video	NEXT-CCU-SM	1	90 days	$ 19,666.75	Iteris
455	660-018-009	Iteris, Inc.	Vehicle Detector - Microwave	Radius	1	90 days	$ 24,832.50	Iteris
456	660-027-002	Iteris, Inc.	Vehicle Detector - AVI (Automatic Vehicle Identification)	Vantage Velocity	1	90 days	$ 3,800.00	Iteris
457	660-027-007	Iteris, Inc.	Vehicle Detector - AVI (Automatic Vehicle Identification)	BlueTOAD Spectra (solar/cellular)	1	30 days	$ 6,300.00	Iteris
458	660-027-007	Iteris, Inc.	Vehicle Detector - AVI (Automatic Vehicle Identification)	BlueTOAD Spectra (AC/Ethernet)	1	30 days	$ 4,700.00	Iteris
459	684-002-007	ITS Express	Managed Field Ethernet Switch	ITS Express 8020	1	30	$ 899.99	Express Supply
460	684-002-028	ITS Express	Managed Field Ethernet Switch	ITS Express 8012-24 V3	1	30	$ 1,499.99	Express Supply
461	684-002-028	ITS Express	Managed Field Ethernet Switch	ITS Express 8012-24+ V3	1	30	$ 1,899.99	Express Supply
462	684-002-028	ITS Express	Managed Field Ethernet Switch	ITS Express 8042	1	30	$ 1,399.99	Express Supply
463	684-002-028	ITS Express	Managed Field Ethernet Switch	ITS Express 8042+	1	30	$ 1,599.99	Express Supply
464	660-015-040	ITS Plus, Inc.	Vehicle Detector - Video	ITSP-PM120PMCVE-4 (V100 card)	1	30	$ 11,600.00	ITS Plus
465	660-015-040	ITS Plus, Inc.	Vehicle Detector - Video	ITSP-PM120PMCVE-4 (V200 card)	1	30	$ 9,600.00	ITS Plus
466	102-055-004	John Thomas, Inc.	Portable Traffic Signal	ADDCO PTS-2000	1			No Award
467	102-060-005	John Thomas, Inc.	Automated Flagger Assistance Device (AFAD)	Trailer-Mounted	1			No Award
468	102-044-045	K&K Systems,Inc.	Trailer Mounted Arrow Board	AT154896	1	45 days	$ 3,983.00	K&K Systems, Inc.
469	102-044-046	K&K Systems,Inc.	Trailer Mounted Arrow Board	AT254896 - FOLD N GO	1	45 days	$ 4,329.00	K&K Systems, Inc.
470	102-044-047	K&K Systems,Inc.	Trailer Mounted Arrow Board	AT154896WT - 360 degree TELESCOPIC WINCH	1	45 days	$ 4,263.00	K&K Systems, Inc.
471	102-044-048	K&K Systems,Inc.	Trailer Mounted Arrow Board	AT254896WT	1	45 days	$ 4,498.00	K&K Systems, Inc.
472	102-045-018	K&K Systems,Inc.	Vehicle Mounted Arrow Board	AV154896	1	45 days	$ 1,795.00	K&K Systems, Inc.
473	102-045-019	K&K Systems,Inc.	Vehicle Mounted Arrow Board	AV254896	1	45 days	$ 2,097.00	K&K Systems, Inc.
474	102-045-020	K&K Systems,Inc.	Vehicle Mounted Arrow Board	AV253672	1	45 days	$ 2,072.00	K&K Systems, Inc.
475	102-045-021	K&K Systems,Inc.	Vehicle Mounted Arrow Board	AV153672	1	45 days	$ 1,770.00	K&K Systems, Inc.

476	102-045-023	K&K Systems,Inc.	Vehicle Mounted Arrow Board	AV153060	1	45 days	$ 1,657.00	K&K Systems, Inc.
477	102-045-024	K&K Systems,Inc.	Vehicle Mounted Arrow Board	AV253060	1	45 days	$ 1,969.00	K&K Systems, Inc.
478	102-048-024	K&K Systems,Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	CMS Series - MB14281	1	60 days	See configurations	K&K Systems, Inc.
479	102-048-025	K&K Systems,Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	CMS Series - MB3L	1	60 days	See configurations	K&K Systems, Inc.
480	102-050-003	K&K Systems,Inc.	Portable Regulatory Sign	KKWS30-4	1	60 days	$ 3,519.00	K&K Systems, Inc.
481	102-052-012	K&K Systems,Inc.	Portable Radar Speed Display Unit	2000R-18"	1	60 days	$ 7,184.00	K&K Systems, Inc.
482	102-059-006	K&K Systems,Inc.	Truck Mounted Changeable Message Sign	CMS SERIES - VCMS2748158	1	60 days	$ 8,848.00	K&K Systems, Inc.
483	102-059-007	K&K Systems,Inc.	Truck Mounted Changeable Message Sign	CMS Series - VCMS1848158	1	60 days	$ 7,300.00	K&K Systems, Inc.
484	102-072-001	K&K Systems,Inc.	Portable Changeable Message Sign (PCMS) - 12 inch Characters	CMS Series - MB9757 - Hydraulic	1	60 days	See configurations	K&K Systems, Inc.
485	654-001-010	K&K Systems,Inc.	Rectangular Rapid Flashing Beacon Assembly (RRFB)	ECO-RRFB SERIES	1	45 days	See configurations	K&K Systems, Inc.
486	660-014-003	K&K Systems,Inc.	Wrong Way Vehicle Detection System	WWVDS SERIES (solar)	1	60 days	$ 35,415.00	K&K Systems, Inc.
487	660-014-003	K&K Systems,Inc.	Wrong Way Vehicle Detection System	WWVDS SERIES (AC)	1	60 days	$ 26,630.00	K&K Systems, Inc.
488	700-019-006	K&K Systems,Inc.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	RPM Series	1	60 days	See configurations	K&K Systems, Inc.
489	700-026-015	K&K Systems,Inc.	Sign Beacon	112-D12	1	45 days	See configurations	K&K Systems, Inc.
490	700-026-015	K&K Systems,Inc.	Sign Beacon	112-S12	1	45 days	See configurations	K&K Systems, Inc.
491	700-026-017	K&K Systems,Inc.	Sign Beacon	117-D12	1	45 days	See configurations	K&K Systems, Inc.
492	700-026-017	K&K Systems,Inc.	Sign Beacon	116-S12	1	45 days	See configurations	K&K Systems, Inc.
493	700-026-017	K&K Systems,Inc.	Sign Beacon	115-S12	1	45 days	See configurations	K&K Systems, Inc.
494	700-026-017	K&K Systems,Inc.	Sign Beacon	118-D12	1	45 days	See configurations	K&K Systems, Inc.
495	700-027-002	K&K Systems,Inc.	Illuminated Sign - Highlighted Sign	MSAS-MUTCD	1	45 days	See configurations	K&K Systems, Inc.
496	654-002-007	Lanelight Traffic Technologies, Inc.	In-Roadway Light Assembly	MK10-FDOT	1			No Award
497	700-020-003	Ledstar Inc.	Dynamic Message Sign - Walk-In DMS	VMS-105-27x125 (Monochrome Amber 66mm pitch)	1			No Award
498	700-020-004	Ledstar Inc.	Dynamic Message Sign - Walk-In DMS	VMS-133 Series (Full Color 33mm pitch)	1			No Award
499	700-020-004	Ledstar Inc.	Dynamic Message Sign - Walk-In DMS	VMS-133 Series (Full Color 20mm pitch)	1			No Award
500	700-023-004	Ledstar Inc.	Dynamic Message Sign - Front Access DMS	VMS-136 Series (Full Color 33mm pitch)	1			No Award
501	700-023-004	Ledstar Inc.	Dynamic Message Sign - Front Access DMS	VMS-136 Series (Full Color 20mm pitch)	1			No Award
502	700-023-005	Ledstar Inc.	Dynamic Message Sign - Front Access DMS	VMS-136 Series (Monochrome Amber 46mm pitch)	1			No Award
503	700-024-003	Ledstar Inc.	Dynamic Message Sign - Embedded DMS	VMS-136 Series (Monochrome Amber 66mm pitch)	1			No Award
504	700-024-003	Ledstar Inc.	Dynamic Message Sign - Embedded DMS	VMS-136 Series (Full Color 33mm pitch)	1			No Award
505	700-024-003	Ledstar Inc.	Dynamic Message Sign - Embedded DMS	VMS-136 Series (Full Color 20mm pitch)	1			No Award
506	650-010-036	LEOTEK ELECTRONICS USA LLC	12" LED Red Signal	TSL-12R-LX-IL6-A1-P2	1			No Award
507	650-010-039	LEOTEK ELECTRONICS USA LLC	12" LED Red Signal	TSL-12R-DT-A1	1			No Award
508	650-011-026	LEOTEK ELECTRONICS USA LLC	12" LED Red Arrow Signal	TSL-12RA-IL6-A1	1			No Award
509	650-011-029	LEOTEK ELECTRONICS USA LLC	12" LED Red Arrow Signal	TSL-12RA-DT-A1	1			No Award
510	650-012-021	LEOTEK ELECTRONICS USA LLC	12" LED Yellow Signal	TSL-12Y-LX-IL6-A1-P2	1			No Award
511	650-012-024	LEOTEK ELECTRONICS USA LLC	12" LED Yellow Signal	TSL-12Y-DT-A1	1			No Award
512	650-013-024	LEOTEK ELECTRONICS USA LLC	12" LED Green Signal	TSL-12G-LX-IL6-A1-P2	1			No Award
513	650-013-027	LEOTEK ELECTRONICS USA LLC	12" LED Green Signal	TSL-12G-DT-A1	1			No Award
514	650-014-018	LEOTEK ELECTRONICS USA LLC	12" LED Yellow Arrow Signal	TSL-12YA-IL6-A1	1			No Award
515	650-014-021	LEOTEK ELECTRONICS USA LLC	12" LED Yellow Arrow Signal	TSL-12YA-DT-A1	1			No Award
516	650-015-018	LEOTEK ELECTRONICS USA LLC	12" LED Green Arrow Signal	TSL-12GA-IL6-A1	1			No Award
517	650-015-021	LEOTEK ELECTRONICS USA LLC	12" LED Green Arrow Signal	TSL-12GA-DT-A1	1			No Award
518	653-017-012	LEOTEK ELECTRONICS USA LLC	12" LED Hand and Person Module	TSL-PED-DP-16-FS	1			No Award

519	653-022-009	LEOTEK ELECTRONICS USA LLC	Countdown Pedestrian Signal	TSL-PED-16-CIL-9-FL	1			No Award
520	653-022-016	LEOTEK ELECTRONICS USA LLC	Countdown Pedestrian Signal	TSL-PED-16-CIL-P1	1			No Award
521	653-022-019	LEOTEK ELECTRONICS USA LLC	Countdown Pedestrian Signal	TSL-PED-16-SPC-V1	1			No Award
522	102-059-002	LiteSys, Inc.	Truck Mounted Changeable Message Sign	LiteReader VCMS 1020A-4	1	30	See APL Configurations & Support Supplies Tabs	LiteSys, Inc.
523	102-059-003	LiteSys, Inc.	Truck Mounted Changeable Message Sign	LiteReader VCMS 1020F-4	1	30	See APL Configurations & Support Supplies Tabs	LiteSys, Inc.
524	102-059-004	LiteSys, Inc.	Truck Mounted Changeable Message Sign	LiteReader VCMS 1030F-4	1	30	See APL Configurations & Support Supplies Tabs	LiteSys, Inc.
525	654-002-005	Lux Solar, Inc.	In-Roadway Light Assembly	LS1000+CWSYS	1	60	$ 22,638.00	Lux Solar
526	706-005-001	Lux Solar, Inc.	Raised Pavement Marker Class F	LS1000+ (Red/White)	1	45	$ 213.00	Lux Solar
527	706-005-001	Lux Solar, Inc.	Raised Pavement Marker Class F	LS1000+ (Red/Yellow)	1	45	$ 213.00	Lux Solar
528	706-005-001	Lux Solar, Inc.	Raised Pavement Marker Class F	LS1000+ (Yellow/Yellow)	1	45	$ 213.00	Lux Solar
529	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x12)	1			No Award
530	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x18)	1			No Award
531	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x24)	1			No Award
532	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x30)	1			No Award
533	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x36)	1			No Award
534	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x42)	1			No Award
535	635-001-056	Martin Enterprises	Pull Box and Cover	PC3048 (30x48x48)	1			No Award
536	635-001-057	Martin Enterprises	Pull Box and Cover	PC1730 (17x30x12)	1			No Award
537	635-001-057	Martin Enterprises	Pull Box and Cover	PC1730 (17x30x18)	1			No Award
538	635-001-057	Martin Enterprises	Pull Box and Cover	PC1730 (17x30x22)	1			No Award
539	635-001-057	Martin Enterprises	Pull Box and Cover	PC1730 (17x30x24)	1			No Award
540	635-001-057	Martin Enterprises	Pull Box and Cover	PC1730 (17x30x30)	1			No Award
541	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x12)	1			No Award
542	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x18)	1			No Award
543	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x24)	1			No Award
544	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x30)	1			No Award
545	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x36)	1			No Award
546	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x42)	1			No Award
547	635-001-058	Martin Enterprises	Pull Box and Cover	PC2436 (24x36x48)	1			No Award
548	635-001-059	Martin Enterprises	Pull Box and Cover	PC1324 (13x24x12)	1			No Award
549	635-001-059	Martin Enterprises	Pull Box and Cover	PC1324 (13x24x18)	1			No Award
550	650-001-008	McCain, Inc.	12" Polycarbonate Vehicle Signal	BLACK HOUSING W/GLASS OR POLY LENS	1	30	$ 101.00	Transportation Control Systems
551	650-002-007	McCain, Inc.	12" Die Cast Vehicle Signal	BLACK HOUSING W/GLASS OR POLY LENS	1	30	$ 137.00	Transportation Control Systems
552	650-005-002	McCain, Inc.	12" Die Cast Optically Programmable Signal Head	HPSTS-30-3	1	90	$ 5,634.00	Transportation Control Systems
553	650-008-002	McCain, Inc.	Plastic Vehicle Signal Assembly	M71645	1	30	$ 300.00	Transportation Control Systems
554	650-022-002	McCain, Inc.	Backplate (Retroreflective)	MODEL M6 SERIES (Aluminum Black Louvered with 2” Reflective 3M Tape: 1 Section – M44287)	1	90	$ 75.00	Transportation Control Systems
555	650-022-002	McCain, Inc.	Backplate (Retroreflective)	MODEL M6 SERIES (Aluminum Black Louvered with 2” Reflective 3M Tape: 2 Section – M44288)	1	90	$ 90.00	Transportation Control Systems
556	650-022-002	McCain, Inc.	Backplate (Retroreflective)	MODEL M6 SERIES (Aluminum Black Louvered with 2” Reflective 3M Tape: 3 Section – M66677)	1	90	$ 130.00	Transportation Control Systems

557	650-022-002	McCain, Inc.	Backplate (Retroreflective)	MODEL M6 SERIES (Aluminum Black Louvered with 2” Reflective 3M Tape: 4 Section – M44289)	1	90	$ 170.00	Transportation Control Systems
558	650-022-002	McCain, Inc.	Backplate (Retroreflective)	MODEL M6 SERIES (Aluminum Black Louvered with 2” Reflective 3M Tape: 5 Section In-Line – M66679)	1	90	$ 232.00	Transportation Control Systems
559	650-022-002	McCain, Inc.	Backplate (Retroreflective)	MODEL M6 SERIES (Aluminum Black Louvered with 2” Reflective 3M Tape: 5 Section Cluster – M66678)	1	90	$ 400.00	Transportation Control Systems
560	653-003-004	McCain, Inc.	12" X 12" Polycarbonate Pedestrian Signal	MPS TP013PT3	1	90	$ 300.00	Transportation Control Systems
561	653-019-001	McCain, Inc.	16" X 18" Die Cast Aluminum Pedestrian Signal	Model 8000 16" X 18" Die Cast Aluminum Pedestrian Signal Housing	1	90	$ 224.00	Transportation Control Systems
562	653-020-001	McCain, Inc.	16" X 18" Polycarbonate Pedestrian Signal	Model 8000 16" X 18" Polycarbonate Pedestrian Signal Housing	1	90	$ 125.00	Transportation Control Systems
563	671-012-003	McCain, Inc.	170E Controller Unit	170E-HC11	1	120	$ 4,642.00	Transportation Control Systems
564	671-016-011	McCain, Inc.	Controller - NEMA TS2 Type 1	XATC eX Type 1	1	120	$ 6,500.00	Transportation Control Systems
565	671-017-009	McCain, Inc.	Controller - NEMA TS2 Type 2	XATC eX Type 2	1	120	$ 6,500.00	Transportation Control Systems
566	671-018-005	McCain, Inc.	2070L Unit (Lite Unit for 170 Cabinet)	2070E	1	120	$ 6,500.00	Transportation Control Systems
567	671-019-005	McCain, Inc.	2070 Unit (Full Unit for 170 Cabinet)	2070LX	1	120	$ 6,500.00	Transportation Control Systems
568	676-033-001	McCain, Inc.	170 Unwired Cabinet Type 552	552 ENCLOSURE	1	120	$ 12,000.00	Transportation Control Systems
569	676-035-017	McCain, Inc.	ITS Field Cabinet	M55036 336S CABINET	1	120	$ 13,600.00	Transportation Control Systems
570	676-037-001	McCain, Inc.	170 Wired Cabinet Type 332	332 170 CABINET	1	120	$ 19,212.00	Transportation Control Systems
571	676-038-001	McCain, Inc.	170 Wired Cabinet Type 334	334C 170 CABINET	1	120	$ 30,000.00	Transportation Control Systems
572	676-039-001	McCain, Inc.	170 Wired Cabinet Type 336	336 170 CABINET	1	120	$ 15,326.00	Transportation Control Systems
573	676-040-002	McCain, Inc.	170 Wired Cabinet Type 552	M54852 552 CABINET	1	120	$ 26,092.00	Transportation Control Systems
574	676-042-001	McCain, Inc.	170/2070 Wired Cabinet Type 333	333JP	1	120	$ 21,954.00	Transportation Control Systems
575	678-020-003	McCain, Inc.	GPS Time Switch	Standalone UTB GPS Receiver	1	90	$ 1,500.00	Transportation Control Systems
576	620-002-008	Meter-Treater (dba MTI Surge)	Surge Protective Device for 120V or 120_240V Power	RCHW Series 120V	1			No Award
577	620-002-008	Meter-Treater (dba MTI Surge)	Surge Protective Device for 120V or 120_240V Power	RCHW Series 120/240V	1			No Award
578	620-004-004	Meter-Treater (dba MTI Surge)	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	CLT-CCV-2-M-5	1			No Award
579	620-004-005	Meter-Treater (dba MTI Surge)	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	SLT/IM-04S-U Series 232-TS (12VDC)	1			No Award
580	620-004-005	Meter-Treater (dba MTI Surge)	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	SLT/IM-04S-U Series CL1-TS (24VAC)	1			No Award
581	620-004-005	Meter-Treater (dba MTI Surge)	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	SLT/IM-04S-U Series CL2-TS (48VDC)	1			No Award
582	620-004-005	Meter-Treater (dba MTI Surge)	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	SLT/IM-04S-U Series TR0-TS (T1)	1			No Award
583	620-004-005	Meter-Treater (dba MTI Surge)	Surge Protective Device for Low Voltage Power, Control, Data and Signal Systems	SLT/IM-04S-U Series 422-TS-5 (RS422/RS485)	1			No Award
584	641-008-002	MG-Squared Inc.	Camera Lowering Device	CLDMG2	1	45-70 days	$ 10,821.00	MG-Squared
585	641-008-002	MG-Squared Inc.	Camera Lowering Device	CLDMG2-EXT	1	45-70 days	$ 13,488.00	MG-Squared

586	660-015-041	Miovision Technologies, Inc.	Vehicle Detector - Video	SmartSense	1	30	$ 30,824.00	Transportation Control Systems
587	660-027-009	Miovision Technologies, Inc.	Vehicle Detector - AVI (Automatic Vehicle Identification)	Spectrum Smartlink 1B	1	30	$ 6,472.00	Transportation Control Systems
588	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1	1	30	$ 47,424.00	Transportation Control Systems
589	650-001-012	MoboTrex (formally Brown Traffic Products, In	12" Polycarbonate Vehicle Signal	TA12 HOUSING W/12" POLY LENS	1			No Award
590	650-001-013	MoboTrex (formally Brown Traffic Products, In	12" Polycarbonate Vehicle Signal	HOUSING W/12" POLY OR GLASS LENS	1	210 - 224	$ 70.00	Temple, Inc.
591	650-002-011	MoboTrex (formally Brown Traffic Products, In	12" Die Cast Vehicle Signal	SG Aluminum Signal (includes old certification #: 65011010003011)	1	210 - 224	$ 122.00	Temple, Inc.
592	650-022-006	MoboTrex (formally Brown Traffic Products, In	Backplate (Retroreflective)	BPAR Series Backplate - 1 Section	1			No Award
593	650-022-006	MoboTrex (formally Brown Traffic Products, In	Backplate (Retroreflective)	BPAR Series Backplate - 2 Section	1			No Award
594	650-022-006	MoboTrex (formally Brown Traffic Products, In	Backplate (Retroreflective)	BPAR Series Backplate - 3 Section	1			No Award
595	650-022-006	MoboTrex (formally Brown Traffic Products, In	Backplate (Retroreflective)	BPAR Series Backplate - 4 Section	1			No Award
596	650-022-006	MoboTrex (formally Brown Traffic Products, In	Backplate (Retroreflective)	BPAR Series Backplate - 5 Section Inline	1			No Award
597	650-022-006	MoboTrex (formally Brown Traffic Products, In	Backplate (Retroreflective)	BPAR Series Backplate - 5 Section Cluster	1			No Award
598	653-002-007	MoboTrex (formally Brown Traffic Products, In	12" Pedestrian Signal Housing (Aluminum)	A85300	1			No Award
599	653-003-002	MoboTrex (formally Brown Traffic Products, In	12" X 12" Polycarbonate Pedestrian Signal	12" BLK. POLY W/ALZAK REF.GLASS LENS #KB642	1			No Award
600	653-003-005	MoboTrex (formally Brown Traffic Products, In	12" X 12" Polycarbonate Pedestrian Signal	12" X 12" Polycarbonate Pedestrian Signal	1			No Award
601	653-021-001	MoboTrex (formally Brown Traffic Products, In	16" X 18" All LED Pedestrian Signal	PED2001XXBB	1			No Award
602	653-024-002	MoboTrex (formally Brown Traffic Products, In	16" X 18" Die Cast Pedestrian Signal Housing	SG7SZ20C3FFF10-21	1	210 - 224	$ 154.00	Temple, Inc.
603	653-025-001	MoboTrex (formally Brown Traffic Products, In	16" X 18" Polycarbonate Pedestrian Signal Housing	SG7SZ10C3BBB10-21	1	210 - 224	$ 94.00	Temple, Inc.
604	676-023-003	MoboTrex (formally Brown Traffic Products, In	Wired Cabinet Assembly TS-2 Size 6	EL712FL	1			No Award
605	676-028-001	MoboTrex (formally Brown Traffic Products, In	Detector Rack TS2	CDR100	1	112 - 168	$ 396.00	Temple, Inc.
606	678-017-006	MoboTrex (formally Brown Traffic Products, In	Cabinet Power Supply (TS2)	CPS105	1	112 - 168	$ 491.00	Temple, Inc.
607	678-018-006	MoboTrex (formally Brown Traffic Products, In	Bus Interface Unit (TS2)	BIU200	1	112 - 168	$ 330.00	Temple, Inc.
608	684-001-004	MOXA	Device Server	NPort 6000 Series	1	120	$ 608.12	Think IT Ai
609	684-002-011	MOXA	Managed Field Ethernet Switch	EDS Series - EDS-510x-3GTXSFP-CT-T	1	120	$ 1,734.90	Think IT Ai
610	684-002-011	MOXA	Managed Field Ethernet Switch	EDS Series - EDS-G5xxE-4GSFP-CT-T	1	120	$ 1,914.00	Think IT Ai
611	660-018-005	MS Sedco	Vehicle Detector - Microwave	TC-CK1-SBE	1			No Award
612	660-018-006	MS Sedco	Vehicle Detector - Microwave	Intersector	1	120	$ 7,000.00	Transportation Control Systems
613	676-035-011	Multilink, Inc.	ITS Field Cabinet	TP-030-238-50	1	120	$ 6,267.00	Intelligent Transportation Services, Inc.
614	685-002-003	Multilink, Inc.	Uninterruptible Power Supply	EP 2200-T	1		See APL Configurations	Intelligent Transportation Services, Inc.
615	685-002-016	Multilink, Inc.	Uninterruptible Power Supply	EP650	1		See APL Configurations	Intelligent Transportation Services, Inc.
616	685-002-016	Multilink, Inc.	Uninterruptible Power Supply	EP1100	1		See APL Configurations	Intelligent Transportation Services, Inc.
617	685-002-019	Multilink, Inc.	Uninterruptible Power Supply	EDP 1000	1	45	$ 1,740.00	Intelligent Transportation Services, Inc.
618	685-002-019	Multilink, Inc.	Uninterruptible Power Supply	EDP 1500	1	45	$ 2,058.00	Intelligent Transportation Services, Inc.
619	685-002-019	Multilink, Inc.	Uninterruptible Power Supply	EDP 2000	1	45	$ 2,455.00	Intelligent Transportation Services, Inc.
620	700-015-029	Multilink, Inc.	Double Sided Sign Series	Internally Illuminated Street Sign	1			No Award
621	102-055-003	North America Traffic, Inc.	Portable Traffic Signal	Model PTL2.4x	1	60 Days	$ 29,584.00	Street Smart Rental
622	102-060-001	North America Traffic, Inc.	Automated Flagger Assistance Device (AFAD)	RCF 2.4	1	60 Days	$ 15,152.00	Street Smart Rental
623	635-001-033	Oldcastle Infrastructure	Pull Box and Cover	S2436B Series (24x36x18)	1			No Award
624	635-001-033	Oldcastle Infrastructure	Pull Box and Cover	S2436B Series (24x36x18)	1			No Award
625	635-001-033	Oldcastle Infrastructure	Pull Box and Cover	S2436B Series (24x36x18)	1			No Award

626	635-001-072	Oldcastle Infrastructure	Pull Box and Cover	1324 Duralite Series (13x24x12)	1			No Award
627	635-001-072	Oldcastle Infrastructure	Pull Box and Cover	1324 Duralite Series (13x24x18)	1			No Award
628	635-001-073	Oldcastle Infrastructure	Pull Box and Cover	1730 Duralite Series (17x30x12)	1			No Award
629	635-001-073	Oldcastle Infrastructure	Pull Box and Cover	1730 Duralite Series (17x30x18)	1			No Award
630	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC1324 (13x24x12)	1			No Award
631	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC1324 (13x24x18)	1			No Award
632	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC1324 (13x24x24)	1			No Award
633	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC1324 (13x24x36)	1			No Award
634	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC 1730 (17x30x12)	1			No Award
635	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC 1730 (17x30x18)	1			No Award
636	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC 1730 (17x30x24)	1			No Award
637	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC 1730 (17x30x36)	1			No Award
638	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC2436 (24x36x12)	1			No Award
639	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC2436 (24x36x18)	1			No Award
640	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC2436 (24x36x24)	1			No Award
641	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC2436 (24x36x36)	1			No Award
642	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC3048 (30x48x12)	1			No Award
643	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC3048 (30x48x18)	1			No Award
644	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC3048 (30x48x24)	1			No Award
645	635-001-074	Oldcastle Infrastructure	Pull Box and Cover	Series PC3048 (30x48x36)	1			No Award
646	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault 39" round (24" depth)	1			No Award
647	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault 39" round (36" depth)	1			No Award
648	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC1324 (13x24x24)	1			No Award
649	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC1324 (13x24x36)	1			No Award
650	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC1730 (17x30x24)	1			No Award
651	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC1730 (17x30x36)	1			No Award
652	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC2436 (24x36x24)	1			No Award
653	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC2436 (24x36x36)	1			No Award
654	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC3048 (30x48x24)	1			No Award
655	635-001-075	Oldcastle Infrastructure	Pull Box and Cover	OC Polymer Duravault PC3048 (30x48x36)	1			No Award
656	700-012-013	Orange Traffic	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LS Series	1	112 - 126	$ 3,653.00	Temple, Inc.
657	650-001-006	Oriux (formerly Peek Traffic)	12" Polycarbonate Vehicle Signal	ALL BLACK W/GLASS OR POLY LENS	1	120	see config page	Transportation Solutions and Lighting
658	650-002-005	Oriux (formerly Peek Traffic)	12" Die Cast Vehicle Signal	12" DIECAST BLACK ALZAK SWING RELECT. GLASS	1	120	see config page	Transportation Solutions and Lighting
659	650-007-001	Oriux (formerly Peek Traffic)	8" Polycarbonate Vehicle Signal	BLK, METAL REFL.W/GLASS OR POLY LENS SILIC	1			No Award
660	653-002-001	Oriux (formerly Peek Traffic)	12" Pedestrian Signal Housing (Aluminum)	7037FL	1			No Award
661	653-002-002	Oriux (formerly Peek Traffic)	12" Pedestrian Signal Housing (Aluminum)	7037FL	1			No Award
662	653-002-006	Oriux (formerly Peek Traffic)	12" Pedestrian Signal Housing (Aluminum)	12" BLK. D.C. W/ALZAK REF.GLASS LENS	1			No Award
663	660-008-020	Oriux (formerly Peek Traffic)	Vehicle Loop Detector 2 Channels Auto Rack Mount	222N GP6	1			No Award
664	660-008-021	Oriux (formerly Peek Traffic)	Vehicle Loop Detector 2 Channels Auto Rack Mount	222T GP62	1			No Award
665	660-013-001	Oriux (formerly Peek Traffic)	Pre-Formed Loop Assembly	1705-025-050	1			No Award
666	671-016-009	Oriux (formerly Peek Traffic)	Controller - NEMA TS2 Type 1	ATC-1000	1	120	$ 3,245.00	Transportation Solutions and Lighting
667	671-017-007	Oriux (formerly Peek Traffic)	Controller - NEMA TS2 Type 2	ATC-1000	1	120	$ 3,610.00	Transportation Solutions and Lighting
668	676-001-001	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type II	TYPE II CAB	1			No Award
669	676-002-001	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type IV	TYPE IV CAB	1	120	$ 13,608.00	Transportation Solutions and Lighting
670	676-002-010	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type IV	TYPE IV CAB	1	120	$ 13,608.00	Transportation Solutions and Lighting

671	676-003-003	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type V	TYPE V CAB	1	120	$ 15,228.00	Transportation Solutions and Lighting
672	676-003-008	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type V	TYPE V CAB	1	120	$ 15,228.00	Transportation Solutions and Lighting
673	676-003-011	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type V	8030-100480 TYPE V	1	120	$ 15,228.00	Transportation Solutions and Lighting
674	676-004-005	Oriux (formerly Peek Traffic)	Surge Protective Device	V150HE150	1			No Award
675	676-009-007	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type III	TYPE III WIRED	1			No Award
676	676-009-009	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly Type III	TYPE III WIRED	1			No Award
677	676-023-002	Oriux (formerly Peek Traffic)	Wired Cabinet Assembly TS-2 Size 6	CWD-1241	1	120	$ 16,200.00	Transportation Solutions and Lighting
678	678-003-001	Oriux (formerly Peek Traffic)	Conflict Monitor Type 12	1200	1			No Award
679	678-016-009	Oriux (formerly Peek Traffic)	Malfunction Management Unit Type 16	SG-1000	1	120	$ 1,020.00	Transportation Solutions and Lighting
680	678-018-004	Oriux (formerly Peek Traffic)	Bus Interface Unit (TS2)	BIU 2012 Model 82-1933-01	1	120	$ 222.00	Transportation Solutions and Lighting
681	650-022-005	Pelco Products, Inc.	Backplate (Retroreflective)	BK-8000-RTX-FL	1	30-180 Days	$ 426.10	Pelco Products
682	650-023-001	Pelco Products, Inc.	Visors	SM-1028	1	30-180 Days	$ 122.24	Pelco Products
683	650-024-001	Pelco Products, Inc.	Louvers	GL-1010-07	1	30-180 Days	$ 466.82	Pelco Products
684	653-001-003	Pelco Products, Inc.	Pedestrian Signal Bracket Sand Cast	SP-1012-FL	1	30-180 Days	$ 136.84	Pelco Products
685	653-001-004	Pelco Products, Inc.	Pedestrian Signal Bracket Sand Cast	SP-1011-FL	1	30-180 Days	$ 128.82	Pelco Products
686	653-005-001	Pelco Products, Inc.	Brackets for Die Cast Pedestrian Signal	2054-T	1			No Award
687	653-005-003	Pelco Products, Inc.	Brackets for Die Cast Pedestrian Signal	2055-T	1			No Award
688	653-005-004	Pelco Products, Inc.	Brackets for Die Cast Pedestrian Signal	2056-T	1			No Award
689	653-005-005	Pelco Products, Inc.	Brackets for Die Cast Pedestrian Signal	2057-TLP	1			No Award
690	653-005-006	Pelco Products, Inc.	Brackets for Die Cast Pedestrian Signal	2059	1			No Award
691	659-001-001	Pelco Products, Inc.	Vehicle Signal Bracket	2042	1			No Award
692	659-001-002	Pelco Products, Inc.	Vehicle Signal Bracket	2021	1			No Award
693	659-001-003	Pelco Products, Inc.	Vehicle Signal Bracket	2022	1			No Award
694	659-001-004	Pelco Products, Inc.	Vehicle Signal Bracket	2031	1			No Award
695	659-001-005	Pelco Products, Inc.	Vehicle Signal Bracket	2032	1			No Award
696	659-001-006	Pelco Products, Inc.	Vehicle Signal Bracket	2041	1			No Award
697	659-001-028	Pelco Products, Inc.	Vehicle Signal Bracket	3075	1			No Award
698	659-001-029	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1028-FL	1			No Award
699	659-001-030	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1026-FL	1	30-180 Days	$ 240.32	Pelco Products
700	659-001-031	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1027-FL	1	30-180 Days	$ 80.68	Pelco Products
701	659-001-034	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1016-FL	1	30-180 Days	$ 167.48	Pelco Products
702	659-001-035	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1018-FL	1	30-180 Days	$ 181.30	Pelco Products
703	659-001-036	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1015-FL	1	30-180 Days	$ 293.10	Pelco Products
704	659-001-037	Pelco Products, Inc.	Vehicle Signal Bracket	SP-1017-FL	1	30-180 Days	$ 290.46	Pelco Products
705	659-001-044	Pelco Products, Inc.	Vehicle Signal Bracket	SP-2016-FL	1	30-180 Days	$ 229.98	Pelco Products
706	659-003-001	Pelco Products, Inc.	Signal Head Spacer	3008	1			No Award
707	659-003-002	Pelco Products, Inc.	Signal Head Spacer	3012	1			No Award
708	659-004-006	Pelco Products, Inc.	Disconnect Hanger	1150-12/18-T	1			No Award
709	659-004-007	Pelco Products, Inc.	Disconnect Hanger	1150-18-T	1			No Award
710	659-004-010	Pelco Products, Inc.	Disconnect Hanger	1155-18T	1			No Award
711	659-004-011	Pelco Products, Inc.	Disconnect Hanger	1155-12T	1			No Award
712	659-004-018	Pelco Products, Inc.	Disconnect Hanger	SP-1021-FL	1	30-180 Days	$ 647.08	Pelco Products
713	659-004-019	Pelco Products, Inc.	Disconnect Hanger	SP-1022-FL	1	30-180 Days	$ 711.08	Pelco Products
714	659-004-026	Pelco Products, Inc.	Disconnect Hanger	SP-1095-FL	1			No Award
715	659-005-001	Pelco Products, Inc.	Adjustable Hanger	2075T	1			No Award
716	659-005-005	Pelco Products, Inc.	Adjustable Hanger	SE-5055	1	30-180 Days	$ 138.56	Pelco Products
717	659-005-008	Pelco Products, Inc.	Adjustable Hanger	SP-1029-FL	1	30-180 Days	$ 236.90	Pelco Products
718	659-010-001	Pelco Products, Inc.	Spanwire Clamp	2079	1			No Award

719	659-010-005	Pelco Products, Inc.	Spanwire Clamp	SE-0321	1	30-180 Days	$ 96.56	Pelco Products
720	659-010-006	Pelco Products, Inc.	Spanwire Clamp	SE-0338	1	30-180 Days	$ 90.60	Pelco Products
721	659-010-010	Pelco Products, Inc.	Spanwire Clamp	SE-3211	1	30-180 Days	$ 93.42	Pelco Products
722	659-011-001	Pelco Products, Inc.	Sign Bracket	2093	1			No Award
723	659-011-001	Pelco Products, Inc.	Sign Bracket	2093-XL	1			No Award
724	659-011-001	Pelco Products, Inc.	Sign Bracket	2094	1			No Award
725	659-011-001	Pelco Products, Inc.	Sign Bracket	2094-XL	1			No Award
726	659-011-013	Pelco Products, Inc.	Sign Bracket	3075-SB	1			No Award
727	659-011-020	Pelco Products, Inc.	Sign Bracket	SP-1031-FL	1	30-180 Days	$ 429.82	Pelco Products
728	659-011-021	Pelco Products, Inc.	Sign Bracket	SP-1032-FL	1	30-180 Days	$ 404.92	Pelco Products
729	659-011-028	Pelco Products, Inc.	Sign Bracket	SP-1071-FL	1			No Award
730	659-011-031	Pelco Products, Inc.	Sign Bracket	SP-1072-FL	1	30-180 Days	$ 791.30	Pelco Products
731	659-013-002	Pelco Products, Inc.	Tri-Stud to Nipple Adapter	2051	1			No Award
732	659-015-003	Pelco Products, Inc.	Extension Bar	SE-0507-72	1	30-180 Days	$ 75.48	Pelco Products
733	659-016-002	Pelco Products, Inc.	Spanwire Clamp Adapter	1156-T	1			No Award
734	659-016-003	Pelco Products, Inc.	Spanwire Clamp Adapter	SE-0371	1	30-180 Days	$ 40.34	Pelco Products
735	659-016-004	Pelco Products, Inc.	Spanwire Clamp Adapter	1156-C	1			No Award
736	659-031-009	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1079-FL	1		See APL Configurations	Intelligent Transportation Services, Inc.
737	659-031-010	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1110-FL	1	30-180 Days	$ 393.26	Pelco Products
738	659-031-011	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1006-FL	1	30-180 Days	$ 503.36	Pelco Products
739	659-031-012	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1008-FL	1	30-180 Days	$ 847.90	Pelco Products
740	659-031-019	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1118-FL	1	30-180 Days	$ 181.30	Pelco Products
741	659-031-020	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1119-FL	1	30-180 Days	$ 574.68	Pelco Products
742	659-031-021	Pelco Products, Inc.	Mast Arm Signal Mounting	EC-3075	1			No Award
743	659-031-022	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1127-FL	1	30-180 Days	$ 344.44	Pelco Products
744	659-031-026	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1132-FL	1	30-180 Days	$ 754.24	Pelco Products
745	659-031-027	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1130-FL	1	30-180 Days	$ 488.00	Pelco Products
746	659-031-028	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1128-FL	1	30-180 Days	$ 268.68	Pelco Products
747	659-034-002	Pelco Products, Inc.	Mast Arm Sign Mounting	SP-1074-FL	1	30-180 Days	$ 402.22	Pelco Products
748	659-034-003	Pelco Products, Inc.	Mast Arm Sign Mounting	SP-1010-FL	1	30-180 Days	$ 393.26	Pelco Products
749	659-034-004	Pelco Products, Inc.	Mast Arm Sign Mounting	SP-1009-FL	1	30-180 Days	$ 524.60	Pelco Products
750	659-034-009	Pelco Products, Inc.	Mast Arm Sign Mounting	SP-1079-FL	1	30-180 Days	$ 309.14	Pelco Products
751	659-034-010	Pelco Products, Inc.	Mast Arm Sign Mounting	SP-1131-FL	1	30-180 Days	$ 353.52	Pelco Products
752	659-035-004	Pelco Products, Inc.	Mast Arm Camera Mounting	SP-1114-FL	1	30-180 Days	$ 1,042.44	Pelco Products
753	659-035-005	Pelco Products, Inc.	Mast Arm Camera Mounting	SP-1106-FL	1	30-180 Days	$ 519.10	Pelco Products
754	659-035-009	Pelco Products, Inc.	Mast Arm Camera Mounting	SP-1129-FL	1	30-180 Days	$ 883.42	Pelco Products
755	659-037-002	Pelco Products, Inc.	Span Wire Signal Mounting	SP-1083-FL	1	30-180 Days	$ 301.72	Pelco Products
756	659-037-003	Pelco Products, Inc.	Span Wire Signal Mounting	SP-1050-FL	1	30-180 Days	$ 270.30	Pelco Products
757	659-037-004	Pelco Products, Inc.	Span Wire Signal Mounting	SP-1112-FL	1	30-180 Days	$ 1,301.10	Pelco Products
758	659-038-001	Pelco Products, Inc.	Mast Arm Detector Mounting	SP-1113-FL	1	30-180 Days	$ 137.26	Pelco Products
759	665-002-001	Pelco Products, Inc.	Pedestrian Detector Sign	P.N. SF SERIES	1			No Award
760	665-003-005	Pelco Products, Inc.	Pedestrian Detector	2060-P-B	1			No Award
761	665-003-010	Pelco Products, Inc.	Pedestrian Detector	SP-1090-FL	1	30-180 Days	$ 138.18	Pelco Products
762	665-003-015	Pelco Products, Inc.	Pedestrian Detector	Passport Piezo Pushbutton, 2-hole SP-1111-FL	1	30-180 Days	$ 248.86	Pelco Products
763	665-003-015	Pelco Products, Inc.	Pedestrian Detector	Passport Piezo Pushbutton, 4-hole SP-1125-FL	1	30-180 Days	$ 337.14	Pelco Products
764	665-004-009	Pelco Products, Inc.	Audible/Tactile Pedestrian Detector	IntelliCross	1	30-180 Days	$ 1,328.34	Pelco Products
765	659-011-032	Pelco Products, Inc.	Sign Bracket	SP-1140-FL	1	30-180 Days	$ 486.92	Pelco Products
766	682-002-018	Pelco, A Motorola Solutions Company	Camera - Dome	S7230L-EW*	1			No Award
767	635-001-053	Pencell Plastics, Inc. (Division of Hubbell)	Pull Box and Cover	DT-1324	1			No Award
768	684-001-002	Pepperl+Fuchs Inc.	Device Server	DeviceMaster RTS Series	1	120	$ 670.27	Think IT Ai
769	684-001-003	Pepperl+Fuchs Inc.	Device Server	DeviceMaster PRO Series	1	120	$ 1,215.60	Think IT Ai
770	659-031-023	PM Casting Ltd - Traffic Hardware + Design	Mast Arm Signal Mounting	CUL-348V	1			No Award
771	654-003-001	Polara Enterprises, LLC	RRFB - Accessible Pedestrian Pushbutton	iNX	1	42 - 56	$ 524.00	Temple, Inc.

772	665-003-011	Polara Enterprises, LLC	Pedestrian Detector	BDL3 Series Piezo Pushbutton	1	28 - 42	$ 113.00	Temple, Inc.
773	665-004-007	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iN3	1			No Award
774	665-004-008	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iN2	1			No Award
775	665-004-011	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iNS3 Pushbutton Station, iPHCU3S Ped Head Control Unit	1	28 - 42	$ 811.00	Temple, Inc.
776	665-004-012	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iNS2 Pushbutton Station, iCCU-S2 Central Control Unit	1	42 - 56	$ 6,816.00	Temple, Inc.
777	665-004-013	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iDS2 Pushbutton Station, iCCU-S2 Central Control Unit	1	42 - 56	$ 7,079.00	Temple, Inc.
778	665-004-014	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iDS3 Pushbutton Station with Touchless Actuation Feature	1	42 - 56	$ 829.00	Temple, Inc.
779	665-005-005	Polara Enterprises, LLC	Mid-Block Pedestrian Detector	XAV2E-LED	1			No Award
780	665-005-006	Polara Enterprises, LLC	Mid-Block Pedestrian Detector	iDX	1	42 - 56	$ 520.00	Temple, Inc.
781	671-016-013	Q-Free America, Inc.	Controller - NEMA TS2 Type 1	X3-1	1			No Award
782	671-017-013	Q-Free America, Inc.	Controller - NEMA TS2 Type 2	X3	1			No Award
783	671-019-002	Q-Free America, Inc.	2070 Unit (Full Unit for 170 Cabinet)	2070-LDX	1	30	$ 3,964.25	Control Technologies, Inc
784	671-016-015	Q-Free America, Inc.	Controller - NEMA TS2 Type 1	XN-1	1	30	$ 3,265.58	Control Technologies, Inc
785	671-017-015	Q-Free America, Inc.	Controller - NEMA TS2 Type 2	XN-2	1	30	$ 3,592.82	Control Technologies, Inc
786	635-001-012	Quazite (Division of Hubbell)	Pull Box and Cover	PG2436BA18	1			No Award
787	635-001-012	Quazite (Division of Hubbell)	Pull Box and Cover	PG2436BA24	1			No Award
788	635-001-012	Quazite (Division of Hubbell)	Pull Box and Cover	PG2436BA30	1			No Award
789	635-001-012	Quazite (Division of Hubbell)	Pull Box and Cover	PG2436BA36	1			No Award
790	635-001-014	Quazite (Division of Hubbell)	Pull Box and Cover	PG1730BA12	1			No Award
791	635-001-014	Quazite (Division of Hubbell)	Pull Box and Cover	PG1730BA18	1			No Award
792	635-001-014	Quazite (Division of Hubbell)	Pull Box and Cover	PG1730BA22	1			No Award
793	635-001-014	Quazite (Division of Hubbell)	Pull Box and Cover	PG1730BA24	1			No Award
794	635-001-014	Quazite (Division of Hubbell)	Pull Box and Cover	PG1730BA28	1			No Award
795	635-001-014	Quazite (Division of Hubbell)	Pull Box and Cover	PG1730BA30	1			No Award
796	635-001-025	Quazite (Division of Hubbell)	Pull Box and Cover	PG1324BA12	1			No Award
797	635-001-025	Quazite (Division of Hubbell)	Pull Box and Cover	PG1324BA18	1			No Award
798	635-001-049	Quazite (Division of Hubbell)	Pull Box and Cover	A22390014A	1			No Award
799	635-001-049	Quazite (Division of Hubbell)	Pull Box and Cover	A22390028A	1			No Award
800	635-001-049	Quazite (Division of Hubbell)	Pull Box and Cover	A22390030A	1			No Award
801	635-001-049	Quazite (Division of Hubbell)	Pull Box and Cover	A22390036A	1			No Award
802	635-001-049	Quazite (Division of Hubbell)	Pull Box and Cover	A22390039A (round)	1			No Award
803	635-001-050	Quazite (Division of Hubbell)	Pull Box and Cover	A24243618A	1			No Award
804	635-001-050	Quazite (Division of Hubbell)	Pull Box and Cover	A24243624A	1			No Award
805	635-001-050	Quazite (Division of Hubbell)	Pull Box and Cover	A24243630A	1			No Award
806	635-001-050	Quazite (Division of Hubbell)	Pull Box and Cover	A24243642A	1			No Award
807	635-001-051	Quazite (Division of Hubbell)	Pull Box and Cover	A24132412A	1			No Award
808	635-001-051	Quazite (Division of Hubbell)	Pull Box and Cover	A24132418A	1			No Award
809	635-001-052	Quazite (Division of Hubbell)	Pull Box and Cover	A24173012A	1			No Award
810	635-001-052	Quazite (Division of Hubbell)	Pull Box and Cover	A24173018A	1			No Award
811	635-001-052	Quazite (Division of Hubbell)	Pull Box and Cover	A24173022A	1			No Award
812	635-001-060	Quazite (Division of Hubbell)	Pull Box and Cover	PG3060BA12	1			No Award
813	635-001-060	Quazite (Division of Hubbell)	Pull Box and Cover	PG3060BA30	1			No Award
814	635-001-060	Quazite (Division of Hubbell)	Pull Box and Cover	PG3060BA36	1			No Award
815	635-001-061	Quazite (Division of Hubbell)	Pull Box and Cover	PG3048BA18	1			No Award
816	635-001-061	Quazite (Division of Hubbell)	Pull Box and Cover	PG3048BA24	1			No Award
817	635-001-061	Quazite (Division of Hubbell)	Pull Box and Cover	PG3048BA36	1			No Award
818	635-001-062	Quazite (Division of Hubbell)	Pull Box and Cover	PR3943BA18	1			No Award
819	635-001-063	Quazite (Division of Hubbell)	Pull Box and Cover	PR3944BA24	1			No Award
820	635-001-063	Quazite (Division of Hubbell)	Pull Box and Cover	PR3944BA48	1			No Award
821	635-001-064	Quazite (Division of Hubbell)	Pull Box and Cover	PR2733BA48	1			No Award
822	635-001-065	Quazite (Division of Hubbell)	Pull Box and Cover	PR2732BA36	1			No Award
823	660-001-032	Reno A&E	Vehicle Loop Detector 2 Channels Auto Shelf Mount	S-1200 SERIES	1	60	$ 636.00	Transportation Control Systems

824	660-001-033	Reno A&E	Vehicle Loop Detector 2 Channels Auto Shelf Mount	S-1201 SERIES	1	60	$ 814.00	Transportation Control Systems
825	660-001-034	Reno A&E	Vehicle Loop Detector 2 Channels Auto Shelf Mount	T-210 SERIES	1	60	$ 380.00	Transportation Control Systems
826	660-003-038	Reno A&E	Vehicle Loop Detector 1 Channel Auto Shelf Mount	L-1200 SERIES	1	60	$ 408.00	Transportation Control Systems
827	660-003-039	Reno A&E	Vehicle Loop Detector 1 Channel Auto Shelf Mount	L-1201 SERIES	1	60	$ 488.00	Transportation Control Systems
828	660-003-040	Reno A&E	Vehicle Loop Detector 1 Channel Auto Shelf Mount	T-100 SERIES	1	60	$ 284.00	Transportation Control Systems
829	660-003-041	Reno A&E	Vehicle Loop Detector 1 Channel Auto Shelf Mount	T-110 SERIES	1	60	$ 324.00	Transportation Control Systems
830	660-006-017	Reno A&E	Vehicle Loop Detector 4 Channels Auto Shelf Mount	U-1200 SERIES	1	60	$ 850.00	Transportation Control Systems
831	660-008-024	Reno A&E	Vehicle Loop Detector 2 Channels Auto Rack Mount	222 SERIES	1	60	$ 230.00	Transportation Control Systems
832	660-008-031	Reno A&E	Vehicle Loop Detector 2 Channels Auto Rack Mount	C-1100 SERIES	1	60	$ 390.00	Transportation Control Systems
833	660-009-010	Reno A&E	Vehicle Loop Detector 4 Channels Auto Rack Mount	E-1100-SS	1	60	$ 550.00	Transportation Control Systems
834	660-016-002	Reno A&E	Vehicle Detector - Loop 2 Channels TS2 Type A (no Timings)	G-200 SERIES	1	60	$ 230.00	Transportation Control Systems
835	660-017-003	Reno A&E	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	C-1200 SERIES	1	60	$ 400.00	Transportation Control Systems
836	660-017-004	Reno A&E	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	C-1201 SERIES	1	60	$ 512.00	Transportation Control Systems
837	660-017-005	Reno A&E	Vehicle Detector - Loop 2 Channels TS2 Type C (with Timings)	GT-200 SERIES	1	60	$ 400.00	Transportation Control Systems
838	660-022-001	Reno A&E	Vehicle Detector - Loop 4 Channels TS2 Type D (with Timings)	E-1200 SERIES	1	60	$ 550.00	Transportation Control Systems
839	660-022-002	Reno A&E	Vehicle Detector - Loop 4 Channels TS2 Type D (with Timings)	E/2-1200 SERIES	1	60	$ 550.00	Transportation Control Systems
840	660-023-001	Reno A&E	Vehicle Detector - Loop 4 Channels TS2 Type B (no Timings)	Y-200 SERIES	1	60	$ 360.00	Transportation Control Systems
841	678-004-014	Reno A&E	Load Switch	LS-200	1	30	$ 40.00	Transportation Control Systems
842	678-007-013	Reno A&E	Flasher Type 3	FL-200	1	30	$ 40.00	Transportation Control Systems
843	680-002-001	Rhythm Engineering	Adaptive Signal Control System	InSync/InSync Fusion	1			No Award
844	660-005-014	Royal Adhesives & Sealants Canada, Ltd.	Loop Sealant	Q-SEAL 290	5 Gallons			No Award
845	660-005-015	Royal Adhesives & Sealants Canada, Ltd.	Loop Sealant	Q-SEAL 295 TWO PART	5 Gallons			No Award
846	676-011-009	RTC Manufacturing, Inc.	Wired Cabinet Assembly Type I	502598LCB24 Series	1	60	$ 2,708.00	Transportation Control Systems
847	676-011-010	RTC Manufacturing, Inc.	Wired Cabinet Assembly Type I	502507-24	1	60	$ 1,818.00	Transportation Control Systems
848	676-011-011	RTC Manufacturing, Inc.	Wired Cabinet Assembly Type I	502598SW24 Series	1	60	$ 2,004.00	Transportation Control Systems
849	678-009-005	RTC Manufacturing, Inc.	Time Switch Type 2	AP-22	1	60	$ 746.00	Transportation Control Systems
850	700-026-009	RTC Manufacturing, Inc.	Sign Beacon	502598LCB Series	1	60	$ 2,798.00	Transportation Control Systems
851	700-026-010	RTC Manufacturing, Inc.	Sign Beacon	502507	1	60	$ 2,564.00	Transportation Control Systems
852	700-026-011	RTC Manufacturing, Inc.	Sign Beacon	502598SW Series	1	60	$ 4,650.00	Transportation Control Systems

853	700-026-016	RTC Manufacturing, Inc.	Sign Beacon	Guardian Series	1	60	$ 1,044.00	Transportation Control Systems
854	660-018-007	s.m.s, smart microwave sensors GmbH	Vehicle Detector - Microwave	UMRR-0C Type 42	1			No Award
855	660-018-010	s.m.s, smart microwave sensors GmbH	Vehicle Detector - Microwave	TRUGRD Stream	1	30	$ 5,069.68	Control Technologies, Inc
856	660-024-001	Sensys Networks, Inc.	Wireless Magnetometer Assembly	VDS240	1			No Award
857	660-024-002	Sensys Networks, Inc.	Wireless Magnetometer Assembly	APCC Series	1		$ 6,372.00	Temple, Inc.
858	700-024-002	SES America, Inc.	Dynamic Message Sign - Embedded DMS	M5000 (Monochrome Amber 66mm pitch)pitch)	1			No Award
859	700-024-002	SES America, Inc.	Dynamic Message Sign - Embedded DMS	M5000 (Full Color 33mm pitch)	1			No Award
860	700-024-002	SES America, Inc.	Dynamic Message Sign - Embedded DMS	M5000 (Full Color 20mm pitch)	1			No Award
861	700-024-002	SES America, Inc.	Dynamic Message Sign - Embedded DMS	M5000 (Monochrome White 66mm pitch)	1			No Award
862	700-025-001	SES America, Inc.	Dynamic Message Sign - DMS LED Retrofit Kit	DMS Retrofit Kit (Monochrome Amber 66mm pitch)	1			No Award
863	700-023-010	SES America, Inc.	Dynamic Message Sign - Front Access DMS	M6000 FAFC-33	1			No Award
864	684-002-001	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RS900	1	30-100	$ 2,890.00	Siemens
865	684-002-001	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RS900G	1	30-100	$ 3,878.00	Siemens
866	684-002-003	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RSGXXXX Series	1	30-100	$ 7,664.00	Siemens
867	684-002-018	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RUGGEDCOM RX1500	1	30-110	$ 8,799.00	Siemens
868	684-002-018	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RUGGEDCOM RX1501	1	30-110	$ 11,016.00	Siemens
869	684-002-022	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RSG2300	1	30-110	$ 6,014.00	Siemens
870	684-002-023	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RX1400	1	30-100	$ 5,430.00	Siemens
871	684-002-025	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	Siemens RUGGEDCOM RX1510	1	30-110	$ 8,750.00	Siemens
872	684-002-036	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RST 916P	1	30-100	$ 3,975.00	Siemens
873	684-002-036	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RST 916C	1	30-100	$ 3,885.00	Siemens
874	684-002-036	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RST 2228	1	30-120	$ 8,412.00	Siemens
875	684-002-036	Siemens Canada Limited (formally RuggedCo	Managed Field Ethernet Switch	RST 2228P	1	30-120	$ 9,298.00	Siemens
876	102-060-002	Site 2020, Inc.	Automated Flagger Assistance Device (AFAD)	Guardian Smart Flagger	1			No Award
877	659-031-006	Sky Bracket	Mast Arm Signal Mounting	SS-SB29-46: w/band	1	10-15 Days ARO	$ 221.88	Sky Bracket
878	659-031-006	Sky Bracket	Mast Arm Signal Mounting	SS-SBC66-46: w/cable	1	10-15 Days ARO	$ 247.44	Sky Bracket
879	659-031-013	Sky Bracket	Mast Arm Signal Mounting	SS-SBxx-HPB-xx	1	10-15 Days ARO	$ 343.39	Sky Bracket
880	659-031-015	Sky Bracket	Mast Arm Signal Mounting	SS-SBxx-3M-xx	1	10-15 Days ARO	$ 319.54	Sky Bracket
881	659-031-016	Sky Bracket	Mast Arm Signal Mounting	SS-SBxx-3MCB-xx	1	10-15 Days ARO	$ 419.17	Sky Bracket
882	659-031-017	Sky Bracket	Mast Arm Signal Mounting	SS-SBxx-HPB-xx	1	10-15 Days ARO	$ 400.97	Sky Bracket
883	659-034-001	Sky Bracket	Mast Arm Sign Mounting	SS-SB29-SBK-46TK-23: w/band	1	10-15 Days ARO	$ 228.62	Sky Bracket
884	659-034-001	Sky Bracket	Mast Arm Sign Mounting	SS-SBC66-SBK-46TK-23: w/cable	1	10-15 Days ARO	$ 255.22	Sky Bracket
885	659-034-005	Sky Bracket	Mast Arm Sign Mounting	SS-SBC66-ETI	1	10-15 Days ARO	$ 142.79	Sky Bracket
886	659-034-006	Sky Bracket	Mast Arm Sign Mounting	SS-SBC66-ISM	1	10-15 Days ARO	$ 131.86	Sky Bracket
887	659-034-007	Sky Bracket	Mast Arm Sign Mounting	SS-SB29-ISM	1	10-15 Days ARO	$ 106.72	Sky Bracket
888	659-034-008	Sky Bracket	Mast Arm Sign Mounting	SS-SB29-ETI	1	10-15 Days ARO	$ 114.75	Sky Bracket
889	659-035-001	Sky Bracket	Mast Arm Camera Mounting	SS-SB29-RCM: w/band	1	10-15 Days ARO	$ 139.71	Sky Bracket
890	659-035-001	Sky Bracket	Mast Arm Camera Mounting	SS-SBC66-RCM: w/cable	1	10-15 Days ARO	$ 170.69	Sky Bracket

891	659-035-002	Sky Bracket	Mast Arm Camera Mounting	SS-SB29-CM	1	10-15 Days ARO	$ 107.66	Sky Bracket
892	659-035-003	Sky Bracket	Mast Arm Camera Mounting	SS-SB29-ACM-74: w/band	1	10-15 Days ARO	$ 281.40	Sky Bracket
893	659-035-003	Sky Bracket	Mast Arm Camera Mounting	SS-SBC66-ACM-74: w/cable	1	10-15 Days ARO	$ 314.91	Sky Bracket
894	659-035-006	Sky Bracket	Mast Arm Camera Mounting	SS-SBTM-ACM-74	1	10-15 Days ARO	$ 280.21	Sky Bracket
895	659-038-002	Sky Bracket	Mast Arm Detector Mounting	SS-SBXX-MM-YYY	1	10-15 Days ARO	$ 61.55	Sky Bracket
896	659-038-003	Sky Bracket	Mast Arm Detector Mounting	SS-SBCXX-MM-YY	1	10-15 Days ARO	$ 91.42	Sky Bracket
897	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In DMS	"I" Series (Monochrome Amber 70mm pitch)	1	120	See Configs	Skyline Products
898	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In DMS	"I" Series (Full Color 48mm pitch)	1	120	See Configs	Skyline Products
899	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In DMS	I Series (Full Color 35mm pitch)	1	120	See Configs	Skyline Products
900	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In DMS	I Series (Full Color 32mm pitch)	1	120	See Configs	Skyline Products
901	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In DMS	I Series (Full Color 20mm pitch)	1	120	See Configs	Skyline Products
902	700-023-009	Skyline Products	Dynamic Message Sign - Front Access DMS	VMS LED SV Series (Amber 70mm pitch)	1	120	See Configs	Skyline Products
903	700-023-009	Skyline Products	Dynamic Message Sign - Front Access DMS	VMS LED SV Series (Full Color 48mm pitch)	1	120	See Configs	Skyline Products
904	700-023-009	Skyline Products	Dynamic Message Sign - Front Access DMS	VMS LED SV Series (Full Color 35mm pitch)	1	120	See Configs	Skyline Products
905	700-023-009	Skyline Products	Dynamic Message Sign - Front Access DMS	VMS LED SV Series (Full Color 32mm pitch)	1	120	See Configs	Skyline Products
906	700-023-009	Skyline Products	Dynamic Message Sign - Front Access DMS	VMS LED SV Series (Full Color 20mm pitch)	1	120	See Configs	Skyline Products
907	700-024-006	Skyline Products	Dynamic Message Sign - Embedded DMS	VMSLED-SN Series (Amber 70mm pitch)	1	120	See Configs	Skyline Products
908	700-024-006	Skyline Products	Dynamic Message Sign - Embedded DMS	'VMSLED-SN Series (Full Color 48mm pitch)	1	120	See Configs	Skyline Products
909	700-024-006	Skyline Products	Dynamic Message Sign - Embedded DMS	'VMSLED-SN Series (Full Color 35mm pitch)	1	120	See Configs	Skyline Products
910	700-024-006	Skyline Products	Dynamic Message Sign - Embedded DMS	'VMSLED-SN Series (Full Color 20mm pitch)	1	120	See Configs	Skyline Products
911	102-044-008	Solar Technology Inc.	Trailer Mounted Arrow Board	AB-0515 (Previous QPL # S102-0917)	1	14-28 days	$ 5,325.00	Safety Zone Holdings, Inc dba Safety Zone Specialists
912	102-044-009	Solar Technology Inc.	Trailer Mounted Arrow Board	AB-0525 (Previous QPL # S102-1006)	1	14-28 days	$ 5,525.00	Safety Zone Holdings, Inc dba Safety Zone Specialists
913	102-048-004	Solar Technology Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	MB-1548 (Previous QPL # S102-1207)	1	14-28 days	$ 18,639.50	Safety Zone Holdings, Inc dba Safety Zone Specialists
914	102-052-013	Solar Technology Inc.	Portable Radar Speed Display Unit	Silent Advisor RST-1000 (Previous QPL # S102-1913)	1	14-28 days	$ 9,703.65	Safety Zone Holdings, Inc dba Safety Zone Specialists
915	676-005-001	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Type I	TYPE I UNWIRED	1	180	$ 500.00	Southern Mfg. Co. (Division of Earnest Products)
916	676-006-001	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Type II	TYPE II UNWIRED	1	180	$ 650.00	Southern Mfg. Co. (Division of Earnest Products)
917	676-007-004	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Type IV	TYPE IV UNWIRED	1	180	$ 2,900.00	Southern Mfg. Co. (Division of Earnest Products)
918	676-008-009	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Type V	59"H X 40"W X 27"D	1	180	$ 3,200.00	Southern Mfg. Co. (Division of Earnest Products)
919	676-010-001	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Special	BC4T UNWIRED	1	180	$ 5,000.00	Southern Mfg. Co. (Division of Earnest Products)
920	676-014-001	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Type VI	TYPE VI UNWIRED	1	180	$ 6,500.00	Southern Mfg. Co. (Division of Earnest Products)

921	676-015-001	Southern Mfg. Co. (Division of Earnest Produ	Controller Cabinet Unwired Type III	TYPE III UNWIRED	1	180	$ 2,500.00	Southern Mfg. Co. (Division of Earnest Products)
922	676-024-001	Southern Mfg. Co. (Division of Earnest Produ	170 Unwired Cabinet Type 332/334	DWG # 332ALUM.PRT	1	180	$ 4,500.00	Southern Mfg. Co. (Division of Earnest Products)
923	676-024-004	Southern Mfg. Co. (Division of Earnest Produ	170 Unwired Cabinet Type 332/334	CE3RAL1-8T-332D	1	180	$ 9,000.00	Southern Mfg. Co. (Division of Earnest Products)
924	676-029-003	Southern Mfg. Co. (Division of Earnest Produ	170 Unwired Cabinet Type 336	SM-336 (39” x 24¼” x 20¼”)	1	180	$ 3,950.00	Southern Mfg. Co. (Division of Earnest Products)
925	676-031-001	Southern Mfg. Co. (Division of Earnest Produ	170 Unwired Cabinet Type 336 Stretch	SM-336S (46” x 24¼” x 22¼”)	1	180	$ 4,000.00	Southern Mfg. Co. (Division of Earnest Products)
926	676-035-003	Southern Mfg. Co. (Division of Earnest Produ	ITS Field Cabinet	340-DMS-FL-SS-GEN	1	180	$ 17,400.00	Intelligent Transportation Services, Inc.
927	676-035-005	Southern Mfg. Co. (Division of Earnest Produ	ITS Field Cabinet	WE3RAL-334-FLDMS-G	1	180	$ 11,700.00	Southern Mfg. Co. (Division of Earnest Products)
928	676-035-012	Southern Mfg. Co. (Division of Earnest Produ	ITS Field Cabinet	WE3RAL-336S-FLITS	1	180	$ 10,200.00	Southern Mfg. Co. (Division of Earnest Products)
929	676-035-015	Southern Mfg. Co. (Division of Earnest Produ	ITS Field Cabinet	WE-332D-FL-DMS	1	180	$ 18,500.00	Southern Mfg. Co. (Division of Earnest Products)
930	685-002-004	Southern Mfg. Co. (Division of Earnest Produ	Uninterruptible Power Supply	SM-UPS-1	1	180	$ 9,400.00	Southern Mfg. Co. (Division of Earnest Products)
931	700-012-010	Southern Mfg. Co. (Division of Earnest Produ	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LED BLANKOUT SERIES	1	180	$ 9,500.00	Southern Mfg. Co. (Division of Earnest Products)
932	700-015-019	Southern Mfg. Co. (Division of Earnest Produ	Illuminated Sign - Internally Illuminated Sign	FF-1.1.S-SERIES	1	180	$ 4,200.00	Southern Mfg. Co. (Division of Earnest Products)
933	700-015-021	Southern Mfg. Co. (Division of Earnest Produ	Illuminated Sign - Internally Illuminated Sign	SSLED SERIES	1	180	$ 4,500.00	Southern Mfg. Co. (Division of Earnest Products)
934	700-015-023	Southern Mfg. Co. (Division of Earnest Produ	Illuminated Sign - Internally Illuminated Sign	Clean Profile Series	1	180	$ 5,000.00	Southern Mfg. Co. (Division of Earnest Products)
935	663-001-007	STC, Inc.	Preemption System	GPS-FHSS	1			No Award
936	678-005-009	Struthers-Dunn, LLC	Transfer Relay	S-D Model 21	1			No Award
937	678-005-009	Struthers-Dunn, LLC	Transfer Relay	S-D Model 136	1			No Award
938	654-001-009	TAPCO	Rectangular Rapid Flashing Beacon Assembly (RRFB)	RRFB-XL2 (AC)	1			No Award
939	654-001-009	TAPCO	Rectangular Rapid Flashing Beacon Assembly (RRFB)	RRFB-XL2 (Solar)	1			No Award
940	660-014-002	TAPCO	Wrong Way Vehicle Detection System	Wrong Way System (Solar)	1			No Award
941	660-014-002	TAPCO	Wrong Way Vehicle Detection System	Wrong Way System (AC)	1			No Award
942	700-027-001	TAPCO	Illuminated Sign - Highlighted Sign	BlinkerSign® LED Sign 2180 Series	1			No Award
943	700-027-006	TAPCO	Illuminated Sign - Highlighted Sign	LegendViz	1			No Award
944	700-026-026	TAPCO	Sign Beacon	2180	1			No Award
945	685-002-012	TechPower Developments	Uninterruptible Power Supply	DBL MX 1000-U36 (3 100AH Batteries)	1	80	$ 5,218.00	Econolite
946	685-002-013	TechPower Developments	Uninterruptible Power Supply	ARES ITS1500 (6 50AH Batteries for Traffic)	1			No Award
947	685-002-013	TechPower Developments	Uninterruptible Power Supply	ARES ITS1500 (3 50AH Batteries for ITS)	1			No Award

948	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (14.55mm pitch)	1			No Award
949	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (15mm pitch)	1			No Award
950	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (18.52mm pitch)	1			No Award
951	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (20mm pitch)	1			No Award
952	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (22.23mm pitch)	1			No Award
953	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (27.78mm pitch)	1			No Award
954	700-020-006	Telegra, Inc.	Dynamic Message Sign - Walk-In DMS	NextGen 5500 Series (30mm pitch)	1			No Award
955	700-023-006	Telegra, Inc.	Dynamic Message Sign - Front Access DMS	NextGen 6600 Series (15mm pitch)	1			No Award
956	700-023-006	Telegra, Inc.	Dynamic Message Sign - Front Access DMS	NextGen 6600 Series (18.52mm pitch)	1			No Award
957	700-023-006	Telegra, Inc.	Dynamic Message Sign - Front Access DMS	NextGen 6600 Series (20mm pitch)	1			No Award
958	700-023-006	Telegra, Inc.	Dynamic Message Sign - Front Access DMS	NextGen 6600 Series (22.23mm pitch)	1			No Award
959	700-023-006	Telegra, Inc.	Dynamic Message Sign - Front Access DMS	NextGen 6600 Series (27.78mm pitch)	1			No Award
960	700-023-006	Telegra, Inc.	Dynamic Message Sign - Front Access DMS	NextGen 6600 Series (30mm pitch)	1			No Award
961	700-024-004	Telegra, Inc.	Dynamic Message Sign - Embedded DMS	NextGen 6200 Series (15mm pitch)	1			No Award
962	700-024-004	Telegra, Inc.	Dynamic Message Sign - Embedded DMS	NextGen 6200 Series (18.52mm pitch)	1			No Award
963	700-024-004	Telegra, Inc.	Dynamic Message Sign - Embedded DMS	NextGen 6200 Series (20mm pitch)	1			No Award
964	700-024-004	Telegra, Inc.	Dynamic Message Sign - Embedded DMS	NextGen 6200 Series (22.23mm pitch)	1			No Award
965	700-024-004	Telegra, Inc.	Dynamic Message Sign - Embedded DMS	NextGen 6200 Series (27.78mm pitch)	1			No Award
966	700-024-004	Telegra, Inc.	Dynamic Message Sign - Embedded DMS	NextGen 6200 Series (30mm pitch)	1			No Award
967	650-022-003	Temple, Inc.	Backplate (Retroreflective)	BPA(R)500FL Series	1		see configurations	Temple, Inc.
968	654-002-006	Temple, Inc.	In-Roadway Light Assembly	19000-LX-DC-FL	1		$ 25,380.00	Temple, Inc.
969	663-001-011	Temple, Inc.	Preemption System	Glance TIMM 500 Preemption System	1	42 - 56	$ 5,397.00	Temple, Inc.
970	676-003-012	Temple, Inc.	Wired Cabinet Assembly Type V	TF4008TFL0101	1	168 - 182	$ 12,004.00	Temple, Inc.
971	676-005-008	Temple, Inc.	Controller Cabinet Unwired Type I	SMTF161412TSD	1	140 - 154	$ 652.00	Temple, Inc.
972	676-011-012	Temple, Inc.	Wired Cabinet Assembly Type I	TF4001F-FL	1	140 - 154	$ 862.00	Temple, Inc.
973	676-023-006	Temple, Inc.	Wired Cabinet Assembly TS-2 Size 6	TF5116TFL02	1	168 - 182	$ 14,565.00	Temple, Inc.
974	676-034-001	Temple, Inc.	Hybrid NEMA TS1 - TS2 Wired Cabinet Assembly	TF4116MT	1	168 - 182	$ 14,212.00	Temple, Inc.
975	676-035-006	Temple, Inc.	ITS Field Cabinet	11000ITS-FL	1	196 - 210	$ 5,144.00	Temple, Inc.
976	676-035-013	Temple, Inc.	ITS Field Cabinet	12000ITS-FL	1	196 - 210	$ 3,607.00	Temple, Inc.
977	676-037-002	Temple, Inc.	170 Wired Cabinet Type 332	TF332FL	1	196 - 210	$ 9,214.00	Temple, Inc.
978	676-039-002	Temple, Inc.	170 Wired Cabinet Type 336	TF336FL	1	196 - 210	$ 6,098.00	Temple, Inc.
979	678-008-023	Temple, Inc.	Time Switch Type 1	FCU 500-071	1	42 - 56	$ 2,506.00	Temple, Inc.
980	685-002-005	Temple, Inc.	Uninterruptible Power Supply	FXM 500 & CABINET	1			No Award
981	685-002-005	Temple, Inc.	Uninterruptible Power Supply	FXM 1100 & CABINET	1			No Award
982	685-002-005	Temple, Inc.	Uninterruptible Power Supply	FXM 1500 & CABINET	1			No Award
983	685-002-005	Temple, Inc.	Uninterruptible Power Supply	FXM 2000 & CABINET	1			No Award
984	685-002-006	Temple, Inc.	Uninterruptible Power Supply	17000-UP-FL, Old APL Certification Number 63910402712023	1	112 - 140	$ 8,663.00	Temple, Inc.
985	685-003-002	Temple, Inc.	Uninterruptible Power Supply (Real-Time Active Power Conditioner)	17000-UP-FL	1			No Award
986	700-015-026	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series	1		see configurations	Temple, Inc.
987	700-026-018	Temple, Inc.	Sign Beacon	TF4001F-FL-DC	1	140 - 154	$ 2,752.00	Temple, Inc.
988	700-027-003	Temple, Inc.	Illuminated Sign - Highlighted Sign	AV-200	1	98 - 112	$ 1,457.00	Temple, Inc.
989	685-002-007	Tesco Controls Inc.	Uninterruptible Power Supply	Traffic 24-FLBBS	1	30	$ 17,422.50	Control Technologies, Inc
990	682-002-015	TKH Security LLC (Formerly SIQURA Inc)	Camera - Dome	PD910	1	30	$ 3,715.00	TKH Security
991	684-004-006	TKH Security LLC (Formerly SIQURA Inc)	Video Encoder	C-60 E-MC	1			No Award
992	102-044-003	Trafcon Industries, Inc.	Trailer Mounted Arrow Board	TC1 Series (15 lamps)	1			No Award
993	102-044-003	Trafcon Industries, Inc.	Trailer Mounted Arrow Board	TC1 Series (25 lamps)	1			No Award
994	102-045-006	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB4 Series (36x72, 15 Lamps)	1			No Award
995	102-045-006	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB4 Series (36x72, 25 Lamps)	1			No Award
996	102-045-009	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB5 Series (48x96, 15 Lamps)	1			No Award

997	102-045-009	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB5 Series (48x96, 25 Lamps)	1			No Award
998	102-045-010	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB3 Series (30x60, 13 Lamps)	1			No Award
999	102-045-010	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB3 Series (30x60, 15 Lamps)	1			No Award
1000	102-045-010	Trafcon Industries, Inc.	Vehicle Mounted Arrow Board	MB3 Series (30x60, 25 Lamps)	1			No Award
1001	700-019-008	Traffic Logix Corp	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	EV 15SD	1			No Award
1002	654-002-002	Traffic Safety Corp.	In-Roadway Light Assembly	TS1100 Series Model SC-TS1100-AC2A	1			No Award
1003	654-002-003	Traffic Safety Corp.	In-Roadway Light Assembly	TS1100 Series Model SC-TS1100-AC3A	1			No Award
1004	654-001-011	Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SA328 RRFB	1	45 days	see config page	Transportation Solutions and Lighting
1005	700-019-004	Trafficalm Systems	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Urban DFB Series	1	45 days	see config page	Transportation Solutions and Lighting
1006	700-027-004	Trafficalm Systems	Illuminated Sign - Highlighted Sign	M75-SA30X-XXXX with LED Enhanced Rings	1	45 days	see config page	Transportation Solutions and Lighting
1007	660-027-001	Transcore	Vehicle Detector - AVI (Automatic Vehicle Identification)	Encompass E5	1			No Award
1008	684-002-038	Transition Networks	Managed Field Ethernet Switch	SISPM1040-284-LRT	1	90	$ 1,563.00	Transportation Control Systems
1009	684-002-038	Transition Networks	Managed Field Ethernet Switch	SISPM1040-384-LRT-C	1	90	$ 2,184.00	Transportation Control Systems
1010	684-002-038	Transition Networks	Managed Field Ethernet Switch	SISPM1040-362-LRT	1	90	$ 1,660.00	Transportation Control Systems
1011	684-002-038	Transition Networks	Managed Field Ethernet Switch	SISPM1040-582-LRT	1	90	$ 2,406.00	Transportation Control Systems
1012	650-016-001	Transportation Control Systems (TCS)	12" Die Cast All LED Vehicle Signal Assembly	HSS83ELED	1	90	$ 502.00	Transportation Control Systems
1013	650-022-004	Transportation Control Systems (TCS)	Backplate (Retroreflective)-1 Section	BP-5000B Series	1	90	$ 75.00	Transportation Control Systems
1014	650-022-004	Transportation Control Systems (TCS)	Backplate (Retroreflective)-2 Section	BP-5000B Series	1	90	$ 90.00	Transportation Control Systems
1015	650-022-004	Transportation Control Systems (TCS)	Backplate (Retroreflective)-3 Section	BP-5000B Series	1	90	$ 130.00	Transportation Control Systems
1016	650-022-004	Transportation Control Systems (TCS)	Backplate (Retroreflective)-4 Section	BP-5000B Series	1	90	$ 170.00	Transportation Control Systems
1017	650-022-004	Transportation Control Systems (TCS)	Backplate (Retroreflective)-5 Section Straight	BP-5000B Series	1	90	$ 232.00	Transportation Control Systems
1018	650-022-004	Transportation Control Systems (TCS)	Backplate (Retroreflective)-5 Section Cluster	BP-5000B Series	1	90	$ 400.00	Transportation Control Systems
1019	650-024-002	Transportation Control Systems (TCS)	Louvers	TCS-LOUVER	1	90	$ 125.00	Transportation Control Systems
1020	653-021-003	Transportation Control Systems (TCS)	16" X 18" All LED Pedestrian Signal	7090LED	1	90	$ 442.00	Transportation Control Systems
1021	654-001-008	Transportation Control Systems (TCS)	Rectangular Rapid Flashing Beacon Assembly (RRFB)	TCSFLN20X-PED-RRFB-SERIES	1	120	$ 5,500.00	Transportation Control Systems
1023	676-002-013	Transportation Control Systems (TCS)	Wired Cabinet Assembly Type IV	TYPE4ASSY	1	365	$ 17,000.00	Transportation Control Systems
1025	676-005-006	Transportation Control Systems (TCS)	Controller Cabinet Unwired Type I	TCS-1	1	120	$ 650.00	Transportation Control Systems
1026	676-006-005	Transportation Control Systems (TCS)	Controller Cabinet Unwired Type II	TCS-2	1	120	$ 850.00	Transportation Control Systems
1027	676-007-014	Transportation Control Systems (TCS)	Controller Cabinet Unwired Type IV	TCS-4	1	120	$ 1,500.00	Transportation Control Systems
1028	676-008-014	Transportation Control Systems (TCS)	Controller Cabinet Unwired Type V	TCS-5	1	120	$ 2,200.00	Transportation Control Systems
1030	676-010-006	Transportation Control Systems (TCS)	Controller Cabinet Unwired Special	TCS-4T	1	120	$ 1,000.00	Transportation Control Systems

1031	676-011-002	Transportation Control Systems (TCS)	Wired Cabinet Assembly Type I	2266082AT/S	1	120	$ 1,500.00	Transportation Control Systems
1032	676-015-008	Transportation Control Systems (TCS)	Controller Cabinet Unwired Type III	TCS-3	1	120	$ 1,200.00	Transportation Control Systems
1033	676-023-007	Transportation Control Systems (TCS)	Wired Cabinet Assembly TS-2 Size 6	TCSMPXX TS2-T1 SERIES	1	365	$ 25,000.00	Transportation Control Systems
1034	676-023-008	Transportation Control Systems (TCS)	Wired Cabinet Assembly TS-2 Size 6	ZFDOT-4	1	365	$ 25,000.00	Transportation Control Systems
1035	676-024-005	Transportation Control Systems (TCS)	170 Unwired Cabinet Type 332/334	TCS-300	1	120	$ 2,200.00	Transportation Control Systems
1036	676-034-002	Transportation Control Systems (TCS)	Hybrid NEMA TS1 - TS2 Wired Cabinet Assembly	B563826B2D2PGSLG	1	365	$ 25,000.00	Transportation Control Systems
1037	676-034-003	Transportation Control Systems (TCS)	Hybrid NEMA TS1 - TS2 Wired Cabinet Assembly	ZFDOT-8	1	365	$ 25,000.00	Transportation Control Systems
1038	676-035-014	Transportation Control Systems (TCS)	ITS Field Cabinet	ZFDOTITS	1	365	$ 5,000.00	Transportation Control Systems
1039	676-035-016	Transportation Control Systems (TCS)	ITS Field Cabinet	ZFDOTITS-1	1	365	$ 5,500.00	Transportation Control Systems
1040	676-035-018	Transportation Control Systems (TCS)	ITS Field Cabinet	ZFDOTITS-2	1	365	$ 6,000.00	Transportation Control Systems
1041	676-035-019	Transportation Control Systems (TCS)	ITS Field Cabinet	ZFDOTITS-4 SERIES	1	365	$ 7,000.00	Transportation Control Systems
1042	685-002-008	Transportation Control Systems (TCS)	Uninterruptible Power Supply	MP2000-ITS/PIGGYBACK SERIES	1	180	$ 7,500.00	Transportation Control Systems
1043	685-002-010	Transportation Control Systems (TCS)	Uninterruptible Power Supply	ZFDOT-9	1	180	$ 9,900.00	Transportation Control Systems
1044	700-012-012	Transportation Control Systems (TCS)	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	TCSLEDBO Series	1	180	$ 5,000.00	Transportation Control Systems
1046	700-015-024	Transportation Control Systems (TCS)	Illuminated Sign - Internally Illuminated Sign	BriteLite TCSSIGNBL Series	1	180	$ 4,000.00	Transportation Control Systems
1048	700-026-012	Transportation Control Systems (TCS)	Sign Beacon	TCSFLN202S	1	180	$ 6,000.00	Transportation Control Systems
1049	650-010-035	TraStar, Inc.	12" LED Red Signal	JXC-300HFTR04	1			No Award
1050	650-011-025	TraStar, Inc.	12" LED Red Arrow Signal	JXJ300-07TR03	1			No Award
1051	650-012-020	TraStar, Inc.	12" LED Yellow Signal	JXC-300HFTY04	1			No Award
1052	650-013-023	TraStar, Inc.	12" LED Green Signal	JXC-300HFTG04	1			No Award
1053	650-014-017	TraStar, Inc.	12" LED Yellow Arrow Signal	JXJ300-07TY03	1			No Award
1054	650-015-017	TraStar, Inc.	12" LED Green Arrow Signal	JXJ300-07TG03	1			No Award
1055	653-022-015	TraStar, Inc.	Countdown Pedestrian Signal	JXM-400VIEIL01	1			No Award
1056	700-019-005	Unipart Dorman (formerly Dorman Varitext)	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	DF15 Series	1	210	$ 12,000.00	Transportation Control Systems
1057	700-021-001	Unipart Dorman (formerly Dorman Varitext)	Electronic Display Sign (EDS) – Electronic Regulatory Sign (ERS)	VATCS POSTED SPEED SERIES	1	210	$ 18,000.00	Transportation Control Systems
1058	700-022-001	Unipart Dorman (formerly Dorman Varitext)	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	VATCS CURVE WARNING SERIES	1	210	$ 20,000.00	Transportation Control Systems
1059	700-022-002	Unipart Dorman (formerly Dorman Varitext)	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	VATCS/S1-1/SD/L/DL/PT SCHOOL ZONE	1	210	$ 19,000.00	Transportation Control Systems
1060	102-044-023	Ver-Mac	Trailer Mounted Arrow Board	VM-95SL (Previous QPL # S102-1014)	1	30 days aro	$ 5,980.00	Ver-Mac, Inc.
1061	102-044-044	Ver-Mac	Trailer Mounted Arrow Board	ST-4815 (Previous QPL # S102-1031)	1	60 Days	$ 4,452.00	Street Smart Rental
1062	102-048-006	Ver-Mac	Portable Changeable Message Sign (PCMS) - 18 inch Characters	Northern Lights PCMS (Previous QPL # S102-1210)	1	30 days aro	$ 18,045.00	Ver-Mac, Inc.
1063	102-048-018	Ver-Mac	Portable Changeable Message Sign (PCMS) - 18 inch Characters	PCMS-1210 (Previous QPL # S102-1227)	1	30 days aro	$ 16,945.00	Ver-Mac, Inc.
1064	102-048-019	Ver-Mac	Portable Changeable Message Sign (PCMS) - 18 inch Characters	PCMS-1210 QS (Previous QPL # S102-1228)	1	30 days aro	$ 16,945.00	Ver-Mac, Inc.
1065	102-050-005	Ver-Mac	Portable Regulatory Sign	ST-SLS Series	1	30 days aro	$ 6,900.00	Ver-Mac, Inc.

1066	102-052-015	Ver-Mac	Portable Radar Speed Display Unit	SP-710V Series	1	30 days aro	$ 7,505.00	Ver-Mac, Inc.
1067	102-044-004	Wanco, Inc.	Trailer Mounted Arrow Board	WTDB8-SAC (Previous QPL# S102-1002)	1	60 Days	$ 3,283.00	Street Smart Rental
1068	102-044-020	Wanco, Inc.	Trailer Mounted Arrow Board	WTSP 110-LSA (Previous QPL# S102-0924)	1	45 Days	$ 5,189.00	Transportation Solutions and Lighting
1069	102-044-025	Wanco, Inc.	Trailer Mounted Arrow Board	WTSP 75-LSA C (Previous QPL# S102-1017)	1	45 Days	$ 5,404.00	Transportation Solutions and Lighting
1070	102-044-026	Wanco, Inc.	Trailer Mounted Arrow Board	WTSP 110-LSA C (Previous QPL# S102-1018)	1	28-35 days	$ 5,428.00	Safety Zone Holdings, Inc dba Safety Zone Specialists
1071	102-044-043	Wanco, Inc.	Trailer Mounted Arrow Board	WTSP-08 (Previous QPL # S102-1030)	1	45 Days	$ 4,959.00	Transportation Solutions and Lighting
1072	102-044-049	Wanco, Inc.	Trailer Mounted Arrow Board	WTSP LSAC	1	45 Days	$ 5,101.00	Transportation Solutions and Lighting
1073	102-045-001	Wanco, Inc.	Vehicle Mounted Arrow Board	WFB5-SA (Previous QPL # S102-1102)	1	45 Days	$ 2,376.00	Transportation Solutions and Lighting
1074	102-045-002	Wanco, Inc.	Vehicle Mounted Arrow Board	WFB6-SA (Previous QPL# 102-1101)	1	45 Days	$ 2,670.00	Transportation Solutions and Lighting
1075	102-045-003	Wanco, Inc.	Vehicle Mounted Arrow Board	WFB6-SAC (Previous QPL # S102-1111)	1	45 Days	$ 2,801.00	Transportation Solutions and Lighting
1076	102-045-004	Wanco, Inc.	Vehicle Mounted Arrow Board	WFB5-SAC (Previous QPL# S102-1112)	1	45 Days	$ 2,561.00	Transportation Solutions and Lighting
1077	102-048-007	Wanco, Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	WTLMB-S-LL-(A) (Previous QPL# S102-1212)	1	28-35 days	$ 18,240.85	Safety Zone Holdings, Inc dba Safety Zone Specialists
1078	102-048-008	Wanco, Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	WTLMB-S-LL-(B)M ((Previous QPL# S102-1214)	1	28-35 days	$ 18,996.50	Safety Zone Holdings, Inc dba Safety Zone Specialists
1079	102-048-009	Wanco, Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	WTLMB-S-LL-(B) (Previous QPL# S102-1215)	1	28-35 days	$ 18,240.85	Safety Zone Holdings, Inc dba Safety Zone Specialists
1080	102-048-010	Wanco, Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	WTLMB-S-LL-(A)M (Previous QPL# S102-1216)	1	28-35 days	$ 18,996.50	Safety Zone Holdings, Inc dba Safety Zone Specialists
1081	102-048-022	Wanco, Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	WTMMB	1	28-35 days	$ 19,223.00	Safety Zone Holdings, Inc dba Safety Zone Specialists
1082	102-048-023	Wanco, Inc.	Portable Changeable Message Sign (PCMS) - 18 inch Characters	WTMMB-L	1	60 Days	$ 19,786.00	Street Smart Rental
1083	102-050-002	Wanco, Inc.	Portable Regulatory Sign	Fold-N-Go (Previous QPL# S102-1300)	1	45 Days	$ 6,758.00	Transportation Solutions and Lighting
1084	102-051-001	Wanco, Inc.	Trailer Mounted Incident Management	WVT3-S(A) Mini Message Director (Previous QPL# S102-3401)	1	28-35 days	$ 17,819.75	Safety Zone Holdings, Inc dba Safety Zone Specialists
1085	102-052-009	Wanco, Inc.	Portable Radar Speed Display Unit	WSDT-S (Previous QPL# S102-1910)	1	45 Days	$ 8,720.00	Transportation Solutions and Lighting
1086	102-059-005	Wanco, Inc.	Truck Mounted Changeable Message Sign	WVMBM (2LP/3LP)	1	60 Days	$ 10,607.00	Street Smart Rental
1087	660-018-004	Wavetronix, LLC	Vehicle Detector - Microwave	SS225 SmartSensor Matrix	1	90	$ 5,311.00	Wavetronix
1088	660-020-004	Wavetronix, LLC	Traffic Data Detection System - Microwave	SmartSensor HD	1	90	$ 5,936.00	Wavetronix
1089	660-020-005	Wavetronix, LLC	Traffic Data Detection System - Microwave	SS105V	1	90	$ 3,934.00	Wavetronix
1090	660-020-009	Wavetronix, LLC	Traffic Data Detection System - Microwave	XP20	1	90	$ 4,917.00	Wavetronix
1091	660-026-002	Wavetronix, LLC	Dilemma Zone Protection System	SS-200V (SmartSensor Advance)	1	90	$ 5,112.00	Wavetronix
1092	660-026-002	Wavetronix, LLC	Dilemma Zone Protection System	SS-200E (SmartSensor Advance)	1	90	$ 5,703.00	Wavetronix
1093	682-001-002	Wireless Technology Inc.	Camera - External Positioner	VS720-H.264 HD Product Series	1	120	$ 10,000.00	Transportation Control Systems
1094	671-017-012	Yunex Traffic, a Siemens Business	Controller - NEMA TS2 Type 2	m60 Series	1	56 - 70	$ 3,076.00	Temple, Inc.
1095	671-019-009	Yunex Traffic, a Siemens Business	2070 Unit (Full Unit for 170 Cabinet)	2070LX	1	56 - 70	$ 3,000.00	Temple, Inc.

1096	660-014-004	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS Series (AC Version)	1	30	APL Configurations	GovComm
1097	700-020-002	Daktronics	Dynamic Message Sign - Walk-in DMS	VF-2020 Series (Monochrome Amber 66mm pitch)	1		See APL Configurations	Daktronics

Line Number	*APL Configuration #*	*Manufacturer*	*Product Category*	*Model/Product/Component Description*	*QTY. / Unit*	*Bid Price*	*Vendor*
108	684-002-014-a	Cisco	Managed Field Ethernet Switch	IE-3300-8T2X-E	1	$4,545.83	360ns
108	684-002-014-b	Cisco	Managed Field Ethernet Switch	IE-3300-8P2S-E	1	$6,179.33	360ns
108	684-002-014-c	Cisco	Managed Field Ethernet Switch	IE-3300-8U2X-E	1	$7,087.85	360ns
111	684-002-029-a	Cisco	Managed Field Ethernet Switch	IE-5000-12S12P-10G	1	$20,862.79	360ns
109	684-002-014-a	Cisco	Managed Field Ethernet Switch	IE-3400-8P2S-E	1	$7,540.99	360ns
112	684-002-030-a	Cisco	Managed Field Ethernet Switch	IE-4010-4S24P	1	$6,670.60	360ns
444	660-020-008-a	Image Sensing Sys	Traffic Data Detection System - Microwave	RTMS Echo with PS+Surge	1	$5,285.00	Blackhawk Enterprises Inc.
63	660-024-005 - a	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	Traffic - 1 ea BB-CDMU-Base-TR Collector - Detector Management Unit - Standard - Wireless Control, Reporting and Storage Unit w/Base Traffic License included - 2 ea BB-ANT-0001-EXT - Long Range Antenna, 2 ea - BB-D-TX-IP - Wireless Vehicle Detector w/Solar and Rechargeable Battery and In-Pavement Road Cradle, 2 sets of BB-AB-IP , Anchors & Bolts for Inpavement Install and 2 ea BB-RA-0001 Road Sealant (see APL Supplies for add on ancillary items)	1	$7,196.00	Blue-Band, LLC/Multilink, Inc.
63	660-024-005 -b	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	ITS- 1 ea BB-CDMU-Base-TR Collector - Detector Management Unit - Standard - Wireless Control, Reporting and Storage Unit w/Base Traffic License included - 1 ea BB-CL-ITS-XX - 2 ea BB-ANT-0001-EXT - Long Range Antenna, 2 ea - BB-D-TX-IP - Wireless Vehicle Detector w/Solar and Rechargeable Battery and In-Pavement Road Cradle, 2 sets of BB-AB-IP , Anchors & Bolts for Inpavement Install and 2 ea BB-RA-0001 Road Sealant (see APL Supplies for add on ancillary items)	1	$9,863.00	Blue-Band, LLC/Multilink, Inc.
63	660-024-005 - c	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	Parking- 1 ea BB-CDMU-Base-TR Collector - Detector Management Unit - Standard - Wireless Control, Reporting and Storage Unit w/Base Traffic License included - 1 ea BB-CL-Park - 2 ea BB-ANT-0001-EXT - Long Range Antenna, 2 ea - BB-D-TX-IP - Wireless Vehicle Detector w/Solar and Rechargeable Battery and In-Pavement Road Cradle, 2 sets of BB-AB-IP , Anchors & Bolts for Inpavement Install and 2 ea BB-RA-0001 Road Sealant (see APL Supplies for add on ancillary items)	1	$9,863.00	Blue-Band, LLC/Multilink, Inc.

63	660-024-005 - d	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	V2X- 1 ea BB-CDMU-Base-TR Collector - Detector Management Unit - Standard - Wireless Control, Reporting and Storage Unit w/Base Traffic License included - 1 ea BB-CL-V2x - 2 ea BB-ANT-0001-EXT - Long Range Antenna, 2 ea - BB-D-TX-IP - Wireless Vehicle Detector w/Solar and Rechargeable Battery and In-Pavement Road Cradle, 2 sets of BB-AB-IP , Anchors & Bolts for In pavement Install and 2 ea BB-RA-0001 Road Sealant - 1 ea BB-T1-AID(see APL Supplies for add on ancillary items)	1	$15,779.00	Blue-Band, LLC/Multilink, Inc.
63	660-024-005 - e	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	Safety- 1 ea BB-CDMU-Base-TR Collector - Detector Management Unit - Standard - Wireless Control, Reporting and Storage Unit w/Base Traffic License included - 2 ea BB-ANT-0001-EXT - Long Range Antenna, 2 ea - BB-D-TX-IP - Wireless Vehicle Detector w/Solar and Rechargeable Battery and In-Pavement Road Cradle, 2 sets of BB-AB-IP , Anchors & Bolts for In pavement Install and 2 ea BB-RA-0001 Road Sealant - 1 ea BB-T1-AID - BB-AMAG-SmartSafety(1 to 5 sites - 1 year with BB-Panarama Edge up to 4 feed - 1 year (see APL Supplies for add on ancillary items)	1	$25,679.00	Blue-Band, LLC/Multilink, Inc.
783	671-019-005-a	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	2070LC Controller	1	$3,812.75	Control Technologies
855	660-018-010-a	smartmicro	Vehicle Detector - Microwave	TRUGRD (radar only - stop bar & advanced)	1	$4,422.10	Control Technologies
855	660-018-010-b	smartmicro	Vehicle Detector - Microwave	TRUGRD Lite (stop bar only)	1	$3,660.25	Control Technologies
305	678-023-001-a	Eberle Design In. (EDI)	Conflict Monitor for 170/2070 Controllers	2010ECL-ip	1	$887.06	Control Technologies
300	678-016-008-a	Eberle Design In. (EDI)	Malfunction Management Unit Type 16	MMU2-16LE	1	$882.94	Control Technologies
29 (1)	685-002-018-a	APC by Schneider Electric	Uninterruptible Power Supply	EQPMT,UPS,APC,1300W,120V,DBL CONVERT (8005-0123-APC-1300W)	1	$2,660.00	Cubic ITS, Inc. (Trafficware)
29 (2)	685-002-018-b	APC by Schneider Electric	Uninterruptible Power Supply	EQPMT,UPS,APC,SERVICE BYPASS UNIT (8005-0123-APC-BYPASS)	1	$410.00	Cubic ITS, Inc. (Trafficware)
29 (3)	685-002-018-c	APC by Schneider Electric	Uninterruptible Power Supply	EQPMT,UPS,APC,SERVICE BYPASS UNIT,W/GEN (8005-0123-APC-BYPASS-GEN)	1	$470.00	Cubic ITS, Inc. (Trafficware)
29 (4)	685-002-018-d	APC by Schneider Electric	Uninterruptible Power Supply	EQPMT,UPS,APC,KIT,BATTERY CABLE,12FT (8005-0123-APC-HARNESS-12)	1	$370.00	Cubic ITS, Inc. (Trafficware)
29 (5)	685-002-018-e	APC by Schneider Electric	Uninterruptible Power Supply	EQPMT,UPS,APC,BATT,GEL,100AH,EXTENDED TEMP (8005-0123-APC-BTY-100) (QTY 4)	1	$1,600.00	Cubic ITS, Inc. (Trafficware)
209 (1)	660-015-036-a	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	CAT5 SINGLE CAMERA TS2 (GS3-SYS, GS3-TS2-OPT, GS-3-TS2, GS-3-SMK, GS-3-CAT5, AND ASTRO BRACKET)	1	$17,369.00	Cubic ITS, Inc. (GRIDSMART)
209 (2)	660-015-036-b	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	CAT5 SINGLE CAMERA TS1 (GS3-SYS, GS3-TS1-OPT, GS3-TS1 CBL, GS-3-SMK, GS-3-CAT5, AND ASTRO BRACKET)	1	$17,563.00	Cubic ITS, Inc. (GRIDSMART)
209 (3)	660-015-036-c	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	FIBER SINGLE CAMERA TS2 (GS3-SYS, GS3-TS2-OPT, GS-3-TS2, GS-3-SMK-F, GS-3-FIB, AND ASTRO BRACKET)	1	$19,240.00	Cubic ITS, Inc. (GRIDSMART)
209 (4)	660-015-036-d	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	FIBER SINGLE CAMERA TS1 (GS3-SYS, GS3-TS1-OPT, GS3-TS1 CBL, GS-3-SMK-F, GS-3-FIB, AND ASTRO BRACKET)	1	$19,434.00	Cubic ITS, Inc. (GRIDSMART)

241	700-020-005-b	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - WALK-IN	VF-2020 Series (Full Color) VF-2020-96x384-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$118,954.00	Daktronics
241	700-020-005-c	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - WALK-IN	VF-2020 Series (Full Color) VF-2020-96x400-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$124,454.00	Daktronics
241	700-020-005-d	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - WALK-IN	VF-2020 Series (Full Color) VF-2020-96x416-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$129,954.00	Daktronics
241	700-020-005-e	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - WALK-IN	VF-2020 Series (Full Color) VF-2020-96x432-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$135,454.00	Daktronics
244	700-023-003-a	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - FRONT ACCESS	VF-2420 Series (Full Color) VF-2420-64x240-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$83,754.00	Daktronics
244	700-023-003-b	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - FRONT ACCESS	VF-2420 Series (Full Color) VF-2420-80x192-20-RGB, includes ground mount control equipment cabinet with generator plug and transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$83,144.00	Daktronics
244	700-023-003-c	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - FRONT ACCESS	VF-2420 Series (Full Color) VF-2420-80x240-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$89,254.00	Daktronics
244	700-023-003-d	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - FRONT ACCESS	VF-2420 Series (Full Color) VF-2420-96x288-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$101,354.00	Daktronics
244	700-023-003-e	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - FRONT ACCESS	VF-2420 Series (Full Color) VF-2420-96x400-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$123,354.00	Daktronics
246	700-023-007-a	DAKTRONICS, INC.	Dynamic Message Sign - Front Access DMS	VX-242X Series (Full Color) VX-2428-32x48-20-RGB, includes Ground Mount Control Equipment Cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$33,154.00	Daktronics
246	700-023-007-b	DAKTRONICS, INC.	Dynamic Message Sign - Front Access DMS	VX-242X Series (Full Color) VX-2420-48x48-20-RGB, includes Ground Mount Control Equipment Cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$33,704.00	Daktronics
246	700-023-007-c	DAKTRONICS, INC.	Dynamic Message Sign - Front Access DMS	VX-242X Series (Full Color) VX-2420-48x64-20-RGB, includes Ground Mount Control Equipment Cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$34,804.00	Daktronics
246	700-023-007-d	DAKTRONICS, INC.	Dynamic Message Sign - Front Access DMS	VX-242X Series (Full Color) VX-2420-64x64-20-RGB, includes Ground Mount Control Equipment Cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$36,454.00	Daktronics

246	700-023-007-e	DAKTRONICS, INC.	Dynamic Message Sign - Front Access DMS	VX-242X Series (Full Color) VX-2420-64x80-20-RGB, includes Ground Mount Control Equipment Cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$37,554.00	Daktronics
249	700-024-001-a	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - EMBEDDED	VM-102X Series (Full Color) VM-1020-16x96-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$28,754.00	Daktronics
249	700-024-001-b	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - EMBEDDED	VM-102X Series (Full Color) VM-1020-24x64-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$27,654.00	Daktronics
249	700-024-001-c	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - EMBEDDED	VM-102X Series (Full Color) VM-1020-24x144-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$34,654.00	Daktronics
249	700-024-001-d	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - EMBEDDED	VM-102X Series (Full Color) VM-1020-24x352-20-RGB, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$54,074.00	Daktronics
1097	700-020-002-a	DAKTRONICS, INC.	DYNAMIC MESSAGE SIGN - WALK-IN	VF-2020 Series (Monochrome Amber 66mm Pitch) VF-2020-27x125-66-A, includes ground mount control equipment cabinet with generator plug, transfer switch, sunshields, and UPS for 2 hour backup to DMS	1 Ea	$90,046.00	Daktronics
384	660-014-004-a	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS-Series / WWVDS AC Equipment for 660-7-21 or 22 / WWVDS including 1 Thermal & 2 Optical Sensors	1	$26,020.00	Eco Partnering Innovations LLC
384	660-014-004-b	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS-Series / WWVDS AC Equipment for 660-7-21 or 22 / WWVDS including 2 Thermal & 2 Optical Sensors	1	$30,102.00	Eco Partnering Innovations LLC
384	660-014-004-c	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS-Series / WWVDS Solar Equipment for 660-7-31 or 32 / WWVDS including 1 Thermal & 2 Optical Sensors	1	$37,500.00	Eco Partnering Innovations LLC
384	660-014-004-d	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS-Series / WWVDS Solar Equipment for 660-7-31 or 32 / WWVDS including 2 Thermal & 2 Optical Sensors	1	$38,265.00	Eco Partnering Innovations LLC
312	660-015-029-a	WTI / Pelco	Vehicle Detector-Video	4 cam RVP2 video set up with Pelco brackets	1	$16,145.00	Econolite
313	660-015-037-a	WTI / Pelco	Vehicle Detector-Video	4 cam VISION video set up with Pelco brackets	1	$29,607.00	Econolite
314	671-017-010-a	Econolite	Cobalt 2100	Cobalt Classic 2100 with EOS lic	1	$3,984.00	Econolite
317	671-024-003-a	Econolite	Safetran-Cobalt Rackmount	Safetran Cobalt Classic RM (with EOS)	1	$4,999.00	Econolite
322	676-023-005-a	Econolite	5381 (PNG)	PNG P65 with 1 rack and plug ins, CAB18727	1	$18,090.00	Econolite
322	676-023-005-b	Econolite	5381 (PNG)	PNG R77 with 1 rack and plug ins, CAB18728	1	$18,896.00	Econolite
322	676-023-005-c	Econolite	5381 (PNG)	PNG custom cab (already in system), CABXXXXX	1	$21,369.00	Econolite
322	676-023-005-d	Econolite	5381	additional det rack/loop panel (factory installed) in cab above	1	$1,558.00	Econolite
323	676-035-009-a	Econolite	ITS Field CAB	BM version of STCAB1284 becomes STCAB2777	1	$5,462.00	Econolite
331	685-002-017-a	Zinc Five	UPS	ZincBlue Gen 2 (ITS cab requires 2-500W batteries) inverter, PIM and CAB	1	$17,769.00	Econolite
331	685-002-017-b	Zinc Five	UPS	ZincBlue Gen 2 (ITS cab requires 2-500W batteries), inverter, PIM and cab with gen panel	1	$18,136.00	Econolite

332	685-002-017-a	Zinc Five	UPS	ZincBlue Gen 2 traffic signal cabinet requires 4-XRT 3600W batteries and UPS cab	1	$18,819.00	Econolite
332	685-002-017-b	Zinc Five	UPS	ZincBlue Gen 2 traffic signal cabinet requires 4-XRT 3600W batteries and UPS cab with gen panel	1	$19,187.00	Econolite
945	685-002-012-a	Techpower	DBL MX 1000-U36	DBL MX 1000-U36 (3) 100AH batteries, inverter, bypass switch and UPS cab	1	$7,972.00	Econolite
945	685-002-012-b	Techpower	DBL MX 1000-U36	DBL MX 1000-U36 (3) 100AH batteries, inverter, bypass switch and UPS cab with gen panel	1	$8,339.00	Econolite
459	684-002-007	ITS Express	ITS-8020 Kit	ITS-8020 w/ 2 SFP-1000-LX10 UHT OM and 80 series power supply kit	1	$999.99	Express Supply, Inc.
462	684-002-028	ITS Express	ITS-8042 Kit	ITS-8042 w/ 2 SFP-1000-LX10 UHT OM and 80 series power supply kit (80 series switch)	1	$1,399.99	Express Supply, Inc.
462	684-002-028	ITS Express	ITS-8042 Kit	ITS-8042 w/ 2 SFP-2.5gig-LR10 UHT OM and 80 series power supply kit (80 series switch)	1	$1,425.99	Express Supply, Inc.
462	684-002-028	ITS Express	ITS-8042 Kit	ITS-8042 w/ 2 SFP-10gig-LR10 UHT OM and 80 series power supply kit (80 series switch)	1	$1,475.99	Express Supply, Inc.
463	684-002-028	ITS Express	ITS-8042 Plus Kit	ITS-8042 w/ 2 SFP-1000-LR20 UHT OM built-in optical bypass, 80 series power supply kit, and 2 jumpers (80 series switch)	1	$1,699.99	Express Supply, Inc.
463	684-002-028	ITS Express	ITS-8042 Plus Kit	ITS-8042 w/ 2 SFP-2.5gig-LR20 UHT OM built-in optical bypass, 80 series power supply kit, and 2 jumpers (80 series switch)	1	$1,725.99	Express Supply, Inc.
463	684-002-028	ITS Express	ITS-8042 Plus Kit	ITS-8042 w/ 2 SFP-10gig-LR20 UHT OM built-in optical bypass, 80 series power supply kit, and 2 jumpers (80 series switch)	1	$1,775.00	Express Supply, Inc.
460	684-002-028	ITS Express	ITS-8012-24 Kit	ITS-8012-24 w/ 2 SFP-1000-LR10 UHT OM built-in optical bypass, 80 series power supply kit (80 series switch)	1	$1,599.99	Express Supply, Inc.
460	684-002-028	ITS Express	ITS-8012-24 Kit	ITS-8012-24 w/ 2 SFP-2.5gig-LR10 UHT OM and 80 series power supply kit (80 series switch)	1	$1,625.99	Express Supply, Inc.
460	684-002-028	ITS Express	ITS-8012-24 Kit	ITS-8012-24 w/ 2 SFP-10gig-LR10 UHT OM and 80 series power supply kit (80 series switch)	1	$1,675.99	Express Supply, Inc.
461	684-002-028	ITS Express	ITS-8012-24 Plus Kit	ITS-8012-24 Plus w/ 2 SFP-1000-LR20 UHT OM built-in optical bypass, redundant power supply, and 2 jumpers (80 series switch)	1	$1,899.99	Express Supply, Inc.
461	684-002-028	ITS Express	ITS-8012-24 Plus Kit	ITS-8012-24 Plus w/ 2 SFP-2.5gig-LR20 UHT OM built-in optical bypass, redundant power supply, and 2 jumpers (80 series switch)	1	$1,925.99	Express Supply, Inc.
461	684-002-028	ITS Express	ITS-8012-24 Plus Kit	ITS-8012-24 Plus w/ 2 SFP-10gig-LR20 UHT OM built-in optical bypass, redundant power supply, and 2 jumpers (80 series switch)	1	$1,975.99	Express Supply, Inc.
386	700-027-007-a	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series / Highlighted Sign Equipment for 700-6-11 / Up to 12 SF AC Powered (includes t-base, sch 40 aluminum pole & mounting hardware)	1	$2,250.00	GovComm, Inc.
386	700-027-007-b	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series / Highlighted Sign Equipment for 700-6-12 / Up to 12 SF Solar Powered (includes t-base, sch 40 aluminum pole & mounting hardware)	1	$3,250.00	GovComm, Inc.
386	700-027-007-c	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series / Highlighted Sign Equipment for 700-6-21 / 12-20 SF AC Powered (includes t-base, sch 40 aluminum pole & mounting hardware)	1	$2,500.00	GovComm, Inc.

386	700-027-007-d	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series / Highlighted Sign Equipment for 700-6-22 / 12-20 SF Solar Powered (includes t-base, sch 40 aluminum pole & mounting hardware)	1	$3,500.00	GovComm, Inc.
388	682-002-022-a	GovComm, Inc.	GC-ICPO-U Series	GC-ICPO-U33 / 2 MP 33X / Camera with 1.5" Adapter & 12VDC or PoE Included	1	$1,975.00	GovComm, Inc.
388	682-002-022-b	GovComm, Inc.	GC-ICPO-U Series	GC-ICPO-U33A / 2 MP 33X Smart / Camera with 1.5" Adapter & 24VAC, 24VDC or PoE Included	1	$2,275.00	GovComm, Inc.
388	682-002-022-c	GovComm, Inc.	GC-ICPO-U Series	GC-ICPO-U33L / 2 MP 33X Laser / Camera with 1.5" Adapter & 24VAC, 24VDC or PoE Included	1	$2,875.00	GovComm, Inc.
1096	660-014-004-a	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS-Series / WWVDS AC Equipment for 660-7-21 or 22 / WWVDS including 1 Thermal & 2 Optical Sensors	1	$25,500.00	GovComm, Inc.
1096	660-014-004-b	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-WWVDS-Series / WWVDS AC Equipment for 660-7-21 or 22 / WWVDS including 2 Thermal & 2 Optical Sensors	1	$29,500.00	GovComm, Inc.
116	620-002-011-a	Citel, Inc.	Surge Protective Device for 120V or 120_240V Power	DS72US Series	1	$96.00	Intelligent Transportation Services
116	620-002-011-b	Citel, Inc.	Surge Protective Device for 120V or 120_240V Power	DS73US Series	1	$143.00	Intelligent Transportation Services
132	641-008-001-a	CLS-North Star Lighting	Camera Lowering Device	CDP6-16HDD-100-110	1	$4,326.00	Intelligent Transportation Services
132	641-008-001-b	CLS-North Star Lighting	Camera Lowering Device	CDP6-16HDDN-100-110	1	$4,976.00	Intelligent Transportation Services
133	641-008-001-a	CLS-North Star Lighting	Camera Lowering Device	CEPM-16HDD-100-110	1	$4,648.00	Intelligent Transportation Services
133	641-008-001-b	CLS-North Star Lighting	Camera Lowering Device	CEPM-16HDDN-100-110	1	$5,087.00	Intelligent Transportation Services
135	684-002-006-a	Communication Networks	Managed Field Ethernet Switch	CNGE3FE8MS	1	$1,307.00	Intelligent Transportation Services
135	684-002-006-b	Communication Networks	Managed Field Ethernet Switch	CNGE3FE8MSPoE	1	$1,357.00	Intelligent Transportation Services
135	684-002-006-c	Communication Networks	Managed Field Ethernet Switch	CNGE3FE8MS (POE)(HO)	1	$1,542.00	Intelligent Transportation Services
136	684-002-006-a	Communication Networks	Managed Field Ethernet Switch	CNGE11FX3TX8MS	1	$1,760.00	Intelligent Transportation Services
136	684-002-006-b	Communication Networks	Managed Field Ethernet Switch	CNGE11FX3TX8MSPoE	1	$1,827.00	Intelligent Transportation Services
136	684-002-006-c	Communication Networks	Managed Field Ethernet Switch	CNGE11FX3TX8MS (POE)(HO)	1	$1,977.00	Intelligent Transportation Services
138	684-005-002-a	Communication Networks	Media Converter	CLFE1EOU	1	$292.00	Intelligent Transportation Services
138	684-005-002-b	Communication Networks	Media Converter	CLFE1EOC	1	$276.00	Intelligent Transportation Services
138	684-005-002-c	Communication Networks	Media Converter	CLRFE1POEU	1	$521.00	Intelligent Transportation Services
138	684-005-002-d	Communication Networks	Media Converter	CLLFE1POEC	1	$504.00	Intelligent Transportation Services
138	684-005-002-e	Communication Networks	Media Converter	CLRFE1POEU	1	$496.00	Intelligent Transportation Services
139	684-005-002-a	Communication Networks	Media Converter	CNGE2MC	1	$703.00	Intelligent Transportation Services
139	684-005-002-b	Communication Networks	Media Converter	CNFESFPMCPoE30/m	1	$485.00	Intelligent Transportation Services
139	684-005-002-c	Communication Networks	Media Converter	CNFE2MC	1	$452.00	Intelligent Transportation Services
139	684-005-002-d	Communication Networks	Media Converter	CNMCSFP	1	$703.00	Intelligent Transportation Services
139	684-005-002-e	Communication Networks	Media Converter	CNMCSFPPoE	1	$787.00	Intelligent Transportation Services
206	682-001-005-a	CostarHD	Camera - External Positioner	4261-1000-03 Costar Positioner w/o Wiper, POE, Freight	1	$4,138.00	Intelligent Transportation Services
206	682-001-005-b	CostarHD	Camera - External Positioner	4261-1100-03 Costar Positioner w Wiper, POE, Freight	1	$4,519.00	Intelligent Transportation Services
390	620-002-013-a	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD80K-120-1P-1F	1	$132.00	Intelligent Transportation Services
390	620-002-013-b	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD80K-120-2S-1F	1	$141.00	Intelligent Transportation Services
392	620-002-013-a	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD120K-120-1P-1F	1	$140.00	Intelligent Transportation Services
392	620-002-013-b	HESCO/RLS	Surge Protective Device for 120V or 120_240V Power	SPD120K-120-2S-1F	1	$152.00	Intelligent Transportation Services
410	676-004-034-a	HESCO/RLS	Surge Protective Device	VLP7	1	$19.00	Intelligent Transportation Services

410	676-004-034-b	HESCO/RLS	Surge Protective Device	VLP9	1	$20.00	Intelligent Transportation Services
446	660-027-006-a	Image Sensing Systems (formerly EIS)	Vehicle Detector - AVI (Automatic Vehicle Identification)	S -Model Deepblue (S/V)	1	$4,319.00	Intelligent Transportation Services
446	660-027-006-b	Image Sensing Systems (formerly EIS)	Vehicle Detector - AVI (Automatic Vehicle Identification)	S-Model Deepblue (S/V) w SPD, Inj & PS	1	$4,520.00	Intelligent Transportation Services
614	685-002-003-a	Multilink, Inc.	Uninterruptible Power Supply	EP 2200-T	1	$1,279.00	Intelligent Transportation Services
614	685-002-003-b	Multilink, Inc.	Uninterruptible Power Supply	EP 2200-T, Harness, 4 - 100SF bat	1	$3,064.00	Intelligent Transportation Services
615	685-002-016-a	Multilink, Inc.	Uninterruptible Power Supply	EP650	1	$1,000.00	Intelligent Transportation Services
615	685-002-016-b	Multilink, Inc.	Uninterruptible Power Supply	EP650, Harness & 2 - XTV100 Bat	1	$1,515.00	Intelligent Transportation Services
616	685-002-016-a	Multilink, Inc.	Uninterruptible Power Supply	EP1100	1	$1,178.00	Intelligent Transportation Services
616	685-002-016-b	Multilink, Inc.	Uninterruptible Power Supply	EP1100, Harness & 4 XTV 100 Bat	1	$2,102.00	Intelligent Transportation Services
616	685-002-016-c	Multilink, Inc.	Uninterruptible Power Supply	EP1100, Harness & 4 XTV 150 Bat	1	$2,229.00	Intelligent Transportation Services
616	685-002-016-d	Multilink, Inc.	Uninterruptible Power Supply	EP1100, Harness & 4 XTV 100SF Bat	1	$2,954.00	Intelligent Transportation Services
736	659-031-009-a	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1079-FL-120	1	$137.00	Intelligent Transportation Services
736	659-031-009-a	Pelco Products, Inc.	Mast Arm Signal Mounting	SP-1079-FL-220	1	$149.00	Intelligent Transportation Services
				NEMA TS2 Cabinets			
452	660-015-045-a	Iteris	Vehicle Detector - Video	Next CCU SM2 TS2 - 2 Vector	1	$18,466.25	Iteris
452	660-015-045-b	Iteris	Vehicle Detector - Video	Next CCU SM2 TS2	1	$7,555.00	Iteris
452	660-015-045-c	Iteris	Vehicle Detector - Video	Next Vector	1	$5,235.00	Iteris
452	660-015-045-d	Iteris	Vehicle Detector - Video	Next CAM	1	$1,692.00	Iteris
				NEMA TS2 Cabinets			
453	660-015-045-a	Iteris	Vehicle Detector - Video	Next CCU SM4 TS2 - 2 Camera / 2 Vector	1	$26,362.75	Iteris
453	660-015-045-b	Iteris	Vehicle Detector - Video	Next CCU SM4 TS2 - 4 Vector	1	$33,058.75	Iteris
453	660-015-045-c	Iteris	Vehicle Detector - Video	Next CCU SM4 TS2	1	$11,676.25	Iteris
453	660-015-045-d	Iteris	Vehicle Detector - Video	Next Vector	1	$5,235.00	Iteris
453	660-015-045-e	Iteris	Vehicle Detector - Video	Next CAM	1	$1,692.00	Iteris
				Velocity Bluetooth Travel-time			
456	660-027-002	Iteris	Vehicle Detection - AVI	Velocity RM	1	$3,445.00	Iteris
457	660-027-007	Iteris	Vehicle Detector - AVI	BlueTOAD Spectra (solar/cellular)	1	$6,300.00	Iteris
				BlueTOAD Bluetooth Travel-time			
458	660-027-007-b	Iteris	Vehicle Det - AVI	BlueTOAD Spectra (AC/Ethernet w/ cell connection)	1	$5,500.00	Iteris
465	660-015-040-a	ITS Plus, Inc.	Vehicle detector-Video	ITSP-SDLC / Serial Data Commuincation	1	$1,995.00	ITS Plus, Inc.
465	660-015-040-b	ITS Plus, Inc.	Vehicle detector-Video	ITSP-V200E / Vehicle Detection Processor	1	$2,190.00	ITS Plus, Inc.
465	660-015-040-c	ITS Plus, Inc.	Vehicle detector-Video	ITSP-PM120C / Vehicle Detection Camera	1	$1,195.00	ITS Plus, Inc.
465	660-015-040-d	ITS Plus, Inc.	Vehicle detector-Video	ITSP-SSP-6 / 6 Channel Surge Protector	1	$500.00	ITS Plus, Inc.
465	660-015-040-e	ITS Plus, Inc.	Vehicle detector-Video	ITSP-Cable / Siamese Coax Cable	1	$995.00	ITS Plus, Inc.
468	102-044-045	K&K Systems, Inc.	TRAILER MOUNTED ARROW BOARD	AT154896	1	$3,983.00	K&K Systems, Inc.
469	102-044-046	K&K Systems, Inc.	TRAILER MOUNTED ARROW BOARD	AT254896 - FOLD N GO	1	$4,329.00	K&K Systems, Inc.
470	102-044-047	K&K Systems, Inc.	TRAILER MOUNTED ARROW BOARD	AT154896WT - 360 DEGREE TELESCOPIC WINCH	1	$4,263.00	K&K Systems, Inc.
471	102-044-048	K&K Systems, Inc.	TRAILER MOUNTED ARROW BOARD	AT254896WT	1	$4,498.00	K&K Systems, Inc.
472	102-045-018	K&K Systems, Inc.	VEHICLE MOUNTED ARROW BOARD	AV154896	1	$1,795.00	K&K Systems, Inc.
473	102-045-019	K&K Systems, Inc.	VEHICLE MOUNTED ARROW BOARD	AV254896	1	$2,097.00	K&K Systems, Inc.
474	102-045-020	K&K Systems, Inc.	VEHICLE MOUNTED ARROW BOARD	AV253672	1	$2,072.00	K&K Systems, Inc.
475	102-045-021	K&K Systems, Inc.	VEHICLE MOUNTED ARROW BOARD	AV153672	1	$1,770.00	K&K Systems, Inc.
476	102-045-023	K&K Systems, Inc.	VEHICLE MOUNTED ARROW BOARD	AV153060	1	$1,657.00	K&K Systems, Inc.
477	102-045-024	K&K Systems, Inc.	VEHICLE MOUNTED ARROW BOARD	AV253060	1	$1,969.00	K&K Systems, Inc.
478	102-048-024-A	K&K Systems, Inc.	PORTABLE CHANGEABLE MESSAGE SIGN (PCMS) - 18 IN CHARACTERS	CMS SERIES - MB14281	1	$15,897.00	K&K Systems, Inc.

478a	102-048-024-B	K&K Systems, Inc.	PORTABLE CHANGEABLE MESSAGE SIGN (PCMS) - 18 IN CHARACTERS	CMS SERIES - MB14281 - WIRELESS	1	$20,023.00	K&K Systems, Inc.
479	102-048-025-A	K&K Systems, Inc.	PORTABLE CHANGEABLE MESSAGE SIGN (PCMS) - 18 IN CHARACTERS	CMS SERIES - MB3L	1	$14,731.00	K&K Systems, Inc.
479a	102-048-025-B	K&K Systems, Inc.	PORTABLE CHANGEABLE MESSAGE SIGN (PCMS) - 18 IN CHARACTERS	CMS SERIES - MB3L-WIRELESS	1	$18,867.00	K&K Systems, Inc.
480	102-050-003	K&K Systems, Inc.	Portable Regulatory Sign	KKWS30-4	1	$3,519.00	K&K Systems, Inc.
481	102-052-012	K&K Systems, Inc.	Portable Radar Speed Display Unit	2000R-18	1	$7,184.00	K&K Systems, Inc.
482	102-059-006	K&K Systems, Inc.	TRUCK MOUNTED CHNAGEABLE MESSAGE SIGN	CMS SERIES - VCMS2748158	1	$8,848.00	K&K Systems, Inc.
483	102-059-007	K&K Systems, Inc.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	CMS SERIES - VCMS1848158	1	$7,300.00	K&K Systems, Inc.
484	102-072-001-A	K&K Systems, Inc.	PORTABLE CHANGEABLE MESSAGE SIGN (PCMS) - 12 IN CHARACTERS	MB9757	1	$11,898.00	K&K Systems, Inc.
484a	102-072-001-B	K&K Systems, Inc.	PORTABLE CHANGEABLE MESSAGE SIGN (PCMS) - 12 IN CHARACTERS	MB9757-WIRELESS	1	$15,936.00	K&K Systems, Inc.
485	654-001-010-A	K&K Systems, Inc.	RECTANGULAR RAPID FLASHING BEACON ASSEMBLY (RRFB)	SINGLE SIDED - SOLAR	1	$3,368.00	K&K Systems, Inc.
485a	654-001-010-B	K&K Systems, Inc.	RECTANGULAR RAPID FLASHING BEACON ASSEMBLY (RRFB)	DOUBLE SIDED - SOLAR	1	$4,050.00	K&K Systems, Inc.
485b	654-001-010-C	K&K Systems, Inc.	RECTANGULAR RAPID FLASHING BEACON ASSEMBLY (RRFB)	SINGLE SIDED - AC POWERED	1	$3,258.00	K&K Systems, Inc.
485c	654-001-010-D	K&K Systems, Inc.	RECTANGULAR RAPID FLASHING BEACON ASSEMBLY (RRFB)	DOUBLE SIDED - AC POWERED	1	$3,693.00	K&K Systems, Inc.
486	660-014-003-A	K&K Systems, Inc.	WRONG WAY VEHICLE SYSTEM	WWS-SP-1-SOLAR - COMPLETE SET UP	1	$35,415.00	K&K Systems, Inc.
487	660-014-003-B	K&K Systems, Inc.	WRONG WAY VEHICLE SYSTEM	WWS-SP-1-AC POWERED COMPLETE SET UP	1	$26,630.00	K&K Systems, Inc.
488	700-019-006-A	K&K Systems, Inc.	ELECTRONIC DISPLAY SIGN (EDS) - ELECTRONIC SPEED FEEDBACK SIGN (ESFS)	RPM-18	1	$5,833.00	K&K Systems, Inc.
488a	700-019-006-B	K&K Systems, Inc.	ELECTRONIC DISPLAY SIGN (EDS) - ELECTRONIC SPEED FEEDBACK SIGN (ESFS)	RPM-14	1	$5,830.00	K&K Systems, Inc.
488b	700-019-006-C	K&K Systems, Inc.	ELECTRONIC DISPLAY SIGN (EDS) - ELECTRONIC SPEED FEEDBACK SIGN (ESFS)	RPM-16	1	$5,832.00	K&K Systems, Inc.
489	700-026-015	K&K Systems, Inc.	Sign Beacon	112-D12	1	$4,885.00	K&K Systems, Inc.
489a	700-026-015-a	K&K Systems, Inc.	Sign Beacon	112-D12-AC	1	$4,504.00	K&K Systems, Inc.
490	700-026-015	K&K Systems, Inc.	Sign Beacon	112-S12	1	$4,487.00	K&K Systems, Inc.
490a	700-026-015-b	K&K Systems, Inc.	Sign Beacon	112-S12-AC	1	$4,105.00	K&K Systems, Inc.
491	700-026-017	K&K Systems, Inc.	Sign Beacon	117-D12	1	$3,498.00	K&K Systems, Inc.
491a	700-026-017-c	K&K Systems, Inc.	Sign Beacon	117-D12-AC	1	$2,783.00	K&K Systems, Inc.
492	700-026-017	K&K Systems, Inc.	Sign Beacon	116-S12	1	$2,854.00	K&K Systems, Inc.
492a	700-026-017-d	K&K Systems, Inc.	Sign Beacon	116-S12-AC	1	$2,270.00	K&K Systems, Inc.
493	700-026-017	K&K Systems, Inc.	Sign Beacon	115-S12	1	$2,854.00	K&K Systems, Inc.
493a	700-026-017-e	K&K Systems, Inc.	Sign Beacon	115-S12-AC	1	$2,270.00	K&K Systems, Inc.
494	700-026-017	K&K Systems, Inc.	Sign Beacon	118-D12	1	$3,498.00	K&K Systems, Inc.
494a	700-026-017-f	K&K Systems, Inc.	Sign Beacon	118-D12-AC	1	$2,783.00	K&K Systems, Inc.
495	700-027-002	K&K Systems, Inc.	Illuminated Sign - Highlighted Sign	MSAS-MUTCD	1	$1,533.00	K&K Systems, Inc.
495a	700-027-002-a	K&K Systems, Inc.	Illuminated Sign - Highlighted Sign	CrossWalk Sign Alert	1	$2,989.00	K&K Systems, Inc.
495b	700-027-002-b	K&K Systems, Inc.	Illuminated Sign - Highlighted Sign	Stop Sign Alert with Radar	1	$3,674.00	K&K Systems, Inc.
495c	700-027-002-c	K&K Systems, Inc.	Illuminated Sign - Highlighted Sign	Wrong Way Sign Alert	1	$2,510.00	K&K Systems, Inc.
495d	700-027-002-d	K&K Systems, Inc.	Illuminated Sign - Highlighted Sign	Chevron Sign Alert	1	$3,393.00	K&K Systems, Inc.

522	102-059-002-a	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020A-4 with Exo-Frame (Fixed) Mount Part Number: 1020A-4/X	1 Ea.	$10,095.00	LITESYS
522	102-059-002-b	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020A-4 with Upper (Pivot) Mount Part Number: 1020A-4/UV/AC	1 Ea.	$11,295.00	LITESYS
522	102-059-002-c	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020A-4 with Full (Bed) Mount Part Number: 1020A-4/UV/AC/B	1 Ea.	$11,495.00	LITESYS
522	102-059-002-d	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020A-4 with Full (Bed/Rail) Mount Part Number: 1020A-4/UV/AC/BR	1 Ea.	$11,495.00	LITESYS
523	102-059-003-a	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020F-4 with Exo-Frame (Fixed) Mount Part Number: 1020F-4/X	1 Ea.	$10,295.00	LITESYS
523	102-059-003-b	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020F-4 with Upper (Pivot) Mount Part Number: 1020F-4/UV/AC	1 Ea.	$11,495.00	LITESYS
523	102-059-003-c	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020F-4 with Full (Bed) Mount Part Number: 1020F-4/UV/AC/B	1 Ea.	$11,695.00	LITESYS
523	102-059-003-d	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1020F-4 with Full (Bed/Rail) Mount Part Number: 1020F-4/UV/AC/BR	1 Ea.	$11,695.00	LITESYS
524	102-059-004-a	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1030F-4 with Exo-Frame (Fixed) Mount Part Number: 1030F-4/X	1 Ea.	$11,595.00	LITESYS
524	102-059-004-b	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1030F-4 with Upper (Pivot) Mount Part Number: 1030F-4/UV/AC	1 Ea.	$12,995.00	LITESYS
524	102-059-004-c	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1030F-4 with Full (Bed) Mount Part Number: 1030F-4/UV/AC/B	1 Ea.	$13,995.00	LITESYS
524	102-059-004-d	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	LiteReader VCMS 1030F-4 with Full (Bed/Rail) Mount Part Number: 1030F-4/UV/AC/BR	1 Ea.	$13,995.00	LITESYS
525	654-002-005a	Lux Solar, Inc.	In-Roadway Lights	LS1000+CWSYS (Two Lanes) (Solar)	1	$22,638.00	Lux Solar, Inc.
525	654-002-005b	Lux Solar, Inc.	In-Roadway Lights	LS1000+CWSYS (Two Lanes) (A/C)	1	$21,308.00	Lux Solar, Inc.
525	654-002-005i	Lux Solar, Inc.	In-Roadway Lights	LS1000+CWSYS (Two Lanes) (Install)	1	$22,000.00	Lux Solar, Inc.
526	706-005-001a	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (Single Sided White)	1	$198.00	Lux Solar, Inc.
527	706-005-001b	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (Single Sided Yellow)	1	$198.00	Lux Solar, Inc.
528	706-005-001i	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (Install) (Minimum Quantity = 24)	1	$75.00	Lux Solar, Inc.
528	706-005-001d	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (2 Year Warranty)	1	$163.00	Lux Solar, Inc.
864	684-002-001-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RS900** / 6GK6090-0AS23-0BA0-Z A00+B00 / 6x 10-100 RJ-45 Ports, AC Pwr	1	$1,521.00	Siemens
864	684-002-001-b	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RS900** / 6GK6090-0AS23-0BA0-Z A17+B00 / 6x 10-100 RJ-45 Ports, 2x LC 20km (Single Mode Optics), AC Pwr	1	$2,126.00	Siemens
865	684-002-001-c	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RS900G** / 6GK6090-0GS23-0BA0-Z A01 / 8x 10-100 RJ-45 Ports + 2x Gb SFP Ports (SFPs not included), AC Pwr	1	$2,187.00	Siemens
865	684-002-001-d	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RS900G** / 6GK6090-0GS23-0BA0-Z A03 / 8x 10-100 RJ-45 Ports + 2x Gb LC 10km (Single Mode Optics), AC Pwr	1	$2,853.00	Siemens

865	684-002-001-e	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RS900G** / 6GK6090-0GS23-0BA0-Z A04 / 8x 10-100 RJ-45 Ports + 2x Gb LC 25km (Single Mode Optics), AC Pwr	1	$3,280.00	Siemens
866	684-002-003-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSGXXXX Series** RSG2100P / 6GK6021-0PS23-8DC0-Z A09+B09+C09+D09+E10+F10+G09+H09+J00+K00 / 10-100-1000 Layer 2 Switch 4x RJ45 POE Ports, 3x Gb LC 25km (Single Mode Optics), 12x 100FX LC 20km (Single Mode Optics), AC Pwr	1	$14,394.00	Siemens
866	684-002-003-b	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSGXXXX Series** RSG2100P / 6GK6021-0PS23-8DC0-Z A09+B09+C09+D00+E10+F00+G00+H00+J00+K00 / 10-100-1000 Layer 2 Switch 4x RJ45 POE Ports, 2x Gb LC 25km (Single Mode Optics), 6x 100FX LC 20km (Single Mode Optics), AC Pwr	1	$9,616.00	Siemens
866	684-002-003-c	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSGXXXX Series** RSG2100P / 6GK6021-0PS23-8DC0-Z A01+B01+C01+D00+E00+F00+G00+H00+J00+K00 / 10-100-1000 Layer 2 Switch 6x RJ45 Ports, 4x RJ45 POE Ports, AC Pwr	1	$4,232.00	Siemens
866	684-002-003-d	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSGXXXX Series** RSG920P / 6GK6092-0PS23-0BA0-Z A04+B04+C04+D04 / 16x 10-100-1000 RJ-45 Ports + 4x Gb LC 10km (Single Mode Optics), AC Pwr (requires additional RPS1300 power supply if PoE is being used)	1	$6,151.00	Siemens
866	684-002-003-e	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSGXXXX Series** RSG920P / 6GK6092-0PS23-0BA0-Z A00+B00+C00+D00 / 16x 10-100-1000 RJ-45 Ports + 4x Gb SFP Ports (SFPs not included), AC Pwr (requires additional RPS1300 power supply if PoE is being used)	1	$4,254.00	Siemens
867	684-002-018-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RUGGEDCOM RX1500** / 6GK6015-0AM23-0EC0-Z A01+B01+C01+D36+E36 / 10-100-1000 Layer 3 Switch 12x 10-100 RJ45 Ports, 4x 1Gb SFP Ports (SFPs not included), L3 Standard Edition Software, AC Pwr	1	$6,992.00	Siemens
867	684-002-018-b	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RUGGEDCOM RX1500** / 6GK6015-0AM23-3EC0-Z A03+B01+C00+D36+E00 / 10-100-1000 Layer 3 Switch 6x 10-100 RJ45 Ports, 2x 1Gb SFP Ports (SFPs not included), L3 Security Edition Software, Redundant AC Pwr Supplies	1	$7,536.00	Siemens
867	684-002-018-c	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RUGGEDCOM RX1500** / 6GK6015-0AM23-0EC0-Z A01+B01+C00+D33+E00 / 10-100-1000 Layer 3 Switch 6x 10-100 RJ45 Ports, 2x Gb LC 10km (Single Mode Optics), L3 Standard Edition Software, AC Pwr	1	$6,683.00	Siemens
868	684-002-018-d	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RUGGEDCOM RX1501** / 6GK6015-0BM23-0EC0-Z A01+B26+C00+D01+E01+F01+G01 / 10-100-1000 Layer 3 Switch 24x 10-100 RJ45 Ports, 2x 1Gb SFP Ports (SFPs not included), L3 Standard Edition Software, AC Pwr	1	$8,176.00	Siemens
869	684-002-022-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSG2300** / 6GK6023-0AS23-0DC0-Z A00+B00+C07+D07 / 4x Gb SFP Ports (SFPs not included), AC Pwr	1	$5,195.00	Siemens

869	684-002-022-b	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RSG2300** / 6GK6023-0AS23-0DC0-Z A00+B00+C00+D07 / 2x Gb SFP Ports (SFPs not included), AC Pwr	1	$4,714.00	Siemens
870	684-002-023-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RUGGEDCOM RX1400** / 6GK6014-0AM23-0BA0-Z A07+B00+C00+D00+E00+F01+G02+V00 / 10-100-1000 Layer 3 Switch 4x 10-100 RJ45 Ports, 2x 1Gb SFP Ports (SFPs not included), L3 Security Edition Software, AC Pwr	1	$3,334.00	Siemens
871	684-002-025-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RUGGEDCOM RX1510** / 6GK6015-1AM23-0EC0-Z A03+B01+C00+D36+E00 / 10-100-1000 Layer 3 Switch 6x 10-100 RJ45 Ports, 2x 1Gb SFP Ports (SFPs not included), L3 Security Edition Software, AC Pwr	1	$6,876.00	Siemens
872	684-002-036-a	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RST916P** / 6GK6491-6PD00-1PN0 / 12x 10-100-1000 RJ-45 Ports (10x PoE Ports) + 4x 1/10 Gb SFP Ports (SFPs not included), AC Pwr (requires additional RPS1300 power supply)	1	$3,403.00	Siemens
873	684-002-036-b	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RST916C** / 6GK6491-6CD00-1CN0 / 12x 10-100-1000 RJ-45 Ports + 4x 1/10 Gb SFP Ports (SFPs not included), AC Pwr	1	$3,314.00	Siemens
874	684-002-036-c	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RST2228** / 6GK6222-6AB00-5CN0-Z A00+B06+C06+D06+E01+F01+G01 / 12x 10-100-1000 RJ-45 Ports + 12x 1Gb SFP Ports + 4x 1/10 Gb SFP Ports (SFPs not included), AC Pwr	1	$6,617.00	Siemens
875	684-002-036-d	Siemens Canada Limited (formally RuggedCom)	Managed Field Ethernet Switch	**RST2228P** / 6GK6222-6PB00-5CN0-Z A00+B06+C06+D06+E03+F03+G03 / 12x 10-100-1000 RJ-45 PoE Ports + 12x 1Gb SFP Ports + 4x 1/10 Gb SFP Ports (SFPs not included), AC Pwr (requires additional RPS1300 PoE power supply)	1	$7,504.00	Siemens
897	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In	VMSLED-WV-70F-27x125-30A-I+-GMC - Pixel Matrix: 27x125 - Pixel Pitch: 70mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$85,190.70	Skyline Products
898	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In	VMSLED-WV-20F-96x288-30C-I+-GMC - Pixel Matrix: 96x288 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$97,937.10	Skyline Products
899	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In	VMSLED-WV-20F-96x384-30C-I+-GMC - Pixel Matrix: 96x384 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$114,887.10	Skyline Products
900	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In	VMSLED-WV-20F-96x400-30C-I+-GMC - Pixel Matrix: 96x400 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$120,537.10	Skyline Products

901	700-020-001	Skyline Products	Dynamic Message Sign - Walk-In	VMSLED-WV-20F-96x432-30C-I+-GMC - Pixel Matrix: 96x432 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$131,837.10	Skyline Products
902	700-023-009	Skyline Products	Dynamic Message Sign - Front Access	VMSLED-SV-20F-64x288-30C-I+-GMC - Pixel Matrix: 64x288 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$86,637.10	Skyline Products
903	700-023-009	Skyline Products	Dynamic Message Sign - Front Access	VMSLED-SV-20F-80x304-30C-I+-GMC - Pixel Matrix: 80x304 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$93,417.10	Skyline Products
904	700-023-009	Skyline Products	Dynamic Message Sign - Front Access	VMSLED-LV-20F-96x288-30C-I+-GMC - Pixel Matrix: 96x288 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$96,807.10	Skyline Products
905	700-023-009	Skyline Products	Dynamic Message Sign - Front Access	VMSLED-LV-20F-96x400-30C-I+-GMC - Pixel Matrix: 96x400 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$119,407.10	Skyline Products
906	700-023-009	Skyline Products	Dynamic Message Sign - Front Access	VMSLED-LV-20F-96x432-30C-I+-GMC - Pixel Matrix: 96x432 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$130,707.10	Skyline Products
907	700-024-006	Skyline Products	Dynamic Message Sign - Embedded	VMSLED-SV-20F-24x128-30C-I+-GMC - Pixel Matrix: 24x128 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$27,588.95	Skyline Products
908	700-024-006	Skyline Products	Dynamic Message Sign - Embedded	VMSLED-SV-20F-24x144-30C-I+-GMC - Pixel Matrix: 24x144 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$28,289.55	Skyline Products
909	700-024-006	Skyline Products	Dynamic Message Sign - Embedded	VMSLED-SV-20F-24x320-30C-I+-GMC - Pixel Matrix: 24x320 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$45,781.95	Skyline Products
910	700-024-006	Skyline Products	Dynamic Message Sign - Embedded	VMSLED-SV-20F-24x352-30C-I+-GMC - Pixel Matrix: 24x352 - Pixel Pitch: 20mm - Includes: Ground Mount Control Cabinet w/ sunshield and generator plug and transfer switch	1	$48,239.70	Skyline Products
917	676-007-004-A	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE IV	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.

917	676-007-004-B	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE IV	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
917	676-007-004-C	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE IV	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
917	676-007-004-D	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE IV	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
918	676-008-009-A	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE V	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
918	676-008-009-B	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE V	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
918	676-008-009-C	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE V	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
918	676-008-009-D	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED TYPE V	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
919	676-010-001-A	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED SPECIAL	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
919	676-010-001-B	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED SPECIAL	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
919	676-010-001-C	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED SPECIAL	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
919	676-010-001-D	SOUTHERN MFG. CO.	CONTROLLER CABINET UNWIRED SPECIAL	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
920	676-014-001-A	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE VI	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
920	676-014-001-B	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE VI	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
920	676-014-001-C	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE VI	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
920	676-014-001-D	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE VI	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
921	676-015-001-A	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE III	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
921	676-015-001-B	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE III	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
921	676-015-001-C	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE III	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
921	676-015-001-D	SOUTHERN MFG. CO.	CONT. CAB. UNWIRED TYPE III	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
922	676-024-001-A	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
922	676-024-001-B	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
922	676-024-001-C	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
922	676-024-001-D	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
924	676-029-003-A	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
924	676-029-003-B	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
924	676-029-003-C	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
924	676-029-003-D	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.

925	676-031-001-A	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336 STRETCH	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
925	676-031-001-B	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336 STRETCH	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
925	676-031-001-C	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336 STRETCH	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
925	676-031-001-D	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 336 STRETCH	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
927	676-035-005-A	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 334	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
927	676-035-005-B	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 334	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
927	676-035-005-C	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 334	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
927	676-035-005-D	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 334	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
927	676-035-005-E	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 334	1RU8126MS Remote Power Manager/Enviromental Monitoring System	1	$1,195.00	SOUTHERN MFG. CO.
928	676-035-012-A	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 336S	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
928	676-035-012-B	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 336S	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
928	676-035-012-C	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 336S	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
928	676-035-012-D	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 336S	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
928	676-035-012-E	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 336S	1RU8126MS Remote Power Manager/Enviromental Monitoring System	1	$1,195.00	SOUTHERN MFG. CO.
930	685-002-004-A	SOUTHERN MFG. CO.	UNINTERRUPTIBLE POWER SUPPLY	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
930	685-002-004-B	SOUTHERN MFG. CO.	UNINTERRUPTIBLE POWER SUPPLY	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
930	685-002-004-C	SOUTHERN MFG. CO.	UNINTERRUPTIBLE POWER SUPPLY	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
930	685-002-004-D	SOUTHERN MFG. CO.	UNINTERRUPTIBLE POWER SUPPLY	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
930	676-035-015-A	SOUTHERN MFG. CO.	ITS FIELD CABINET 332D	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
929	676-035-015-B	SOUTHERN MFG. CO.	ITS FIELD CABINET 332D	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
929	676-035-015-C	SOUTHERN MFG. CO.	ITS FIELD CABINET 332D	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
929	676-035-015-D	SOUTHERN MFG. CO.	ITS FIELD CABINET 332D	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.
929	676-035-015-E	SOUTHERN MFG. CO.	ITS FIELD CABINET TYPE 332D	1RU8126MS Remote Power Manager/Enviromental Monitoring System	1	$1,195.00	SOUTHERN MFG. CO.
923	676-024-004-A	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-ATS-GC-30A-00, Automatic Transfer Switch Retrofit to existing cabinets	1	$2,000.00	SOUTHERN MFG. CO.
923	676-024-004-B	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-ATS-GC-50A-00 Automatic Transfer Switch Retrofit to existing cabinets	1	$2,100.00	SOUTHERN MFG. CO.
923	676-024-004-C	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-GC-30A-03 Manual Transfer Switch Retrofit to existing cabinets	1	$1,850.00	SOUTHERN MFG. CO.
923	676-024-004-D	SOUTHERN MFG. CO.	170 UNWIRED CABINET TYPE 332/334	SOUH-GC-50A-06 Manual Transfer Switch Retrofit to existing cabinets	1	$1,950.00	SOUTHERN MFG. CO.

110	684-002-016-a	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-4000-4TC4G-E IE4000 switch w/ 4 FE Copper combo ports and 4 GE combo uplink ports	1	$3,403.18	Think IT Ai
110	684-002-016-b	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-4000-4T4P4G-E IE4000 switch w/ 4 FE Copper, 4 FE PoE+ and 4 GE combo uplink ports	1	$4,939.09	Think IT Ai
110	684-002-016-c	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-4000-4GC4GP4G-E IE4000 switch w/ 4 GE combo, 4 GE PoE+ and 4 GE combo uplink ports	1	$6,712.25	Think IT Ai
110	684-002-016-d	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-4000-4GS8GP4G-E IE4000 switch w/ 4 GE SFP, 8 GE PoE+ and 4 GE combo uplink ports	1	$7,963.38	Think IT Ai
110	684-002-016-e	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-4000-8GT8GP4G-E IE4000 switch w/ 8 GE Copper, 8 GE PoE+ and 4 GE combo uplink ports	1	$9,623.53	Think IT Ai
113	684-002-037-a	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-2000-4TS-L IE2000 w/ 4 FE Copper ports and 2 FE SFP ports (Lan Lite)	1	$1,004.30	Think IT Ai
113	684-002-037-b	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-2000-8TC-G-B IE2000 w/ 8FE Copper ports and 2GE uplinks (Lan Base)	1	$1,811.06	Think IT Ai
113	684-002-037-c	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-2000-4TS-G-B IE2000 w/ 4 FE Copper ports and 2 GE SFP ports (Lan Base)	1	$1,333.28	Think IT Ai
113	684-002-037-d	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-2000-16TC-G-L IE2000 w/ 16FE Copper, 2GE SFP/T and 2FE SFP (Lan Lite)	1	$2,479.98	Think IT Ai
113	684-002-037-e	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE-2000-16TC-B IE2000 w/ 16FE Copper, 2FE SFP/T and 2FE uplinks (Lan Base)	1	$2,575.51	Think IT Ai
348	684-002-034-a	Extreme Networks	Managed Field Ethernet Switch	MFG# 16801 4PT POE+ 10/100 2PT 10/100 W/ 2PT SFP	1	$1,727.66	Think IT Ai
348	684-002-034-b	Extreme Networks	Managed Field Ethernet Switch	MFG# 16802 8PT POE+ 10/100 W/ 4PT SFP OPERATING	1	$1,958.76	Think IT Ai
348	684-002-034-c	Extreme Networks	Managed Field Ethernet Switch	MFG# ISW-4W-4WS-4X 12-Port Rugged Switch w/ 4GE Copper 90W PoE + 4 combo + 4 10GE SFP+ ports Temp -40C - +75C	1	$4,954.13	Think IT Ai
348	684-002-034-d	Extreme Networks	Managed Field Ethernet Switch	MFG# ISW-24W-4X 28-Port Rugged Ethernet Switch w/ 24x1GE 90W PoE + 4 10GE SFP+ ports 720W PoE Temp -40C - +75C 1RU	1	$9,146.25	Think IT Ai
349	684-002-033-a	Extreme Networks	Managed Field Ethernet Switch	MFG# 16801 4PT POE+ 10/100 2PT 10/100 W/ 2PT SFP	1	$1,727.66	Think IT Ai
349	684-002-033-b	Extreme Networks	Managed Field Ethernet Switch	MFG# 16802 8PT POE+ 10/100 W/ 4PT SFP OPERATING	1	$1,958.76	Think IT Ai
349	684-002-033-c	Extreme Networks	Managed Field Ethernet Switch	MFG# ISW-4W-4WS-4X 12-Port Rugged Switch w/ 4x1GE Copper 90W PoE + 4 combo + 4 10GE SFP+ ports Temp -40C - +75C	1	$4,954.13	Think IT Ai
349	684-002-033-d	Extreme Networks	Managed Field Ethernet Switch	MFG# ISW-24W-4X 28-Port Rugged Ethernet Switch w/ 24x1GE 90W PoE + 4 10GE SFP+ ports 720W PoE Temp -40C - +75C 1RU	1	$9,146.25	Think IT Ai
608	684-001-004-a	MOXA	Device Server	MFG# NPORT 6150 1 port RS-232/422/485 secure device server, 12-48V, w/ adapter	1	$369.06	Think IT Ai
608	684-001-004-b	MOXA	Device Server	MFG# NPORT 6250 2 ports RS-232/422/485 secure device server, 12-48V, w/ adapter	1	$471.56	Think IT Ai
608	684-001-004-c	MOXA	Device Server	MFG# NPORT 6250-T 2 Port Terminal Server, 3 in 1, 10/100M Ethernet, 12-48 VDC, -40 to 75°C	1	$591.56	Think IT Ai
608	684-001-004-d	MOXA	Device Server	MFG# NPORT 6250-M-SC 2 ports RS-232/422/485 single mode Ethernet with SC connector 12-48V w/ adapter	1	$591.56	Think IT Ai

608	684-001-004-e	MOXA	Device Server	MFG# NPORT 6250-S-SC-T 2 Port 3 in 1 100FX Single Mode Fiber SC Connector 12-48VDC -40 to 75°C	1	$958.75	Think IT Ai
609	684-002-011-a	MOXA	Managed Field Ethernet Switch	MFG# EDS-510E-3GTXSFP 7 10/100BaseT(X) ports, 3 10/100/1000BaseT(X) or 100/1000BaseSFP combo ports	1	$1,668.13	Think IT Ai
609	684-002-011-b	MOXA	Managed Field Ethernet Switch	MFG# EDS-510E-3GTXSFP-T 7 10/100BaseT(X) ports, 3 10/100/1000BaseT(X) or 100/1000BaseSFP combo ports	1	$1,807.19	Think IT Ai
610	684-002-011-c	MOXA	Managed Field Ethernet Switch	MFG# EDS-G512E-4GSFP-T 12 port Gigabit MFES with 8 10/100/1000BaseT(X) ports, 4 Gigabit SFP	1	$1,993.75	Think IT Ai
610	684-002-011-d	MOXA	Managed Field Ethernet Switch	MFG# EDS-G512E-8PoE-4GSFP 12 port Gigabit MFES with 8 10/100/1000BaseT(X) PoE/PoE+ ports, 4 100/1000BaseSFP	1	$2,553.13	Think IT Ai
610	684-002-011-e	MOXA	Managed Field Ethernet Switch	MFG# EDS-G512E-8PoE-4GSFP-T 12 port full Gigabit MFES, 8 10/100/1000BaseT(X) PoE/PoE+ ports with 4 100/1000BaseSFP	1	$2,761.88	Think IT Ai
768	684-001-002-a	Pepperl+Fuchs	Device Server	MFR# 99446-6 Comtrol DeviceMaster RTS 4 Port Serial w/ RJ45 RS/232/422/485	1	$625.00	Think IT Ai
768	684-001-002-b	Pepperl+Fuchs	Device Server	MFR# 99448-0 Comtrol DeviceMaster RTS 8 Port Serial w/ DB9 connections -RS/232/422/485	1	$1,000.00	Think IT Ai
768	684-001-002-c	Pepperl+Fuchs	Device Server	MFR# 99450-3 Comtrol DeviceMaster RTS 16 Port Serial w/16 RJ45 RS232/422/485 ports + 2x10/100 ports	1	$1,187.50	Think IT Ai
768	684-001-002-d	Pepperl+Fuchs	Device Server	MFR# 99455-8 Comtrol DeviceMaster RTS 16 Port Serial w/ RJ45 connections - RS/232/422/485 rackmount	1	$1,250.00	Think IT Ai
768	684-001-002-e	Pepperl+Fuchs	Device Server	MFR# 99456-5 Comtrol DeviceMaster RTS 32 Port Serial w/ RJ45 connections - RS/232/422/485 rackmount	1	$2,062.50	Think IT Ai
769	684-001-003-a	Pepperl+Fuchs	Device Server	MFR# 99443-5 Comtrol DeviceMaster Pro 8 Port Serial w/ 8 DB9M/RJ45F RS232/422/485 ports, (2) 10/100 ports & 25KV surge protection	1	$1,062.50	Think IT Ai
769	684-001-003-b	Pepperl+Fuchs	Device Server	MFG# 99451-0 Comtrol DeviceMaster Pro 16 Port Serial DB9 RS/232/422/485 & 25KV Surge Protection	1	$2,062.50	Think IT Ai
1012	650-022-004-a	Transportation Control Systems (TCS)	12" Die Cast All LED Vehicle Signal Assembly	HSS83ELED - 4 SECTION	1	$681.00	Transportation Control Systems
1012	650-022-004-b	Transportation Control Systems (TCS)	12" Die Cast All LED Vehicle Signal Assembly	HSS83ELED - 5 SECTION NO HDW	1	$845.00	Transportation Control Systems
1004	654-001-011-A	'Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SA328 RRFB-Includes signage W11-2 and W16-7, push button (665-003-016 A), RRFB light bar, Controller, 20W Solar panel.	2/each	$3,399.00	Transportation Solutions and Lighting
1004	654-001-011-B	'Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SA328 RRFB-Includes Back to Back signage W11-2 and W16-7, push button (665-003-016 A),Back to Back RRFB light bar, Controller, 20W Solar panel.	2/each	$4,199.00	Transportation Solutions and Lighting
1004	654-001-011-C	'Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SA328 RRFB-Includes push button (665-003-016 A), RRFB light bar, Controller, 20W Solar panel	2/each	$3,099.00	Transportation Solutions and Lighting
1004	654-001-011-D	'Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SA328 RRFB-Includes push button (665-003-016 A), Back to Back RRFB light bar, Controller, 20W Solar panel	2/each	$3,610.00	Transportation Solutions and Lighting

1004	654-001-011-E	'Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	SA328 RRFB-Includes Back to Back signage W11-2 and W16-7, push button (665-003-016 A), Back to Back RRFB light bar, Controller, AC Power	2/each	$3,939.00	Transportation Solutions and Lighting
1005	700-019-004-A	'Trafficalm Systems	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Urban DFB Series-IQ1500 solar	1/each	$4,049.00	Transportation Solutions and Lighting
1005	700-019-004-B	'Trafficalm Systems	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Urban DFB Series-IQ1500 AC	1/each	$2,999.00	Transportation Solutions and Lighting
1005	700-019-004-C	'Trafficalm Systems	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Urban DFB Series-IQ1800 Solar	1/each	$7,152.00	Transportation Solutions and Lighting
1005	700-019-004-D	'Trafficalm Systems	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Urban DFB Series-IQ1800 AC	1/each	$6,072.00	Transportation Solutions and Lighting
1006	700-027-004-A	'Trafficalm Systems	Illuminated Sign - Highlighted Sign	M75-SA300-BSC2 with R1-1 30" Stop Sign LED Enhanced Ring 24/7.	1/each	$1,229.00	Transportation Solutions and Lighting
1006	700-027-004-B	Trafficalm Systems	Illuminated Sign - Highlighted Sign	'M75-SA300-BSC2 with R1-1 36" Stop Sign LED Enhanced Ring 24/7.	1/each	$1,299.00	Transportation Solutions and Lighting
1006	700-027-004-C	Trafficalm Systems	Illuminated Sign - Highlighted Sign	M75-SA300-CTL2/ M75-SA300-CLB2 with 30" W11-2 LED Enhanced Rings and push button	2/each	$3,352.00	Transportation Solutions and Lighting
1006	700-027-004-D	Trafficalm Systems	Illuminated Sign - Highlighted Sign	'M75-SA300-CTL2 with S5-1 24"X48" LED Enhanced Ring	1/each	$1,749.00	Transportation Solutions and Lighting
1006	700-027-004-E	Trafficalm Systems	Illuminated Sign - Highlighted Sign	'M75-SA300-BSC2 with S2-1 24"X30" LED Enhanced Ring	1/each	$1,249.00	Transportation Solutions and Lighting
657	650-001-006-A	Oriux (formerly Peek Traffic)	12" Polycarbonate Vehicle Signal	12" Polycarbonate Vehicle Signal- 1 section w/ tunnel visor and backplate w/ reflective tape	1/each	$152.00	Transportation Solutions and Lighting
657	650-001-006-B	Oriux (formerly Peek Traffic)	12" Polycarbonate Vehicle Signal	12" Polycarbonate Vehicle Signal- 2 section w/ tunnel visors and backplate w/ reflective tape	1/each	$218.00	Transportation Solutions and Lighting
657	650-001-006-C	Oriux (formerly Peek Traffic)	12" Polycarbonate Vehicle Signal	12" Polycarbonate Vehicle Signal- 3 section w/ tunnel visors and backplate w/ reflective tape	1/each	$288.00	Transportation Solutions and Lighting
657	650-001-006-D	Oriux (formerly Peek Traffic)	12" Polycarbonate Vehicle Signal	12" Polycarbonate Vehicle Signal- 4 section w/ tunnel visors and backplate w/ reflective tape	1/each	$390.00	Transportation Solutions and Lighting
657	650-001-006-E	Oriux (formerly Peek Traffic)	12" Polycarbonate Vehicle Signal	12" Polycarbonate Vehicle Signal- 5 section in line w/ tunnel visors and backplate w/ reflective tape	1/each	$486.00	Transportation Solutions and Lighting
658	650-002-005-A	Oriux (formerly Peek Traffic)	12" Die Cast Vehicle Signal	12" Die Cast Vehicle Signal- 1 section w/ tunnel visor and backplate w/ reflective tape	1/each	$182.00	Transportation Solutions and Lighting
658	650-002-005-B	Oriux (formerly Peek Traffic)	12" Die Cast Vehicle Signal	12" Die Cast Vehicle Signal- 2 section w/ tunnel visors and backplate w/ reflective tape	1/each	$290.00	Transportation Solutions and Lighting
658	650-002-005-C	Oriux (formerly Peek Traffic)	12" Die Cast Vehicle Signal	12" Die Cast Vehicle Signal- 3 section w/ tunnel visors and backplate w/ reflective tape	1/each	$382.00	Transportation Solutions and Lighting
658	650-002-005-D	Oriux (formerly Peek Traffic)	12" Die Cast Vehicle Signal	12" Die Cast Vehicle Signal- 4 section w/ tunnel visors and backplate w/ reflective tape	1/each	$529.00	Transportation Solutions and Lighting
658	650-002-005-E	Oriux (formerly Peek Traffic)	12" Die Cast Vehicle Signal	12" Die Cast Vehicle Signal- 5 section in line w/ tunnel visors and backplate w/ reflective tape	1/each	$668.00	Transportation Solutions and Lighting
165	653-001-001-A	Cost Cast, Inc.	Pedestrian Signal Bracket Sand Cast	1915-BR Side of pole framework. Black	1/each	$84.00	Transportation Solutions and Lighting
166	659-001-007-A	Cost Cast, Inc.	Vehicle Signal Bracket	1902-B. Two way bracket set. Black	1/each	$80.00	Transportation Solutions and Lighting
166	659-001-007-B	Cost Cast, Inc.	Vehicle Signal Bracket	1902-U. Two way bracket set. Unpainted	1/each	$70.00	Transportation Solutions and Lighting
201	659-031-018-A	Cost Cast, Inc.	Mast Arm Signal Mounting	Value-Brac Model 1416-G-C120-G48. 1416 Mast Arm Signal Assembly, 120" Cable (48" Gusseted Tube), SS304 Certified	1/each	$132.00	Transportation Solutions and Lighting
201	659-031-018-B	Cost Cast, Inc.	Mast Arm Signal Mounting	Value-Brac Model 1416-G-C120-G60. 1416 Mast Arm Signal Assembly, 120" Cable (60" Gusseted Tube), SS304 Certified	1/each	$137.00	Transportation Solutions and Lighting
201	659-031-018-C	Cost Cast, Inc.	Mast Arm Signal Mounting	Value-Brac Model 1416-G-C120-G72. 1416 Mast Arm Signal Assembly, 120" Cable (72" Gusseted Tube), SS304 Certified	1/each	$142.00	Transportation Solutions and Lighting

201	659-031-018-D	Cost Cast, Inc.	Mast Arm Signal Mounting	Value-Brac Model 1416-G-C120-48 1416 Mast Arm Signal Assembly, 120" Cable (48" Tube), SS304 Certified	1/each	$128.00	Transportation Solutions and Lighting
201	659-031-018-E	Cost Cast, Inc.	Mast Arm Signal Mounting	Value-Brac Model 1416-G-C120-48. 1416 Mast Arm Signal Assembly, 120" Cable (72" Tube), SS304 Certified	1/each	$138.00	Transportation Solutions and Lighting
202	659-035-007-A	Cost Cast, Inc.	Mast Arm Camera Mounting	1428-E-C62-G48. Mast arm camera mount with 62" cable and 48" gusetted tube	1	$144.00	Transportation Solutions and Lighting
202	659-035-007-B	Cost Cast, Inc.	Mast Arm Camera Mounting	1428-E-C62-G60. Mast arm camera mount with 62" cable and 60" gusetted tube	1	$154.00	Transportation Solutions and Lighting
202	659-035-007-C	Cost Cast, Inc.	Mast Arm Camera Mounting	1428-E-C62-G72. Mast arm camera mount with 62" cable and 72" gusetted tube	1	$164.00	Transportation Solutions and Lighting
202	659-035-010-D	Cost Cast, Inc.	Mast Arm Camera Mounting	1428-E-C120-G72. Mast arm camera mount with 120" cable and 72" gusetted tube	1	$154.00	Transportation Solutions and Lighting
203	659-035-008-A	Cost Cast, Inc.	Mast Arm Camera Mounting	1444-C62-2X48-1. Mast arm camera mount with 62" cable and 48" gusseted tubing.	1	$199.00	Transportation Solutions and Lighting
203	659-035-008-B	Cost Cast, Inc.	Mast Arm Camera Mounting	1444-C120-2X48-1. Mast arm camera mount with 120" cable and 48" gusseted tubing.	1	$212.00	Transportation Solutions and Lighting
1091	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	SS-200V SmartSensor Advance - Aboveground Equipment, includes:(1) SS-200V, (1) SS-WARR-3-FL	1	$5,458.00	Wavetronix LLC
1091	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	SS-200V SmartSensor Advance - Aboveground Equipment, Pole Mount, includes:(1) SS-200V, (1) SS-WARR-3-FL, (1) SS-611, (1) SS-704-006, (1) SS-710	1	$6,068.00	Wavetronix LLC
1091	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	SS-200V SmartSensor Advance - Aboveground Equipment, Span Mount, includes: (1) SS-200V, (1) SS-WARR-3-FL, (1) 101-0462, (1) SS-704-006, (1) SS-710	1	$6,068.00	Wavetronix LLC
1092	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	SS-200E SmartSensor Advance "Extended Range" - Aboveground Equipment, includes: (1) SS-200E, (1) SS-WARR-3-FL	1	$6,049.00	Wavetronix LLC
1092	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	SS-200E SmartSensor Advance "Extended Range" - Aboveground Equipment, Pole Mount, includes: (1) SS-200E, (1) SS-WARR-3-FL, (1) SS-611, (1) SS-704-006, (1) SS-710	1	$6,049.00	Wavetronix LLC
1092	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	SS-200E SmartSensor Advance "Extended Range" - Aboveground Equipment, Span Mount, includes: (1) SS-200E, (1) SS-WARR-3-FL, (1) 101-0462, (1) SS-704-006, (1) SS-710	1	$6,659.00	Wavetronix LLC
1089	660-020-005	Wavetronix, LLC.	Traffic Data Detection System - Microwave	SS105V SmartSensor V (ITS) includes: (1) SS-105V, (1) SS-WARR-3-FL	1	$4,280.00	Wavetronix LLC
1089	660-020-005	Wavetronix, LLC.	Traffic Data Detection System - Microwave	SS105V SmartSensor V (ITS) includes: (1) SS-105V, (1) SS-WARR-3-FL, (1) SS-706-060, (1) SS-611, (1) CLK-202	1	$5,100.00	Wavetronix LLC
1091	660-026-002	Wavetronix, LLC.	Dilemma Zone Protection System	360-0283 SmartSensor Advance Viewfinder	1	$26.00	Wavetronix LLC
5	685-002-009a	Alpha Technologies	Uninterruptible Power Supply	FXM 350 Series w/ 2-56Ahr batteries, 24v battery cable kit, rack mount kit	1	$1,481.00	Temple, Inc.
12	685-002-020a	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 1100 Series (with 4 - 100 ahr batteries & SE48-2216 enclosure w/ GC, w/ Fxd battery trays	1	$6,434.00	Temple, Inc.
12	685-002-020b	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 1100 Series (with 4 - 100 ahr batteries & SE48-1616 enclosure w/o GC	1	$5,188.00	Temple, Inc.

12	685-002-020c	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 1100 Series (with 4 - 100 ahr batteries & SE48-1616 enclosure w/ GC	1	$5,703.00	Temple, Inc.
12	685-002-020d	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 2000 Series (with 4 - 100 Ah batteries, w/ SE48-1616 enclosure w/o GC	1	$5,686.00	Temple, Inc.
12	685-002-020e	Alpha Technologies	Uninterruptible Power Supply	FXM-HP 2000 Series (with 4 - 100 Ah batteries, w/ SE48-1616 enclosure w/ GC	1	$6,201.00	Temple, Inc.
84	654-001-012a	Carmanah Technologies Corp.	RRFB	R920-F Mid-block RRFB, 30w solar Panel, dual light bar, Polara Bulldog activation, 9x12 sign and sign frame	1	$5,044.00	Temple, Inc.
84	654-001-012b	Carmanah Technologies Corp.	RRFB	R920-F Mid-block RRFB, 30w solar Panel, single light bar, Polara iNX activation, 9x12 sign and sign frame	1	$4,787.00	Temple, Inc.
84	654-001-012c	Carmanah Technologies Corp.	RRFB	R920-F Mid-block RRFB, 30w solar Panel, dual light bar, Polara iNX activation, 9x12 sign and sign frame	1	$5,501.00	Temple, Inc.
85	654-001-013a	Carmanah Technologies Corp.	RRFB	SC-315-G Mid-block RRFB, 80w solar, dual light bar, Polara Bulldog activated	1	$4,801.00	Temple, Inc.
85	654-001-013b	Carmanah Technologies Corp.	RRFB	SC-315-G Mid-block RRFB, AC powered, Single Light Bar, Polara Bulldog activated	1	$3,487.00	Temple, Inc.
85	654-001-013c	Carmanah Technologies Corp.	RRFB	SC-315-G Mid-block RRFB, AC powered, Dual Light Bars, Polara Bulldog activated	1	$4,200.00	Temple, Inc.
85	654-001-013d	Carmanah Technologies Corp.	RRFB	SC-315-G Mid-block RRFB, AC powered, Single Light Bar, Polara iNX activated, 9x18 sign	1	$3,943.00	Temple, Inc.
85	654-001-013e	Carmanah Technologies Corp.	RRFB	SC-315-G Mid-block RRFB, 80w solar powered, Single Light Bar, Polara iNX activated, 9x18 sign	1	$4,626.00	Temple, Inc.
86	654-001-014a	Carmanah Technologies Corp.	RRFB	R920-E Mid-block RRFB, Solar powered, Dual light bars, Polara Bulldog activated	1	$4,178.00	Temple, Inc.
86	654-001-014b	Carmanah Technologies Corp.	RRFB	R920-E Mid-block RRFB, Solar powered, Single light bar, Polara iNX activated	1	$3,741.00	Temple, Inc.
86	654-001-014c	Carmanah Technologies Corp.	RRFB	R920-E Mid-block RRFB, Solar powered, Dual light bar, Polara iNX activated	1	$4,634.00	Temple, Inc.
87	700-019-001a	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-15 ESFS, AC power pkg, Slow Down message, specify yellow or FYG sign	1	$5,679.00	Temple, Inc.
87	700-019-001b	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-15 ESFS, 50w solar power pkg, Slow Down message, specify yellow or FYG sign, w/ single beacon	1	$7,389.00	Temple, Inc.
87	700-019-001c	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-15 ESFS, AC power pkg, Slow Down message, specify yellow or FYG sign, w/ single beacon	1	$6,387.00	Temple, Inc.
88	700-019-002a	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-18 ESFS,AC power pkg, Slow Down message, specify yellow or FYG sign	1	$6,779.00	Temple, Inc.
88	700-019-002b	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-18 ESFS, Solar power pkg, Slow Down message, specify yellow or FYG sign, w/ single beacon	1	$8,441.00	Temple, Inc.
88	700-019-002c	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-18 ESFS, AC power pkg, Slow Down message, specify yellow or FYG sign, w/ single beacon	1	$7,456.00	Temple, Inc.
89	700-022-004a	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	SpeedCheck-15-AS EWS, AC power pkg, specify yellow or FYG sign	1	$5,577.00	Temple, Inc.
89	700-022-004b	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	SpeedCheck-15-AS EWS, Solar power pkg, specify yellow or FYG sign, w/ Single beacon	1	$7,324.00	Temple, Inc.
89	700-022-004c	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	SpeedCheck-15-AS EWS, AC power pkg, specify yellow or FYG sign, w/ Single beacon	1	$6,336.00	Temple, Inc.
91	700-026-013a	Carmanah Technologies Corp.	Sign Beacon	R247G Series AC Powered, 24/7 Flashing For Either Single Red 12" or Yellow 12" LED	1	$2,987.00	Temple, Inc.
91	700-026-013c	Carmanah Technologies Corp.	Sign Beacon	R247G Series AC Powered, 24/7 Flashing For Either Dual Red 12" or Dual Yellow 12" LED	1	$3,896.00	Temple, Inc.
92	700-026-014a	Carmanah Technologies Corp.	Sign Beacon	R829G Series School Zone, AC Powered, Single Yellow 12" LED, Top of Pole Mounting, Time Clock Not Included, static sign(s) not included	1	$3,220.00	Temple, Inc.
92	700-026-014b	Carmanah Technologies Corp.	Sign Beacon	R829G Series School Zone Solar Powered, Dual Yellow 12" LED, Top of Pole Mounting, Time Clock Not Included, static sign(s) not included	1	$4,586.00	Temple, Inc.

92	700-026-014c	Carmanah Technologies Corp.	Sign Beacon	R829G Series School Zone, AC Powered, Dual Yellow 12" LED, Top of Pole Mounting, Time Clock Not Included, static sign(s) not included	1	$3,906.00	Temple, Inc.
93	700-026-020b	Carmanah Technologies Corp.	Sign Beacon	R829-E, School Zone Single 12" Yellow Beacon, 15W Solar Powered, Various Mounting Available, w/ Internal calendar kit	1	$3,304.00	Temple, Inc.
94	700-026-021a	Carmanah Technologies Corp.	Sign Beacon	R829-F, School Zone Dual 12" Yellow Beacon, 30W Solar Powered, Various Mounting Available, Third Party Time Switch Ready, Time switch not included	1	$4,023.00	Temple, Inc.
94	700-026-021b	Carmanah Technologies Corp.	Sign Beacon	R829-F, School Zone Single 12" Yellow Beacon, 30W Solar Powered, Various Mounting Available, w/ Internal Calendar kit	1	$4,170.00	Temple, Inc.
94	700-026-021c	Carmanah Technologies Corp.	Sign Beacon	R829-F, School Zone Dual 12" Yellow Beacon, 30W Solar Powered, Various Mounting Available, w/ Internal calendar kit	1	$4,568.00	Temple, Inc.
96	700-026-023a	Carmanah Technologies Corp.	Sign Beacon	R820-F, Dual Beacon, Solar Powered, Polara Bull Dog Acivated, Various Mounting Available	1	$4,667.00	Temple, Inc.
98	700-026-025a	Carmanah Technologies Corp.	Sign Beacon	R820-G Series, Mid Block Crosswalk Dual 12" Beacon, 80W Solar Powered, Top of Pole Mounting, Polara Bull Dog Activated,	1	$4,999.00	Temple, Inc.
98	700-026-025b	Carmanah Technologies Corp.	Sign Beacon	R820-G Series, Mid Block Crosswalk Single 12" Beacon, AC Powered, Polara Bull Dog Activated,	1	$3,665.00	Temple, Inc.
98	700-026-025c	Carmanah Technologies Corp.	Sign Beacon	R820-G Series, Mid Block Crosswalk Dual 12" Beacon, AC Powered, Polara Bull Dog Activated,	1	$4,352.00	Temple, Inc.
99	700-027-005a	Carmanah Technologies Corp.	Illuminated Sign - Highlighted Sign	LED Enhanced Sign, V2, 24/7 Operation, 15W Solar Powered, Various Sign Sizes Available	1	$2,974.00	Temple, Inc.
99	700-027-005d	Carmanah Technologies Corp.	Illuminated Sign - Highlighted Sign	LED Enhanced Sign V2, 24/7 LED Enhanced Sign,AC Powered Various Sizes Available,	1	$3,146.00	Temple, Inc.
100	660-014-005a	Carmanah Technologies Corp.	Wrong Way Vehicle Detection System	WW400S Remote or secondary sign, incl. solar engine, mounts, batteries, harnessing, wireless, (1) LED enhanced sign R5-1a, 42x30, DG	1	$4,727.00	Temple, Inc.
101	660-014-005b	Carmanah Technologies Corp.	Wrong Way Vehicle Detection System	WW400S Remote or secondary sign, incl AC power & control cabinet, (1) LED enhanced sign, incl z-bar mount, u-bolt kit, harnessing, R5-1a, 42x30, DG	1	$3,209.00	Temple, Inc.
102	700-019-009a	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-12, LED Display Size 12", AC Powered, 30" by 36" Two Line, Yellow or FYG Sign Face	1	$3,758.00	Temple, Inc.
103	700-019-009a	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-12, LED Display Size 12", Solar Powered, 30" by 24" One Line, Yellow or FYG Sign Face	1	$4,279.00	Temple, Inc.
103	700-019-009b	Carmanah Technologies Corp.	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	SpeedCheck-12, LED Display Size 12", Solar Powered, 30" by 36" Two Line, Yellow or FYG Sign Face	1	$4,363.00	Temple, Inc.
128	685-002-001a	Clary Corporation	Uninterruptible Power Supply	SP560 w/ rack mount kit, bypass switch, external SMPM, 48v battery set, battery harness	1	$3,882.00	Temple, Inc.
442	660-020-010a	Houston Radar, LLC.	SpeedLane Pro	SpeedLane Pro w 1 year warranty	1	$7,996.00	Temple, Inc.
				True dual beam FMCW 16 lane 255 feet (78m) range traffic measurement radar/1 million per vehicle SQL DB/weatherproof enclosure/1x RS232/1x 485/HD sighting camera/Pole or Wall Mounting bracket/12 pin M12 connector			
442	660-020-010b	Houston Radar, LLC.	SpeedLane Pro	SpeedLane Pro w 1 year warranty w/ 30W solar Panel	1	$8,692.00	Temple, Inc.
				True dual beam FMCW 16 lane 255 feet (78m) range traffic measurement radar/1 million per vehicle SQL DB/weatherproof enclosure/1x RS232/1x 485/HD sighting camera/Pole or Wall Mounting bracket/12 pin M12 connector			
590	650-001-013a	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Polycarbonate Vehicle Signal	12" 2-sect Polycarbonate Vehicle Signal, Empty Housings	1	$137.00	Temple, Inc.
590	650-001-013b	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Polycarbonate Vehicle Signal	12" 3-sect Polycarbonate Vehicle Signal, Inline, Empty Housings	1	$174.00	Temple, Inc.

590	650-001-013c	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Polycarbonate Vehicle Signal	12" 4-sect Inline Polycarbonate Vehicle Signal Inline, Empty Housings	1	$268.00	Temple, Inc.
590	650-001-013d	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Polycarbonate Vehicle Signal	12" 5-sect Inline Polycarbonate Vehicle Signal, Empty Housings	1	$335.00	Temple, Inc.
590	650-001-013e	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Polycarbonate Vehicle Signal	12" 5-sect Cluster Polycarbonate Vehicle Signal, Empty Housings	1	$335.00	Temple, Inc.
591	650-002-011a	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Die Cast Vehicle Signal	12" 3-sect Die Cast Vehicle Signal, Empty Housinga	1	$325.00	Temple, Inc.
591	650-002-011b	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Die Cast Vehicle Signal	12" 4-sect Inline Die Cast Vehicle Signal, Empty Housings	1	$448.00	Temple, Inc.
591	650-002-011c	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Die Cast Vehicle Signal	12" 5-sect Inline Die Cast Vehicle Signal, Empty Housings	1	$580.00	Temple, Inc.
591	650-002-011d	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	12" Die Cast Vehicle Signal	12" 5-sect Cluster Die Cast Vehicle Signal, w/ 2-way arm set, assembled, Empty Housings	1	$949.00	Temple, Inc.
605	676-028-001a	MoboTrex (formally Brown Traffic Products, Inc. (formally Siemens and Eagle))	Detector Rack TS2	Detector Rack TS2, CDR100, w/ 37 pin rack harness	1	$472.00	Temple, Inc.
656	700-012-013a	Orange Traffic	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LS Series, 36x36 2-message sign	1	$4,720.00	Temple, Inc.
656	700-012-013b	Orange Traffic	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LS Series, 28.5x 28.5 1-message	1	$2,509.00	Temple, Inc.
656	700-012-013c	Orange Traffic	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LS Series, 28.5x 28.5 2-message	1	$2,703.00	Temple, Inc.
656	700-012-013d	Orange Traffic	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LS Series, 28.5 x 38.5 1-message sign	1	$3,000.00	Temple, Inc.
656	700-012-013e	Orange Traffic	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LS Series, 28.5 x 38.5 2-message sign	1	$3,178.00	Temple, Inc.
771	654-003-001a	Polara Enterprises, LLC	RRFB - Accessible Pedestrian Pushbutton	iNX, 9x18 Audible PBS w/LED (FDOT) w/ FTP-38C-21 sign	1	$535.00	Temple, Inc.
772	665-003-011a	Polara Enterprises, LLC	Pedestrian Detector	BDL3 Series Piezo button, Bulldog III, No LED w/ Pole Mounting Cup, No LED	1	$115.00	Temple, Inc.
772	665-003-011b	Polara Enterprises, LLC	Pedestrian Detector	BDL3 Series Piezo button, Bulldog III w/ left arrow or right arrow, LED, w/ Pole Mounting Cup	1	$123.00	Temple, Inc.
772	665-003-011c	Polara Enterprises, LLC	Pedestrian Detector	BDL3 Series Piezo button, Bulldog III, Latching & Momentary use, Custom Etching, w/ mounting cup	1	$111.00	Temple, Inc.
772	665-003-011d	Polara Enterprises, LLC	Pedestrian Detector	BDL3 Series Piezo , Latching - Pushbutton control unit	1	$391.00	Temple, Inc.
775	665-004-011a	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iNS3 Pushbutton Station, iPHCU3S Ped Head Control Unit, includes APS, Control unit & cable, 9x18 sign	1	$829.00	Temple, Inc.
776	665-004-012a	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iCCU-S2 Central Control Unit, 2-wire control unit only	1	$2,715.00	Temple, Inc.
776	665-004-012b	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	9x15 iNS2 APS Push Button Station Only	1	$545.00	Temple, Inc.
776	665-004-012c	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	9x18 iNS2 APS Push Button Station Only	1	$578.00	Temple, Inc.
777	665-004-013a	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	9x15 iDS2 APS Push Button Station Only	1	$580.00	Temple, Inc.
777	665-004-013b	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	9x18 iDS2 APS Push Button Station Only	1	$808.00	Temple, Inc.
778	665-004-014a	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	9x18 IDS3, 3-Wire Ped Head Control APS Unit, Includes APS, Control Unit and Cable, 9x18 sign	1	$864.00	Temple, Inc.
780	665-005-006a	Polara Enterprises, LLC	Audible/Tactile Pedestrian Detector	iDX Mid Block 9x18 Audible PBS w/LED (FDOT Sign) - Touchless	1	$565.00	Temple, Inc.
857	660-024-002a	Sensys Networks, Inc.	Wireless Magnetometer Assembly	In-Ground Equipment, VSN240-F-2 Detector and Epoxy	1	$705.00	Temple, Inc.
857	660-024-002b	Sensys Networks, Inc.	Wireless Magnetometer Assembly	Above Ground Equipment - FLEX-RPT33-LL Repeater w/ mntg kit	1	$2,308.00	Temple, Inc.
857	660-024-002c	Sensys Networks, Inc.	Wireless Magnetometer Assembly	Cabinet Equipment - EX240 Detector Extension Card	1	$437.00	Temple, Inc.
969	663-001-011a	Temple, Inc.	Preemption System	10-yr Fixed Conn/Svc/Supp Plan, Std CAT4 Video - Cabinet	1	$6,439.00	Temple, Inc.
969	663-001-011b	Temple, Inc.	Preemption System	5-yr Fixed Conn/Svc/Supp Plan, Enhanced CAT4 Video - Cabinet	1	$7,323.00	Temple, Inc.
969	663-001-011c	Temple, Inc.	Preemption System	10-yr Fixed Conn/Svc/Supp Plan, Enhanced CAT4 Video - Cabinet	1	$8,758.00	Temple, Inc.
969	663-001-011d	Temple, Inc.	Preemption System	Conn/Svc/Supp Plan CAT4 Video - Cabinet - No Plan	1	$3,492.00	Temple, Inc.
969	663-001-011e	Temple, Inc.	Preemption System	5-yr Fixed Conn/Svc/Supp Plan Standard - Vehicle Kit	1	$4,237.00	Temple, Inc.

973	676-023-006a	Temple, Inc.	Wired Cabinet Assembly TS-2 Size 6	TF5116TFL02 w/ single door cabinet, 67" w/ GC, MMU, (2) 16-ch card rack, (16) load switch, CPS105, fiber patch panel, controller not included	1	$14,544.00	Temple, Inc.
973	676-023-006b	Temple, Inc.	Wired Cabinet Assembly TS-2 Size 6	TF5116TFL02 w/ front & back door cabinet, 67" w/ GC, MMU, (2) 16-ch card rack, (16) load switch, CPS105, fiber patch panel, controller not included	1	$15,900.00	Temple, Inc.
974	676-034-001a	Temple, Inc.	Hybrid NEMA TS1 - TS2 Wired Cabinet Assembly	TF4116FL w/ single door cabinet, 56" H, w/ GC, MMU, (1) 16-ch card rack, (16) load switch, CPS105, fiber patch panel, controller not included	1	$12,648.00	Temple, Inc.
974	676-034-001b	Temple, Inc.	Hybrid NEMA TS1 - TS2 Wired Cabinet Assembly	TF4116FL w/ single door cabinet, 67" H, w/ GC, MMU, (2) 16-ch card rack, (16) load switch, CPS105, fiber patch panel, controller not included	1	$15,471.00	Temple, Inc.
974	676-034-001c	Temple, Inc.	Hybrid NEMA TS1 - TS2 Wired Cabinet Assembly	TF4116FL w/ front & back door cabinet, 67" H, w/ GC, MMU, (2) 16-ch card rack, (16) load switch, CPS105, fiber patch panel, controller not included. Cabinet is painted white inside incl both doors	1	$16,177.00	Temple, Inc.
975	676-035-006a	Temple, Inc.	ITS Field Cabinet	11000ITS-FL, ITS Field Cabinet Type 334, 30amp panel, sunshields, GC, base mount	1	$6,146.00	Temple, Inc.
975	676-035-006b	Temple, Inc.	ITS Field Cabinet	11000ITS-FL, ITS Field Cabinet Type 334, 50amp panel, sunshields, GC, base mount	1	$6,600.00	Temple, Inc.
976	676-035-013a	Temple, Inc.	ITS Field Cabinet	12000ITS-FL, ITS Field Cabinet Type 336S, 30 amp panel, sunshields, GC, pole mount	1	$4,417.00	Temple, Inc.
976	676-035-013b	Temple, Inc.	ITS Field Cabinet	12000ITS-FL, ITS Field Cabinet Type 336S, 50 amp panel, sunshields, GC, pole mount	1	$5,015.00	Temple, Inc.
979	678-008-023a	Temple, Inc.	Time Switch Type 1	FCU 500-071, School Zone BeaconTime Switch 10 Year C&S Data Plan	1	$3,027.00	Temple, Inc.
979	678-008-023b	Temple, Inc.	Time Switch Type 1	FCU 500-071, School Zone BeaconTime Switch 1 Year C&S Data Plan	1	$1,685.00	Temple, Inc.
979	678-008-023c	Temple, Inc.	Time Switch Type 1	FCU 500-071, School Zone BeaconTime Switch, No Data Plan	1	$1,454.00	Temple, Inc.
984	685-002-006a	Temple, Inc.	Uninterruptible Power Supply	UPS, 17000-UP-FL-W/BATT, w/ 56" tall cabinet w/ GC	1	$9,431.00	Temple, Inc.
984	685-002-006b	Temple, Inc.	Uninterruptible Power Supply	UPS, 17000-UP-FL-W/BATT, w/ 43" tall cabinet w/ GC, w/ left hinge	1	$9,197.00	Temple, Inc.
986	700-015-026a	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series 24x72 single sided, rigid mounted, w/ mntg hdwr	1	$2,489.00	Temple, Inc.
986	700-015-026b	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series, 24x96 single sided, rigid mounted, w/ mntg hdwr	1	$2,865.00	Temple, Inc.
986	700-015-026c	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series, 24x108 single sided, rigid mounted, w/ mntg hdwr	1	$3,111.00	Temple, Inc.
986	700-015-026d	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series, 24x72 double sided, w/ mntg hdwr	1	$2,612.00	Temple, Inc.
986	700-015-026e	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series, 24x96 double sided, w/ mntg hdwr	1	$2,971.00	Temple, Inc.
986	700-015-026f	Temple, Inc.	Illuminated Sign - Internally Illuminated Sign	R409A Series, 24x108 double sided, w/ mntg hdwr	1	$3,264.00	Temple, Inc.
987	700-026-018a	Temple, Inc.	Sign Beacon	TF4001F-FL-DC, Solar powered school zone flasher, 2-bcn, time switch not included	1	$3,103.00	Temple, Inc.
988	700-027-003a	Temple, Inc.	Illuminated Sign - Highlighted Sign	AV-200, 36" LED Enhanced Stop Sign	1	$2,277.00	Temple, Inc.
988	700-027-003b	Temple, Inc.	Illuminated Sign - Highlighted Sign	AV-200, 48" LED Enhanced Stop Sign	1	$2,527.00	Temple, Inc.
988	700-027-003c	Temple, Inc.	Illuminated Sign - Highlighted Sign	AV-200, 30" LED Diamond Shaped Warning Sign	1	$2,119.00	Temple, Inc.
988	700-027-003d	Temple, Inc.	Illuminated Sign - Highlighted Sign	AV-200, 36" LED Diamond Shaped Warning Sign	1	$2,303.00	Temple, Inc.
988	700-027-003e	Temple, Inc.	Illuminated Sign - Highlighted Sign	AV-200, 48" LED Diamond Shaped Warning Sign	1	$2,476.00	Temple, Inc.
1094	671-017-012a	Yunex Traffic, a Siemens Business	Controller - NEMA TS2 Type 2	M62 NEMA Linux controller w/ FSK board installed, 3.57 firmware	1	$3,264.00	Temple, Inc.

Line Number	*APL Configuration #*	*Manufacturer*	*Product Category*	*Model/Product/Component Description*	*QTY. / Unit*	*Bid Price*	*Vendor*
1a	684-002-014	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IE33008X	1	$672.30	360ns
1b	684-002-014	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IEM3306T	1	$237.11	360ns
1c	684-002-014	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IEM3301T	1	$445.66	360ns
1d	684-002-014	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IE33008E	1	$438.45	360ns
1e	684-002-014	Cisco	Managed Field Ethernet Switch	IEM-3300-6T2S=	1	$1,607.70	360ns
1f	684-002-014	Cisco	Managed Field Ethernet Switch	IEM-3300-16T=	1	$3,014.24	360ns
1g	684-002-014	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IE32008E	1	$385.48	360ns
1h	684-002-014	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IE340088	1	$728.02	360ns
1i	684-002-014	Cisco	Managed Field Ethernet Switch	PWR-IE50W-AC-L=	1	$327.07	360ns
1j	684-002-014	Cisco	Managed Field Ethernet Switch	PWR-IE240W-PCAC-L=	1	$1,366.23	360ns
1k	684-002-014	Cisco	Managed Field Ethernet Switch	SD-IE-4GB=	1	$298.09	360ns
3a	684-002-029	Cisco	Managed Field Ethernet Switch	CON-SSSNT-IES12P50	1	$3,088.01	360ns
3b	684-002-029	Cisco	Managed Field Ethernet Switch	PWR-RGD-AC-DC-H	1	$484.39	360ns
4a	684-002-030	Cisco	Managed Field Ethernet Switch	CON-SSSNT-E401016S	1	$929.91	360ns
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-CL-ITS - Collector -ITS Data License - Per Collector Device	1	$2,667.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-CL-ITS-WWDS - Collector - ITS Data License -Per Collector Device - Wrong Way Detection	1	$2,667.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-CL-ITS-ITS-Probe - Collector - ITS Data License - Per Collector Device - Probe Data	1	$2,667.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-BIOT-BLU -License - Per Device/Per Year	1	$350.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-CL-TR-TCDI - Collector Traffic License - Per Collector Device - Traffic Controller Direct Interface License - Includes controller interface, SPAT, NTCIP 1202 over ethernet.	1	$2,667.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-CL-ITS-RMC - Collector - ITS Data License - Per Collector Device - Ramp Meter Control	1	$2,667.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-D-TX-IP - In Pavement Assembly includes wireless vehicle detector w/solar and rechargable batter and in-pavement road cradle	1	$1,066.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-OPC - On pavement cradle	1	$125.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-D-TX - Detector only - No cradle	1	$850.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-MDC-001 - Master Wireless Detector Card	1	$438.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-EDC-001 - Expansion Wirless Detector Card	1	$338.00	Blue-Band, LLC /Multilink, Inc.

63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-SDLC - Signal Cabinet Inferface Device	1	$1,425.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	B-TI-AID-0001 - in cabinet integrator device	1	$5,500.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-AB-IP - Set of Anchors and Bolts for in pavement install	1	$68.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-AB-0P - Set of Anchors and Bolts for on pavement install	1	$136.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-ANT-0001-EXT - Long Range 2.4Ghz Directional Antenna - set of 2	1	$1,000.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-ANT-ST - ITS/Traffic 5db Standard Antenna set of 2	1	$356.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-RA-0001 - Road Adhesive and Sealant	1	$72.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	1 ea BB-T1-AID - BB-AMAG-SmartSafety(1 to 5 sites - 1 year	1	$5,900.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-Panarama Edge up to 4 feed - 1 year	1	$4,000.00	Blue-Band, LLC /Multilink, Inc.
63	660-024-005	Blue-Band, LLC	BB-Coll-0001, BB-D-TX-0001	BB-AMAG-ENT-SAAS - up to 25 Licences	1	$325,000.00	Blue-Band, LLC /Multilink, Inc.
783a	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	MAXTIME ic firmware license	1	$1,392.13	Control Technologies
783b	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	MAXTIME adaptive firmware license	1	$20,588.85	Control Technologies
783c	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	MAXTIME rampmeter firmware license	1	$3,074.04	Control Technologies
783d	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	MAXTIME cv firmware license	1	$505.40	Control Technologies
783e	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	2070-4A (power supply)	1	$458.29	Control Technologies
783f	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	2070-2E+ (FIO Module)	1	$958.24	Control Technologies
783g	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	2070 1C CPU	1	$1,246.09	Control Technologies
783h	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	Kinetic Signals License	1	$2,480.16	Control Technologies
783i	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	Kinetic SMA License	1	$481.89	Control Technologies
783j	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	Kinetic Analytics License	1	$1,343.30	Control Technologies
783k	671-019-002	Q-Free	2070 Unit (Full Unit for 170 Cabinet)	Kinetic CV License	1	$511.87	Control Technologies
784a	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	MAXTIME ic firmware license	1	$1,392.13	Control Technologies
784b	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	MAXTIME adaptive firmware license	1	$20,588.85	Control Technologies
784c	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	MAXTIME cv firmware license	1	$505.40	Control Technologies
784d	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	XN-1 Power Supply	1	$534.04	Control Technologies
784e	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	Kinetic Signals License	1	$2,480.16	Control Technologies
784f	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	Kinetic SMA License	1	$481.89	Control Technologies
784g	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	Kinetic Analytics License	1	$1,343.30	Control Technologies
784h	671-016-015	Q-Free	Controller - NEMA TS2 Type 1	Kinetic CV License	1	$511.87	Control Technologies
785a	671-017-015	Q-Free	Controller - NEMA TS2 Type 2	MAXTIME ic firmware license	1	$1,392.13	Control Technologies
785b	671-017-015	Q-Free	Controller - NEMA TS2 Type 2	MAXTIME adaptive firmware license	1	$20,588.85	Control Technologies
785c	671-017-015	Q-Free	Controller - NEMA TS2 Type 2	MAXTIME cv firmware license	1	$505.40	Control Technologies
785d	671-017-015	Q-Free	Controller - NEMA TS2 Type 2	XN-2 Power Supply	1	$534.04	Control Technologies
785e	671-017-015	Q-Free	Controller - NEMA TS2 Type 2	Kinetic Signals License	1	$2,480.16	Control Technologies
785f	671-017-015	Q-Free	Controller - NEMA TS2 Type 2	Kinetic SMA License	1	$481.89	Control Technologies
785g	671-017-016	Q-Free	Controller - NEMA TS2 Type 2	Kinetic Analytics License	1	$1,343.30	Control Technologies
785h	671-017-017	Q-Free	Controller - NEMA TS2 Type 2	Kinetic CV License	1	$511.87	Control Technologies
855a	660-018-010	smartmicro	Vehicle Detector - Microwave	Sensor Shield	1	$76.81	Control Technologies

855b	660-018-010	smartmicro	Vehicle Detector - Microwave	J-Box	1	$389.43	Control Technologies
855c	660-018-010	smartmicro	Vehicle Detector - Microwave	Advanced Mounting Bracket	1	$294.90	Control Technologies
855d	660-018-010	smartmicro	Vehicle Detector - Microwave	Straight Bracket	1	$161.12	Control Technologies
855e	660-018-010	smartmicro	Vehicle Detector - Microwave	Traffic Management Interface Board (TMIB)	1	$4,892.44	Control Technologies
855f	660-018-010	smartmicro	Vehicle Detector - Microwave	Traffic Management Interface Board (TMIB) - Expansion Card	1	$220.85	Control Technologies
855g	660-018-010	smartmicro	Vehicle Detector - Microwave	Traffic Management Interface Board (TMIB) - Expansion Housing	1	$297.48	Control Technologies
855h	660-018-010	smartmicro	Vehicle Detector - Microwave	CIO Base	1	$783.25	Control Technologies
855i	660-018-010	smartmicro	Vehicle Detector - Microwave	COM HUB SYNC PLC	1	$4,892.44	Control Technologies
855j	660-018-010	smartmicro	Vehicle Detector - Microwave	SDLC Module	1	$693.60	Control Technologies
855k	660-018-010	smartmicro	Vehicle Detector - Microwave	48V Power Supply	1	$133.54	Control Technologies
855l	660-018-010	smartmicro	Vehicle Detector - Microwave	SDLC Cable	1	$108.98	Control Technologies
855m	660-018-010	smartmicro	Vehicle Detector - Microwave	PLC Cable (1,000ft reel)	1	$992.33	Control Technologies
855n	660-018-010	smartmicro	Vehicle Detector - Microwave	Count License	1	$1,363.50	Control Technologies
855o	660-018-010	smartmicro	Vehicle Detector - Microwave	M64 Interface	1	$2,475.79	Control Technologies
855p	660-018-010	smartmicro	Vehicle Detector - Microwave	Onsite Support (per hour)	1	$151.50	Control Technologies
350a	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	Color Camera Assembly	1	$1,020.96	Control Technologies
350b	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	FC Thermal Sensor	1	$3,052.65	Control Technologies
350c	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	FC Sensor Assembly (includes sensor, jbox, cabling, mount)	1	$3,627.60	Control Technologies
350d	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	Viewcom/E MAX+	1	$3,530.86	Control Technologies
350e	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	4 I/O Expansion Board	1	$545.73	Control Technologies
350f	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	Mastarm Camera Mount	1	$284.44	Control Technologies
350g	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	Rack Assembly	1	$456.77	Control Technologies
350h	660-015-023	FLIR ITS (Traficon)	Vehicle Detector - Video	Siamese Cable (1,000ft reel)	1	$1,515.00	Control Technologies
360a	665-006-002	FLIR ITS (Traficon)	Thermal Passive Pedestrian Detector	Ethernet Interface	1	$283.17	Control Technologies
360b	665-006-002	FLIR ITS (Traficon)	Thermal Passive Pedestrian Detector	POE Interface	1	$283.17	Control Technologies
352a	660-015-034	FLIR ITS (Traficon)	Vehicle Detector - Video	1TI Interface	1	$634.36	Control Technologies
352b	660-015-034	FLIR ITS (Traficon)	Vehicle Detector - Video	4TI Interface	1	$896.93	Control Technologies
352c	660-015-034	FLIR ITS (Traficon)	Vehicle Detector - Video	4/O XP Expansion	1	$371.96	Control Technologies
355a	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TI BPL2 Edge Interface	1	$1,287.05	Control Technologies
355b	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	TI BPL2 B&SIU Interface	1	$1,814.82	Control Technologies
355c	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	Port 1 SDLC Module	1	$507.53	Control Technologies
355d	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	48V Power Supply	1	$133.54	Control Technologies
355e	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	BPL Cable (1,000ft reel)	1	$992.33	Control Technologies
355f	660-028-002	FLIR ITS (Traficon)	Vehicle Detector - Thermal	Onsite Support (per hour)	1	$151.50	Control Technologies
352	660-015-034	FLIR ITS (Traficon)	Vehicle Detector - Video	Traficam Cable (100ft reel)	1	$128.78	Control Technologies
79a	665-003-012	Campbell Company	Pedestrian Detector	Button Cup	1	$36.77	Control Technologies
305a	678-023-001	Eberle Design Inc.	Conflict Monitor for 170/2070 Controllers	210PB (210/2010 Program Board)	1	$60.84	Control Technologies
307a	670-028-003	Eberle Design Inc.	Conflict Monitor for 170/2070 Controllers	2018PB (2018 Program Board)	1	$70.42	Control Technologies
300a	678-016-008	Eberle Design Inc.	Malfunction Management Unit Type 16	MMU16LE-PGM-CARD	1	$76.48	Control Technologies
300b	678-016-008	Eberle Design Inc.	Malfunction Management Unit Type 16	MMU16-EXT-CARD	1	$225.92	Control Technologies
57a	682-002-021	Axis Communications	Camera - Dome	24V Power Supply	1	$87.61	Control Technologies
57b	682-002-021	Axis Communications	Camera - Dome	T94A01D (pendant kit)	1	$63.13	Control Technologies
57c	682-002-021	Axis Communications	Camera - Dome	RJ45 Connector (5700-371)	1	$75.75	Control Technologies

57d	682-002-021	Axis Communications	Camera - Dome	T8134 (60W POE Injector)	1	$164.13	Control Technologies
57e	682-002-021	Axis Communications	Camera - Dome	T8154 (60W Midspan POE)	1	$190.64	Control Technologies
57f	682-002-021	Axis Communications	Camera - Dome	T8144 (Industrial 60W POE)	1	$246.19	Control Technologies
57g	682-002-021	Axis Communications	Camera - Dome	96" Candy Cane Mount	1	$359.81	Control Technologies
57h	682-002-021	Axis Communications	Camera - Dome	Mastarm Camera Bracket	1	$207.86	Control Technologies
53a	682-002-016	Axis Communications	Camera - Dome	24V Power Supply	1	$87.61	Control Technologies
53b	682-002-016	Axis Communications	Camera - Dome	T94A01D (pendant kit)	1	$63.13	Control Technologies
53c	682-002-016	Axis Communications	Camera - Dome	RJ45 Connector (5700-371)	1	$75.75	Control Technologies
53d	682-002-016	Axis Communications	Camera - Dome	T8134 (60W POE Injector)	1	$164.13	Control Technologies
53e	682-002-016	Axis Communications	Camera - Dome	T8154 (60W Midspan POE)	1	$190.64	Control Technologies
53f	682-002-016	Axis Communications	Camera - Dome	T8144 (Industrial 60W POE)	1	$246.19	Control Technologies
53g	682-002-016	Axis Communications	Camera - Dome	96" Candy Cane Mount	1	$359.81	Control Technologies
53h	682-002-016	Axis Communications	Camera - Dome	Mastarm Camera Bracket	1	$207.86	Control Technologies
209 (1)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS3-SYS GS3 System	1	$12,495.00	Cubic ITS, Inc. (GRIDSMART)
209 (2)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS3-RMB Rackmount Bracket for GS3	1	$95.00	Cubic ITS, Inc. (GRIDSMART)
209 (3)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS3-TS1-OPT TS1 Module GS3	1	$195.00	Cubic ITS, Inc. (GRIDSMART)
209 (4)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS3-TS2-OPT TS2 Module GS3	1	$195.00	Cubic ITS, Inc. (GRIDSMART)
209 (5)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS3-ITS-OPT ATC Option Card ATC Module GS3	1	$195.00	Cubic ITS, Inc. (GRIDSMART)
209 (6)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMK Bell Camera Kit	1	$3,808.00	Cubic ITS, Inc. (GRIDSMART)
209 (7)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMA Advanced Detection Camera	1	$2,539.00	Cubic ITS, Inc. (GRIDSMART)
209 (8)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMS Stopline Detection Camera	1	$2,539.00	Cubic ITS, Inc. (GRIDSMART)
209 (9)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMK-F Bell Camera Kit, Fiber	1	$4,271.00	Cubic ITS, Inc. (GRIDSMART)
209 (10)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMA-F Advanced Detection Camera, Fiber	1	$3,775.00	Cubic ITS, Inc. (GRIDSMART)
209 (11)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMS-F Stopline Detection Camera, Fiber	1	$3,755.00	Cubic ITS, Inc. (GRIDSMART)
209 (12)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-PFM+ Performance Plus (includes Streams)	1	$4,545.00	Cubic ITS, Inc. (GRIDSMART)
209 (13)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-PFM Performance	1	$3,295.00	Cubic ITS, Inc. (GRIDSMART)
209 (14)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-STR Streams	1	$1,345.00	Cubic ITS, Inc. (GRIDSMART)
209 (15)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-FCB1 Fiber Conversion Bundle for 1 Repeater (600')	1	$1,745.00	Cubic ITS, Inc. (GRIDSMART)
209 (16)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-FCB2 Fiber Conversion Bundle for 2 Repeaters (1000')	1	$2,195.00	Cubic ITS, Inc. (GRIDSMART)
209 (17)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SCT SMARTConnect Toolkit	1	$4,194.00	Cubic ITS, Inc. (GRIDSMART)
209 (18)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-FIB 1,000' of Fiber Cable	1	$2,097.00	Cubic ITS, Inc. (GRIDSMART)
209 (19)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-FIB2 2,000' of Fiber Cable	1	$3,581.00	Cubic ITS, Inc. (GRIDSMART)
209 (20)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-FIB-LG 10,000' of Fiber Cable	1	$15,168.00	Cubic ITS, Inc. (GRIDSMART)
209 (21)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMK-F-MC Fiber Media Converters (set of 2, cabinet & camera) $995	1	$995.00	Cubic ITS, Inc. (GRIDSMART)
209 (22)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-15012 Fiber Fast LC Connector (Quantity 1)	1	$28.00	Cubic ITS, Inc. (GRIDSMART)
209 (23)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-CAT5 1,000' of CAT5e cable	1	$518.00	Cubic ITS, Inc. (GRIDSMART)

209 (24)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-EPM KIT Ethernet Protection Module (for CAT5e cameras)	1	$88.00	Cubic ITS, Inc. (GRIDSMART)
209 (25)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-JUN SMARTMOUNT Junction Box	1	$353.00	Cubic ITS, Inc. (GRIDSMART)
209 (26)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS3-TS1 CBL GS3 TS1 Cables	1	$376.00	Cubic ITS, Inc. (GRIDSMART)
209 (27)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-TS2 TS2 Cable	1	$182.00	Cubic ITS, Inc. (GRIDSMART)
209 (28)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-ITS ATC / ITS Cable	1	$77.00	Cubic ITS, Inc. (GRIDSMART)
209 (29)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-C12 C12 Cable	1	$182.00	Cubic ITS, Inc. (GRIDSMART)
209 (30)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-CBL Cable Bracket 84” (2.13m)	1	$171.00	Cubic ITS, Inc. (GRIDSMART)
209 (31)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-TEN Tenon Bracket 1.9” to 4.5” (0.05m to 0.11m)	1	$171.00	Cubic ITS, Inc. (GRIDSMART)
209 (32)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-SMK-CAM Bell Camera (camera only)	1	$3,415.00	Cubic ITS, Inc. (GRIDSMART)
209 (33)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-ETA External Switch (3+ cameras for GS2)	1	$574.00	Cubic ITS, Inc. (GRIDSMART)
209 (34)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-TCA Traditional Advanced Detection	1	$1,380.00	Cubic ITS, Inc. (GRIDSMART)
209 (35)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS-3-TCSTraditional Stopbar Detection	1	$1,380.00	Cubic ITS, Inc. (GRIDSMART)
209 (36)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS2-TS1-OPT TS1 Module for GS2	1	$39.00	Cubic ITS, Inc. (GRIDSMART)
209 (37)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS2-TS2-OPTTS2 Module for GS2	1	$39.00	Cubic ITS, Inc. (GRIDSMART)
209 (38)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS2-ITS-OPTATC Module for GS2	1	$358.00	Cubic ITS, Inc. (GRIDSMART)
209 (39)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	GS2-RMBRackmount Bracket for GS2	1	$78.00	Cubic ITS, Inc. (GRIDSMART)
209 (40)	660-015-036	Cubic ITS, Inc. (GRIDSMART)	Vehicle Detector - Video	JUN2 P/N 10055286 Second Gen Juction box	1	$353.00	Cubic ITS, Inc. (GRIDSMART)
384	660-014-004-e	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-TH-Series / Thermal Camera / Bullet with 640 X 480 Thermal Resolution & Pole Mount Hardware	1	$4,872.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-f	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-TH-Series / Thermal Camera / Bullet with 400 X 300 Thermal Resolution & Pole Mount Hardware	1	$4,336.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-g	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-TH-Series / Thermal Camera / Bullet with 384 X 288 Thermal Resolution & Pole Mount Hardware	1	$4,082.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-h	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-IL-Series / Optical Camera / Bullet Camera with Pole Mount Hardware	1	$1,301.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-i	Nvidia	Wrong Way Vehicle Detection System	GC-Nvidia-Series / AI Computer Module / Compute Module with GC WWVDS Software	1	$9,949.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-j	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-DC1 / Direct Connect / PCB for Wired Sign Activation	1	$995.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-k	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-FD1 / Controller Receiver / PCB for Wireless Sign Activation	1	$995.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-l	Generic	Wrong Way Vehicle Detection System	DZ47-63 / Breaker / Circuit Breaker	1	$39.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-m	Citel	Wrong Way Vehicle Detection System	DS72US-120S G / Surge Protection Device / 120VAC SPD	1	$180.00	Eco Partnering Innovations LLC - GovComm, Inc.

384	660-014-004-n	MeanWell	Wrong Way Vehicle Detection System	DRC-100A / Power Converter / AC DC Power Converter with Battery Charger	1	$112.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-o	Power Sonic	Wrong Way Vehicle Detection System	SLA1280 F1 / Battery / 8aH Backup Battery	1	$118.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-p	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-ENC-241612 / Small Equipment Enclosure / 23.75" X 15.75" X 11.75" Aluminum Enclosure	1	$2,015.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-q	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-ENC-161407 / Small Equipment Enclosure / 16" X 14" X 7" Polycarbonate Enclosure	1	$994.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-r	GovComm, Inc.	Wrong Way Vehicle Detection System	GC-ENC-161407 / Small Equipment Enclosure / 11" X 9" X 7.75" Polycarbonate Enclosure	1	$485.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-s	Multilink	Wrong Way Vehicle Detection System	030-238-50 / Battery Cabinet / 332 334 Battery Cabinet with 3 Adjustable Shelves	1	$3,820.00	Eco Partnering Innovations LLC - GovComm, Inc.
384	660-014-004-t	Morningstar	Wrong Way Vehicle Detection System	TS-MPPT-60 / Solar Charge Controller / Tristar Solar Charge Controller	1	$994.00	Eco Partnering Innovations LLC - GovComm, Inc.
312a	660-015-029	WTI	Vehicle Detector-Video	AIS4HCRZOOMUOS / RVP2 camera	1	$1,347.00	Econolite
312b	660-015-029	WTI	Vehicle Detector-Video	ARVP2 / RVP2 detection card	1	$2,234.00	Econolite
313a	671-017-010	WTI	Vehicle Detector-Video	AVISION / Vision camera	1	$6,003.00	Econolite
313b	671-017-010	WTI	Vehicle Detector-Video	AVCM / COM MGR	1	$3,817.00	Econolite
313c	671-017-010	WTI	Vehicle Detector-Video	1175-011 (1000' spool of 3 wire cable)	1	$663.00	Econolite
313d	671-017-010	WTI	Vehicle Detector-Video	AMBKTM12S (side of pole bracket)	1	$210.00	Econolite
314a	671-017-010	Econolite	Cobalt 2100	32913P4 / Cobalt data key 8MB	1	$62.00	Econolite
317a	671-024-003	Econolite	Cobalt 2100	32913P4 / Cobalt data key 8MB	1	$62.00	Econolite
322a	676-023-005	Econolite	5381 (PNG)	ped iso panel -complete assy	1	$247.00	Econolite
322b	676-023-005	Econolite	5382 (PNG)	RR panel	1	$256.00	Econolite
322c	676-023-005	Econolite	5383 (PNG)	FH panel	1	$411.00	Econolite
322d	676-023-005	Econolite	5384 (PNG)	additional detector rack (for install in existing cab by agency)	1	$1,482.00	Econolite
322e	676-023-005	Econolite	5385 (PNG)	18" riser (for P44 cab)	1	$567.00	Econolite
332a	685-002-017	ZincFive	UPS	ZB2 inverter (1000 watt)	1	$4,407.00	Econolite
332b	685-002-017	ZincFive	UPS	ZB2 500 Watt Nema living hinge battery panel	1	$4,598.00	Econolite
332c	685-002-017	ZincFive	UPS	ZB2 500 Watt NEMA Battery module	1	$4,598.00	Econolite
332d	685-002-017	ZincFive	UPS	ZB2 XRT high capacity IMS and 4 monobloc batteries	1	$10,137.00	Econolite
332e	685-002-017	ZincFive	UPS	ZB2 PIM	1	$1,199.00	Econolite
945a	685-002-012	TechPower	DBL MX 1000-U36	DBLMX1000U-36U inverter	1	$3,009.00	Econolite
945b	685-002-012	TechPower	DBL MX 1000-U36	HSU-1500 bypass switch	1	$735.00	Econolite
945c	685-002-012	TechPower	DBL MX 1000-U36	1090-008 battery 45AH	1	$222.00	Econolite
945d	685-002-012	TechPower	DBL MX 1000-U36	1090-005 battery 110AH	1	$500.00	Econolite
459-463	684-002-028	ITS Express	684	BP 80 Bypass for 8042/8012-24 (80 series switch)	1	$699.99	Express Supply, Inc.

459-463	684-002-028	ITS Express	684	SFP-1000-FE UHT OM	1	$99.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10gig-FE UHT OM	1	$139.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-100-FX-UHT OM	1	$99.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-LX10 UHT OM	1	$129.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-LX20 UHT OM	1	$139.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-EX40 UHT OM	1	$169.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-ZX80 UHT OM	1	$199.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-ZX100 UHT OM	1	$269.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-ZX120 UHT OM	1	$299.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-ZX160 UHT OM	1	$399.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-1000-GX UHT OM	1	$149.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5g-LR10 UHT OM	1	$139.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5G-LR20 UHT OM	1	$149.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5G-ER40 UHT OM	1	$189.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5g-ZR80 uht OM	1	$219.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5g-BR10 UHT OM	1	$159.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5G-BR20 UHT OM	1	$179.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5G-EBR40 UHT OM	1	$209.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-2.5g-BR80 UHT OM	1	$239.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-LR10 UHT OM	1	$149.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-LR20 UHT OM	1	$169.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-ER40 UHT OM	1	$199.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-ZR80 UHT OM	1	$299.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-BR10 UHT OM	1	$159.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-BR20 UHT OM	1	$199.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-BR40 UHT OM	1	$229.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	SFP-10GIG-BR80 UHT OM	1	$349.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Mounting Bracket 1	1	$49.95	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Mounting Bracket 2	1	$179.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Mounting Bracket 3	1	$349.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	POE	1	$219.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Support hours remote for APL switches	1	$179.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Support hours onsite for APL switches	1	$249.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Bypass Jumpers (set)	1	$12.00	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	Jumpers for switches	1	$8.00	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	ITS-VC-100 includes 1- VC-100, 1 PS75 kit	1	$699.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	ITS-VC-100 Kit includes 2-VC-100, 2 PS75 kit	1	$1,299.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	ITS-MC1000	1	$149.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	ITS-MC100	1	$149.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	ITS-BP80	1	$699.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	PS80 KIT	1	$99.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	PS75 kit	1	$79.99	Express Supply, Inc.
459-463	684-002-028	ITS Express	684	PS24 Kit	1	$69.99	Express Supply, Inc.

386	700-027-007-e	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series / Highlighted Sign / Highlighted Sign Up to 12 SF (Sign Only)	1	$1,500.00	GovComm, Inc.
386	700-027-007-f	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-HS-Series / Highlighted Sign / Highlighted Sign 12 - 20 SF (Sign Only)	1	$1,750.00	GovComm, Inc.
386	700-027-007-g	Generic	Illuminated Sign - Highlighted Sign	GC-APole20 / Aluminum Pole / 20' Schedule 40 Aluminum Pole	1	$425.00	GovComm, Inc.
386	700-027-007-h	Generic	Illuminated Sign - Highlighted Sign	GC-APole15 / Aluminum Pole / 15' Schedule 40 Aluminum Pole	1	$375.00	GovComm, Inc.
386	700-027-007-i	Generic	Illuminated Sign - Highlighted Sign	GC-APole13 / Aluminum Pole / 13' Schedule 40 Aluminum Pole	1	$350.00	GovComm, Inc.
386	700-027-007-j	Akron Foundry Co	Illuminated Sign - Highlighted Sign	TS-1000 / Transformer Base / T-Base APL 646-001-004	1	$275.00	GovComm, Inc.
386	700-027-007-k	Generic	Illuminated Sign - Highlighted Sign	GC-Anchor / Anchor Bolts / Anchor Bolts 4 pieces	1	$100.00	GovComm, Inc.
386	700-027-007-l	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-FD1 / Controller Receiver / PCB for Wireless Sign Activation	1	$975.00	GovComm, Inc.
386	700-027-007-m	GovComm, Inc.	Illuminated Sign - Highlighted Sign	DS220S-24DC / Surge Protection Device / 24VDC SPD	1	$52.50	GovComm, Inc.
386	700-027-007-n	GovComm, Inc.	Illuminated Sign - Highlighted Sign	DS220S-12DC / Surge Protection Device / 12VDC SPD	1	$50.00	GovComm, Inc.
386	700-027-007-o	GovComm, Inc.	Illuminated Sign - Highlighted Sign	MLPC1-277L-V / Surge Protection Device / 110VAC SPD	1	$80.00	GovComm, Inc.
386	700-027-007-p	MeanWell	Illuminated Sign - Highlighted Sign	IRM-30-12ST / AC DC Converter / 12V 30W AC DC Converter	1	$95.00	GovComm, Inc.
386	700-027-007-q	Generic	Illuminated Sign - Highlighted Sign	DZ47-63 / Breaker / Circuit Breaker	1	$65.00	GovComm, Inc.
386	700-027-007-r	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-ENC-752 / Small Equipment Enclosure / 6.75" X 4.75" X 2.25" Polycarbonate Enclosure	1	$475.00	GovComm, Inc.
386	700-027-007-s	GovComm, Inc.	Illuminated Sign - Highlighted Sign	GC-Solar-Sign / Solar Power Option for Highlighted Sign / Solar Option Includes Battery, Battery Cabinet, Solar Charger & Panel - Top of Pole Mount	1	$1,100.00	GovComm, Inc.
386	700-027-007-t	Pulse Electronics	Illuminated Sign - Highlighted Sign	W5010 / Antenna / RF IF Antenna	1	$25.00	GovComm, Inc.
386	700-027-007-u	Lighthorse Technologies	Illuminated Sign - Highlighted Sign	415-0201-060 / Antenna Extension Cable / 60" Antenna Extension Cable with Pole Adapter	1	$75.00	GovComm, Inc.
386	700-027-007-v	Lighthorse Technologies	Illuminated Sign - Highlighted Sign	415-0201-012 / Antenna Cable / 12" Antenna Extension Cable	1	$35.00	GovComm, Inc.
388	682-002-022-d	Comnet	GC-ICPO-U Series	CNGE1IPS75AC / PoE Injector / 75 Watt PoE Injector with Din Rail Mount	1	$275.00	GovComm, Inc.
388	682-002-022-e	GovComm, Inc.	GC-ICPO-U Series	GC-MWJP / Camera Mount / Mounting Arm, Junction Box & Pole Adapter	1	$185.00	GovComm, Inc.
388	682-002-022-f	Bent Metal Works	GC-ICPO-U Series	74-CC-AL / Camera Mount / 74" Overall Length Aluminum Candy Cane Camera Mount	1	$185.00	GovComm, Inc.

388	682-002-022-g	Bent Metal Works	GC-ICPO-U Series	96-CC-AL / Camera Mount / 96" Overall Length Aluminum Candy Cane Camera Mount	1	$295.00	GovComm, Inc.
132a	641-008-001	CLS-North Star Lighting	Camera Lowering Device	LT-CC-100 Lowering Tool w/ 100' cable - Int	1	$2,101.00	Intelligent Transporation Services
132b	641-008-001	CLS-North Star Lighting	Camera Lowering Device	LT-DRI-PWD Drill & Clutch	1	$1,429.00	Intelligent Transporation Services
132c	641-008-001	CLS-North Star Lighting	Camera Lowering Device	FLA-110 Flange for inverting positioner	1	$96.00	Intelligent Transporation Services
133a	641-008-001	CLS-North Star Lighting	Camera Lowering Device	LT-4-100 Lowering Tool w/ 100' Cable - Ext	1	$1,953.00	Intelligent Transporation Services
133b	641-008-001	CLS-North Star Lighting	Camera Lowering Device	LT-DRI-PWD Drill & Clutch	1	$1,429.00	Intelligent Transporation Services
133c	641-008-001	CLS-North Star Lighting	Camera Lowering Device	FLA-110 Flange for inverting positioner	1	$96.00	Intelligent Transporation Services
206a	682-001-005	CostarHD	Camera - External Positioner	Costar Pole Mount Adapter	1	$235.00	Intelligent Transporation Services
206b	682-001-005	CostarHD	Camera - External Positioner	R-ITS-ADV-03 - RISE III Analytics License - Advanced ITS	1	$292.00	Intelligent Transporation Services
206c	682-001-005	CostarHD	Camera - External Positioner	R-ITS-PED-03 - RISE III Analytics License - Pedestrian Detection	1	$390.00	Intelligent Transporation Services
206d	682-001-005	CostarHD	Camera - External Positioner	R-ITS-ADP-03 - RISE III Analytics License - Advanced ITS with Pedestrian Detection	1	$682.00	Intelligent Transporation Services
207a	682-002-011	CostarHD	Camera - Dome	Costar Pole Mount Adapter	1	$135.00	Intelligent Transporation Services
207b	682-002-011	CostarHD	Camera - Dome	R-ITS-ADV-03 - RISE III Analytics License - Advanced ITS	1	$292.00	Intelligent Transporation Services
207c	682-002-011	CostarHD	Camera - Dome	R-ITS-PED-03 - RISE III Analytics License - Pedestrian Detection	1	$390.00	Intelligent Transporation Services
207d	682-002-011	CostarHD	Camera - Dome	R-ITS-ADP-03 - RISE III Analytics License - Advanced ITS with Pedestrian Detection	1	$682.00	Intelligent Transporation Services
				Vehicle Detection Accessories			
451 - 454		Pelco, Inc.		Pelco SP-1106-FL	1	$41.00	Iteris, Inc
451 - 454		Pelco, Inc.		Pelco SH-0557	1	$187.50	Iteris, Inc
451 - 454		Iteris, Inc.		Iteris CAMBRKT4	1	$134.50	Iteris, Inc
451 - 454		Shireen		CAT5E-FTP-CABLE	1	$400.00	Iteris, Inc
451 - 454		Vertical Cable		CAT6-SHLD-CBL	1	$400.00	Iteris, Inc
451 - 454		Iteris, Inc.		10" LCD Monitor - p# MON-10LCD-SL	1	$626.25	Iteris, Inc
451 - 454		ASCO		Next RAD Surge4	1	$275.00	Iteris, Inc
451 - 454		ASCO		Surge - 149 SDLC Surge Device	1	$92.00	Iteris, Inc
				Travel Time Accessories			

456	660-027-002	Iteris, Inc	Veh Det - AVI	Vantage Velocity antenna w/o mounting bracket	1	$134.00	Iteris, Inc
456	660-027-002	Iteris, Inc	Veh Det - AVI	Vantage Velocity antenna w/ Short 9" mounting bracket	1	$342.00	Iteris, Inc
456	660-027-002	Iteris, Inc	Veh Det - AVI	VRACK1 P# 493411001	1	$216.00	Iteris, Inc
457	660-027-007-c	Iteris, Inc	Veh Det - AVI	BlueTOAD - Connection to software	1	$360.00	Iteris, Inc
457	660-027-007-i	Iteris, Inc	Veh Det - AVI	BlueTOAD Spectra Battery	1	$265.00	Iteris, Inc
458	660-027-007-h	Iteris, Inc	Veh Det - AVI	BlueTOAD Spectra POE Injector and Power Supply	1	$195.00	Iteris, Inc
465a	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-SDLC / Serial Data Commuincation	1	$1,995.00	ITS Plus, Inc.
465b	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-V200E / Vehicle Detection Processor	1	$2,190.00	ITS Plus, Inc.
465c	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-PM120C / Vehicle Detection Camera	1	$1,195.00	ITS Plus, Inc.
465d	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-SSP-6 / 6 Channel Surge Protector	1	$500.00	ITS Plus, Inc.
465e	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-Cable / Siamese Coax Cable	1	$995.00	ITS Plus, Inc.
465f	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-Bracket / Camera Davis Mounting Brackets	1	$95.00	ITS Plus, Inc.
465g	660-015-040	ITS Plus, Inc.	Vehicle detector-Video	ITSP-Deluxemonitor/ Installation Programming monitor and toolkit	1	$1,495.00	ITS Plus, Inc.
522a	102-059-002	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	MTS:MS10 / LiteReader VCMS / Manual Swivel Mount Accessory	1 Ea.	$2,510.00	LITESYS
522b	102-059-002	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	MTS:PS10 / LiteReader VCMS /Powered Swivel Mount Accessory	1 Ea.	$6,495.00	LITESYS
523a	102-059-003	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	MTS:MS10 / LiteReader VCMS / Manual Swivel Mount Accessory	1 Ea.	$2,510.00	LITESYS
523b	102-059-003	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	MTS:PS10 / LiteReader VCMS /Powered Swivel Mount Accessory	1 Ea.	$6,495.00	LITESYS
524a	102-059-004	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	MTS:MS10 / LiteReader VCMS / Manual Swivel Mount Accessory	1 Ea.	$2,510.00	LITESYS
524b	102-059-004	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	MTS:PS10 / LiteReader VCMS /Powered Swivel Mount Accessory	1 Ea.	$6,495.00	LITESYS
524c	102-059-004	LITESYS INC.	TRUCK MOUNTED CHANGEABLE MESSAGE SIGN	ACC:MSFS / LiteReader VCMS / Motorist Speed Feedback System	1 Ea.	$4,680.00	LITESYS
525	654-002-005m	Lux Solar, Inc.	In-Roadway Lights	LS1000+CWSYS (Module only) MLS1000+CW	1	$840.00	Lux Solar, Inc.
525	654-002-005ah	Lux Solar, Inc.	In-Roadway Lights	LS1000+CWSYS (AL. Housing only) ALS1000+CW	1	$180.00	Lux Solar, Inc.
525	654-002-005c	Lux Solar, Inc.	In-Roadway Lights	LS1000+CWSYS (Cup only) CLS1000+CW	1	$78.00	Lux Solar, Inc.
526	706-005-001m	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (Module only) MLS1000+	1	$125.00	Lux Solar, Inc.
526	706-005-001ah	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (AL. Housing only) ALS1000+	1	$65.00	Lux Solar, Inc.
526	706-005-001c	Lux Solar, Inc.	Raised Pavement Marker F	LS1000+ (Cup only) CLS1000+	1	$25.00	Lux Solar, Inc.

584	641-008-002 A	MG-SQUARED	Camera Lowering Device Operational Accessory	LWR6 Portable Lowering Winch (up to 100ft MH) - Includes 5/32" Stainless Steel Cable and Standard Manual Handcrank	1	$1,742.00	MG-SQUARED, Inc.
927b	676-035-005	Southern Mfg. Co. (Division of Earnest Products)	ITS Field Cabinet	WE3RAL-334-FLDMS-G-REFURBISH KIT	1	$2,200.00	Southern Mfg. Co. (Division of Earnest Products)
928c	676-035-012	Southern Mfg. Co. (Division of Earnest Products)	ITS Field Cabinet	WE3RAL-336S-FLITS-REFURBISH KIT	1	$2,200.00	Southern Mfg. Co. (Division of Earnest Products)
929d	676-035-015	Southern Mfg. Co. (Division of Earnest Products)	ITS Field Cabinet	WE-332D-FL-DMS-REFURBISH KIT	1	$3,000.00	Southern Mfg. Co. (Division of Earnest Products)
931e	700-012-010	Southern Mfg. Co. (Division of Earnest Products)	Electronic Display Sign (EDS) – Blank-Out Sign (BOS)	LED BLANKOUT SERIES-REFURBISH KIT	1	$7,500.00	Southern Mfg. Co. (Division of Earnest Products)
933f	700-015-021	Southern Mfg. Co. (Division of Earnest Products)	Illuminated Sign - Internally Illuminated Sign	SSLED SERIES-REFURBISH KIT	1	$2,275.00	Southern Mfg. Co. (Division of Earnest Products)
934g	700-015-023	Southern Mfg. Co. (Division of Earnest Products)	Illuminated Sign - Internally Illuminated Sign	Clean Profile Series-REFURBISH KIT	1	$2,275.00	Southern Mfg. Co. (Division of Earnest Products)
28a	685-002-018	APC	Uninterruptible Power Supply	MFG# XHXXS7A4F SmartUPS Industrial Battery Harness SBS75 Cabinet Accessory 4 ft	1	$422.50	Think IT Ai
28b	685-002-018	APC	Uninterruptible Power Supply	MFG# XHXXS7A8F SmartUPS Industrial Battery Harness SBS75 Cabinet Accessory 12 ft	1	$516.10	Think IT Ai
28c	685-002-018	APC	Uninterruptible Power Supply	MFG# XS30ALLXXR2 APC Smart-UPS Industrial Service Bypass Unit, 30A, 120V, rack mount, 2U	1	$505.70	Think IT Ai
28d	685-002-018	APC	Uninterruptible Power Supply	MFG# XS30ALLXXR2G APC Smart-UPS Industrial Service Bypass Unit, 30A, 120V, rack mount, 2U, with generator input	1	$588.90	Think IT Ai
28e	685-002-018	APC	Uninterruptible Power Supply	MFG# XB050XX1XS SmartUPS Industrial Battery 50Ah 12VDC Extended Temperature Shelf Mount	1	$465.40	Think IT Ai
28f	685-002-018	APC	Uninterruptible Power Supply	MFG# XB102XX1XS SmartUPS Industrial Battery 100Ah 12VDC Extended Temperature Shelf Mount	1	$557.70	Think IT Ai
28g	685-002-018	APC	Uninterruptible Power Supply	MFG# XU1K3LLXXRCC SECUREUPS 1300VA 1300W 120VAC IN OUT RM	1	$4,527.90	Think IT Ai
28h	685-002-018	APC	Uninterruptible Power Supply	MFG# WBEXTWAR3YR-SP-04 SmartUPS Service Pack 3 Year Warranty Extension	1	$349.99	Think IT Ai
110a	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-E-L-1Y	1	$112.63	Think IT Ai
110b	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-E-L-5Y	1	$347.36	Think IT Ai
110c	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-E-M-1Y	1	$348.40	Think IT Ai
110d	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-E-M-5Y	1	$662.55	Think IT Ai
110e	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-A-L-1Y Cisco DNA Advantage license (up to 12 ports)	1	$353.07	Think IT Ai

110f	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-A-L-5Y Cisco DNA Advantage 5 year term license (up to 12 ports) option	1	$1,062.06	Think IT Ai
110g	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-A-M-1Y Cisco DNA Advantage license (up to 24 ports)	1	$1,063.40	Think IT Ai
110h	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# IE4000-DNA-A-M-5Y Cisco DNA Advantage 5 year term license (up to 24 ports) option	1	$1,972.15	Think IT Ai
112c	684-002-014	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# PWR-IE50W-AC= Power Supply AC 100-240V/1.25A 50-60Hz OR DC 125-250V/1.25A	1	$444.50	Think IT Ai
110i	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE40004E Cisco SMARTnet 5YR 8x5xNBD	1	$1,961.50	Think IT Ai
110j	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE4004GE Cisco SMARTnet 5YR 8x5xNBD	1	$2,732.92	Think IT Ai
110k	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE40004G Cisco SMARTnet 5YR 8x5xNBD	1	$3,714.42	Think IT Ai
110l	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE40004P Cisco SMARTnet 5YR 8x5xNBD	1	$4,410.08	Think IT Ai
110m	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE40008P Cisco SMARTnet 5YR 8x5xNBD	1	$5,329.15	Think IT Ai
110n	684-002-016	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# L-IE4000-RTU= Cisco IOS IP Services - License - ESD	1	$2,612.77	Think IT Ai
113a	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-EX-SMD= Cisco - SFP (mini-GBIC) transceiver module - GigE - 1000Base-EX - LC/PC single-mode - up to 24.9 miles - 1310 nm	1	$1,871.76	Think IT Ai
113b	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-FE-100FX-RGD= Cisco Rugged SFP - SFP (mini-GBIC) transceiver module - 100Mb LAN - 100Base-FX - LC multi-mode - up to 1.2 miles - 1310 nm	1	$273.48	Think IT Ai
113c	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-FE-100LX-RGD= Cisco Rugged SFP - SFP (mini-GBIC) transceiver module - 100Mb LAN - 100Base-LX - LC single-mode - up to 6.2 miles - 1310 nm	1	$431.52	Think IT Ai
113d	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-LH-SMD= Cisco - SFP (mini-GBIC) transceiver module - GigE - 1000Base-LX, 1000Base-LH - LC/PC single-mode - up to 6.2 miles - 1310 nm	1	$686.99	Think IT Ai
113e	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-LX-SM-RGD= Cisco Rugged SFP - SFP (mini-GBIC) transceiver module - GigE - 1000Base-LX, 1000Base-LH - LC single-mode - 1310 nm	1	$1,068.42	Think IT Ai

113f	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-SX-MM-RGD= Cisco Rugged SFP - SFP (mini-GBIC) transceiver module - GigE - 1000Base-SX - LC/PC multi-mode - up to 1800 ft - 850 nm	1	$380.99	Think IT Ai
113g	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-TE= Cisco - SFP (mini-GBIC) transceiver module - GigE - 1000Base-T - RJ-45	1	$315.37	Think IT Ai
113h	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-T-RGD= Cisco - SFP (mini-GBIC) transceiver module - GigE - 1000Base-T / SFP (mini-GBIC)	1	$388.00	Think IT Ai
113i	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-ZX-SMD= Cisco - SFP (mini-GBIC) transceiver module - GigE - 1000Base-ZX - LC/PC single-mode - up to 43.5 miles - 1550 nm	1	$3,593.80	Think IT Ai
113j	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# GLC-ZX-SM-RGD= Cisco Rugged SFP - SFP (mini-GBIC) transceiver module - GigE - 1000Base-ZX - LC/PC single-mode - up to 43.5 miles - 1550 nm	1	$3,954.59	Think IT Ai
113k	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# L-IE2000-L-B= Cisco IOS LAN license from Cisco IOS LAN Lite to Base upgrade	1	$282.53	Think IT Ai
113l	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IES2000E4 Cisco SMARTnet 5YR 8x5xNBD	1	$604.19	Think IT Ai
113m	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE2K8TCG Cisco SMARTnet 5YR 8x5xNBD	1	$1,043.08	Think IT Ai
113n	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE2K4GB Cisco SMARTnet 5YR 8x5xNBD	1	$798.80	Think IT Ai
113o	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE2000GL Cisco SMARTnet 5YR 8x5xNBD	1	$1,431.85	Think IT Ai
113p	684-002-037	Cisco Systems, Inc.	Managed Field Ethernet Switch	MFG# CON-SNT-IE20001B Cisco SMARTnet 5YR 8x5xNBD	1	$1,484.01	Think IT Ai
271a	684-001-001	DIGI	Device Server	MFG# 76000756 DiN Rail Mounting Bracket (Use on PortServer TS 1/2/4)	1	$35.00	Think IT Ai
349a	684-002-033	Extreme Networks	Managed Field Ethernet Switch	MFG# 10051H 1000Base-SX SFP Transceiver (MMF, 850nm, 550m, LC, Rugged)	1	$539.42	Think IT Ai
349b	684-002-033	Extreme Networks	Managed Field Ethernet Switch	MFG# 10052H 1000Base-SX SFP Transceiver (MMF, 850nm, 550m, LC, Rugged)	1	$1,042.70	Think IT Ai
349c	684-002-033	Extreme Networks	Managed Field Ethernet Switch	MFG# 10053H 1000Base-ZX SFP Transceiver (SMF, 1550nm, 70km, LC, Rugged)	1	$4,018.58	Think IT Ai
349d	684-002-033	Extreme Networks	Managed Field Ethernet Switch	MFG# 10056H 1000Base-BX SFP Transceiver (SMF, 1490nmTx/1310nmRx, 10km, LC, DOM, Rugged)	1	$1,151.78	Think IT Ai

348a	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10051H 1000Base-SX SFP Transceiver (MMF, 850nm, 550m, LC, Rugged)	1	$539.42	Think IT Ai
348b	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10052H 1000Base-SX SFP Transceiver (MMF, 850nm, 550m, LC, Rugged)	1	$1,042.70	Think IT Ai
348c	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10053H 1000Base-ZX SFP Transceiver (SMF, 1550nm, 70km, LC, Rugged)	1	$4,018.58	Think IT Ai
348d	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10056H 1000Base-BX SFP Transceiver (SMF, 1490nmTx/1310nmRx, 10km, LC, DOM, Rugged)	1	$1,151.78	Think IT Ai
348e	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10057H 1000Base-BX SFP Transceiver (SMF, 1310nmTx/1490nmRx, 10km, LC, DOM, Rugged)	1	$1,151.78	Think IT Ai
348f	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10066 100Base-LX SFP Transceiver (SMF, 1310nm, 20km, LC)	1	$322.06	Think IT Ai
348g	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10067 100Base-FX SFP Transceiver (MMF, 1310nm, 2km, LC)	1	$163.41	Think IT Ai
348h	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10070H 10/100/1000Base-TX SFP Transceiver (Copper, 100m, RJ-45)	1	$322.06	Think IT Ai
348i	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16801 5YR NBD Advanced Hardware Replacement	1	$780.00	Think IT Ai
348j	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16802 5YR NBD Advanced Hardware Replacement	1	$958.75	Think IT Ai
348k	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16803 5YR NBD Advanced Hardware Replacement	1	$1,002.11	Think IT Ai
348l	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16804 5YR NBD Advanced Hardware Replacement	1	$1,166.69	Think IT Ai
348m	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-ISW-4W-4WS-4X 5YR NBD Advanced Hardware Replacement	1	$2,098.94	Think IT Ai
348n	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-ISW-24W-4X 5YR NBD Advanced Hardware Replacement	1	$3,816.00	Think IT Ai
348o	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 16807 AC-DC Rugged Power Supply 240W Output	1	$539.42	Think IT Ai
348p	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 16920 AC-DC Rugged Power Supply 480W Output	1	$1,027.29	Think IT Ai
348q	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# ISW-AC-DC-PS-960W AC-DC Rugged Power Supply 960W Output	1	$1,933.63	Think IT Ai
349e	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10057H 1000Base-BX SFP Transceiver (SMF, 1310nmTx/1490nmRx, 10km, LC, DOM, Rugged)	1	$1,151.78	Think IT Ai
349f	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10066 100Base-LX SFP Transceiver (SMF, 1310nm, 20km, LC)	1	$322.06	Think IT Ai
349g	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10067 100Base-FX SFP Transceiver (MMF, 1310nm, 2km, LC)	1	$163.41	Think IT Ai

349h	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 10070H 10/100/1000Base-TX SFP Transceiver (Copper, 100m, RJ-45)	1	$322.06	Think IT Ai
349i	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16801 5YR NBD Advanced Hardware Replacement	1	$780.00	Think IT Ai
349j	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16802 5YR NBD Advanced Hardware Replacement	1	$958.75	Think IT Ai
349k	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16803 5YR NBD Advanced Hardware Replacement	1	$1,002.11	Think IT Ai
349l	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-16804 5YR NBD Advanced Hardware Replacement	1	$1,166.69	Think IT Ai
349m	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-ISW-4W-4WS-4X 5YR NBD Advanced Hardware Replacement	1	$2,098.94	Think IT Ai
349n	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 97004-ISW-24W-4X 5YR NBD Advanced Hardware Replacement	1	$3,816.00	Think IT Ai
349o	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 16807 AC-DC Rugged Power Supply 240W Output	1	$539.42	Think IT Ai
349p	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# 16920 AC-DC Rugged Power Supply 480W Output	1	$1,027.29	Think IT Ai
349q	684-002-034	Extreme Networks	Managed Field Ethernet Switch	MFG# ISW-AC-DC-PS-960W AC-DC Rugged Power Supply 960W Output	1	$1,933.63	Think IT Ai
608a	684-001-004	MOXA	Device Server	MFG# dk35a MOXA DIN RAIL MOUNTING KIT 35MM FOR DE-311/211 N	1	$20.00	Think IT Ai
608b	684-001-004	MOXA	Device Server	MFG# PIM36.241 PULS POWER SUPPLY 36W 1.5A 100-240VAC 1 PHASE INPUT TO 24-28VDC OUTPUT		$102.96	Think IT Ai
609a	684-002-011	MOXA	Managed Field Ethernet Switch	MFG# PIM36.241 PULS POWER SUPPLY 36W 1.5A 100-240VAC 1 PHASE INPUT TO 24-28VDC OUTPUT	1	$102.96	Think IT Ai
609b	684-002-011	MOXA	Managed Field Ethernet Switch	MFG# 2511120/1M ALTECH DIN RAIL STEELTS35X7.5 1METER	1	$20.00	Think IT Ai
609c	684-002-011	MOXA	Managed Field Ethernet Switch	MFG# CP10.481 PULS POWER SUPPLY 259W 5.4A 100-240VAC A PHASE INPUT TO 48-56VDC OUTPUT	1	$365.56	Think IT Ai
609d	684-001-004	MOXA	Device Server	MFG# PTC-101-M-LC-LV	1	$853.84	Think IT Ai
609e	684-001-004	MOXA	Device Server	MFG# PTC-101-S-LC-LV	1	$1,177.41	Think IT Ai
610a	684-002-011	MOXA	Managed Field Ethernet Switch	MFG# PIM36.241 PULS POWER SUPPLY 36W 1.5A 100-240VAC 1 PHASE INPUT TO 24-28VDC OUTPUT	1	$74.10	Think IT Ai
610b	684-002-011	MOXA	Managed Field Ethernet Switch	MFG# 2511120/1M ALTECH DIN RAIL STEELTS35X7.5 1METER	1	$20.00	Think IT Ai
610c	684-002-011	MOXA	Managed Field Ethernet Switch	MFG# CP10.481 PULS POWER SUPPLY 259W 5.4A 100-240VAC A PHASE INPUT TO 48-56VDC OUTPUT	1	$365.56	Think IT Ai
610d	684-002-011	MOXA	Device Server	MFG# PTC-101-M-LC-LV	1	$853.84	Think IT Ai
610e	684-002-011	MOXA	Device Server	MFG# PTC-101-S-LC-LV	1	$1,177.41	Think IT Ai

768a	684-001-002	Pepperl+Fuchs	Device Server	MFG# 1200035 DeviceMasterRTS 8-Port DB9 - 24VDC External Power Adapter – 120003524VDC external power adapter and universal power supply. Terminal (24V, 24W, 3-Pin)	1	$101.40	Think IT Ai
768b	684-001-002	Pepperl+Fuchs	Device Server	MFG# 99160-1 DeviceMaster Rack Mount Shelf RTS/UP/PRO/Serial	1	$121.47	Think IT Ai
768c	684-001-002	Pepperl+Fuchs	Device Server	MFG# 1200115 Comtrol Bracket Kit for panel mounting the DeviceMaster	1	$45.00	Think IT Ai
769a	684-001-003	Pepperl+Fuchs	Device Server	MFG# 1200035 DeviceMaster ® RTS 8-Port DB9 - 24VDC External Power Adapter – 120003524VDC external power adapter and universal power supply. Terminal (24V, 24W, 3-Pin)	1	$101.40	Think IT Ai
769b	684-001-003	Pepperl+Fuchs	Device Server	MFG# 99160-1 DeviceMaster Rack Mount RTS/UP/PRO/Serial	1	$121.47	Think IT Ai
769c	684-001-003	Pepperl+Fuchs	Device Server	MFG# 1200115 Comtrol Bracket Kit for panel mounting the DeviceMaster	1	$45.00	Think IT Ai
382a	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - 721	1	$1,098.00	Transportation Control Systems
382b	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - 792	1	$2,304.00	Transportation Control Systems
382c	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - 794	1	$2,678.00	Transportation Control Systems
382d	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - 711	1	$960.00	Transportation Control Systems
382e	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - 722	1	$1,462.00	Transportation Control Systems
382f	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - WC-02	1	$660.00	Transportation Control Systems
382g	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - WC-03	1	$1,320.00	Transportation Control Systems
382h	663-001-005	Global Traffic Technologies, LLC	Preemption System	762 IR Phase Selector - 760	1	$898.00	Transportation Control Systems
382i	663-001-005	Global Traffic Technologies, LLC	Preemption System	763 IR Phase Selector - 762	1	$4,413.00	Transportation Control Systems
382j	663-001-005	Global Traffic Technologies, LLC	Preemption System	764 IR Phase Selector - 770	1	$1,010.00	Transportation Control Systems
383a	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector - 764	1	$5,032.00	Transportation Control Systems
383b	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector - 3100	1	$5,300.00	Transportation Control Systems
383c	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector - 3101	1	$5,300.00	Transportation Control Systems
383d	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector - WC-01	1	$1,360.00	Transportation Control Systems
383e	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector - 768	1	$1,128.00	Transportation Control Systems
383f	663-001-006	Global Traffic Technologies, LLC	Preemption System	764 GPS & IR Phase Selector - 76-1000-1155-0	1	$5,874.00	Transportation Control Systems
383g	663-001-006	Global Traffic Technologies, LLC	Preemption System	765 GPS & IR Phase Selector - 76-1000-1157-0	1	$8,016.00	Transportation Control Systems
588a	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - CORE	1	$26,400.00	Transportation Control Systems
588b	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - SMARTVIEW-360	1	$3,450.00	Transportation Control Systems
588c	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - SMARTVIEW-APP	1	$2,692.00	Transportation Control Systems
588d	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - SMARTEXTENDER	1	$1,662.00	Transportation Control Systems
588e	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - 2G CONNECTIVITY	1	$1,107.00	Transportation Control Systems

588f	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - 5G CONNECTIVITY	1	$1,960.00	Transportation Control Systems
588g	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - 1 YEAR COUNTS	1	$1,620.00	Transportation Control Systems
588h	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - 1 YEAR PERFORMANCE	1	$1,620.00	Transportation Control Systems
588i	660-015-047	Miovision Technologies, Inc.	Vehicle Detector - Video	NA-MIO-CTM-DCM-V1 - SMARTMOUNT	1	$972.00	Transportation Control Systems
853a	700-026-016	RTC Manufacturing, Inc.	Sign Beacon	Guardian Series - 4G Modem with cell service	1	$2,000.00	Transportation Control Systems
853b	700-026-016	RTC Manufacturing, Inc.	Sign Beacon	Guardian Series - Cell Service	1	$1,108.00	Transportation Control Systems
1042a	685-002-008	Transportation Control Systems (TCS)	Uninterruptible Power Supply	MP2000-ITS/PIGGYBACK SERIES - UPS UNIT ONLY	1	$2,000.00	Transportation Control Systems
1042b	685-002-008	Transportation Control Systems (TCS)	Uninterruptible Power Supply	MP2000-ITS/PIGGYBACK SERIES - TRANSFER SWITCH	1	$950.00	Transportation Control Systems
1042c	685-002-008	Transportation Control Systems (TCS)	Uninterruptible Power Supply	MP2000-ITS/PIGGYBACK SERIES - BATTERY	1	$500.00	Transportation Control Systems
1042d	685-002-008	Transportation Control Systems (TCS)	Uninterruptible Power Supply	MP2000-ITS/PIGGYBACK SERIES - SNMP CARD	1	$500.00	Transportation Control Systems
1042e	685-002-008	Transportation Control Systems (TCS)	Uninterruptible Power Supply	MP2000-ITS/PIGGYBACK SERIES - BATTERY MANAGER	1	$500.00	Transportation Control Systems
1048a	700-026-012	Transportation Control Systems (TCS)	Sign Beacon	TCSFLN202S - 15 FT POLE	1	$1,500.00	Transportation Control Systems
1048b	700-026-012	Transportation Control Systems (TCS)	Sign Beacon	TCSFLN202S - SOLAR PANEL	1	$500.00	Transportation Control Systems
1048c	700-026-012	Transportation Control Systems (TCS)	Sign Beacon	TCSFLN202S - P CABINET	1	$4,500.00	Transportation Control Systems
565a	671-017-009	McCain, Inc.	Controller - NEMA TS2 Type 2	XATC eX Type 2 - Controller Software	1	$3,000.00	Transportation Control Systems
565b	671-017-009	McCain, Inc.	Controller - NEMA TS2 Type 2	XATC eX Type 2 - Central Software License	1	$2,000.00	Transportation Control Systems
565c	671-017-009	McCain, Inc.	Controller - NEMA TS2 Type 2	XATC eX Type 2 - Central Annual Cloud Software	1	$2,500.00	Transportation Control Systems
1006	700-027-004	'Trafficalm Systems	Illuminated Sign - Highlighted Sign	Smart Radar Activation for all M75-SA30X-XXXX Controllers	1/each	$449.00	Transportation Solutions and Lighting
1006	700-027-004	'Trafficalm Systems	Illuminated Sign - Highlighted Sign	Activation/Toggle FOB for all M75-SA30X-XXXX controllers	1/each	$299.00	Transportation Solutions and Lighting
1006	700-027-004	'Trafficalm Systems	Illuminated Sign - Highlighted Sign	15' Pedestal Pole with J-Bolts and base and collar	1/each	$729.00	Transportation Solutions and Lighting
1005	700-019-004	'Trafficalm Systems	'Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	15' Pedestal Pole with J-Bolts and base and collar	1/each	$729.00	Transportation Solutions and Lighting
201	659-031-018	Cost Cast	Mast Arm Signal Mounting	Value-Brac Model. 1416-SS-062. 1416 Saddle and Swivel Assembly. 63" Cable. Double Swage. SS3304 Certified	1/each	$66.00	Transportation Solutions and Lighting
201	659-031-018	Cost Cast	Mast Arm Signal Mounting	Value-Brac Model. 1416-SS-120. 1416 Saddle and Swivel Assembly. 63" Cable. Double Swage. SS3304 Certified	1/each	$73.00	Transportation Solutions and Lighting
1004	654-001-011	Trafficalm Systems	Rectangular Rapid Flashing Beacon Assembly (RRFB)	15' Pedestal Pole with J-Bolts and base and collar	1/each	$729.00	Transportation Solutions and Lighting

1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-225 SmartSensor Matrix	1	$5,311.00	Wavetronix LLC
1091	660-026-002	Wavetronix	Dilemma Zone Protection System	SS-200V SmartSensor Advance	1	$5,112.00	Wavetronix LLC
1092	660-026-002	Wavetronix	Dilemma Zone Protection System	SS-200E SmartSensor Advance Extended Range	1	$5,703.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0402 Click 600 Cabinet Interface Device, 4 Sensors	1	$2,407.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0416 Click 650 Cabinet Interface Device, SDLC, 4 Sensors	1	$3,541.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0451 Click 656 Cabinet Interface Device, SDLC, 6 Sensors	1	$5,311.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0423 Click 600 U-Mount Rails & Hardware	1	$47.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0549 Click 650 U-Mount Rails & Hardware	1	$68.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0531 Click 656 U-Mount Rails & Hardware	1	$55.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0462 Click 656 3U Mounting Shelf & Hardware	1	$251.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	310-0411 SDLC Cable, Right Angle Connector, 4'	1	$316.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	310-0413 SDLC, Y-Cable, 4'/8"	1	$415.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	310-0418 SDLC Cable, 15 Pin to 25 Pin, 4'	1	$309.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	310-0419 SDLC Cable, Straight Connector, 4'	1	$325.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0449 SDLC Bus, 4-Port	1	$445.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-611 SmartSensor "Pole" Mount	1	$251.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	101-0437 SmartSensor "Pole" Mount, 3 ft.	1	$396.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	101-0462 SmartSensor "Span" Mount	1	$251.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	101-0456 Rotative Extended Arm Gantry Mount	1	$956.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	101-0478 SmartSensor Triaxial Mount	1	$309.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	360-0129 Add-on Knuckle for SS-611	1	$64.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	360-0177 Sensor Backplate-Full Rotation	1	$91.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-710 Junction Box, Large	1	$221.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	102-0453 Junction Box, Mini	1	$178.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-704-006 SmartSensor Cable, 6c, 8p, Pre-Term-Conn, 6'	1	$138.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-704-020 SmartSensor Cable, 6c, 8p, Pre-Term-Conn, 20'	1	$192.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-704-040 SmartSensor Cable, 6c, 8p, Pre-Term-Conn, 40'	1	$256.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-704-060 SmartSensor Cable, 6c, 8p, Pre-Term-Conn, 60'	1	$322.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-704-080 SmartSensor Cable, 6c, 8p, Pre-Term-Conn, 80'	1	$386.00	Wavetronix LLC

1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-704-100 SmartSensor Cable, 6c, 8p, Pre-Term-Conn, 100'	1	$451.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	101-0448 SmartSensor Cable, 6c, 500', Bulk Spool	1	$1,418.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-705-001 SmartSensor Cable, 6c, 1000', Bulk Spool	1	$2,301.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-705-002 SmartSensor Cable, 6c, 5000', Bulk Spool	1	$11,504.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-709 SmartSensor Connector, 8p, Female for 6c Cable, Matrix or Advance, Kit	1	$199.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	205-0032 SmartSensor Connector and Pins for 6c Cable, Matrix or Advance	1	$68.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	205-0031 SmartSensor Connector Back Shell for 6c Cable, Matrix or Advance	1	$124.00	Wavetronix LLC
1089	660-020-005	Wavetronix	Traffic Data Detection System - Microwave	SS-105V SmartSensor V	1	$3,934.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	101-0415 SmartSensor HD	1	$5,936.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	101-0416 SmartSensor HD w/ Retrofit	1	$6,195.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	101-0403 SmartSensor HD w/ Rotating Backplate	1	$5,998.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-706-020 SmartSensor Cable, 8c, 10p, Pre-Term Conn, 20'	1	$173.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-706-040 SmartSensor Cable, 8c, 10p, Pre-Term Conn, 40'	1	$271.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-706-060 SmartSensor Cable, 8c, 10p, Pre-Term Conn, 60'	1	$321.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-706-080 SmartSensor Cable, 8c, 10p, Pre-Term Conn, 80'	1	$374.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-706-100 SmartSensor Cable, 8c, 10p, Pre-Term Conn, 100'	1	$434.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-707-001 SmartSensor Cable, 8c, 1000', Bulk Spool	1	$2,567.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-707-002 SmartSensor Cable, 8c, 5000', Bulk Spool	1	$12,817.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-712 SmartSensor Connector, 10p, Female for 8c Cable, V or HD	1	$174.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-708-100 SmartSensor Cable, 8c, 26p, Pre-Term Conn, 100'	1	$560.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-707-001 SmartSensor Cable, 8c, 1000', Bulk Spool	1	$2,567.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-707-002 SmartSensor Cable, 8c, 5000', Bulk Spool	1	$12,817.00	Wavetronix LLC

1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	SS-703 SmartSensor Connector, 26p, Female for 8c Cable, V, HD, or Advance (Retrofit)	1	$116.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0451 XP20 Sensor	1	$4,917.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0482 XP20 Surge, FRS	1	$249.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0457 Expanse, Sensor Mount Assembly	1	$412.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0461 Expanse, Extended Sensor Mount Assembly	1	$592.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0439 Expanse ARC-2, Cabinet Interface	1	$4,917.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0509 Expanse ARC-2, Cabinet Interface, 1 - Pre-Installed ARC Surge	1	$5,163.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0565 Expanse ARC-2, Cabinet Interface, 1 - Pre-Installed SmartSensor Surge	1	$5,163.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0540 Expanse ARC-2, DC, Cabinet Interface	1	$4,917.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0480 ARC-2 Surge, FRS	1	$249.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0525 SmartSensor Surge	1	$249.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0481 Blank Cover for ARC Surge	1	$18.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0485 ARC NEMA Side-Mount Bracket	1	$48.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0486 ARC 19" Rack Mount Bracket 2U Height	1	$48.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0487 2 Port Arc Diamond Bracket for Fiberglass Cabinet	1	$40.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0468 Expanse Link Cable, 1-Pair, 22 AWG, 500' Spool	1	$1,367.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0469 Expanse Link Cable, 1-Pair, 22 AWG, 100' Spool	1	$2,733.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0470 Expanse Link Cable, 1-Pair, 22 AWG, 5000' Spool	1	$13,654.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0465 Expanse Link S Cable, 1-Pair, 16 AWG, 500' Spool	1	$1,833.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0464 Expanse Link S Cable, 1-Pair, 16 AWG, 1000' Spool	1	$3,661.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0463 Expanse Link S Cable, 1-Pair, 16 AWG, 5000' Spool	1	$18,296.00	Wavetronix LLC
1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	101-0481 Expanse Link Cable Connector, M12, T-Code, Push-Lock, Kit	1	$101.00	Wavetronix LLC

1090	660-020-009	Wavetronix	Traffic Data Detection System - Microwave	102-0537 ARC FRS Expanse Link Spring Cage Connector, Kit	1	$25.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	CLK-100 16 Output Contact Closure Module	1	$597.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	CLK-104 4-Channel Din Rail Contact Closure Module	1	$544.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	CLK-112 2 Channel Contact Closure Rack Card	1	$487.00	Wavetronix LLC
1087	660-018-004	Wavetronix	Vehicle Detector - Microwave	CLK-114 4 Channel Contact Closure Rack Card	1	$511.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-120 Screw Terminal Relay	1	$32.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-200 Click 200 Surge Protector	1	$355.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-202 Click 202, 2 Amp AC to DC Power Converter	1	$248.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-203 UPS and Battery	1	$802.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-204 Click 204, 4 Amp AC to DC Power Converter	1	$346.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-210 AC Circuit Breaker, 0.5A	1	$45.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-222 System Surge Protector	1	$592.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-223 Dual RS-485 Surge Protector	1	$544.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-224 Dual RS-485 converter and surge protector for SmartSensor HD	1	$938.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-230 120 VAC Surge Protector	1	$239.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-301, Serial to Ethernet Converter	1	$685.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-304 RS232 to RS485 Converter	1	$511.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-512 Vehicle Alert	1	$1,556.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-513 Traffic Alert Module	1	$1,556.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	CLK-514 Event Logger	1	$1,556.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	100-0277 T-Bus, Grey, Power Only	1	$15.00	Wavetronix LLC
1091	660-026-002	Wavetronix	Dilemma Zone Protection System	360-0283 SmartSensor Advance Viewfinder	1	$26.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	205-0000 T-Bus, Green, Power & Comm.	1	$15.00	Wavetronix LLC

1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	228-0004 T-Bus, 5 Screw, Terminal Block, Right End	1	$10.00	Wavetronix LLC
1088	660-020-004	Wavetronix	Traffic Data Detection System - Microwave	228-0020 T-Bus, 5 Screw, Terminal Block, Left End	1	$10.00	Wavetronix LLC
1088	660-018-004	Wavetronix	Traffic Data Detection System - Microwave	310-0001 Patch Cord, 60", White, RJ11, CEX-RJ114CWH60"	1	$13.00	Wavetronix LLC
1088	660-018-004	Wavetronix	Traffic Data Detection System - Microwave	310-0015 Patch Cord, 60", Black, RJ11, CEXRJ114CBK60"	1	$13.00	Wavetronix LLC
1088	660-018-004	Wavetronix	Traffic Data Detection System - Microwave	310-0016 Patch Cord, 6", White, RJ11, CEXRJ114CWH6"	1	$12.00	Wavetronix LLC
1088	660-018-004	Wavetronix	Traffic Data Detection System - Microwave	310-0017 Patch Cord, 6", Black, RJ11, CEXRJ114CBK6"	1	$12.00	Wavetronix LLC
1089	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-WARR-3-FL SmartSensor 3 Year Extended Warranty	1	$346.00	Wavetronix LLC
1090	660-018-004	Wavetronix	Vehicle Detector - Microwave	SS-65x-WARR-3-FL Click 65x 3 Year extended warranty	1	$344.00	Wavetronix LLC
1088	660-020-009	Wavetronix	Vehicle Detector - Microwave	103-0414 X-Roads Traffic Simulator Software Basic License	1	$1,141.00	Wavetronix LLC
12a	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(4) AlphaCell 150XTV, AGM battery, 12v, 100 Ah, Top terminal	1	$1,099.00	Temple, Inc
12b	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(12) AlphaCell 150XTV, AGM battery, 12v, 100 Ah, Top terminal	1	$2,926.00	Temple, Inc
12c	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(24) AlphaCell 150XTV, AGM battery, 12v, 100 Ah, Top terminal	1	$5,755.00	Temple, Inc
12d	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(4) AlphaCell 195XTV, AGM battery, 12v, 100 Ah, Top terminal	1	$1,205.00	Temple, Inc
12e	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(12) AlphaCell 195XTV, AGM battery, 12v, 100 Ah, Top terminal	1	$3,232.00	Temple, Inc
12f	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(24) AlphaCell 195XTV, AGM battery, 12v, 100 Ah, Top terminal	1	$6,367.00	Temple, Inc
12g	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(4) AlphaCell 240XTV, AGM battery, 12v, 112 Ah, Top terminal	1	$1,363.00	Temple, Inc
12h	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(12) AlphaCell 240XTV, AGM battery, 12v, 112 Ah, Top terminal	1	$3,689.00	Temple, Inc
12i	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(24) AlphaCell 240XTV, AGM battery, 12v, 112 Ah, Top terminal	1	$7,281.00	Temple, Inc
12j	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(4) Enersys PowerSafe SBS 100F, 12v, VRLA, 100 Ah	1	$1,967.00	Temple, Inc
12k	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(12) Enersys PowerSafe SBS 100F, 12v, VRLA, 100 Ah	1	$5,431.00	Temple, Inc
12l	685-002-020	Alpha Technologies	Uninterruptible Power Supply	(24) Enersys PowerSafe SBS 100F, 12v, VRLA, 100 Ah	1	$10,764.00	Temple, Inc
12m	685-002-020	Alpha Technologies	Uninterruptible Power Supply	SE48-1616 no gen, w/ UATS, BCK, LRI, lamp	1	$2,574.00	Temple, Inc
12n	685-002-020	Alpha Technologies	Uninterruptible Power Supply	SE48-1616 w/ gen, UATS, UGTS, RM for FXM1100/2000, 5' BCK, AG, LRI, lamp	1	$2,829.00	Temple, Inc
12o	685-002-020	Alpha Technologies	Uninterruptible Power Supply	SE48-1616 Enclosure with L5-30-FI GenPort,UGTS,UATS,RM for FXM-1100/2000,5ft BCK, AG, LRI, Semi Gloss Black	1	$3,974.00	Temple, Inc

12p	685-002-020	Alpha Technologies	Uninterruptible Power Supply	SE48-1616 Enclosure with L14-30-FI GenPort,UGTS,UATS,2xRPA,RM for FXM-1100/2000,5ft BCK,BHM,AC Indicator Red LED,Nat. Almn	1	$3,450.00	Temple, Inc
12q	685-002-020	Alpha Technologies	Uninterruptible Power Supply	SE48-2216 Enclosure with L5-30-FI GenPort,UATS,UGTS,5ft BCK,AG,RM for FXM-1100/2000,Fixed Battery Trays,Nat. Almn	1	$3,911.00	Temple, Inc
12r	685-002-020	Alpha Technologies	Uninterruptible Power Supply	SE48-2216 Enclosure with L5-30-FI GenPort,UATS,UGTS,5ft BCK,RM for FXM-1100/2000,Slide Out Battery Trays,Nat. Almn	1	$4,162.00	Temple, Inc
84a	654-001-012	Carmanah	RRFB	Carmanah Light bar & harness	1	$770.00	Temple, Inc.
84b	654-001-012	Carmanah	RRFB	12' pole & base assy	1	$ 774.00	Temple, Inc.
84c	654-001-012	Carmanah	RRFB	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
84d	654-001-012	Carmanah	RRFB	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
85a	654-001-013	Carmanah	RRFB	15' pole & base assy	1	$ 850.00	Temple, Inc.
85b	654-001-013	Carmanah	RRFB	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
85c	654-001-013	Carmanah	RRFB	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
85d	654-001-013	Carmanah	RRFB	18' sch 80 pole & base assy, anchor bolt cage	1	$ 1,337.00	Temple, Inc.
85e	654-001-013	Carmanah	RRFB	15' sch 80 pole & base assy, anchor bolt cage	1	$ 1,212.00	Temple, Inc.
86a	654-001-014	Carmanah	RRFB	12' pole & base assy	1	$ 774.00	Temple, Inc.
86b	654-001-014	Carmanah	RRFB	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
86c	654-001-014	Carmanah	RRFB	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
87a	700-019-001	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	15' pole & base assy	1	$ 850.00	Temple, Inc.
87b	700-019-001	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	External radar kit, adjustable mount, 15' cable, SpeedCheck-15	1	$ 1,086.00	Temple, Inc.
87c	700-019-001	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Radar replacement kit, incl. bracket, harness, hw., radar module	1	$ 1,718.00	Temple, Inc.
87d	700-019-001	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Yellow 88 + yellow slow down LED boards, set of 2x	1	$ 936.00	Temple, Inc.
87e	700-019-001	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Replacement controller, incl. Bluetooth, Datalogger, Scheduler	1	$ 770.00	Temple, Inc.
88a	700-019-002	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	18' pole & base assy	1	$ 926.00	Temple, Inc.
88b	700-019-002	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	External radar kit, adjustable mount, 15' cable, SpeedCheck-18	1	$ 1,086.00	Temple, Inc.
88c	700-019-002	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	Radar replacement kit, incl. bracket, harness, hw., radar module	1	$ 1,718.00	Temple, Inc.
89a	700-022-004	Carmanah	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	15' pole & base assy	1	$ 850.00	Temple, Inc.
89b	700-026-004	Carmanah	Electronic Display Sign (EDS) – Electronic Warning Sign (EWS)	12' pole & base assy	1	$ 774.00	Temple, Inc.
91a	700-026-013	Carmanah	Sign Beacon	15' pole & base assy	1	$ 850.00	Temple, Inc.
92a	700-026-014	Carmanah	Sign Beacon	15' pole & base assy	1	$ 850.00	Temple, Inc.
93a	700-026-020	Carmanah	Sign Beacon	12' pole & base assy	1	$ 774.00	Temple, Inc.
94a	700-026-021	Carmanah	Sign Beacon	12' pole & base assy	1	$ 774.00	Temple, Inc.

95a	700-026-022	Carmanah	Sign Beacon	12' pole & base assy	1	$ 774.00	Temple, Inc.
96a	700-026-023	Carmanah	Sign Beacon	12' pole & base assy	1	$ 774.00	Temple, Inc.
96b	700-026-023	Carmanah	Sign Beacon	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
96c	700-026-023	Carmanah	Sign Beacon	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
97a	700-026-024	Carmanah	Sign Beacon	12' pole & base assy	1	$ 774.00	Temple, Inc.
97b	700-026-024	Carmanah	Sign Beacon	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
97c	700-026-024	Carmanah	Sign Beacon	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
98a	700-026-025	Carmanah	Sign Beacon	15' pole & base assy	1	$ 850.00	Temple, Inc.
98b	700-026-025	Carmanah	Sign Beacon	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
98c	700-026-025	Carmanah	Sign Beacon	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
99a	700-027-005	Carmanah	Illuminated Sign - Highlighted Sign	12' pole & base assy	1	$ 774.00	Temple, Inc.
99b	700-027-005	Carmanah	Illuminated Sign - Highlighted Sign	W11-2-30-DG-YG, W16-7pl-24-DG-YG	1	$ 221.00	Temple, Inc.
99c	700-027-005	Carmanah	Illuminated Sign - Highlighted Sign	2 * W11-2-30-DG-YG, W16-7pL-24-DG-YG, W16-7pR-Dg-Yg	1	$ 391.00	Temple, Inc.
100a	660-014-005	Carmanah	Wrong Way Vehicle Detection System	18' pole & base assy	1	$ 926.00	Temple, Inc.
100b	660-014-005	Carmanah	Wrong Way Vehicle Detection System	15' pole & base assy	1	$ 850.00	Temple, Inc.
100c	660-014-005	Carmanah	Wrong Way Vehicle Detection System	LED harness, per 100 LF	1	$ 137.00	Temple, Inc.
100d	660-014-005	Carmanah	Wrong Way Vehicle Detection System	LED harness, per 100 LF	1	$137.00	Temple, Inc
101a	660-014-005	Carmanah	Wrong Way Vehicle Detection System	18' pole & base assy	1	$ 926.00	Temple, Inc.
101b	660-014-005	Carmanah	Wrong Way Vehicle Detection System	15' pole & base assy	1	$ 850.00	Temple, Inc.
101c	660-014-005	Carmanah	Wrong Way Vehicle Detection System	LED harness, per 100 LF	1	$ 137.00	Temple, Inc.
103a	700-019-009	Carmanah	Electronic Display Sign (EDS) – Electronic Speed Feedback Sign (ESFS)	12' pole & base assy	1	$ 774.00	Temple, Inc.
656a	700-012-013	Orange Traffic	EDS / BOS	Sign Mounting Hdwr set - Mast Arm	1	$228.00	Temple, Inc
656	700-012-013	Orange Traffic	EDS / BOS	Sign Mounting Hdwr set - Span Wire	1	$163.00	Temple, Inc.
984a	685-002-006	Temple, Inc.	UPS	SP Series w/ Outpost Batteries 96v, 2-yr warranty ex	1	$1,401.00	Temple, Inc.

BID SHEET Instructions and Signature Page (Page 1 of 2)

BID #: **DOT-ITB-23-9037-SJ** FOB: Destination

BID TITLE: **FDOT APL Traffic Equipment**

- **AN EXCEL WORKBOOK IS ATTACHED SEPARATELY TO THIS BID ADVERTISEMENT IN THE VENDOR INFORMATION PORTAL. BID AS SPECIFIED.**

- **PLEASE NOTE THAT THE WORKBOOK CONTAINS FOUR (4) TABS: 1) "APL BID LIST 2023" 2) "APL Configurations" 3) Support Supplies 4) Ordering Instructions**

- ALL APL CONFIGURATION ITEMS (this Tab is OPTIONAL) SUBMITTED MUST BE APPROVED BY THE DEPARTMENT TO BE CONSIDERD FOR AWARD.
    - EACH APL CONFIGURATION MUST BE DIRECTLY TRACEABLE TO AN **APL CERTIFICATION #** LISTED ON THE "APL BID LIST 2023" Tab.
    - Example entries for APL Configurations: Existing APL # xxx-xxx-xxx - a, b, c, d….etc.
    - APL Configurations shall be limited to five (5) per APL.

- ALL APL SUPPORT SUPLIES ITEMS (this Tab is OPTIONAL) SUBMITTED MUST BE APPROVED BY THE DEPARTMENT TO BE CONSIDERED FOR AWARD.
    - EACH APL SUPPORT SUPPLIES ITEMS MUST BE DIRECTLY TRACEABLE TO AN **APL CERTIFICATION #** LISTED ON THE "APL BID LIST 2023" Tab.
    - Example entries for APL Support Supplies: Existing APL # xxx-xxx-xxx - a, b, c, d….etc.

- **DOWNLOAD THE WORKBOOK AND ELECTRONICALLY ENTER BID AMOUNT(s).**
    - **BIDDING ON ALL ITEMS IS NOT REQUIRED**
        - **BLANK PRICE CELLS WILL BE CONSIDERED AS "NO BIDS"**

- **SAVE THE COMPLETED WORKBOOK (in Excel Format and Portable Document Format (PDF)) AND SUBMIT ELECTRONICALLY WITH YOUR BID PACKAGE.**

- **BE SURE TO INCLUDE A SIGNED COPY OF THIS SIGNATURE PAGE WITH YOUR BID RESPONSE.**

BID SHEET Instructions and Signature Page (Page 2 of 2)

BID #: **DOT-ITB-23-9037-SJ** FOB: Destination

BID TITLE: **FDOT APL Traffic Equipment**

RENEWAL: see Introduction Section #6.
THE UNIT PRICE(s) WILL APPLY TO THE INITIAL TERM AND ANY RENEWAL PERIODS.

NOTE: In submitting a response, the bidder acknowledges they have read and agree to the solicitation terms and conditions and their submission is made in conformance with those terms and conditions.

ACKNOWLEDGEMENT: I certify that I have read and agree to abide by all terms and conditions of this solicitation and that I am authorized to sign for the bidder. I certify that the response submitted is made in conformance with all requirements of the solicitation.

MFMP Transaction Fee:
All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the referenced Form PUR 1000 General Contract Condition #14. The Transaction Fees imposed shall be based upon the date of issuance of the payment.

NOTE: In submitting a response, the bidder acknowledges they have read and agree to the solicitation terms and conditions and their submission is made in conformance with those terms and conditions.

ACKNOWLEDGEMENT: I certify that I have read and agree to abide by all terms and conditions of this solicitation and that I am authorized to sign for the bidder. I certify that the response submitted is made in conformance with all requirements of the solicitation.

Bidder:_____ FEID#_____

Address:_____City, State, Zip:_____

Phone: _____ E-mail: _____

Authorized Signature:_____Date: _____

Printed/Typed:_____Title:_____

INTRODUCTION SECTION

1) INVITATION

The purpose of this Invitation to Bid is to obtain competitive bids to establish agency wide pricing for a one year contract for the purchase of FDOT Approved Products List (APL) Traffic Equipment by the Department of Transportation, hereafter referred to as the "Department". The contract will become effective on the date the successful bidder(s) receives an acceptance letter and will expire one year from that date. After the award, said bidder(s) will be referred to as the "Vendor(s)".

All commodities identified in this Invitation to Bid will be subject to the availability of identical commodities as provided by mandatory Department of Management Services' State Contract(s) at such time these commodities become available. In the event of duplication(s) of commodities, the Department of Management Services' mandatory State Contract shall prevail.

2) TIMELINE

Provided below is a list of critical dates and actions. These dates are subject to change. Notices of changes (Addenda) will be posted on the Florida Vendor Information Portal at https://vendor.myfloridamarketplace.com/(click on "Search Advertisements") under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid.

ACTION / LOCATION	DATE	LOCAL TIME
DEADLINE FOR TECHNICAL QUESTIONS - (There is no deadline for administrative questions)	**11-21-2022**	**05:00 PM EST**
BIDS DUE (ON OR BEFORE) - Florida Department of Transportation Central Procurement Office Sherill Johnson, Procurement Agent Phone: (850) 414.4381 CO.Purch@dot.state.fl.us	**12-12-2022**	**09:00 AM EST**
PUBLIC OPENING - Florida Department of Transportation Central Procurement Office Sherill Johnson, Procurement Agent 605 Suwannee Street Tallahassee, FL 32399-0450	**12-13-2022**	**10:00 AM EST**
POSTING OF INTENDED DECISION/AWARD -	**12-29-2022**	

3) BID OPENING AGENDA

The sealed bids will be opened by the Department's Procurement Office personnel at the date, time and location in the Timeline. All bid openings are open to the public and will be conducted according to the following agenda:
Opening remarks – Approximate time of 2 minutes by Department Procurement Office personnel.
Public input period – To allow a maximum of 15 minutes total for public input related to the bid solicitation.
Bids opened – At conclusion of public input or 15 minutes, whichever occurs first, bids received timely will be opened with bidder's name read aloud.
Adjourn - After all bids received timely have been opened, the meeting will be adjourned.

4) SPECIAL ACCOMMODATIONS

Any person with a qualified disability requiring special accommodations at a pre-bid conference, public meeting, and/or opening shall contact the contact person at the phone number, e-mail address provided on the title page at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1 (800) 955-8771 (TDD).

5) CONTRACT USE

Use of the contract resulting from this bid will be optional for the Department. The Department reserves the right to solicit separate bids for any unusual or abnormal quantity requirements that may arise during the term of the contract.

6) RENEWAL

Upon mutual agreement, the Department and the Contract Vendor may renew the contract for a period that may not exceed 3 years or the term of the original contract, whichever is longer. The renewal must be in writing and signed by both parties, and is subject to the same terms and conditions set forth in the initial contract and any written amendments signed by the parties. Any renewal shall specify the renewal price, as set forth in the solicitation response except that an agency may negotiate lower pricing. Renewal is contingent upon satisfactory performance evaluations and subject to the availability of funds.

SPECIAL CONDITIONS

1) MyFloridaMarketPlace

BIDDERS MUST BE ACTIVELY REGISTERED IN THE STATE OF FLORIDA'S MYFLORIDAMARKETPLACE SYSTEM BY THE TIME AND DATE OF THE BID OPENING OR THEY MAY BE CONSIDERED NON-RESPONSIVE (see Special Condition 21). All prospective bidders that are not registered should go to https://vendor.myfloridamarketplace.com/ to complete on-line registration, or call 1-866-352-3776 for assisted registration.

All payment(s) to the vendor resulting from this competitive solicitation **WILL** be subject to the MFMP Transaction Fee in accordance with the referenced Form PUR 1000 General Contract Condition #14. The Transaction Fees imposed shall be based upon the date of issuance of the payment.

2) FLORIDA DEPARTMENT OF FINANCIAL SERVICES (DFS) W-9 REQUIREMENT

The Florida Department of Financial Services (DFS) requires all vendors that do business with the state to submit an electronic Substitute Form W-9. Vendors must submit their W-9 forms electronically at https://flvendor.myfloridacfo.com to receive payments from the state. Contact the DFS Customer Service Desk at (850) 413-5519 or FLW9@myfloridacfo.com with any questions.

3) QUESTIONS & ANSWERS

In accordance with section 287.057(25), Florida Statutes, respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any technical questions arising from this Invitation to Bid must be forwarded, in writing, to the procurement agent identified below. Questions must be received no later than the time and date reflected on the Timeline. The Department's written response to written inquiries submitted timely by bidders will be posted on the Florida Vendor Information Portal at https://vendor.myfloridamarketplace.com/(click on "Search Advertisements"), under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid.

WRITTEN TECHNICAL QUESTIONS should be submitted to:

Sherill Johnson, Procurement Agent @ CO.Purch@dot.state.fl.us

Questions regarding administrative aspects of the bid process should be directed to the Procurement Agent in writing at the address above or by phone: (850) 414-4477

4) ORAL INSTRUCTIONS / CHANGES TO THE INVITATION TO BID (ADDENDA)

No negotiations, decisions, or actions will be initiated or executed by a bidder as a result of any oral discussions with a State employee. Only those communications which are in writing from the Department will be considered as a duly authorized expression on behalf of the Department.

Notices of changes (Addenda) will be posted on the Florida Vendor Information Portal at https://vendor.myfloridamarketplace.com/ (click on "Search Advertisements") under this bid number. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting your bid. All Addenda will be acknowledged by signature and subsequent submission of Addenda with bid when so stated in the Addenda.

5) DIVERSITY ACHIEVEMENT

The Department, in accordance with ***Title VI of the Civil Rights Act of 1964, 42 USC 2000d-2000d-4, Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21,*** Nondiscrimination in federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively ensure that in any contract/agreement entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated on the basis of race, color, national origin, or sex in consideration for an award.

The Department encourages the recruitment and utilization of small, minority, women, and service-disabled veteran businesses. The Department, its vendors, suppliers, and consultants should take all necessary and reasonable steps to ensure that small, minority, women, and service-disabled veteran businesses have the opportunity to compete for and perform contract work for the Department in a nondiscriminatory environment.

6) PRICES/DELIVERY

Prices shall be firm, net, delivered prices, F.O.B. destination.

Delivery must be made within thirty (30) calendar days or less upon receipt of a purchase order by the contract vendor at their designated ordering location. If more time is needed, the bidder should state the extra time required and the reasons why, in their bid response. Acceptance will be subject to the Department's approval.

7) IN-STATE PREFERENCE FOR COMMODITY BIDS

Not applicable because federal funds may be used for this bid.

8) INTENDED AWARD

As the best interest of the State may require, the right is reserved to make award(s) by individual item, group of items, all or none, or a combination thereof: on a geographical district basis and / or on a statewide basis with one or more suppliers to reject any and all bids or waive any minor irregularity or technicality in bids received. When it is determined there is competition to the lowest responsible bidder, evaluation of other bids is not required. Bidders are cautioned to make no assumptions, unless their bid has been evaluated as being responsive. All awards made as a result of this bid shall conform to applicable Florida Statute. If the Department is confronted with identical pricing or scoring from multiple vendors, the Department shall determine the order of award using the following criteria, in the order of preference listed below (from highest priority to lowest priority):

1. Section 295.187(4), Florida Statutes; Veteran Business Enterprise
2. Section 287.087, Florida Statute; Drug Free Work Place
3. Section 287.057(11); Minority Business Enterprise

In the event that the application of the above referenced preferences does not resolve the identical replies, the Department shall determine the award by means of random drawing.

9) PRE-BID CONFERENCE: A PRE-BID CONFERENCE WILL NOT BE HELD.

10) ALTERNATES

ALTERNATE BRANDS WILL NOT BE CONSIDERED FOR THIS BID. BID AS SPECIFIED.

11) WARRANTY/SUBSTITUTIONS

A warranty is required on all items purchased against defective materials, workmanship, and failure to perform in accordance with required industry performance criteria, for a period of not less than ninety (90) days from the date of acceptance by the purchaser. Any deviation from this criteria must be documented in the bid response or the above statement shall prevail. Delivery of substitute commodities requires prior written approval from the ordering location.

12) REPLACEMENT/RESTOCKING

Replacement of all materials found defective within the warranty period shall be made without cost to the purchaser, including transportation if applicable. All fees associated with restocking cancelled orders shall be the responsibility of the vendor.

13) PRODUCT REQUIREMENTS/SPECIFICATIONS/CONFIGURATIONS/SUPPORT SUPPLIES

Items furnished shall be standard products of the manufacturer or their suppliers, shall be new, unused, clean, and free from any defects or features affecting appearance, serviceability, or the safety of the user in normal intended use.

Any deviation from specifications indicated herein must be clearly pointed out; otherwise, it will be considered that items offered are in strict compliance with these specifications, and successful bidder will be held responsible therefore. Deviations (i.e., APL Configurations and/or APL Support Supplies) must be explained in detail on the “APL Configurations” and “APL Support Supplies” bid tabs.

14) ACCEPTANCE

All items listed in the specifications, delivered to the Department not meeting specifications or found to be poorly manufactured will not be accepted, but returned to the vendor, at their expense, for replacement. Replacement of all items found defective shall be made without cost to the Department, including transportation, if applicable. As it may be impossible for each facility to inspect all items upon arrival, a reasonable opportunity must be given to these facilities for inspection of the items, and returning those that are defective.

15) REVIEW OF BIDDER'S FACILITIES & QUALIFICATIONS

After the bid due date and prior to contract execution, the Department reserves the right to perform or to have performed, an on-site review of the bidder's facilities and qualifications. This review will serve to verify data and representations submitted by the bidder and may be used to determine whether the bidder has adequate facilities, equipment, qualified and experienced staff, and overall management capabilities to provide the required items. The review may also serve to verify whether the bidder has financial capabilities adequate to meet the contract requirements.

Should the Department determine that the bid package has material misrepresentations or that the size or nature of the bidder's facilities, equipment, management capabilities, or the number of experienced personnel (including technical staff) are not adequate to ensure satisfactory contract performance, the Department has the right to reject the bid.

16) PROTEST OF INVITATION TO BID SPECIFICATIONS

Any person who is adversely affected by the contents of this Invitation to Bid must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after the posting of the solicitation, (the notice of protest may be Faxed to 850-414-5264), and

2. A formal written protest in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed.

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

17) UNAUTHORIZED ALIENS

The employment of unauthorized aliens by any contractor is considered a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract.

18) SCRUTINIZED COMPANIES LISTS

ALL Responses, regardless of dollar value, must include a completed Vendor Certification Regarding Scrutinized Companies Lists to certify the respondent is not on either of those lists. The Form should be submitted with the Price Proposal.

A Vendor is ineligible to enter into a contract with the Department for goods or services of any amount if, at the time of entering into such contract, the Vendor is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, Florida Statutes, or is engaged in a boycott of Israel.

Section 287.135, Florida Statutes, also prohibits companies from entering into a contract for goods or services of $1 million or more that are on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector Lists which were created pursuant to s. 215.473, Florida Statutes.

If the Department determines the Vendor submitted a false certification under Section 287.135 of the Florida Statutes, the Department shall either terminate the Contract after it has given the Vendor notice and an opportunity to demonstrate the Department's determination of false certification was in error pursuant to Section 287.135 of the Florida Statutes, or maintain the Contract if the conditions of Section 287.135 of the Florida Statutes are met.

19) RESERVATIONS

The Department reserves the right to accept or reject any or all bids received and reserves the right to make an award without further discussion of the bids submitted. Therefore, the bidder should make sure that the bid package submitted is complete and accurate and submitted to ensure delivery on or before the bid opening time and date specified in this solicitation. It is understood that the bid will become a part of the Department's official file, without obligation to the Department.

20) ADDITIONAL TERMS & CONDITIONS

No conditions may be applied to any aspect of the ITB by the bidder. Any conditions placed on any aspect of the bid documents by the bidder may result in the bid being rejected as a conditional bid (see "RESPONSIVENESS OF BIDS"). **DO NOT WRITE IN CHANGES ON ANY ITB SHEET.** The only recognized changes to the ITB prior to bid opening will be a written Addenda issued by the Department.

21) RESPONSIVENESS OF BIDS

Bids will not be considered if not received by the Department **on or before** the date and time specified as the due date for submission. All bids must be typed or printed in ink. A responsive bid is an offer to provide the items specified in this Invitation to Bid in accordance with all requirements of this Invitation to Bid. Bids found to be non-responsive will not be considered. Bids may be rejected if found to be irregular or not in conformance with the specifications and instructions herein contained. A bid may be found to be irregular or non-responsive by reasons that include, but are not limited to, failure to utilize or complete prescribed forms, modifying the bid specifications, submitting conditional bids or incomplete bids, submitting indefinite or ambiguous bids, or executing forms or the bid sheet with improper and/or undated signatures. Other conditions which may cause rejection of bids include, evidence of collusion among bidders, obvious lack of experience or expertise to provide the required items, and failure to perform or meet financial obligations on previous contracts. ALL determinations of responsiveness will be the responsibility of the FDOT Procurement Office.

22) REQUIRED DOCUMENTS

The bidder must use the Bid Sheet (attached to this advertisement within VIP) to submit its bid. Submit the following required items:

1. The Excel WORKBOOK saved in Excel format and Portable Document Format (PDF)
2. The completed and signed Bid Sheet Signature page

The Bid Sheet must be signed and dated in ink by a representative who is authorized to contractually bind the bidder. All bid sheets and other documentation submitted in response to this solicitation must be executed and submitted as outlined within Special Condition Section 26.

23) "DRUG-FREE WORK PLACE" PREFERENCE

Whenever two or more bids which are equal with respect to price, quality, and service are received, the Department shall determine the order of award first in accordance with section 295.187(4), Florida Statutes, giving preference to "Veteran Business Enterprise" then to bid responses from vendors that certify the business has implemented a drug-free workplace program in accordance with Section 287.087, Florida Statutes. The "Drug-Free Workplace Program Certification" must be completed and submitted with the bid response to be eligible for this preference.

24) COPYRIGHTED MATERIAL

Copyrighted material will be accepted as part of a bid only if accompanied by a waiver that will allow the Department to make paper and electronic copies necessary for the use of Department staff and agents. It is noted that copyrighted material is not exempt from the Public Records Law, Chapter 119, Florida Statutes. Therefore, such material will be subject to viewing by the public, but copies of the material will not be provided to the public.

25) ATTACHMENT TO ITB SUBMITTAL - CONFIDENTIAL MATERIAL

The Bidder must include any materials it asserts to be exempted from public disclosure under Chapter 119, Florida Statutes, in a separate bound document labeled "9037 - Confidential Material". The Bidder must identify the specific Statute that authorizes exemption from the Public Records Law. Any claim of confidentiality on materials the Bidder asserts to be exempt from public disclosure and placed elsewhere in the bid will be considered waived by the Bidder upon submission, effective after opening.

26) ELECTRONIC SUBMISSION OF BIDS:

Please follow the below instructions for the submittal of electronic bids, failure to do so, may result in your bid being found non-responsive. Non-responsive replies will not be evaluated.

a) Subject line must show: DOT-ITB-23-9037-SJ – Vendor's Name
b) Email shall contain three file attachments marked as follows:

Vendor's Name – Bid Sheet Excel
Vendor's Name – Bid Sheet PDF
Vendor's Name – Forms

c) Documents shall have a size limit of 25MB.
d) The body of the email shall not contain any information (signatures are acceptable)
e) Bids shall be submitted to: CO.Purch@dot.state.fl.us

It is the bidder's responsibility to assure that the bid is delivered to the proper place **on or before** the Bid Due date and time (See Introduction Section 2 Timeline). Bids which for any reason are not so delivered, will not be considered.

27) MODIFICATIONS, RESUBMITTAL AND WITHDRAWAL

Bidders may modify submitted bids at any time prior to the bid due date. Requests for modification of a submitted bid shall be in writing and must be signed by an authorized signatory of the bidder. Upon receipt and acceptance of such a request, the entire bid will be returned to the bidder and not considered unless resubmitted by the due date and time. Bidders may also send a change in a sealed envelope to be opened at the same time as the bid. The ITB number, opening date and time should appear on the envelope of the modified bid.

28) POSTING OF INTENDED DECISION/AWARD

28.1 - General:

The Department's decision will be posted on the Florida Vendor Information Portal at https://vendor.myfloridamarketplace.com/, on the date in the Timeline, and will remain posted for a period of seventy-two (72) hours. Any bidder who is adversely affected by the Department's recommended award or intended decision must file the following with the Department of Transportation, Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0450:

1. A written notice of protest within seventy-two (72) hours after posting of the Intended Award, (the notice of protest may be Faxed to 850-414-5264), and

2. A formal written protest and protest bond in compliance with Section 120.57(3), Florida Statutes, within ten (10) days of the date on which the written notice of protest is filed. At the time of filing the formal written protest, a bond (a cashier's check or money order may be accepted) payable to the Department must also be submitted in an amount equal to one percent (1%) of the estimated contract amount based on the contract price submitted by the protestor.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

28.2 - Inability to Post:

If the Department is unable to post as defined above, the Department will notify all bidders by electronic notification on the Florida Vendor Information Portal (see special condition 28.1, above) and/or telephone. The Department will provide notification of any future posting in a timely manner.

28.3 - Request to Withdraw Bid:

Requests for withdrawal will be considered if received by the Department, in writing, within seventy-two (72) hours after the bid opening time and date. Requests received in accordance with this provision will be granted by the Department upon proof of the impossibility to perform based upon obvious error on the part of the bidder. Bidders that do not withdraw as stated above will forfeit their bid bond, if applicable.

29) RECYCLED MATERIAL

The Department encourages the use of products and materials with recycled content and post-consumer recovered materials. If the item(s) specified in the Technical Specification is available with recycled content, we request that you provide product information to help in our search for recycled products. However, this bid request is for the product as specified herein and does not require prices for recycled product. This information should be sent as part of your bid response or may be sent separately.

30) PRICE ADJUSTMENTS

Price(s) shall remain firm for the life of the contract. Price adjustments will not be allowed.

31) DELIVERY LOCATION(S)

The point of delivery for this contract will be specified by the customer. Bid prices will include delivery.

32) CANCELLATION

All contract obligations shall prevail for at least one hundred and eighty (180) days after the effective date of the contract. For the protection of both parties, this contract may be cancelled in whole or in part after one hundred and eighty (180) days by either party giving thirty (30) days prior written notice to the other contract party. The contract may, also, be cancelled by the Department for nonperformance (default) in accordance with Rule 60A-1.006(3), F.A.C.

33) ORDERING INSTRUCTIONS

Manufacturers are encouraged to bid direct naming dealers who will accept orders and complete deliveries. Bidders must include complete ordering instructions, including FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEID), for invoicing dealers, with the bid on a separate sheet.

34) ORDER QUANTITIES

No minimum order quantities will be accepted. The Department will order as needed in the quantities needed.

35) OPEN PURCHASE ORDERS

The Department may, at its discretion, establish an open (estimated quantity) purchase order with the contract vendor(s) to facilitate the purchasing of materials. The purchase of materials may be placed by; (1) written purchase order, (2) telephone orders by authorized Department personnel, or (3) an itemized order in writing. The Department will supply the contract vendor(s) with a list of personnel authorized to order. Delivery of items on these open purchase orders shall not exceed the contract effective period.

36) INVOICING

Invoices must match units specified on the Purchase Order.

37) FORMS

The Bidder must complete all required items below and submit them as part of the Bid package. Any Bid in which these forms are not used or in which these forms are improperly executed may be considered non-responsive and the bid may be subject to rejection.

Excel Workbook (all 4 Tabs) (PDF version as well)
Drug-Free Workplace Program Certification
Vendor Certification Regarding Scrutinized Companies Lists (Form 375-030-60)
Scrutinized Vendor Form
E-verify Form

38) TERMS AND CONDITIONS

38.1 General Contract Conditions (PUR 1000)

The State of Florida's General Contract Conditions are outlined in form PUR 1000, which is a downloadable document incorporated into this Invitation to Bid (ITB) by reference. Any terms and

conditions set forth in this ITB document will take precedence over the PUR 1000 form where applicable.
http://www.dms.myflorida.com/content/download/2933/11777/1000.pdf

The following paragraphs do not apply to this Invitation to Bid:
Paragraph 31, Dispute Resolution - PUR 1000
Paragraph 40, PRIDE – PUR 1000, when federal funds are utilized.

38.2 General Instructions to Respondents (PUR 1001)

The State of Florida's General Instructions to Respondents are outlined in form PUR 1001, which is a downloadable document incorporated into this Invitation to Bid (ITB) by reference. Any terms and conditions set forth in this ITB document take precedence over the PUR 1001 form where applicable.
http://www.dms.myflorida.com/content/download/2934/11780/1001.pdf

The following paragraphs do not apply to this Invitation to Bid:
Paragraph 3, Electronic Submission – PUR 1001
Paragraph 4, Terms and Conditions – PUR 1001
Paragraph 5, Questions – PUR 1001

38.3 MFMP Purchase Order Terms and Conditions

All MFMP Purchase Order contracts resulting from this solicitation will include the terms and conditions of this solicitation and the State of Florida's standardized Purchase Order Terms and Conditions, which can be found at the Department of Management Services website at the following link:
http://www.dms.myflorida.com/content/download/117735/646919/Purchase_Order_Terms_Sept_1,_2015_.pdf
Section 8(B), PRIDE, is not applicable when using federal funds.

39) ORDER OF PRECEDENCE

All responses are subject to the terms and conditions of this solicitation, which, in case of conflict, shall have the following order of precedence listed:

Special Conditions
APL Specifications
APL Bid List 2023 Tab
MFMP Purchase Order Terms and Conditions – Section 8(B), PRIDE, is not applicable when using federal funds.
General Instructions to Respondents (PUR 1001)
General Contract Conditions (PUR 1000)
Introduction Section
Appendix I

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TERMS FOR FEDERAL AID CONTRACTS (APPENDIX I):

CONTRACT (Purchase Order) #DOT-ITB-23-9037-SJ

During the performance of this Agreement, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

A. It is understood and agreed that all rights of the Florida Department of Transportation relating to inspection, review, approval, patents, copyrights, and audit of the work, tracing, plans, specifications, maps, data, and cost records relating to this Agreement shall also be reserved and held by authorized representatives of the United States of America.

B. It is understood and agreed that, in order to permit federal participation, no supplemental agreement of any nature may be entered into by the parties hereto with regard to the work to be performed hereunder without the approval of U.S. Department of Transportation (hereinafter "USDOT"), not withstanding anything to the contrary in this Agreement.

C. Compliance with Regulations: The Contractor shall comply with the regulations relative to nondiscrimination in Federally-assisted programs of the USDOT, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.

D. Nondiscrimination: The Contractor, with regard to the work performed during the Agreement, shall not discriminate on the basis of race, color, national origin, sex, age, disability, religion or family status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the Agreement covers a program set forth in Appendix B of the Regulations.

E. Solicitations for Subcontractors, including Procurements of Materials and Equipment: In all solicitations made by the Contractor, either by competitive bidding or negotiation for work to be performed under a subcontract, including procurements of materials or leases of equipment; each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Agreement and the Regulations relative to nondiscrimination on the basis of race, color, national origin, sex, age, disability, religion or family status.

F. Information and Reports: The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information the Contractor shall so certify to the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

G. Sanctions for Noncompliance: In the event of the Contractor's noncompliance with the nondiscrimination provisions of this Agreement, the Florida Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may determine to be appropriate, including, but not limited to:

   a. withholding of payments to the Contractor under the Agreement until the Contractor complies, and/or
   b. cancellation, termination or suspension of the Agreement, in whole or in part.

H. Incorporation of Provisions: The Contractor shall include the provisions of paragraphs (C) through (I) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Florida Department of Transportation, the Federal Highway Administration, Federal Transit Administration, Federal Aviation Administration, and/or the Federal Motor Carrier Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. In the event a Contractor becomes involved in, or is threatened with, litigation with a sub-contractor or supplier as a result of such direction, the Contractor may request the Florida Department of Transportation to enter into such litigation to protect the interests of the Florida Department of Transportation, and, in addition, the Contractor may request the United States to enter into such litigation to

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TERMS FOR FEDERAL AID CONTRACTS (APPENDIX I):

protect the interests of the United States.

I. Compliance with Nondiscrimination Statutes and Authorities: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21; The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects); Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex); Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27; The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age); Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex); The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not); Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by USDOT regulations at 49 C.F.R. parts 37 and 38; The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex); Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100); Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

J. Interest of Members of Congress: No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or to any benefit arising therefrom.

K. Interest of Public Officials: No member, officer, or employee of the public body or of a local public body during his tenure or for one year thereafter shall have any interest, direct or indirect, in this contract or the proceeds thereof. For purposes of this provision, public body shall include municipalities and other political subdivisions of States; and public corporations, boards, and commissions established under the laws of any State.

L. Participation by Disadvantaged Business Enterprises ("DBE"): The Contractor shall agree to abide by the following statement from 49 CFR 26.13(b). The statement that follows shall be included in all subsequent agreements between the Contractor and any sub-contractor or contractor:

> "The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate."

Pursuant to 49 CFR 26.11(c) , the Contractor shall submit the bid opportunity list at the time of contract execution, and shall enter DBE commitment and payment information in the Florida Department of Transportation's Equal Opportunity Compliance (EOC) system. The Contractor shall request access to the EOC system using Form No. 275-021-30.

M. It is mutually understood and agreed that the willful falsification, distortion or misrepresentation with respect to any facts related to the project(s) described in this Agreement is a violation of the Federal Law. Accordingly, United States Code, Title 18, Section 1020, is hereby incorporated by reference and made a part of this Agreement.

N. It is understood and agreed that if the Contractor at any time learns that the certification it provided the Florida Department of Transportation in compliance with 49 CFR, Section 26.51, was erroneous when submitted or has become erroneous by reason of changed circumstances, the Contractor shall provide immediate written notice to the Florida Department of Transportation. It is further agreed that the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction" as set forth in 49 CFR, Section 29.510, shall be included by the Contractor in all lower tier covered transactions and in all aforementioned federal regulation.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TERMS FOR FEDERAL AID CONTRACTS (APPENDIX I):

O. The Florida Department of Transportation hereby certifies that neither the Contractor nor the Contractor's representative has been required by the Florida Department of Transportation, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this Agreement, to

1. employ or retain, or agree to employ or retain, any firm or person, or
2. pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind;

The Florida Department of Transportation further acknowledges that this Agreement will be furnished to a federal agency, in connection with this Agreement involving participation of Federal-Aid funds, and is subject to applicable State and Federal Laws, both criminal and civil.

P. The Contractor hereby certifies that it has not:

1. employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person to solicit or secure this contract (except a bona fide employee or Agency); or
2. agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out this contract; or
3. paid, or agreed to pay, to any firm, organization or person any fee contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract (except a bona fide employee or Agency).

The Contractor further acknowledges that this Agreement will be furnished to the Florida Department of Transportation and a federal agency in connection with this contract involving participation of Federal-Aid funds, and is subject to applicable State and Federal Laws, both criminal and civil.

Q. Federal-aid projects for highway construction shall comply with the Buy America provisions of 23 CFR 635.410, as amended (where applicable).

R. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of federally assisted construction contract" in 41 CFR Part 60-1.3 shall comply with the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor" (where applicable).

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Councilmembers

From: John M. Curd, Fire Chief, Terrence N. Bailey P.E. City Engineer

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 007-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing utilization of vendors listed in Exhibit A for furniture, fixtures and equipment in an amount not to exceed $100,000 in support of the relocation of Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue ; authorizing the Director of Finance to make payment from Project 24014; and providing an effective date.**

Date: January 17, 2024

CC: General Public

Background:

On September 8, 2023, the U.S. Department of Veterans Affairs notified the City of Riviera Beach of their determination not to extend the existing lease for Fire Station 89 at 7501 North Military Trail. This lease is scheduled to expire on November 08, 2029. Based on the stipulation and terms of the current lease, the City is obligated to maintain the existing building in an operable and functional condition for the duration of the agreement. It is anticipated by staff that a $1.7 Million dollar investment into the property will be required to fulfill this condition until the expiration of the lease agreement in 2029. Staff anticipates a six (6) month design period, and an eight (8) month window of which operations at Fire Station 89 will need to be relocated to allow for construction. During staff presentation, a variety of options were presented ranging from $300,000 with a 90 day implementation schedule to $30 Million and a five (5) year implementation. At the November 1, 2023 City Council meeting, the Council selected Option 2 for the relocation of Fire Station 89 to Fire Station 88 and

implement Pre-emption lighting to mitigate effects to response time along the Military Trail corridor.

City Goals:

The City-wide Goals are to Strengthen Community Engagement, Accelerate Operational Excellence and Build Great Neighborhoods.

Fiscal/Budget Impact:

$100,000

Recommendation:

It is Staff recommendation for Fire Station 89 to relocate to Fire Station 88 as soon as operational available following the implementation of pre-emption lighting via Workorders to vendors listed in Exhibit A.

Attachments:

1. Riviera Beach Fire Department Lease Notification Final.pdf
2. Resolution 007-24 - FS89 relocation Furnitue 12-06-2023 RMS.doc

U.S. Department of Veterans Affairs
Veterans Health Administration
West Palm Beach VA Healthcare System

7305 North Military Trail
West Palm Beach, FL 33410

September 8, 2023

City of Riviera Beach
1481 W 15th Street, 2nd Floor
Riviera Beach, FL 33404

Dear Mr. Evans,

The United States Department of Veterans Affairs (VA) entered into a 35-year Enhanced Use Lease (EUL) with the City of Riviera Beach on approximately 1.0 acres of land in the northeast corner of the VA property in 1994. Due to an existing and projected clinical space deficit, the West Palm Beach VA Healthcare System (WPBVAHCS) requires recovery of this space at the expiration of the lease in 2029. This space will be utilized to reduce a one million foot space gap by constructing a large, free-standing Mental Health Outpatient Clinic.

The West Palm Beach VA Medical Center (WPBVAMC), one of eight sites of care within WPBVAHCS, has limited and confined property available for any site expansion or construction, with the remaining space comprised of surface parking and mandatory retention ponds for water runoff. Additionally, the campus is surrounded by protected wetlands and major roadways, thereby restricting alternative considerations for acquisition of adjacent land. Due to limitation of available space and (usable) land at the WPBVAMC, it is necessary to locate the expanded Mental Health (MH) complex on the site currently occupied by the City of Riviera Beach Fire Station. This places the new MH complex in the only location with private and discreet entrance/exit, and co-locates mental health services adjacent to the facility's Residential Rehabilitation Treatment Program, also known as Domiciliary.

Based on current space needs to support all Veterans in our catchment area, comprised of seven counties, WPBVAHCS made the difficult decision to not extend or renew the EUL with the City of Riviera Beach. This decision does not affect WPBVAHCS' intent to coordinate space for a continued fire department presence on property and initial discussions have taken place to determine various courses of action.

Please know our leadership team values the partnership over the past 29 years and look forward to continued support moving forward.

Respectfully,

Cory P. Price
Executive Director
West Palm Beach VA Healthcare System

Resolution Number 007-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing utilization of vendors listed in Exhibit A for furniture, fixtures and equipment in an amount not to exceed $100,000 in support of the relocation of Fire Station 89 on Military Trail to Fire Station 88 on Congress Avenue; authorizing the Director of Finance to make payment from Project 24014; and providing an effective date.

Whereas, on September 8, 2023 City Staff received communication from the U.S. Department of Veterans Affairs that the lease for Fire Station 89 will expire in 2029 with no opportunity for renewal; and

Whereas, on November 1, 2023 City Staff made a presentation to the City Council on options to address Fire Station 89 and Council elected Option 2 relocating Fire Station 89 to Fire Station 88 and implementing Pre-emption lighting; and

Whereas, on September 20, 2023 City Council approved Resolution 133-23 authorizing the use of State of Florida Contracts; and

Whereas, Staff has identified Project 24014 – Municipal Facilities from the FY2024 - FY 2028 Capital Improvement Plan as the appropriate funding source.

Now, Therefore, be it resolved by the City Council of the City of Riviera Beach, Florida that:

Section 1. That the City Council acknowledges the VA non-renewal of the lease and relocation of Fire Station 89 to Fire Station 88 on Congress Avenue.

Section 2. The City Council shall authorize the City Manager to issue Work Orders to vendors outlined on Exhibit A for implementation of Fire Station 89 relocation.

Section 3. The City Council shall authorize the Director of Finance to make payment from Project 24014 – Municipal Facilities.

Section 4. This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Approved this ____ day of _____, 2024.

Approved:

_____
Ronnie L. Felder
Mayor

Attest:

_____
Debra S. Hall, CMC
Certified Municipal Clerk
Interim City Clerk

Motioned By: _____

Seconded By: _____

T. McCoy: ____

K. Miller-Anderson: ____

S. Lanier: ____

J. Botel: ____

D. Lawson: ____

Reviewed As To Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

EXHIBIT A

Fire Station 89/88 Vendors for Resolution 007-24

General/Office Furniture/Workstations:

Efficient Business Designs, Inc / Trendway
1015 Yellow Burch Terrance
Hollywood, FL 33019
Vendor 12913 / 12966

Matrix Fitness
Jake Glore 1600 Landmark Dr.
Cottage Grove, Wi 53527
314-677-8685
Vendor 15750

Channel Innovations
3101 SW 34th Ave #905
Ocala, Fl 33474
352-694-7006
Vendor 10262

Geargrid Corp
670 15th St SW
Forest Lake, MN 55025
651-464-4468
Vendor 15649

Restworks – Edward R. Kaszycki
250 Executive Dr Suite P
Edgewood Ny 11717
917-324-7935
Vendor 16076

JC White
2403 S. Dixie Highway
West Palm Beach Fl 33401
561-848-4982
Vendor 14370

Knight Fire Corporation
7513 Central Industrial Dr.
561-471-8221

Kasper Electric Inc
3950 RCA Blvd., Suite 5003
Palm Beach Gardens

McClendon Plumbing
PO Box 10532
Riviera Beach, 33419

Storage/Moving /Shelving Systems:

Patterson Pope
10321 S Medallion Dr.
Cincinnati, OH 45241
Vendor 19284

All My Sons
838 W. 13th Court
Riviera Beach Fl
Vendor 16322

Uline
PO Box 88741
Chicago, IL 60680
Vendor 18194

IT/Safety Infrastructure:

World Wide Technologies
1 World Wide Way
Saint Louis, MO 63146
Vendor 13150

Burg and CJ Communications
PO BOX 10493
Riviera Beach 33419
Vendor 17169

Flagler Technologies
5295 Town Center Rd #201
Boca Raton 33486
Vendor 12443

All Safe Security and Lock
804 Us Highway 1 Suite 1
Lake Park, Fl 33403
Vendor # 13213

PowerSecure Services, Inc.
P.O. Box 150939 Unit 1010
Altamonte Springs, Fl 32715
Vendor # 10287

Genset Services Inc
3100 Gateway Dr

Pompano Beach, Fl 33069
Vendor # 19199

AV Works LLC
1822 Old Okeechobee Rd
Haverhill, FL 33409
Vendor 16720

Devine Wall Murals
4815 Via Palms Lakes Unit 1407
Haverhill Fl 33417
Vendor 16326

Locution
1626 Cole Blvd. Ste 250
Golden, CO 80401

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Councilmembers

From: John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 004-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Authorizing the Mayor, City Manager or designee to execute documents necessary to grant the Department of Transportation, State of Florida, an easement or easements for the purpose of construction and perpetual maintenance of a Mast Arm signal along Blue Heron Boulevard for Fire Station 88; and providing an effective date.**

Date: January 17, 2024

CC: General Public

Background:

On April 28, 2021, City Council Resolution No. 43-21 authorized the City to enter into an Interim Development agreement with Kaufman Lynn Construction as the selected proposer for ITN No. 1015-21-1 (Design-Build-Finance of Fire Rescue Facilities). Pursuant to 255.065(6), Florida Statutes, the Interim Agreement was for preconstruction, project planning and development and design activities, and to establish the process and timing, for the negotiation of a Comprehensive Agreement pertaining to Fire Rescue Station No. 88.

This Resolution awards ITN 1015-21-1 to Kaufmann Lynn Construction and authorizes the execution of a Comprehensive Agreement between the City and Kaufman Lynn Construction in substantially the form attached hereto, subject to any minor modifications arising from the final negotiation. The Comprehensive Agreement ("CA") is a public-private partnership (P3)

agreement, in this instance providing for the development, design, and construction of Fire Rescue Station No. 88 by the selected proposer and contractor, Kaufman Lynn Construction, Inc. (as "Developer").

Generally, the CA requires the Developer to design and construct the "Project" in accordance with applicable laws, all required permits and other "Governmental Approvals" and in accordance with a professional standard of care. The Developer's "Service Fee" of $16,848,601 is payable monthly, in arrears, and the Developer must deliver the completed Project ("Final Completion") no later than 14 months after the City's issuance of a notice to proceed. The City owns, and at all times will own, the Project. The City grant the Developer a license to perform the Contract Services, and the Developer assumes the risk of loss with respect to the Contract Services and the Project.

More specifically, the Developer is obligated to place certain insurances, employ certain labor and employment practices (to include small, woman, local and minority owned business enterprises, local hiring and vendor objectives, among other things), to achieve "Substantial Completion" of the Project (generally complete the design and construction), successfully "Commission" the completed Project (generally, to ensure the facility functions), prior to Final Completion/full performance by the Developer of its obligations. The Developer warrants its work for 1 year following achievement of "Substantial Completion."

The Developer is entitled for certain relief upon the occurrence of "Supervening Events," which include generally occurrences or incidents giving rise to additional compensation to perform the Contract Services ("Compensation Events") and/or giving rise to excuses from performance or permission to extend completion deadlines ("Relief Events"). The CA includes provisions identifying particular Developer breaches and matching City remedies, to include payment of liquidated damages for unexcused delayed performance, actual damages, and a right of termination. The dispute resolution process contemplates initial mediation and then litigation between the parties. The Developer has an obligation to indemnify the City and certain City-related persons and entities for losses and expenses incurred by indemnified parties. Other terms attend intellectual property ownership, restrictions on assignment, confidentiality, record-keeping, among others.

On February 9, 2022, City Council approved Resolution 10-22 authorizing execution of the comprehensive agreement between the City of Riviera Beach and Kaufman Lynn. As construction has progressed, the Florida Department of Transportation is requiring the execution of a perpetual easement for the maintenance of the mast arm along Blue Heron. This action by the City Council will allow for the closeout of the existing FDOT permit approved in Resolution 029-23 for construction along Blue Heron.

City Goals:

The City-wide Goals are to Strengthen Community Engagement, Accelerate Operational Excellence and Build Great Neighborhoods.

Fiscal/Budget Impact:

NA

Recommendation:

It is Staff recommendation for approval of Resolution No.004-24, authorizing the execution and recording of FDOT perpetual easement.

Attachments:

1. DOT Resolution 004-24.docx
2. 897.1 Perpetual Easement.pdf
3. Res 029-23 FDOT Agreement signed.pdf

Resolution Number 004-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Authorizing the Mayor, City Manager or designee to execute documents necessary to grant the Department of Transportation, State of Florida, an easement or easements for the purpose of construction and perpetual maintenance of a Mast Arm signal along Blue Heron Boulevard for Fire Station 88; and providing an effective date.

Whereas, the City Council approved construction of Fire Station 88 at Congress Avenue in Resolution 010-22; and

Whereas, the City of Riviera Beach, Florida is the owner of porpoerty which lies adjacent to State Road No. 708 (Blue Heron Boulevard), Item/Segment No. 4413231, in Palm Beach County, Florida and said City has applied to the State of Florida Department of Transportation for a permit associated with the property; and

Whereas, as a condition of the issuance of said permit the State of Florida Department of Transportation requires the City of Riviera Beach, Florida to donate an easement for Right of Way purposes and said use is in the best interest of the City; and

Whereas, the City Manager or designee has the authority to sign the construction agreement with the Department of Transportation; and

Whereas, the State of Florida Department of Transportation has made application to said City to execute and deliver to the State of Florida Department of Transportation a perpetual easement, or easements, in favor of the State of Florida Department of Transportation for the purpose of maintaining a Mast Arm and said request having been duly considered.

Now, Therefore Be It Resolved By The City Council Of The City Of Riviera Beach, Florida, That:

Section 1: The Mayor, City Manager or designee is authorized to execute necessary documents for the implementation of perpetual easements with the Department of Transportation.

Section 2: The City Council of the City of Riviera Beach, Florida authorizes recordation of perpetual easements to the State of Florida Department of Transportation for transporation purposes which are in the public or community interest and for public welfare; that a perpetual easement, or easements, in favor of the State of Flordia Department of Transporation in Palm Beach County, Florida, should be drawn and executed by the Mayor, City Manager, or designee.

Section 3: A certified copy of this Resolution be forwarded forthwith to the State of Flroida Department of Transportation at 3400 W. Commercial Boulevard, Fort Lauderdale, Florida 33309.

Section 4: This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Adopted this _____ day of _____, 2024.

Signatures are on the following page.

Approved:

_____

Ronnie L. Felder
Mayor

Attest:

_____

Debrah S. Hall, CMC
Certified Municipal Clerk
Interim City Clerk

Motioned By: _____

Seconded By: _____

T. McCoy: ____

K. Miller-Anderson: ____

S. Lanier: ____

J. Botel: ____

D. Lawson: ____

Reviewed As To Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

07-PE.13-07/18

This instrument prepared under the direction of:
Elizabeth S. Quintana, Esq. ESQ
District Four Assistant General Counsel
Legal Description prepared by:

Jennifer Malin, P.S.M. (11/18/2022)	Parcel No.	897.1
Document prepared by:	Item/Segment No.	4413231
Alverene Arjun (03/28/2023)	Section:	93012-2502
Florida Department of Transportation	Managing District:	04
Right of Way Production Services	S.R. No.	708 (Blue Heron Blvd.)
3400 W. Commercial Boulevard	County:	Palm Beach
Fort Lauderdale, Florida 33309		

PERPETUAL EASEMENT

THIS EASEMENT Made this _____ day of _____, 20_____, by the **CITY OF RIVIERA BEACH, a municipality of the State of Florida**, whose address is: 600 Blue Heron Blvd., Riviera Beach, FL 33404, Grantor, to the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, its successors and assigns, Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of One Dollar and other valuable considerations paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto the Grantee, its successors and assigns, a perpetual easement for the purpose of maintaining a mast arm, traffic control devices and signal heads in, over, under, upon and through the property, including the right to access, ingress and egress, and such other rights that are necessary and incidental to said maintenance through the following described land in Palm Beach County, Florida, viz:

(More particularly described in the sketch and legal description attached hereto as Exhibit "A")

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns forever.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Mayor, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

ATTEST: _____

Print Name: _____
Clerk (or Deputy Clerk)

CITY OF RIVIERA BEACH, a municipality of the State of Florida
By Its Board of City Commissioners

By: _____

Print Name: _____
Its Mayor
(or Vice-Mayor)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

(Official Seal)

By: _____
City Attorney

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization, this _____ day of _____, 20_____, by _____, Mayor (or Vice-Mayor) on behalf of the **CITY OF RIVIERA BEACH a municipality of the State of Florida**, who is personally known to me or who has produced _____ as identification.

(SEAL)

_____
Notary Public

_____
Printed or stamped name of Notary Public

My Commission Expires: _____

EXHIBIT A
SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 2 & 3

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF TRACT "1", AS SHOWN ON THE PLAT OF BLUE HERON WALGREENS, AS RECORDED IN PLAT BOOK 84, PAGES 179 THROUGH 180, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 43 EAST; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID SECTION 30, S01°04'06"W, A DISTANCE OF 2,607.27 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 30, TOWNSHIP 42 SOUTH, RANGE 43 EAST; THENCE LEAVING SAID EASTERLY LINE, N46°28'37"W, A DISTANCE OF 1,593.42 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "1", SAID POINT ALSO BEING THE **POINT OF BEGINNING**.

THENCE NORTHWESTERLY ALONG AND COINCIDENT WITH THE SOUTHERLY LINE OF TRACT "1", AS RECORDED IN SAID PLAT OF BLUE HERON WALGREENS, N68°49'17"W, A DISTANCE OF 18.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE, PARALLEL WITH AND 18.00 FEET WESTERLY FROM THE EASTERLY LINE OF TRACT "1," N21°10'43"E, A DISTANCE OF 24.00 FEET; THENCE SOUTHEASTERLY, PARALLEL WITH AND 24.00 FEET NORTHERLY FROM SAID SOUTHERLY LINE OF TRACT "1", S68°49'17"E, A DISTANCE OF 18.00 FEET TO A POINT ON SAID EASTERLY LINE OF TRACT "1"; THENCE SOUTHWESTERLY ALONG AND COINCIDENT WITH SAID EASTERLY LINE, S21°10'43"W, A DISTANCE OF 24.00 FEET TO THE SOUTHEAST CORNER OF TRACT "1", SAID POINT ALSO BEING THE **POINT OF BEGINNING**.

CONTAINING 432 SQUARE FEET MORE OR LESS.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON NOVEMBER 17, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

Jennifer Malin

Digitally signed by Jennifer Malin
Date: 2022.11.18 15:14:55 -05'00'

JENNIFER MALIN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 6667
STATE OF FLORIDA LB#6603

FOR:

MAST ARM EASEMENT

SCALE:	1": 20'
DRAWN BY:	JTS
CHECKED BY:	J. MALIN
DATE:	11-17-2022

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9380 • WWW.ENGENUITYGROUP.COM

FIELD BOOK NO	SHEET: 1 / 3
FLORIDA R.L.S. #	JOB NO 18080.02

Y:\Land Projects R2\14151.23 Walgreens at 1920 W. Blue Heron\dwg\18080.02 FIRE STATION NO. 68 S&D.dwg 11/17/2022 11:16:27 AM EST

EXHIBIT A
SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 3

LEGEND

RPB	ROAD PLAT BOOK	RGE	RANGE
ORB	OFFICIAL RECORD BOOK	PCN	PARCEL CONTROL NUMBER
PB	PLAT BOOK	R/W	RIGHT-OF-WAY
PG	PAGE	℄	CENTERLINE
U.E.	UTILITY EASEMENT	ELY	EASTERLY
D.E.	DRAINAGE EASEMENT	SLY	SOUTHERLY
POC	POINT OF COMMENCEMENT	NLY	NORTHERLY
POB	POINT OF BEGINNING		SECTION CORNER
SEC	SECTION		QUARTER SECTION CORNER
TWP	TOWNSHIP		

LOCATION MAP
N.T.S.

NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.

2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY THE CLIENT OR THE CLIENT'S REPRESENTATIVE.

3. FOR THE PARENT PARCEL REFER TO THE '1920 W BLUE HERON BOULEVARD' SURVEY BY ENGENUITY GROUP INC. PROJECT NO. 14151.23, LAST DATED 9/13/22. ALL ENCUMBRANCES SHOWN ON THE SURVEY ARE DEPICTED HEREON.

3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL, OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER.

4. BEARINGS SHOWN HEREON ARE BASED ON A GRID BEARING (NAD 83-90) OF S01°04'06"W ALONG THE EASTERLY LINE OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 43 EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF, UNLESS OTHERWISE NOTED.

6. THIS SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17-050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUES.

7. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, FLORIDA EAST ZONE 901, USING THE NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83-90).
SCALE FACTOR: 1.0000428
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

8. THIS SKETCH REFERENCES THE TITLE REPORT FOR TRACT 1 OF BLUE HERON WALGREENS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 84, PAGE(S) 179, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID TITLE REPORT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, UNDER COMMITMENT NUMBER 1062-6166756 WITH A COMMITMENT DATE OF OCTOBER 31, 2022 AT 8:00AM UPDATED FROM AUGUST 4, 2022. THIS SKETCH WAS PREPARED BASED ON SAID TITLE REPORT. ALL ENCUMBERANCES ARE SHOWN ON ENGENUITY GROUP SURVEY UNDER JOB 14151.23 DATED NOVEMBER 17, 2022

FOR:
MAST ARM EASEMENT

SCALE:	1": 20'
DRAWN BY:	JTS
CHECKED BY:	J. MALIN
DATE:	11-17-2022

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9380 • WWW.ENGENUITYGROUP.COM

FIELD BOOK №:	SHEET: 2 / 3
FLORIDA R.L.S. #:	JOB №: 18080.02

Y:\Land Projects R2\14151.23 Walgreens at 1920 W. Blue Heron\dwg\18080.02 FIRE STATION NO. 88 S&D.dwg 11/17/2022 11:16:27 AM EST

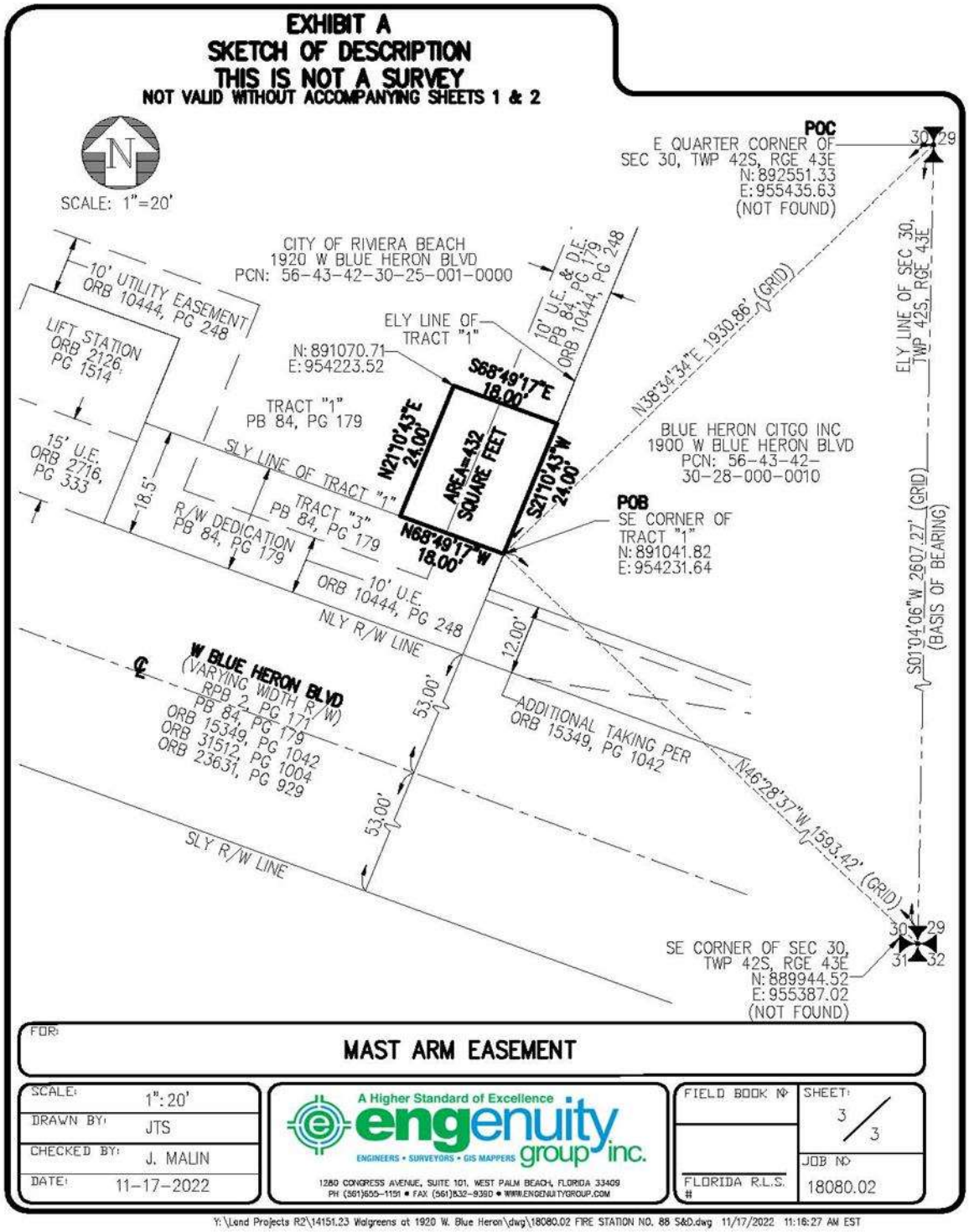


EXHIBIT A
SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 2
SCALE: 1"=20'
POC
E QUARTER CORNER OF
SEC 30, TWP 42S, RGE 43E
N: 892551.33
E: 955435.63
(NOT FOUND)
CITY OF RIVIERA BEACH
1920 W BLUE HERON BLVD
PCN: 56-43-42-30-25-001-0000
10' UTILITY EASEMENT
ORB 10444, PG 248
LIFT STATION
ORB 2126,
PG 1514
15' U.E.
ORB 2716,
PG 333
18.5'
TRACT "1"
PB 84, PG 179
ELY LINE OF
TRACT "1"
N: 891070.71
E: 954223.52
10' U.E. & D.E.
PB 84, PG 179
ORB 10444, PG 248
S68°49'17"E
18.00'
N21°10'43"E
24.00'
AREA=432
SQUARE FEET
S21°10'43"W
24.00'
N68°49'17"W
18.00'
SLY LINE OF TRACT "1"
TRACT "3"
PB 84, PG 179
R/W DEDICATION
PB 84, PG 179
10' U.E.
ORB 10444, PG 248
NLY R/W LINE
12.00'
53.00'
53.00'
SLY R/W LINE
W BLUE HERON BLVD
(VARYING WIDTH R/W)
RPB 2, PG 171
PB 84, PG 179
ORB 15349, PG 1042
ORB 31512, PG 1004
ORB 23631, PG 929
ADDITIONAL TAKING PER
ORB 15349, PG 1042
BLUE HERON CITGO INC
1900 W BLUE HERON BLVD
PCN: 56-43-42-
30-28-000-0010
POB
SE CORNER OF
TRACT "1"
N: 891041.82
E: 954231.64
N38°34'34"E 1930.86' (GRID)
ELY LINE OF SEC 30,
TWP 42S, RGE 43E
S01°04'06"W 2607.27' (GRID)
(BASIS OF BEARING)
N46°28'37"W 1593.42' (GRID)
SE CORNER OF SEC 30,
TWP 42S, RGE 43E
N: 889944.52
E: 955387.02
(NOT FOUND)
30
29
31
32
FOR:
MAST ARM EASEMENT
SCALE: 1": 20'
DRAWN BY: JTS
CHECKED BY: J. MALIN
DATE: 11-17-2022
A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM
FIELD BOOK №
SHEET: 3/3
FLORIDA R.L.S. #
JOB №: 18080.02
Y:\Land Projects R2\14151.23 Walgreens at 1920 W. Blue Heron\dwg\18080.02 FIRE STATION NO. 88 S&D.dwg 11/17/2022 11:16:27 AM EST

Resolution Number 029-23

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Authorizing the City Manager or designee to execute a construction agreement with the Department of Transportation, State of Florida, for signal construction along Blue Heron Boulevard for Fire Station 88; and providing an effective date.

Whereas, the City Council approved construction of Fire Station 88 at Congress Avenue in Resolution 010-22; and

Whereas, Fire Station 88 construction has been approved by the City council; and

Whereas, the City Manager or designee has the authority to sign the construction agreement with the Department of Transportation; and

Whereas, the Construction Agreement must be signed to continue the construction of Fire Station 88.

Now, Therefore Be It Resolved By The City Council Of The City Of Riviera Beach, Florida, That:

Section 1: The City Manager or designee is authorized to sign the construction agreement with the Department of Transportation.

Section 2: This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Adopted this 19th day of April, 2023.

Signatures are on the following page.

DocuSign Envelope ID: 4A82DE14-27BA-42F5-B37B-22B3BB82DF1C

Approved:

DocuSigned by:
Ronnie Felder
6523CD4358DD451...

Ronnie L. Felder
Mayor

Attest:

T. Smith

Tawanna Smith
Certified Municipal Clerk
Interim City Clerk

Motioned By: J. BOTEL

Seconded By: K. MILLER-ANDERSON

T. McCoy: AYE

K. Miller-Anderson: AYE

S. Lanier: AYE

J. Botel: AYE

D. Lawson: AYE

Reviewed As To Legal Sufficiency

Dawn S. Wynn, City Attorney

Date: 4/19/2023

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Councilmembers

From: John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 008-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 86 at 5010 North Ocean to Temp Fire Station 86 at 1211 Island Road; authorizing the City Manager to execute a multi-year lease at 1211 Island Road with anticipated cost in an amount not to exceed $275,000; authorizing the Director of Finance to from account 10112102-544000, Rentals and Leases; and providing an effective date**

Date: January 17, 2024

CC: General Public

Background:

Fire Station 86 on Singer Island has reached its end of useful life. Per City Council Resolution 109-23 approved August 2, 2023, the demolition and reconstruction of the existing water tank and Fire Station have been let for a progressive design build solicitation 1103-23-4. Based on the need to construct the new water tank on the location of the existing building, Fire Operations will need to be relocated no later than March 2025. It is anticipated that construction of the new water tank and Fire Station will take approximately 42 months from design and construction contract execution. During staff presentation, a variety of options was presented ranging from $325,000 with a 180 day implementation schedule to $2 Million and an 18 month implementation. At the November 1, 2023 City Council meeting, the Council selected Option 1 for the relocation of Fire Station 86 to 1211 Island Road for the duration of the reconstruction of Fire Station 86 at the current location. Staff has worked diligently in

negotiations with the owner of the existing building and presenter the enclosed lease for City Council consideration and approval.

City Goals:

The City-wide Goals are to Strengthen Community Engagement, Accelerate Operational Excellence and Build Great Neighborhoods.

Fiscal/Budget Impact:

$275,000

Recommendation:

It is Staff recommendation for Fire Station 86 to relocate to 1211 Island Road as soon as operational available following the planned improvements to the building and site.

Attachments:

1. Temp 86 Fire Stateion Lease 12-6-2023v1.pdf
2. Resolution_008-24_-_Temp_FS86_Lease__1-17-24.doc

COMMERCIAL LEASE AGREEMENT

THIS COMMERCIAL LEASE AGREEMENT (Lease") is entered into this ___ day of _____, 2024, between CTN Maingate, Inc., a Florida Corporation whose address is 1211 Island Road, Riviera Beach, Florida 33404 "Landlord") and the City of Riviera Beach, a political subdivision of the State of Florida, whose address is 600 W. Blue Heron Blvd., Riviera Beach, FL 33404 ("Tenant"). Landlord and Tenant are collectively referred to as the Parties.

RECITALS

A. Landlord is the sole owner of certain property located at 1211 Island Road, Riviera Beach, Florida and a contiguous parcel of vacant land located at Parcel No.56434227040004670 (hereafter collectively referred to as the "Premises" or "Property"), more fully described in Exhibit A attached hereto, which it desires to lease to Tenant.

B. Tenant desires and is empowered to lease said property from Landlord.

C. The parties desire to enter into this Lease to define their respective rights, duties, and liabilities concerning the Premises;

NOW, THEREFORE, for and in consideration of the mutual covenants contained in this Lease, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Article One - Representations and Warranties

1.1 Landlord. Landlord is a business entity validly existing and in good standing under the laws of the State of Florida and is qualified to do business in each jurisdiction in which it is required to be to carry on its business and permissible use. Landlord has full power and authority to enter into this Lease and to consummate the performance contemplated hereby.

1.2 Tenant. Tenant is a municipality validly existing under the laws of the State of Florida. Tenant has full power and authority to enter into this Lease and to consummate the performance contemplated hereby.

Article Two – Use and Occupancy

2.1 Lease of Premises. Landlord hereby leases to the Tenant, and Tenant leases and takes the Premises from Landlord subject to the terms and conditions contained herein.

2.2 Purpose of Use and Occupancy. The Tenant will use and occupy the Premises for the purpose of constructing and operating a temporary fire station facility on the Premises, and for no other purposes or uses of any kind, as described in Article 7.3 below.

Article Three – Term

3.1 Term. The Term of this Lease shall be for three years, commencing on March 1, 2024, and ending on February 28, 2027, ("Term") unless earlier terminated in accordance with the terms set forth herein.

Article Four – Rent

4.1 Rent Amount. The parties agree to the following annual rental rates for each year of the Lease:

Year	Annual Rent
1	$58,071, plus applicable sales tax
2	$60,394, plus applicable sales tax
3	$62,810, plus applicable sales tax

4.2 Payment Terms. Annual rental rates will be divided into twelve (12) equal monthly payments which will be payable on the first (1st) day of each month during the Lease term by delivery to Landlord via ETF transfer.

Article Five – Additional Payments

5.1 Real Property, Tangible Personal Property and Sales and Use Taxes.

5.1.1. Real Property Taxes. Tenant shall pay the full amount of real property taxes within fifteen (15) days of receipt from Landlord of the annual tax bill. The tax due from Tenant is based on the highest discounted amount for early payment and shall be payable within fifteen (15) days of coming due and without demand or protest. Notwithstanding the foregoing, taxes for the first and last year of the term shall be prorated based on the number of days Tenant occupies the Premises for each of those years. For the first year of the Lease, Landlord shall pay the taxes in November and shall present Tenant with the paid receipt and an invoice for Tenant's pro-rata share of the taxes. Tenant shall reimburse Landlord within 60 days of receipt of said paid receipt.

5.1.2. Tangible Personal Property Taxes. Tenant shall pay the full amount of the annual tangible personal property taxes assessed on the Premises within sixty (60) days of receipt of an invoice from the Landlord.

5.1.3. Sales and Use Tax. Tenant shall be responsible to collect and pay directly to the Department of Revenue all sales and use taxes, including any late penalties, that may come due as a result of Tenant operating the Premises, and to provide Landlord a copy of any such filing or return showing the amounts of all collected and paid amounts for sales and use taxes.

Article Six – Security Deposit

INTENTIONALLY OMITTED

Article Seven – Use of Premises

7.1 Permissible Uses. The Tenant shall not use any of the Premises, nor permit another person to use the Premises, for any purpose other than as permitted under Paragraph 2.2, unless the Tenant obtains the Landlord's prior written consent. The Landlord may not unreasonably withhold approval. Any use not authorized by the Lease or with written consent of the Landlord shall be deemed a default under the Lease under Paragraph 14.

7.2 Signs. Tenant shall have the right to erect signs that meet all appliable codes on the Property.

7.3 Permissible Alterations and Additions. Tenant is authorized to construct a temporary fire station facility on the Premises at the Tenant's sole cost and expense, including but not limited to, building(s), the installation of utilities, paving and drainage facilities. In the event the Landlord is required to join in any application for permits, Landlord shall act reasonably in its review and approval of the permits requested. Landlord shall not be financially responsible for any costs or expenses arising from the permitting and construction of the improvements to the Property.

7.4 Liability for Personal Property. All personal property placed or moved on the Premises is at the risk of the Tenant or other owner of the personal property. The Landlord is not liable for any damage to the personal property.

7.5 Liability for Damages or Injuries. Tenant shall fully indemnify Landlord against any and all damage or injury that the Tenant or any other person may sustain. Nor is the Landlord liable for any damage or injury that results from the carelessness, negligence, or improper conduct of any person, including the Tenant or agents of Tenant and its employees, unless it is caused by Landlord's intentional act.

Article Eight – Conditions of Premises

8.1 Tenant's Acceptance and Maintenance of Premises. The Tenant accepts the Premises in the condition it is in on the date this Lease commences. The Tenant agrees to maintain the Premises, as modified for the approved use, in good order and repair and to keep the parking areas in good and clean condition. Tenant shall provide grounds maintenance and other standard maintenance of the Premises resulting from ordinary wear and tear. Tenant shall be responsible for maintenance which is not ordinary wear and tear resulting from Tenant's use of the premises, except as otherwise stated therein. Other than ordinary wear and tear resulting from Tenant's use of the Premises, Tenant shall be responsible for all repairs and maintenance, including, but not limited to parking lot pavement, sidewalks and landscaping, irrigation and lighting.

8.2 Tenant's Proper Maintenance of Premises. The Tenant shall comply promptly with all statutes, ordinances, rules, orders, regulations, and requirements of the federal, state, and city government applicable to the premises for the correction, prevention, and abatement of nuisances or any other grievances connected with the Premises during the rental term at Tenant's sole cost and expense.

8.3 Damages to Premises.

INTENTIONALLY OMITTED

8.4 Condition at End of Term. At the earlier of the expiration of the Lease term or the termination of the Lease, the Tenant will surrender occupancy of the Premises, including any improvements made to the Premises, to the Landlord in good order and condition, except for

ordinary wear and tear. Tenant shall retain ownership of its own property installed or otherwise used at the Premises including the Parking Overhang, Generator, Furniture, IT Infrastructure, and Kitchen Equipment and shall remove them at the end of the Lease Term.

Article Nine – Entry and Inspection of Leased Premises

INTENTIONALLY OMITTED

Article Ten – Insurance

10.1 Comprehensive, Fire, and Extended Insurance on Leased Premises. The Tenant shall maintain "Commercial General Liability Insurance" on a full occurrence form, which coverage shall include but not be limited to Premises and Operations, Personal Injury, Contractual, Independent contractors, Broad Form Property Damage including Bodily Injury, Personal Injury with minimum limits of $1,650,000 per occurrence excess $350,000 self-insured retention $3,300,000 aggregate combined single limit for personal injury, bodily injury, including death and property damage. The Tenant shall provide a Certificate of Insurance evidencing coverage. The Landlord shall be given at least ten (10) days prior written notice of cancellation. Should the Tenant fail to provide or maintain, for any reason, the insurance required under this Lease, the Landlord may obtain such insurance, as applicable, from such sources as the Landlord may select and the premium the Landlord must pay for such insurance, plus an administrative fee of fifteen (15%) percent of the premium cost, shall be deemed to be Additional Rent to be paid by the Tenant to the Landlord. The Landlord shall be under no obligation to purchase such insurance or Public Construction Bond or be responsible for the coverage purchased or the financial stability or responsibility of the insurance or surety company used. The decision of the Landlord to purchase such insurance or Public Construction Bond coverage shall in no way be construed as a waiver of its rights under this Lease.

10.2 Prohibited Conduct Affecting Insurance. The Tenant may not perform or fail to do any act with respect to the Premises, may not use or occupy the Premises, nor may conduct or operate the Tenant business in any manner that is objectionable to the insurance companies, that causes them to void or suspend any insurance, or that causes them to increase the premiums above in the amounts that would usually have been in effect for the occupancy under this Lease. Nor may the Tenant permit or suffer another person to do so with respect to the Premises.

Article Eleven – Liens and Mortgages on the Property

11.1 Mechanic's Liens Incurred by Tenant. The Tenant shall not subject the Landlord's interest or estate to any liability under any mechanics' or other lien law. No provisions of the Lease may be construed as to imply that the Landlord has consented to the Tenant incurring such a lien. If any mechanics' lien, lis pendens, or other lien is filed against the Premises or the building for any work, labor, services, or materials that a lienor claims to have performed or furnished for the Tenant or any person holding through or under the Tenant, the Tenant must cause that lien to be canceled and discharged of record within sixty (60) days after the Landlord gives notice to the Tenant. If such a lien is filed, the Landlord may satisfy the lien after giving notice to the Tenant as provided in this paragraph and without limiting the Landlord's rights or remedies under this Lease. The Tenant shall promptly reimburse the Landlord for any amounts expended to satisfy the lien and for any expenses incurred in connection with that satisfaction. The Tenant has no right to

setoff against the Landlord. The Tenant's failure to cancel and discharge of record any lien under this paragraph is a default by the Tenant under the provisions of this Lease.

11.2 Tenant's Rights Subject to Mortgage. The Premises are not subject to a mortgage. Tenant acknowledges that the Tenant's rights under this Lease may be subject to a mortgage that Landlord may incur against the Premises in the future and agrees to subordinate any interest Tenant may have in Premises. The Tenant agrees to execute any instrument that the Landlord requires to give evidence of this subordination of interests provided such Lender agrees to sign a non-disturbance agreement. Tenant shall not mortgage or otherwise encumber the Premises without the express written consent of Landlord.

Article Twelve – Assignments and Sublets

12.1 Permissible Assignments and Sublets. The Tenant may not assign this Lease, nor sublet, license, or grant any concession for the use of the Premises, to another person without obtaining the Landlord's prior written consent, which consent shall not be unreasonably withheld. Notwithstanding the foregoing, the Tenant shall have the right without the Landlord's prior consent to assign this Lease in its entirety or sublet all or any portion of the Premises to another governmental entity within Palm Beach County, Florida.

12.2 Continued Liability of Tenant. If Tenant makes any assignment, sublease, license, or grant of concession under Paragraph 12.1, the Tenant will nevertheless remain unconditionally liable for the performance and financial obligations of all of the terms, conditions, and covenants of this Lease.

12.3 Landlord's Right to Collect Rent from Any Occupant. If the Tenant is in default on any payments under this Lease and any other person is subletting or occupying the Premises, or if the Tenant assigns this Lease, the Landlord may collect rent from the assignee, subtenant, or occupant. The Landlord may apply the net amount collected to the rent required under this Lease. The Landlord's collection of the rent does not waive the covenant against assignment and subletting under Paragraph 12.1. nor does it constitute the Landlord's acceptance of the assignee, subtenant, or occupant as a Tenant, nor the Landlord's waiver of the Tenant's further performance of the covenants contained in this Lease.

Article Thirteen – Quiet Enjoyment

13.1 Quiet Enjoyment. Landlord covenants and agrees that, on Tenant's paying rent and performing all of the other provisions of this Lease on its part to be performed, Tenant may peaceably and quietly hold and enjoy the Premises for the Lease Term without material hindrance or interruption by Landlord or any other person claiming by, through, or under Landlord, subject, nevertheless, to the terms, covenants, and conditions of this Lease and all existing or future ground leases, underlying leases, mortgages, or deed of trust encumbering the Premises.

Article Fourteen – Tenant Default

14.1 Remedies for Nonpayment of Rent or Additional Payments. The Landlord has the same remedies for the Tenant's failure to pay rent as for the Tenant's failure to make additional payments.

14.2 Accord and Satisfaction. If the Tenant pays or the Landlord received any amount that is less than the amount stipulated to be paid under any Lease provision, that payment is considered to be made only on account of an earlier payment of that stipulated amount. No endorsement or statement on any check or letter may be deemed an accord and satisfaction. The Landlord may accept any check or payment without prejudice to the Landlord's right to recover the balance due or to pursue any other available remedy.

14.3 Abandonment of Premises or Delinquency in Rent. If the Tenant abandons or vacates the Premises before the end of the Lease term, or if the Tenant is in arrears in rent payments, the Landlord may cancel this Lease. On cancellation, the Landlord is entitled to enter the Premises as the Tenant's agent, whether by force or other means, to re-let the Premises. The Landlord will incur no liability for the entry. As the Tenant's agent, the Landlord may re-let the premises, and the re-letting may be made at such price, on such terms, and for such duration as the Landlord determines and for which the Landlord receives rent. The Landlord shall apply any rent received from the re-letting to the payment of rent due under this Lease. If after the deducting of the expenses of re-letting the premises, the Landlord does not realize the full rental provided under this Lease, the Tenant shall pay any deficiency. If the Landlord realizes more than the full rental, the Landlord shall keep the excess.

14.4 Dispossession on Default. If the Tenant defaults in the performance of any covenant or condition of this Lease, the Landlord shall give the Tenant notice of the default. If Tenant fails to cure default in the payment of rent or additional rent within ten (10) days or fails to cure any other default within thirty (30) days after notice is given, the Landlord may terminate this Lease. If the default is of such a nature that it cannot be completely cured within thirty (30) days, the Landlord may terminate this Lease only if the Tenant fails to proceed with reasonable diligence and in good faith to cure the default. Termination of this Lease may occur only after the Landlord gives not less than three (3) days advance notice to the Tenant. On the date specified in the notice, the term of this Lease will end, and the Tenant will quit and surrender the Premises to the Landlord, except that the Tenant will remain liable as provider under this Lease. On termination of the Lease, the Landlord may enter the Premises without notice and by force or otherwise to dispossess the Tenant, any legal representative of the Tenant, or any other occupant of the Premises. The Landlord may retake possession through summary proceedings or otherwise, and the Landlord will then hold the Premises if this Lease has not been made. The Tenant waives the requirement that the Landlord serve any notice of intention to reenter or to institute legal proceedings for repossessing the Premises.

14.5 Damages on Default. If the Landlord retakes possession under Paragraph 14.3, the Landlord has the following rights:

14.5.1 The Landlord is entitled to the rent and additional rent that is due and unpaid, and those payments will become due immediately, and will be paid up to the time of the reentry, dispossession or expiration, plus any expenses that the Landlord incurs for legal expenses, attorneys' fees, brokerage costs, returning the Premises to good order, and preparing it for re-rental, plus interest on rent and additional rent then due at the maximum interest rate permitted by law.

14.5.2 The Landlord is entitled to re-let all or any part of the Premises in the Landlord's name or otherwise, for any duration, on any terms, including but not limited to any provisions

for concessions or free rent, or for any amount of rent that is higher than that in this Lease, but is under no obligation to do so.

The Landlord's failure or refusal to re-let all or any part of the Premises will not release or affect the Tenant's liability for damages. In computing the liquidated damages, any expenses the Landlord incurs shall be added to the deficiency. Any suit that the Landlord brings to collect the amount of the deficiency for any month will not prejudice in any way the Landlord's rights to collect the deficiency for any subsequent month by a similar proceeding. In putting the Premises in good order or in preparing it for re-rental, the Landlord may alter, repair, replace or decorate any part of the Premises in any way that the Landlord considers advisable and necessary to re-let the Premises. The Landlord's alteration, repair, replacement, or decoration will not release the Tenant from liability under this Lease. The Landlord is not liable in any way for failure to re-let the Premises, or if the Premises are re-let, for failure to collect the rent under the re-letting. The Tenant will not receive any excess of the net rents collected from re-letting over the sums payable by the Tenant to the Landlord under this Paragraph.

14.6 Destruction or Damage to Leased Premises from Casualty. If the Premises are destroyed or damaged by fire or other casualty during the Lease term and the Premises are rendered untenable, either party may cancel this Lease by providing written notice of cancellation to the other party. On cancellation, the Tenant must pay rent only to the date on which the fire or casualty occurred.

14.7 Holdover Tenancy. If the Tenant remains in possession of the Premises after the Lease expires or terminates for any reason, the Tenant will be deemed to be occupying the Premises as a Tenant from month-to-month at the sufferance of the Landlord. The Tenant will be subject to all of the provisions of this Lease, except that the fixed rent will be at a monthly rate equal to twice the amount of a single monthly installment of fixed rent at the rate in effect for the last month of the term of this Lease. The Parties agree that this provision shall not give Tenant any right to hold over at the expiration of the Lease term or any renewals, and shall not be deemed to be a renewal or extension of Lease terms or any renewals either by operation of law or otherwise, even if Landlord continues to accept rent payment during such hold over period.

14.11 Cumulative Remedies upon Tenant Default. The Landlord's remedies contained in this Lease are in addition to the rights of the Landlord under the laws of the State of Florida governing Landlord-Tenant relationships and to all other remedies available at law or in equity to the Landlord.

Article Fifteen – Landlord Default

15.1 Cumulative Remedies upon Landlord Default. In the event of default by Landlord, Tenant will have the following cumulative remedies, rights, privileges, and options in addition to all other remedies now or hereafter provided by law:

15.1.2 To perform any act or do anything required under this Lease to be performed by Landlord.

15.1.3 To set off from the rent any sum that Tenant may reasonably incur to ensure any breach of this Lease by Landlord.

Article Sixteen – Miscellaneous Provisions

16.1 Binding on Heirs, Successors, and Assigns. This Lease binds the heirs, legal representatives, assigns or successors of the Tenant and the Landlord.

16.2 Time of Essence. Time is of the essence with respect to each provision in this Lease where a time or date for performance is stated. All time periods or dates for performance stated in this Lease are material provisions of this Lease.

16.3 Deliveries to Parties and Notices. The Tenant shall promptly pay all rentals and other charges, shall render all statements, and shall deliver all notices under this Lease to Landlord at the following address:, 1315 Finch Ave. W, Ste 503 North York ON M3J 2G6 Canada with a copy delivered to: Landlord shall deliver all notices to Tenant to City of Rivera Beach 600 W. Blue Heron Blvd., Finance Department, Riviera Beach, FL 33404, attention City Manager Jonathan Evans & Fire Chief John Curd. From time to time, either party may designate in writing another person or entity and another address for receipt of such items. Any notice to be given under this Lease must be sent by certified mail, return receipt requested, and postage prepaid. Any notice under this Lease is deemed to be given at the time it is received as set forth in this paragraph, or if not accepted, at the time it is mailed.

16.4 Landlord's Cumulative Rights. The Landlord's rights under this Lease are cumulative, and the Landlord's failure to exercise promptly any rights given under this Lease does not operate to forfeit any of these rights.

16.5 Indemnification of Landlord. The Tenant shall indemnify the Landlord against all claims, demands, damages, liabilities, expenses and losses incurred by the Landlord arising out of or related to Tenant's use or occupancy of the Premises, due in whole or in part to the acts or omissions of Tenant or its agents and its employees, invitees or guests. This right shall include, but shall not be limited to, the following: (a) failure by the Tenant to perform any provision, term, covenant or agreement required to be performed by the Tenant under this Lease (b) any occurrence, injury or personal or property damage which shall happen in or about the leased property or appurtenances resulting from the condition, maintenance, construction on or of the operation of the leased property or resulting from the act or omission of Tenant or its agents, Tenant and its employees, invitees or guests; (c) failure by Tenant or its agents to comply with any governmental authority or insurance company insuring the leased property or its contents; (d) any security agreement, conditional bill of sale or chattel mortgage or mechanic's lien connected with Tenant, its obligations or operations, filed against the Premises, any fixtures, equipment or personality herein as a result of any act of Tenant or its agents or the failure to act by Tenant or its agents; (e) any construction, work, alterations or improvements by Tenant or its agents and its employees, invitees or guests on the Premises; and (f) for any damages, losses, or injuries to the Tenant's person or property that may be caused by the acts, neglect, or commissions of any person, firm, or corporation. Such indemnification shall include any attorney's fees including any costs and attorney's fees in any trial, administrative, appellate or bankruptcy proceeding, or any proceeding to determine the amount and reasonableness of such costs and attorney's fees. Nothing in this Agreement shall constitute a waiver of sovereign immunity of the Riviera Beach Community Redevelopment Agency or the City of Riviera Beach, nor shall the same be construed as an Agreement by the Agency or the City to be sued. Nothing contained in this Section or elsewhere in this Agreement is in any way intended to be a waiver of the limitation placed upon Agency's or City's liability as set forth in Section 768.28, Florida Statutes, or any other constitutional statutory, common law or other protections afforded to public bodies or governments.

16.6 No Waiver. No failure by Landlord to exercise and no delay by it in exercising any right, power, or privilege under this Lease shall operate as a waiver thereof; nor shall any single or partial exercise of any right, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, power or privilege. The rights and remedies under this Lease are cumulative and not exclusive of any rights or remedies provided by law.

16.7 Choice of Law and Venue. This Lease shall be governed by the laws of the State of Florida, with venue lying in Palm Beach County, Florida.

16.8 Survival of Lease. All agreements, representations, and warranties made in this Lease shall survive the termination of this Lease for six months.

16.9 Counterparts. This Lease may be executed in any number of counterparts and each counterpart shall be deemed to be an original. To the extent permitted by Florida law, a facsimile or electronic signature shall have the same force and effect as an original signature.

16.10 Force Majeure. In the event Tenant shall be delayed or hindered in or prevented from the performance of any act, other than Tenant's obligations to make payments under the Lease, by reason of strikes, lockouts, unavailability of materials, failure of power, restrictive governmental laws or regulations, riots, insurrections, war or other reason beyond its control, then performance of such act shall be excused for the period of the delay and the period for the performance of such act shall be extended for a period equivalent to the period of such delay. Notwithstanding the foregoing, the lack of funds shall not be deemed to be a cause beyond the control of either party.

16.11 Obligations of Persons or Parties under this Lease. If more than one person or party signs this Lease, each person is fully and personally obligated to keep all of the promises made in this Lease, including the promise to pay the full amount owed. Any person or party who is a guarantor, surety or endorser of this Lease is also obligated to do these things. Any person or party who takes over these obligations, including the obligations of a guarantor, surety or endorser of this Lease, is also obligated to keep all of the promises made in this Lease. The Landlord may enforce its rights under this Lease against each person individually or against all of us together. This means that any one of the Lease signers may be required to pay all of the amounts owed under this Lease.

16.12 Payment of Costs and Expenses for Enforcement of Lease. In the event of a dispute arising under this Agreement, whether or not a lawsuit or other proceeding is filed, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, including attorneys' fees and costs incurred in litigating entitlement in attorneys' fees and costs, as well as in determining or quantifying the amount of recoverable attorneys' fees and costs. The reasonable costs to which the prevailing party is entitled shall include costs that are taxable under any applicable statute, rule, or guideline, as well as non-taxable costs, including but not limited to, costs of investigation, copying costs, electronic discovery costs, telephone charges, mailing and delivery charges, information technology support charges, consultant and expert witness fees, travel expenses, court reporter fees, and mediator fees, regardless of whether such costs are otherwise taxable.

16.13 Waiver of Jury Trial. Landlord and Tenant recognize that this Lease involves relatively complex business transactions; that this Lease is lengthy and its terminology technical in nature and, thus, may be susceptible to misinterpretation; and that, in the event of any dispute as to rights and obligations hereunder, a judge, rather than a jury, would be the most efficient and qualified trier of fact.

_____ _____

Accordingly, the Parties are each desirous of waiving their respective rights to jury trial with respect to any litigation or other legal proceedings, as follows:

EACH PARTY, BY THE EXECUTION HEREOF, DOES HEREBY KNOWINGLY, VOLUNTARILY AND INTENTIONALLY WAIVE, FOR THEMSELVES AND THEIR RESPECTIVE HEIRS, SUCCESSORS AND ASSIGNS, ANY RIGHT WHICH ANY OF THEM MAY HAVE TO A TRIAL BY JURY IN RESPECT TO ANY LITIGATION, ACTION, SUIT OR PROCEEDING (WHETHER AT LAW OR IN EQUITY) BASED ON THIS LEASE, ANY AMENDMENT OR ADDITION TO THIS LEASE, OR ANY COURSE OF CONDUCT, COURSE OF DEALING (WHETHER ORAL OR WRITTEN) OR ACTIONS OF ANY PARTY OR THEIR RESPECTIVE OFFICERS, PRINCIPALS, PARTNERS, TENANT AND ITS EMPLOYEES, AGENTS OR REPRESENTATIVES IN CONNECTION HEREWITH, WHETHER ARISING IN CONTRACT, TORT OR OTHERWISE. NO PARTY SHALL SEEK TO CONSOLIDATE ANY SUCH LITIGATION, ACTION, SUIT OR PROCEEDING WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THIS PROVISION IS A MATERIAL AND MUTUAL INDUCEMENT TO ENTERING INTO THIS LEASE.

If for any reason the foregoing waiver is found by a court of competent jurisdiction to be invalid, illegal or unenforceable, so that any litigation or other legal proceeding relating to or arising in connection herewith is in fact conducted before an impaneled jury, each party hereto agrees not to seek to have the foregoing waiver or the existence thereof admitted into evidence, and this entire paragraph shall be excised here from when this Lease may be presented to such jury.

16.14 Right of First Refusal.

INTENTIONALLY OMITTED.

16.15 Compliance With Environmental Laws.

16.15.1 Environmental Covenants of Tenant. Tenant covenants and warrants, as applicable, that at all times during the Lease Term:

16.15.1.a The Premises shall not be used by Tenant, its agents or invitees for the storage or generation of any Hazardous Substance in violation of any Environmental Law, Environmental Regulation, order of an Environmental Regulator, or any permit issued by an Environmental Regulator.

16.15.1.b No Hazardous Substance will be released or disposed of on the Premises by Tenant, its agents or invitees in violation of any Environmental Law, Environmental Regulation, order of an Environmental Regulator, or any permit issued by an Environmental Regulator.

16.15.1.c Tenant and its agents and invitees shall maintain full compliance with all permits and/or licenses issued by Environmental Regulators with respect to any conduct by Tenant, its agents or invitees regarding operations governed by this Lease.

16.15.1.d If Tenant shall receive any notice regarding the Premises from any Environmental Regulator of any violation or suspected violation of any Environmental Law or Environmental Regulation, or relating to any clean-up remediation or other response action or threat thereof, then Tenant shall

immediately notify the Landlord thereof, and of all subsequent developments related thereto.

16.15.2 Covenant Not To Store Hazardous Substances In Violation of Law. Tenant, for itself, its agents and invitees, covenants and agrees not to use the Premises, at any time, for:

16.15.2.a The storage, generation, release or disposal of any Hazardous Substance in violation of any Environmental Law or Environmental Regulation, any order of an Environmental Regulator, or any permit issued by an Environmental Regulator;

16.15.2.b Any purpose that would give rise to a clean-up, remediation or other response action; to the imposition of any fine, penalty, assessment, cost, forfeiture or imposition for violation of an Environmental Law or Environmental Regulation; or to a claim, claim of lien or lien (whether against the Premises, the Landlord, or the Landlord's properties) for response costs, damages or other costs pursuant to any Environmental Law or Environmental Regulation;

16.15.2.c Any purpose that would cause the Premises to be listed on the National Priorities List or with CERCLIS.

16.15.3 Release of Hazardous Materials: Claims. Throughout the Term, Tenant agrees to immediately notify the Landlord upon the occurrence of any storage, generation, release, disposal or placing of any Hazardous Substance of any kind in, on, about or under the Premises in violation of any Environmental Law, Environmental Regulation, order of an Environmental Regulator, or any permit issued by an Environmental Regulator, regardless of the source or other circumstances thereof. Further, Tenant shall immediately notify the Landlord in writing of the receipt of any notice, order, correspondence, communication or reasonably reliable information that:

16.15.3.a A permit is required from any Environmental Regulator for the use or operation by Tenant, its agents or invitees upon the Premises;

16.15.3.b A summons, citation, order directing compliance or inquiry has been or is being issued or made by any Environmental Regulator;

16.15.3.c Any Environmental Regulator or third party has demanded or asserted any right of recovery for payment or reimbursement, or any claim, claim of lien or lien against the Premises for clean-up costs, damages, or other costs incurred, under or pursuant to ·any Environmental Law, Environmental Regulation, or the common law;

16.15.3.d The Premises are or will be listed on the National Priorities List or with CERCLIS;

16.15.3.e Any fine, penalty, assessment, cost, forfeiture or imposition has been, or will be or is sought to be imposed against Tenant, its agents or invitees, or the Landlord, for violation or asserted violation by Tenant, its agents or invitees of any Environmental Law, Environmental Regulation, any order of an Environmental Regulator or any permit issued by an Environmental Regulator;

16.15.3.f Other than with respect to the Preexisting Environmental Conditions, any clean-up, remediation or other response action pursuant to any Environmental Law or Environmental Regulation has been, is being, or will be, commenced by any Environmental Regulator or third party with regard to the Premises which would give rise to a claim, claim or lien against the Premises.

16.15.4 Clean-Up Plan. In the event of any determination that, through actions by or attributable to Tenant, its agents or invitees, (i) any Hazardous Substance has been stored, generated, located, released or disposed of in, on, about or under the Premises, in violation of any Environmental Law, Environmental Regulation or order or permit issued by an Environmental Regulator, or (ii) that any storage facility leased by Tenant, its agents or invitees, is located in, on, about or under the Premises, in violation of any Environmental Law, Environmental Regulation, or order or permit issued by an Environmental Regulator, Tenant shall immediately so notify the Landlord. Further, in each such instance, Tenant shall, at Tenant's sole cost and expense, promptly notify and keep the Landlord fully informed of response actions proposed or necessary for clean-up or remediation of Hazardous Substances as a result of Tenant's violation of any Environmental Law, Environmental Regulation, or order or permit issued by an Environmental Regulator the details of plans and, specifications therefore, and all developments related thereto. As soon as reasonably possible, after obtaining all necessary approvals, permits and/or licenses of all appropriate governmental or quasi-governmental units, bodies or agencies, including without limitation Environmental Regulators, Tenant shall diligently prosecute the accomplishment of Tenant response actions required herein, at Tenant's sole cost and expense.

16.15.5 Continuing Nature. The environmental provisions of this Lease shall survive the termination of the Lease, such provisions to continue in full force and effect so long as the possibility of any environmental liability, claim, obligations or losses of the Landlord, attributable to Tenant, its agents or invitees, shall exist.

16.15.6 Representations and Warranties of Landlord. Landlord covenants and warrants, as applicable, that:

16.15.6.a The property and all uses of the property have been, and presently are, in compliance with all federal, state, and local environmental laws;

16.15.6.b No hazardous substances have been generated, stored, treated, or transferred on the property, except as specifically disclosed to the Tenant or permitted under environmental laws;

16.15.6.c The Landlord has no knowledge of any spill or environmental law violation on any property contiguous to or in the vicinity of the property to be leased to Tenant;

16.15.6.d The Landlord has not received notice and otherwise has no knowledge of any spill on the· property; any existing or threatened environmental lien against the property; or any lawsuit, proceeding, or investigation regarding the property; or any lawsuit, proceeding, or investigation regarding the handling of hazardous substances on the property; and

16.15.6.e The Landlord has all permits necessary for the activity and operations on the property, and these permits are in full force and effect.

16.16 Purchase Option.

INTENTIONALLY OMITTED.

17. Rezoning: The Premises is currently zoned Downtown General (DG) which district does not permit the construction of a fire station. The zoning needs to be amended to Community Facility (CF) during the term of this Lease. Landlord agrees, within three (3) days of receiving Tenant's request for such signature, to sign any instruments required to apply for the rezoning and/or associated development permits to allow the temporary fire station to be constructed on the Premises. In no event shall Tenant agree to any conditions to be imposed on the Premises that would require a payment by the Landlord or allow any encumbrances or conditions to be allowed that would encumber the Premises without Landlord's prior written. The application for rezoning shall include a request that such zoning automatically revert to DG upon the expiration of the term of this Lease. In the event the rezoning approval does not include such a provision, Tenant shall apply, at its sole cost and expense, to rezone the Premises back to DG upon termination of this Lease.

SIGNATURES ON PAGES 14 AND 15

IN WITNESS WHEREOF, the Landlord has executed this Commercial Lease Agreement on the date and year first above written.

Signed, sealed and delivered
in the presence of:

WITNESSES:

LANDLORD: CTN Maingate, Inc,
a Florida corporation

_____
Name: _____

By: _____
Its_____

_____
Name: _____

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY, by means of [_] physical presence or [_] online notarization, that on the _____day of _____, 2023 before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____, as _____ of who is personally known to me or who produced _____ as identification, who executed the foregoing instrument and acknowledged that he did so voluntarily and for the purposes set forth therein.

_____
Notary Public
Name:_____

My Commission Expires:
(Notarial Seal

IN WITNESS WHEREOF, the parties have caused this Lease to be executed effective of the date first written above:

City of Riviera Beach, Florida, a Florida municipal corporation

ATTEST:

_____
Ronnie Felder, Mayor

_____
Tawanna King, CMC
City Clerk

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

I HEREBY CERTIFY, by means of [_] physical presence or [_] online notarization, that on the _____day of_____ 202_ before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ronnie Felder, Mayor of the City of Riviera Beach, Florida, a Florida municipal corporation, who is personally known to me or who produced _____ as identification, who executed the foregoing instrument and acknowledged that he did so voluntarily and for the purposes set forth therein.

_____
Notary Public
Name: _____

My Commission Expires:
(Notarial Seal)

EXHIBIT A

Property Information:

1211 Island Road, Riviera Beach, Florida
Building containing 1250 square feet situated on 7,627 square foot site.

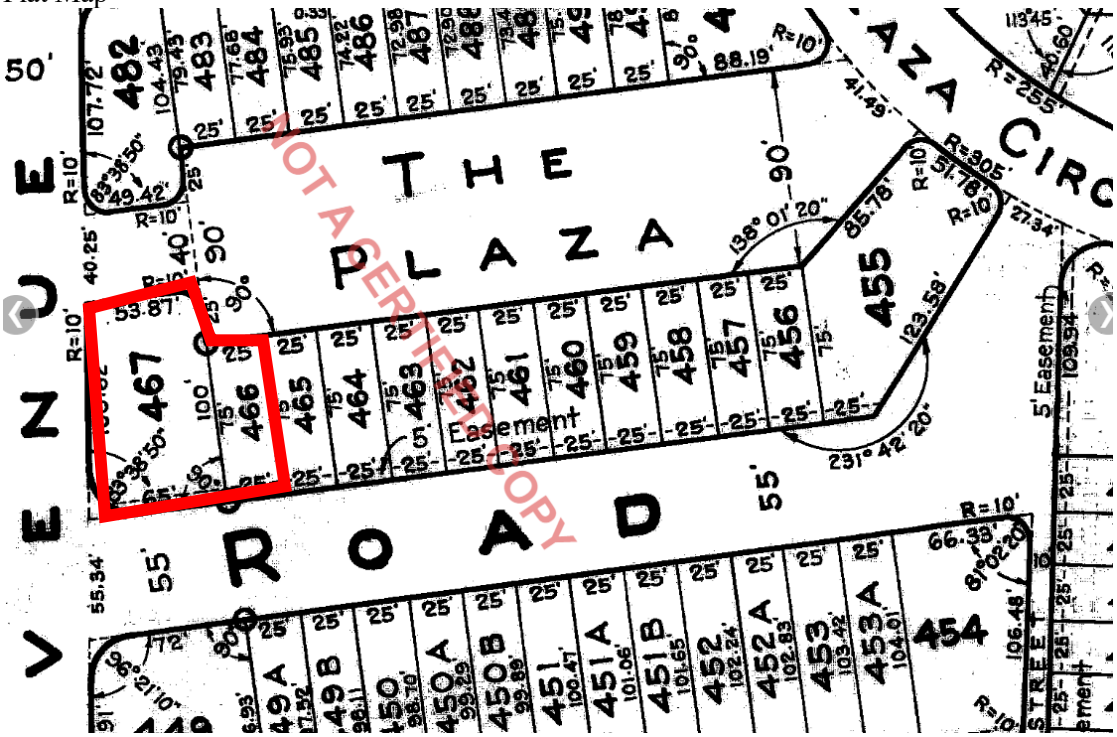
PCN Parking Lot: 56434227040004670
PCN Building: 56434227040004660

Aerial

Building

_____ _____

Plat Map



Resolution Number 008-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 86 at 5010 North Ocean to Temp Fire Station 86 at 1211 Island Road; authorizing the City Manager to execute a multi-year lease at 1211 Island Road with anticipated cost in an amount not to exceed $275,000; authorizing the Director of Finance to make payment from account 10112102-544000, Rentals and Leases; and providing an effective date.

Whereas, on September 27, 2023 City Staff issued RFQ-1103-23-4 for the reconstruction of Fire Station 86 and the adjacent Water Tank; and

Whereas, on November 1, 2023 City Staff made presentation to the City Council on options to address Fire Station 86 temporary relocation during the construction of the new Fire Station 86 and Water Tank and Council elected Option 1 relocating Fire Station 86 to Temp Fire Station 86 at 1211 Island Road and entering into a long-term lease on the property at 1211 Island Road; and

Now, Therefore, be it resolved by the City Council of the City of Riviera Beach, Florida that:

Section 1. The City Council shall authorize the City Manager to relocate Fire Station 86 from the existing location at 5010 North Ocean to 1211 Island Road and execute a long-term lease for temporary Fire Station 86.

Section 2. The City Council shall authorize the Director of Finance to transfer funds from account 10112102-544000, Rentals and Leases.

Section 3. This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Approved this ____ day of _____, 2024.

Approved:

_____
Ronnie L. Felder
Mayor

Attest:

_____
Debrah S. Hall, CMC
Certified Municipal Clerk
Interim City Clerk

Motioned By: _____

Seconded By: _____

T. McCoy: ____

K. Miller-Anderson: ____

S. Lanier: ____

J. Botel: ____

D. Lawson: ____

Reviewed As To Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Councilmembers

From: John M. Curd, Fire Chief
Terrence N. Bailey P.E. City Engineer

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 009-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 86 at 5010 North Ocean to Temp Fire Station 86 at 1211 Island Road; authorizing the City Manager to issue work orders to REG Architects for Station Design for implementation of the City's Fire Station 86 relocation in an amount not to exceed $65,000; authorizing the Director of Finance to make payment from Project 24014 – Municipal Facilities; and providing an effective date.**

Date: January 17, 2024

CC: General Public

Background:

Fire Station 86 on Singer Island has reached its end of useful life. Per City Council Resolution 109-23 approved August 2, 2023, the demolition and reconstruction of the existing water tank and Fire Station have been let for a progressive design build solicitation 1103-23-4. Based on the need to construct the new water tank on the location of the existing building, Fire Operations will need to be relocated no later than March 2025. It is anticipated that construction of the new water tank and Fire Station will take approximately 42 months from design and construction contract execution. During staff presentation, a variety of options was presented ranging from $325,000 with a 180 day implementation schedule to $2 Million and an 18 month implementation. At the November 1, 2023 City Council meeting, the Council selected Option 1 for the relocation of Fire Station 86 to 1211 Island Road for the duration of

the reconstruction of Fire Station 86 at the current location. Staff has worked with REG Architects for design, site plan, and construction administration services for renovations to the existing building for relocation for City Council consideration and approval.

City Goals:

The City-wide Goals are to Strengthen Community Engagement, Accelerate Operational Excellence and Build Great Neighborhoods.

Fiscal/Budget Impact:

$65,000

Recommendation:

It is Staff recommendation for Fire Station 86 to issue a work order to REG Architects to design the planned improvements to the building and site.

Attachments:

1. Resolution_009-24_-_FS86_Design__1-17-24.doc
2. REG - Temp FS86 design proposal.pdf

Resolution Number 009-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving relocation of Fire Station 86 at 5010 North Ocean to Temp Fire Station 86 at 1211 Island Road; authorizing the City Manager to issue work orders to REG Architects for Station Design for implementation of the City's Fire Station 86 relocation in an amount not to exceed $65,000; authorizing the Director of Finance to make payment from Project 24014 – Municipal Facilities; and providing an effective date.

Whereas, on September 27, 2023 City Staff issued RFQ-1103-23-4 for the reconstruction of Fire Station 86 and the adjacent Water Tank; and

Whereas, on November 1, 2023 City Staff made presentation to the City Council on options to address Fire Station 86 temporary relocation during the construction of the new Fire Station 86 and Water Tank and Council elected Option 1 relocating Fire Station 86 to Temp Fire Station 86 at 1211 Island Road and entering into a long-term lease on the property at 1211 Island Road; and

Whereas, Staff has identified Project 24014 – Municipal Facilities from the FY2024 - FY 2028 Capital Improvement Plan as the appropriate funding source.

Now, Therefore, be it resolved by the City Council of the City of Riviera Beach, Florida that:

Section 1. The City Council shall authorize the City Manager to relocate Fire Station 86 from the existing location at 5010 North Ocean.

Section 2. The City Council shall authorize the City Manager to issue Work Orders to REG Architects for Design of Temporary Fire Station 86.

Section 3. The City Council shall authorize the Director of Finance to make payment from Project 24014 – Municipal Facilities.

Section 4. This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Approved this ____ day of _____, 2024.

Approved:

_____
Ronnie L. Felder
Mayor

Attest:

_____
Debra S. Hall, CMC
Certified Municipal Clerk
Interim City Clerk

Motioned By: _____

Seconded By: _____

T. McCoy: ____

K. Miller-Anderson: ____

S. Lanier: ____

J. Botel: ____

D. Lawson: ____

Reviewed As To Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

REG ARCHITECTS since 1988

November 7, 2023

Mr. Terrence N. Bailey, PE
City Engineer
City of Riviera Beach
1481 W. 15th Street
Riviera Beach, FL, 33404

Via E-mail: Tbailey@rivierabeach.org

RE: Singer Island Plaza Temp Fire Station
Riviera Beach, FL
REG PO No. 2720

Dear Mr. Bailey:

REG Architects, Inc. is pleased to provide you this 'outline proposal' to assist you in preparing conceptual through construction documentation for the above referenced project. The proposed project as we understand it consists of providing Architecture and Engineering services for a temporary fire station facility for Station 86 on Singer Island. The program is described in further detail in the paragraphs below.

The following is proposed to be conceptual and subject to change if needed after your input and reviews by you and your associates:

1. **REG Architects, Inc. Project Team:**

    1. REG ARCHITECTS, INC. Architectural, Planning & Interior Design:
    Project Team Leader Rick Gonzalez, AIA, President; Manuel Ayala, AIA, LEED AP, Vice President; Vlad Dumitrescu, AIA, LEED-AP, Associate, Sr. Project Designer; and John Tuckus, Senior Project Manager.

    2. REG CONSULTANTS as selected by REG Architects with input from the Client to include Structural, Mechanical, Electrical, Plumbing and Fire Protection Engineering.

    3. CLIENT'S CONSULTANTS: Client shall provide at his expense all consulting services necessary for the development of the project that are not included in REG's consulting team and/or scope of work, such as Landscape Architecture, Land Planning, and Civil Engineering, and others, necessary for the successful completion of the project. REG will assist in coordinating these services with REG's team.

2. Proposed Project Program:

Task I. Architectural and Engineering Services

The scope of work for this project proposes to provide a remote temporary facility for the existing Fire Station 86 and includes:

- Gutting the existing law office to make it a temporary fire station.
- Gutting the electrical, new room, new hvac, add generator and ATS.
- The bunk trailer - will have it moved and anchored by the manufacturer.
- Tie in electrical for the trailer.
- Temporary cover the same as West Palm installed on their temp station on Roebuck west of Haverhill.
- Require a simple site plan for development services and there will be a rezoning but with the site plan the City of Riviera Beach will manage the rezoning from the staff level.
- Need coordination on IT/Data for communications as well as connection for Locution/County Dispatch.

All tasks will be broken up into typical phases as follows:

A. As-Builts (AB):
REG shall visit the property to gather information on existing conditions and perform as-built field measurements which will be used to prepare the base plans for construction documents. REG will also obtain any existing record drawings from either the client and/or local municipality that will help in the process of establishing existing conditions.

B. Schematic Design/Planning & Zoning (SD):
Based on approved Conceptual Design Documents and any adjustments authorized by the Client, REG shall prepare Schematic Design Documents consisting of site plan, preliminary floor plans, elevations, sections and renderings to translate concept drawings to digital format. REG will also prepare, with assistance from client consultant, a set of documents to be submitted to the local municipality for site plan approval, if required.

C. Construction Documents (CD):
Based on approved Design Development Documents and any other adjustments to the scope approved/authorized by the Client, REG shall prepare, for approval by the Client, Construction Documents consisting of drawings and note form specifications setting forth in detail the requirements for construction of the project including obtaining input from REG Consultants, Client's Representative and Client's Consultants.

D. Bidding and Permitting (BP):

For the Bidding and Permitting phase of the project, REG shall assist the Client and Client's Representative in obtaining bids or negotiated proposals and assist in awarding and preparing contract for construction. The architect shall provide (3) full sets of Construction Documents necessary for permitting to the Client, Client Representative, or selected General Contractor for issuance to the local building department for review. The Architect shall not be responsible for any permitting or review applications or fees.

E. Construction Administration (CA):

The Construction Administration Phase shall consist of regularly scheduled site visits for jobsite meetings, site observations, and shop drawing review. Monthly field reports shall be provided based on-site observations. Please note, construction Administration does not include any site inspections, field testing, special inspections, or changes to the project scope or plans.

3. Proposed Fees:

It is our intent and suggestion to continue with each of the tasks of the project consecutively in order to meet the attached schedule. The following fees are reflective of a standard design-bid-build method of project delivery and are subject to change if another project delivery method is used.

Task I.	Architectural & Engineering Services	Fees
A.	As Builts	$ 6,000.00
B.	Schematic Design Phase/Planning & Zoning	$ 9,000.00
C.	Construction Document Phase	$30,000.00
D.	Bidding & Permitting Assistance	$ 3,000.00
E.	Construction Administration	$12,000.00
	Total for Task I. (A-E)	$60,000.00

In addition to these task fees, please allow reimbursable expenses at cost plus 10%.

Exclusions:

• Programming • Multiple Preliminary Designs • Marketing Material • Existing Facility As-Builts • Surveys • Geotechnical Reports • Environmental Reports • Traffic Studies • Site Planning • Civil Engineering • Landscape Design • NOA submittals • Building Information Modeling (BIM) • Energy Modeling • Historic Preservation	• Sustainable Design (LEED or other "green" certification) • Low Voltage System Design (Audio/Visual, Telecommunications/Data) • Lighting Design (theatrical or specialty) • Acoustical Design • Security Design • Food Service Design • Pool/Fountain Design • Interior Design/Decorating • As-Constructed Record Drawings • Detailed Cost Estimating • On-Site Project Representation • System Commissioning • Field Testing • Special Inspections.

Please note, the items listed above are an overview of the proposal services and fees that we will provide. Please be advised that this proposal becomes null and void if not signed within 30 days (December 7, 2023). If the project is put on hold at any time for more than 60 days, additional fees (restart) will be required.

If this outline proposal is acceptable to you, please sign below and return to our office, so we can schedule your work to begin upon receipt.

We thank you and your team for the opportunity to assist you with this great project.

Sincerely,
REG Architects, Inc.

Approved By_____

Print Name_____

Title_____

Manuel Ayala, AIA, LEED AP
Vice President

Date_____

cc: Rick Gonzalez, AIA, President/REG Architects, Inc.

enclosures: Exhibit A - REG Hourly Rate Sheet

RG/ep

We thank you for your business and the opportunity to assist you with this project. Please submit a copy of the survey and any existing drawings so that we may begin.

Please make checks payable to: REG Architects, Inc. If possible, we prefer ACH Electronic Wire Transfers to our account. Please contact Maria Beckwith for wiring instructions.

Please send all payments to: Maria Beckwith, Accounting
MLBeckwith@regarchitects.com

Please provide us with the contact information for the person(s) who are to receive REG's invoices.

Submit Invoices To : _____

Address : _____

_____

Email Address : _____

Telephone Number : _____

Exhibit "A"

2023 HOURLY RATE SHEET

SUBJECT: Hourly rates for professional services as may be required.

FROM: Rick Gonzalez, AIA, President, **REG Architects, Inc.**

A. HOURLY RATES FOR PROFESSIONAL SERVICES:

	REGULAR RATES
Expert Witness	$375.00
Principals	$300.00
Associate Architect	$250.00
Senior Project Manager	$200.00
Project Manager	$185.00
Assistant Project Manager	$160.00
Senior Interior Designer	$160.00
Interior Design Assistant	$140.00
CADD Technician/Job Captain	$130.00
Administrative Assistant	$85.00

B. FIXED FEE RATES:

Can be quoted when project's scope and budget are clearly defined and finalized.

g:\potential project proposals\2023 potential client proposals\singer island plaza\06_07_23 proposal for singer island plaza.docx

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: John M. Curd, Fire Chief

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 10-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, awarding the Firefighter Medical Physicals Contract to Life Extension Clinics, Inc. d/b/a Life Scan Wellness Centers of Tampa, Florida; authorizing the Mayor and City Clerk to Execute a three-year agreement with Life Wellness Centers for same; further authorizing the Finance Director to make payment for same from Account Number 10121102-531000 in an amount not to exceed $150,000.00; and providing for an effective date.**

Date: January 17, 2024

CC: General Public

Background:

The City is required under Article 11 of the Agreement with local 2928, Professional Firefighters/Paramedics of Palm Beach County, IAFF, Inc. to provide firefighter employee physicals every (2) years. The City and the Union shall cooperate fully on matters of health, safety, and sanitation affecting the employees of the Fire Department. All prospective Fire Department employees shall receive a physical examination, which includes a stress test and a drug test pursuant to Article 36 of this Agreement. Therefore annually, employees will receive a physical which includes a blood test, a stress test, a chest X-ray, a hearing test, a lung volume test, a vision test, ultrasound imaging assessments, and a drug test. Such physicals shall be at no expense to the employee. The medical records will be maintained by the provider, who shall provide sufficient information to the City to determine whether the employee can perform the essential functions of the job and does not pose a direct threat due

to a particular condition.

City Goals:

The City Wide goal is to Strengthen Community Engagement and Empowerment, Which will allow Fire Rescue to keep its employees to high accelerate operational excellence, and comply with Article 11 of the contract between the City and local 2928, professional Firefighters/Paramedics of Palm Beach County.

Fiscal/Budget Impact:

The fiscal impact will cost $150,00.00 over a three year period

Recommendation:

Staff recommends approval of Resolution Number 10-24 to schedule employee physicals.

Attachments:

1. Life Scan Documentation .pdf
2. FD Resolution Number 10-24 Firefighter Physicals.docx

SERVICE CONTRACT

THIS AGREEMENT is made and entered into t h i s day of, 2023, by the City of Riviera Beach, FL. hereinafter referred to as "City" and Life Extension Clinics, Inc., d/b/a Life Scan Wellness Centers, a Florida corporation, hereinafter referred to as "Contractor."

WHEREAS City requires services which Contractor is capable of providing, under the terms and conditions hereinafter described or referenced; and

WHEREAS the Contractor is able and prepared to provide such services as City does hereinafter require, under those terms and conditions set forth.
NOW, THEREFORE, in consideration of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. Contract Documents. The Contract Documents consist of this Agreement; Exhibit "A" - Scope of Work; Exhibit "B" insurance requirements and Exhibit "C", if needed; and all written change orders and modifications issued after execution of this Agreement. These form the Contract, and all are as fully a part of the Contract as if attached to this Agreement or repeated herein.

2. Purpose. City hereby contracts with the Contractor to provide the list of Physical Examinations as provided in Exhibit A.

3. Scope of Work. The Contractor will provide the services to be rendered as set forth in Exhibit "A" (Scope of Work), attached hereto and by reference incorporated herein and made a part hereof.

4. Term of Contract. This Contract shall be for three (3) year period. This Agreement shall begin with the date this Contract is fully executed by both parties.

5. Renewal. This shall have two one (1) year contract renewal option upon mutual written agreement and pricing for those renewals shall be subject to mutual written agreement as well.

6. Maximum Obligation. The City agrees to pay Contractor in consideration for its services described herein. It is the intention of the parties hereby to ensure that unless otherwise directed by the City in writing, Contractor will continue to provide services as specified in Exhibit "A" for the term of the contract.

7. Price Formula. City agrees to pay Contractor for performance of the services set forth in this Agreement outlined in Exhibit "C" plus ** an additional on-site venipuncture fee may be applicable as follows:

> Payment by the City will be made for the total appointments the City committed to regardless of whether the appointment is attended. Appointments shall not exceed forty-five (45) per week.

8. Invoices. The Contractor shall submit the invoices to City, if requested by City, as follows.

All Invoices shall contain the following information:

- Employee's Number
- Date of Service
- Location where services were provided.
- Purchase Order Number
- The Total Amount

9. Payment. All payments by the City shall be made after the service has been provided. All invoices shall be submitted to the City for approval and payment will be issued within forty-five (45) days of submittal

10. Disputes.

A. Any factual disputes between City and the Contractor regarding this Agreement shall be directed to the City Manager for the City, and such decision shall be final.

B. Any action brought against either party to enforce this Agreement will be brought in Palm Beach County, Florida.

11. Communications. All notices hereunder and communications with respect to this Agreement shall be effective upon the mailing thereof to the persons named below.

If to Contractor:

Jonathan Evan, City Manager
1481 West 15th Street
Riviera Beach, FL 33404

If to City:

Patricia Johnson, CEO
Life Extension Clinics, Inc.
1011 N. MacDill Avenue
Tampa, Florida 33607

12. Information and Documents. All information, data, reports, as are existing, if any, and necessary for carrying out the work as outlined in Exhibit "A" hereof, shall be furnished to Contractor without charge by City, and City shall cooperate in the carrying out of the work without undue delay.

13. Termination. This Agreement may be terminated without cause by either party upon thirty (30) days written notice to the other party.

14. Force Majeure. Contractor shall not be held responsible for losses, delays, failure to perform or excess costs caused by events beyond the control of the Contractor. Such events may include but are not restricted to the following: Acts of God; fire, epidemics, earthquake, flood, or other natural

disaster; acts of the government; riots, strikes, war disorder, unavailability of fuel. flood or other natural disaster; acts of the government; riots, strikes, war or civil disorder, unavailability of fuel.

15. Insurance. Throughout the term of this Agreement, Contractor shall procure and maintain liability insurance in the type and amounts set forth in Exhibit "B" attached hereto. Such insurance shall specify that it is issued on an "occurrence" basis. Contractor shall name City as additional insured on said policies and shall provide evidence of such insurance. Such policies shall provide that they may not be canceled without at least thirty (30) days' notice to City.

16. Indemnity. The Contractor shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. The parties agree that one percent (1%) of the total compensation paid to Contractor for the work of the contract shall constitute specific consideration to Contractor for the indemnification to be provided under the contract.

17. Assignment. Contractor shall not assign all or any portion of this Agreement without the prior written consent of the City, and it is agreed that said consent must be sought in writing by Contractor not less than fifteen (15) days prior to the date of any proposed assignment.

18. Performance Under Law. The Contractor, in the performance of duties under the Agreement, agrees to comply with all applicable local, state and/or federal laws and ordinances including, but not limited to, standards of licensing, conduct of business and those relating to criminal activity.

19. Audit and Inspection Records. The Contractor shall permit the authorized representatives of the City to inspect and audit all data and records of the Contractor, if any, relating to performance under the contract until the expiration of three years after final payment under this contract.

The Contractor further agrees to include in all his subcontracts hereunder a provision to the effect that the subcontractor agrees that City or any of their duly authorized representatives shall, until the expiration of three years after final payment under the subcontractor, have access to and the right to examine any directly pertinent books, documents, papers and records of such subcontractor, involving transactions related to the subcontractor.

20. Adherence to Law. Both parties shall adhere to all applicable laws governing their relationship with their employees including, but not limited to, laws, rules, regulations, and policies concerning worker's compensation, unemployment compensation and minimum wage requirements.

21. Independent Contractor. The Contractor shall be deemed an independent Contractor for all purposes, and the employees of the Contractor or any of its contractors, subcontractors, and the employees thereof, shall not in any manner be deemed to be employees of the City. As such, the employees of the Contractor, its Contractors, or subcontractors, shall not be subject to any withholding for tax, social security, or other purposes by City, nor shall such Contractor, subcontractor or employee be entitled to sick leave, pension benefits, vacation, medical benefits, life insurance, workers or unemployment compensation or the like from City.

22. Mutual Cooperation. The Contractor recognizes that the performance of this contract is essential to the provision of vital public services and the accomplishment of the stated goals and mission of City. Therefore, the Contractor shall be responsible for maintaining a cooperative and good-faith attitude in all relations with City and shall actively foster a public image of mutual benefit to both parties. The Contractor shall not make any statements or take any actions detrimental to this effort.

22. Public Records.

A. All records related to the voluntary exams are protected under HIPAA laws.
B. The City of Riviera Beach, FL is a public agency Public Records Law, as amended. Specifically, the Contractor shall:
   i. Keep and maintain public records required by the City in order to perform the service.
   ii. Upon request from the City's custodian of public records, provide the City with a copy of requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided., or as otherwise provided by law.
   iii. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Contractor does not transfer the records to the City.
   iv. Upon completion of the contract, transfer, at no cost to the City, all public records in possession of the Contractor, or keep and maintain public records required by the City to perform the service. If the Contractor transfers all public records to the City upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the City, upon request from the City's custodian of public records in a format that is compatible with the information technology systems of the City.
C. Failure of the Contractor to provide the above described public records to the City within a reasonable time may subject Contractor to penalties.
D. **IF THE CONTRACTOR OF RECORD HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE BROKER OF RECORD'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE CITY CLERK'S OFFICE, CITY OF RIVIERA BEACH, 600 WEST BLUE HERON BLVD., RIVIERA BEACH, FL. 33404, BY EMAIL AT CITYCLERK@RIVIERABEACH.ORG OR BY TELEPHONE 561-845-4090.**

23. Governing Law. This Agreement has been and shall be construed as having been made and delivered within the State of Florida, and it is agreed by each party hereto that this Agreement shall be governed by the laws of the State of Florida, both as to interpretation and performance. Any action

at law, or in equity, shall be instituted and maintained only in courts of competent jurisdiction in Palm Beach County, Florida.

24. Waiver. Any waiver of any breach of the covenants herein contained to be performed by Contractor shall not be deemed or considered as a continuing waiver and shall not operate to bar or prevent the City from declaring a forfeiture for any succeeding breach either of the same condition or covenant or otherwise.

26. Entire Agreement. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

27. Headings. The headings or titles to sections of this Agreement are not part of the Agreement and shall have no effect upon the construction or interpretation of any part of this Agreement.

28. Severability. Should any provision of this Agreement or the applications of such provisions be rendered or declared invalid by a court action or by reason of any existing or subsequently enacted legislation, the remaining parts of provisions of this Agreement shall remain in full force and effect.

The City hereby promises and agrees with the Contractor to employ and does employ the Contractor to provide the materials, if any, and to do and cause to do and be done the above- described work and to complete and finish the same according to the attached plans and specifications and the terms and conditions herein contained and hereby contracts to pay for the same according to the attached specifications and the schedule of unit or itemized prices hereto attached, at the time and in the manner and upon the conditions provided for in this contract.

The Contractor for himself and for his heirs, executors, administrators, successors, and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of the Contractor.

It is further provided that no liability shall be attached to the City by reason of entering this contract, except as expressly provided herein.

THIS SECTION INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year hereinabove written.

CITY OF RIVIERA BEACH

By: _____
Signature

Jonathan Evans
Print Name

City Manager
Title

_____
Date

LIFE EXTENSIONCLINICS, INC.
d/b/a LIFESCAN WELLNESS CENTER

By: _____
Signature

Patricia Johnson
Print Name

CEO
Title

12/18/2023
Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____

Dawn S. Wynn
City Attorney

Date: 11/28/2023

APPROVED AS TO TERMS AND CONDITIONS

By: _____

John Curd, Chief
Fire Department

Procurement Initials: _____

EXHIBIT A

Scope of Services

1. Introduction

The City Fire Rescue personnel performs an important and dangerous job. The nature of the work and associated stress that our personnel face, place them at a much higher risk for cardiovascular disease and cancer. The 2011 National Fire Protection Association (NFPA) annual report found that 54% of firefighter deaths were caused by overexertion/stress and that 49% of those deaths were due to sudden cardiac events. The report clearly indicates that sudden cardiac events are the leading cause of death for firefighters. Additionally, cancer is on the rise in firefighters and many of them are being diagnosed with cancer earlier in their careers. Furthermore, there is a high rate of injuries in the fire service. Firefighters are twice as likely to get injured on the job as compared to civilians. The fire service has the ability to improve these statistics by implementing regular physical examinations and conditioning programs. Research has shown that medical intervention and exercise programs have a positive impact on firefighter health.

The fire service improved the quality of firefighting equipment and safety practices, but still needs to improve on firefighter health and fitness. A comprehensive medical examination can have a tremendous impact on reducing firefighter line of duty deaths by identifying and treating the higher risk individuals and detecting cancer early with blood work and ultrasounds. A medical evaluation can provide a baseline for every firefighter and allows for detection of any change in the firefighter's health during his/her career. In addition, a fitness assessment and functional movement screening can help to identify fitness limitations and dangerous movement patterns. By identifying these areas, an appropriate exercise prescription can be applied, and realistic goals can be set and achieved.

2. Objective

The City Fire Rescue is seeking a provider for an on-site voluntary physical exam program to the City's firefighters. The physical exam shall be carried out using a Life-Scan methodology. **Service and Deliverables**

Contractor shall provide the City's firefighters a physical exam
. Additionally the City and the Contractor shall agree on a schedule for the exams, including date, time and location.

The following services shall be included with each voluntary physical exam:

i. Annual Physical Exam (NFPA 1582 Compliant)

1. Comprehensive Physical Exam
2. Vision (Titmus)

3. Audiometry (hearing) exam
4. Skin cancer assessment
5. Personal Consultation with review of testing results

ii. Blood and Laboratory Tests

1. Urinalysis
2. Hemoccult Test
3. Lipid Panel
4. Diabetes Tests (Hemoglobin A1C and Glucose)
5. Complete Blood Count
6. Comprehensive Metabolic Panel
7. Thyroid (TSH)
8. PSA (men)

iii. Ultrasound Imaging Tests

1. Echocardiogram Heart Ultrasound
2. Carotid Arteries Ultrasound
3. Aortic Aneurysm Ultrasound
4. Thyroid Ultrasound
5. Liver, Pancreas, Gall Bladder, Spleen, & Kidneys Ultrasounds
6. Bladder Ultrasound
7. Pelvic Ultrasound for Women (Ovaries and Uterus)
8. Testicular Ultrasound for Men
9. Prostate Ultrasound for Men

iv. Cardiopulmonary Assessments

1. Pulmonary Function Test (Spirometry)
2. Resting EKG
3. Bruce Protocol Treadmill Stress Test with EKG

v. Fitness Evaluations (NFPA 1582 and Wellness Fitness Initiative Compliant)

1. Body Fat and Body Composition Analysis
2. Muscular Endurance Evaluation
3. Muscular Strength Evaluation
4. Aerobic Endurance Evaluation (V02 max calculation)
5. Flexibility Evaluation
6. Nutrition and Diet Recommendations

7. Exercise Prescription

EXHIBIT "B"

CONTRACTOR shall not commence services under the terms of this Agreement until certification or proof of insurance detailing terms and provisions has been received and approved in writing by the CITY's Risk Manager who can be reached by phone at should you have any questions regarding the terms and conditions set forth in the Article.

CONTRACTOR is responsible to deliver to the CITY for timely review and written approval/disapproval Certificates of Insurance which evidence that all insurance required hereunder is in full force and effect and which name on a primary basis, the CITY as an additional insured on all such coverage.

Throughout the term of this Agreement, CITY, by and through its Risk Manager, reserve the right to review, modify, reject, or accept any insurance policies required by this Agreement, including limits, coverages or endorsements. CITY reserves the right, but not the obligation, to review and reject any insurer providing coverage because of poor financial conditions or failure to operate legally.

Failure to maintain the required insurance shall be considered an event of default. The requirements herein, as well as CITY' s review or acceptance of insurance maintained by CONTRACTOR, are not intended to and shall not in any way limit or qualify the liabilities and obligations assumed by CONTRACTOR under this Agreement.

Throughout the term of this Agreement, CONTRACTOR and all subcontractors or other agents hereunder, shall, at their sole expense, maintain in full force and effect, the following insurance coverages and limits described herein, including endorsements.

A. Worker's Compensation Insurance covering all employees and providing benefits as required by Florida Statute, Chapter 440, regardless of the size of the company (number of employees) or the state in which the work is to be performed or of the state in which Contractor is obligated to pay compensation to employees engaged in the performance of the work. Contractor further agrees to be responsible for employment, control and conduct of its employees and for any injury sustained by such employees in the course of their employment.

B. Liability Insurance.

(1) Naming the City of Riviera Beach as an additional insured as City's interests may appear, on General Liability Insurance only, relative to claims which arise from Contractor's negligent acts or omissions in connection with Contractor's performance under this Agreement.

(2) Such Liability insurance shall include the following checked types of insurance and indicated minimum policy limits.

Type of Insurance	Limits of Liability
GENERAL LIABILITY:	
* Policy to be written on a claim incurred basis	Minimum $1,000,000 Per Occurrence and $2,000,000 Per Aggregate
XX comprehensive form	bodily injury and property damage
XX premises – operations explosion & collapse hazard.	bodily injury and property damage
underground hazard	
products/completed operations hazard.	
XX contractual insurance	bodily injury and property damage combined.
XX broad form property damage	bodily injury and property damage combined
XX independent contractors	bodily injury and property damage combined
XX personal injury	personal injury
sexual abuse/molestation	Minimum $1,000,000 Per Occurrence and Aggregate
AUTOMOBILE LIABILITY:	
XX comprehensive form hired. non-owned	Minimum $1,000,000 Per Occurrence and $1,000,000 Per Aggregate. Bodily injury (each person) bodily injury (each accident), property damage, bodily injury and property damage combined.
REAL & PERSONAL PROPERTY	
comprehensive form	Agent must show proof they have this coverage.
EXCESS LIABILITY	
other than umbrella	Bodily injury and combined $1,000,000 Per Occurrence and $1,000,000 Per Aggregate
PROFESSIONAL LIABILITY.	
* Policy to be written on a claim made basis	$1,000,000 Per Occurrence and $1,000,000 Per Aggregate

(3) If Professional Liability insurance is required, Contractor agrees the indemnification and hold harmless provisions of the Agreement shall survive the termination or expiration of the Agreement for a period of three (3) years unless terminated sooner by the applicable statute of limitations.

C. Employer's Liability. CONTRACTOR and all subcontractors shall, for the benefit of their employees, provide, carry, maintain and pay for Employer's Liability Insurance in the minimum amount of One Hundred Thousand Dollars ($100,000.00) per employee, Five Hundred Thousand Dollars ($500,000) per aggregate.

D. Policies: Whenever, under the provisions of this Agreement, insurance is required of the CONTRACTOR, the CONTRACTOR shall promptly provide the following:

(1) Certificates of Insurance evidencing the required coverage;

(2) Names and addresses of companies providing coverage;

(3) Effective and expiration dates of policies; and

(4) A provision in all policies affording CITY thirty (30) days written notice by a carrier of any cancellation or material change in any policy.

E. Insurance Cancellation or Modification. Should any of the required insurance policies be canceled before the expiration date, or modified or substantially modified, the issuing company shall provide thirty (30) days written notice to the CITY.

F. Waiver of Subrogation. CONTRACTOR hereby waives any and all right of subrogation against the CITY, its officers, employees and agents for each required policy. When required by the insurer, or should a policy condition not permit an insured to enter into a pre-loss agreement to waive subrogation without an endorsement, then CONTRACTOR shall notify the insurer and request the policy be endorsed with a Waiver of Transfer of Rights of Recovery Against Others, or its equivalent. This Waiver of Subrogation requirement shall not apply to any policy which includes a condition to the policy not specifically prohibiting such an endorsement, or voids coverage should CONTRACTOR enter into such an agreement on a pre-loss basis.

LIFE SCAN CENTERS 2024-2026 QUOTE: Department: Riviera Beach Fire Department City: Riveria Beach State: FL Contact: Division Chief Timothy Alvin Date: September 11,2023 Number of Physicals; 77	**2024**	**2025**	**2026**
Public Safety Annual Physical			
Medical & Occupational/Environmental Questionnaire	Included	Included	Included
Comprehensive Hands-On Physical Exam	Included	Included	Included
Vital Signs: Height, Weight, Blood Pressure, Pulse	Included	Included	Included
Sleep Disorder Evaluation, Epworth Sleep Scale	Included	Included	Included
Back Health Evaluation	Included	Included	Included
Urinalysis	Included	Included	Included
Audiogram	Included	Included	Included
Titmus Occupational Vision with Peripheral, Depth Perception, and Color	Included	Included	Included
Breast Exam with Self-Exam education	Included	Included	Included
Personal Consultation with review of testing results	Included	Included	Included
Laboratory Tests:			
Comprehensive Metabolic Panel, Blood Chemistry	Included	Included	Included
Complete Blood Count, Hematology Panel	Included	Included	Included
Hemoccult Stool Test for Colon Cancer Screening	Included	Included	Included
Total Lipid Panel	Included	Included	Included
Thyroid Test TSH	Included	Included	Included
Glucose	Included	Included	Included
Hemoglobin A1C	Included	Included	Included
PSA (Prostate cancer marker, Men)	Included	Included	Included
Testosterone (Men)	Included	Included	Included
Ultrasound Screenings (Early Detection of Heart Disease and Cancer):			
Echocardiogram (Heart Ultrasound)	Included	Included	Included
Carotid Arteries Ultrasound	Included	Included	Included
Aorta and Aortic Valve Ultrasounds	Included	Included	Included
Liver Ultrasound	Included	Included	Included
Gall Bladder Ultrasound	Included	Included	Included
Kidneys Ultrasound	Included	Included	Included
Spleen Ultrasound	Included	Included	Included
Bladder Ultrasound	Included	Included	Included
Thyroid Ultrasound	Included	Included	Included
Prostate Ultrasound	Included	Included	Included
Men: Testicular Ultrasound	Included	Included	Included
Women: Ovaries and Uterus Ultrasounds	Included	Included	Included
Cardiopulmonary Testing			

Cardiac Stress Test (Treadmill with 12 lead, sub-maximal, Bruce Protocol)	Included	Included	Included
EKG, 12 Lead	Included	Included	Included
Spirometry, PFT Lung Capacity	Included	Included	Included
OSHA Respirator Medical Clearance	Included	Included	Included
Fitness Evaluations per NFPA 1583~IAFF/IAFC Wellness Fitness Initiative:			
Fitness tests for muscular strength & endurance	Included	Included	Included
Sit and Reach, Planking, Grip Strength,	Included	Included	Included
Sit Up Test, Wall Sit, Flexibility	Included	Included	Included
VO2 Max Calc for Aerobic Capacity	Included	Included	Included
Body Weight and Composition	Included	Included	Included
Personal Fitness Rx	Included	Included	Included
Personal Wellness Plan with recommendations	Included	Included	Included
Life Scan Wellness Center Public Safety Exam Basic Cost EACH	$498.00	$517.00	$537.00
Life Scan NFPA Proprietary EMR System: Proprietary EMR and Data Storage, Enhanced Data Dashboards, Administrative Management, Patient and Client Portals	$25.00	$26.00	$27.00
2024-2026 Total Life Scan Wellness Center Cost per physical	$523.00	$543.00	$564.00
	1 39,748 (76)	1 46,698 (86)	1 48,504 (86)
OTHER Tests Available:			
Chest X-Ray, 2 view with radiologist review			
Lumbar X-Ray, 2 view with radiologist review			
Hazmat Cholinestrese			
Hazmat Heavy Metals			
Hepatitis A Screening Test			
Hepatitis A Titer			
Hepatitis B Screening Test			
Hepatitis B Titer			
Hepatitis C Screening Test			
HIV Test, Gen 4			
PPD TB Skin Test	$37.00	$38.00	$40.00
QuantiFeron TB Blood Test	$94.00	$98.00	$101.00
Tdap (Tetanus, Diphtheria, Pertussis) Titer	$39.00	$ 40.00	$42.00
MMR Booster	$104.00	$101.00	$105.00
MMR Titer	$104.00	$101.00	$101.00

Varicella Titer	$ 70.00	$72.00	$74.00
Polio Booster	$37.00	$38.00	$40.00
Polio Titer	$71.00	$74.00	$76.00
OSHA Respirator Mask Fit Testing (Portacount)	$ 57.00	$59.00	$61.00
Drug Screen, I CUP	$57.00	$59.00	$61.00
Drug Rescreen with confirmation	$65.00	$69.00	$71.00
Medical Review Officer (MRO) as indicated/secondary review	$142.00	$148.00	$153.00
Phlebotomist (Blood Draw) Fee	$26.00	$27.00	$28.00

Minimum 45 appointments: Pricing subject to annual increase. Pricing is based on 9 patients per day, 45 per week. All scheduled appointments will be billed.

- Alternative Blood draws
  1. Have your personnel (EMT, Paramedics) do blood draws-we supply all supplies) NO CHARGE
  2. Go to Local LabCorp have blood drawn-NO CHARGE
  3. Have On-site blood draws- $24.00 each blood draw

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 12/20/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Sihle Insurance Group Inc.
1021 Douglas Ave.
Altamonte Springs FL 32714

CONTACT NAME: Certificate Department
PHONE (A/C, No, Ext): 407-869-5490 **FAX (A/C, No):** 407-389-3580
E-MAIL ADDRESS: Certificates@sihle.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Hartford Underwriters Insurance Company	30104
INSURER B : Obsidian Specialty Insurance Company	16871
INSURER C : MSIG Specialty Insurance USA Inc	34886
INSURER D :	
INSURER E :	
INSURER F :	

INSURED LIFEEXT-01
Life Extension Clinics Inc.
dba Life Scan Wellness Centers
1011 N MacDill Avenue
Tampa FL 33607

COVERAGES **CERTIFICATE NUMBER:** 2084910742 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY	Y	Y	21SBMBA9FTH	11/10/2023	11/10/2024	EACH OCCURRENCE	$ 1,000,000
	[ ] CLAIMS-MADE [X] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	[ ] POLICY [X] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
C	AUTOMOBILE LIABILITY	Y	N	HNO 1000294-00	3/2/2023	3/2/2024	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	[ ] ANY AUTO						BODILY INJURY (Per person)	$
	[ ] OWNED AUTOS ONLY [X] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	[X] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	[ ] UMBRELLA LIAB [X] OCCUR			21SBMBA9FTH	11/10/2023	11/10/2024	EACH OCCURRENCE	$ 1,000,000
	[X] EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$ 1,000,000
	[ ] DED [ ] RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N	N/A					[ ] PER STATUTE [ ] OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] (Mandatory in NH)						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
B	Cyber Liability			PLM-CB-S2YANEQNE	6/26/2023	6/26/2024	Each Occurrence	$2,000,000
A	EPLI			21SBMBA9FTH	11/10/2023	11/10/2024	Aggregate Limit	$25,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

City of Riviera Beach Fire Rescue
1920 W. Blue Heron Blvd.
Riviera Beach FL 33404

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 12/20/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Cinda Groves
O. E. Wilson Insurance, Inc. PO Box 1429 Largo, FL 33779	PHONE (A/C, No, Ext): (727) 535-0524 FAX (A/C, No): (727) 536-9828 E-MAIL ADDRESS: cinda@oewilson.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Admiral Insurance Company	24856
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Life Extension Clinics,Inc. dba Life Scan Wellness Centers
LS Wellness, PLLC
1011 N. MacDill Ave.
Tampa, FL 33607

COVERAGES **CERTIFICATE NUMBER: LIFEEXT2022** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ☐ NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	☐ UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	$
	☐ DED ☐ RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						☐ PER STATUTE ☐ OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ N/A (Mandatory in NH)						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Medical Professional Liability Retroactive Date: 5/31/2001			EO000037691-07	05/31/2023	05/31/2024	2,000,000 2,000,000	Aggregate Each Claim

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Medical Professional Liability Additional Coverages:
Sexual Abuse $1,000,000 Each Claim/$1,000,000 Aggregate
Network Security & Data Privacy Liability $1,000,000 Each Claim/$1,000,000 Aggregate

CERTIFICATE HOLDER

City of Riviera Beach Fire Rescue
1920 W Blue Heron Blvd

Riviera Beach, FL 33404

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE <SMK>

© 1988-2014 ACORD CORPORATION. All rights reserved.

Resolution Number 10-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, awarding the Firefighter Medical Physicals Contract to Life Extension Clinics, Inc. d/b/a Life Scan Wellness Centers of Tampa, Florida; authorizing the Mayor and City Clerk to Execute a three-year agreement with Life Wellness Centers for same; further authorizing the Finance Director to make payment for same from Account Number 10121102-531000 in an amount not to exceed $150,000.00; and providing for an effective date.

Whereas, the City is required under Article 11 of the Agreement with local 2928, Professional Firefighters/Paramedics of Palm Beach County, IAFF, Inc. to provide firefighter employee physicals annually; and

Whereas, the Purchasing Department authorized a piggy-back using the results of an RFP performed by the City of Clearwater, Florida for the rendering of medical physicals to firefighters; and

Whereas, Life Extension Clinics, Inc., d/b/a Life Scan Wellness Centers of Tampa, Florida was selected as the top-ranked medical provider to perform Fire Rescue employee medical physicals.

Now, Therefore, be it resolved by the City Council of the City of Riviera Beach, Palm Beach County, Florida, as follows:

Section 1. An Agreement for firefighter employee medical physicals is awarded to Life Extension Clinics, Inc., d/b/a Life Scan Wellness Centers of Tampa, Florida in the amount not to exceed $150,000.00.

Section 2. The Mayor and City Clerk are hereby authorized to execute the Agreement on behalf of the City.

Section 3. The Finance Director is authorized to make payment for the firefighter's medical physical services from Account Number 10121102-531000 in an amount not to exceed $150,000.00

Section 4. The resolution shall take effect upon passing and approval by the City Council.

Passed and Approved this ___ day of _____, 2024.

[The Remainder of This Page Is Intentionally Left, Blank]

Approved:

_____
Ronnie L. Felder
Mayor

Attest:

_____
Debrah Hall-McCullon,
Certified Municipal Clerk
Acting City Clerk

Motioned By: _____

Seconded By: _____

T. McCoy: ____

K. Miller-Anderson: ____

S. Lanier: ____

J. Botel: ____

D. Lawson: ____

Reviewed As To Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Councilmembers

From: Debrah Hall-McCullon, Acting City Clerk

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 15-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving the agreement with the Palm Beach County Supervisor of Elections Office (PBCSOE) to provide 2024 municipal election related services; authorizing the Mayor and City Clerk to execute said agreement; and providing an effective date.**

Date: January 17, 2024

CC:

Background:

The Office of the City Clerk, prior to the municipal election, seeks authorization, approval of, and authorization for Mayor and City Clerk to execute the 2024 Municipal Election Vote Processing Equipment Use and Elections Services Agreement. Approval of, and authorization to execute this document is necessary for the facilitation of the 2024 Municipal Election(s) with the assistance of the Palm Beach County Supervisor of Elections Office.

City Goals:

The city wide goal is to conduct an election in accordance with Florida Election Laws and Administrative Code, the City's Charter, and Chapter 5 of the City's Code of Ordinances.

Fiscal/Budget Impact:

Funding for the associated expenditures in conducting the 2024 Municipal Election(s) was approved and placed in the 2024 election budget (10114102) for the Office of the City Clerk upon adoption of the current fiscal year budget.

Recommendation:

Staff recommends approval of Resolution15-24 for the agreement with the Palm Beach County Supervisor of Elections Office.

Attachments:

1. PBCSOE Vote Processing Equipment Use and Elections Services Agreement.pdf
2. Resolution 15-24 - Vote Processing Equipment Use and Elections Services Agreement.pdf

2024 MUNICIPAL ELECTION(S)
VOTE PROCESSING EQUIPMENT USE
AND ELECTIONS SERVICES AGREEMENT

This Vote Processing Equipment Use and Elections Services Agreement (hereinafter referred to as the "Agreement") is hereby entered into by and between the **Palm Beach County Supervisor of Elections Office** (hereinafter referred to as "SOE") and Riviera Beach, **Florida** (hereinafter referred to as "MUNICIPALITY").

WITNESSETH:

WHEREAS, pursuant to Section 101.34, Florida Statutes, SOE is the legal custodian of certified vote processing equipment owned by Palm Beach County, Florida, and is hereby charged with the responsibility for custody and maintenance of said equipment; and,

WHEREAS, MUNICIPALITY desires, or is otherwise statutorily obligated, to conduct an election that requires the use of vote processing equipment to count ballots; and,

WHEREAS, all vote processing equipment requires specially trained and knowledgeable individuals to program, operate and maintain said equipment; and,

WHEREAS, the Palm Beach County Board of County Commissioners has authorized SOE to provide any necessary terms and conditions for the use of such voting equipment; and,

WHEREAS, SOE can provide the necessary personnel to program, operate and maintain said equipment; and,

WHEREAS, MUNICIPALITY hereby acknowledges full responsibility for all applicable requirements under the Florida Election Code and any provision of MUNICIPALITY'S Charter or municipal ordinances which may not be addressed or included in this Agreement.

NOW THEREFORE, in consideration of the premises and of the mutual promises, terms and conditions stated herein, SOE and MUNICIPALITY agree as follows:

ARTICLE 1 – RECITALS

The above recitals are true and correct and incorporated herein.

ARTICLE 2 – AGREEMENT

SOE shall provide MUNICIPALITY such necessary vote processing equipment and election services according to the terms and conditions stated in this Agreement, for the purposes of conducting a Uniform Municipal Election during calendar year 2024, and a Run-Off Election, if necessary, along with the necessary vote processing equipment and election services to facilitate any early voting sites, polling locations and polling places as may be necessary and agreed upon by the parties.

ARTICLE 3 – OPERATION AND PROGRAMMING SERVICES

3.1 Municipal Services. For each election, MUNICIPALITY shall pay SOE for election operations (Exhibit "A").

3.2 Vote-By-Mail Ballots. For each election, MUNICIPALITY shall pay SOE for each Vote-By-Mail ballot request processed plus actual postage costs, including Return Postage. MUNICIPALITY shall also pay SOE for each Vote-By-Mail ballot signature verified (Exhibit "A").

3.3 Repairs. For any election, all maintenance, repairs or other troubleshooting services for vote processing equipment, including any processors or tablets, will be performed exclusively by SOE and such services are included in all stated charges. However, SOE does reserve the right to seek reimbursement from MUNICIPALITY for any repairs or maintenance caused by any neglect or unauthorized acts by any employee or representative of MUNICIPALITY.

ARTICLE 4 – OTHER ELECTION CHARGES

4.1 Precinct Services. For each election, MUNICIPALITY shall pay SOE for precinct preparation and poll worker training in accordance with Exhibit "A".

4.2 Fee Schedule. For each election, MUNICIPALITY shall pay SOE for any other goods or services not specifically provided for in this Agreement but that may be described or listed in the Municipal Fee Schedule(s) attached hereto as Exhibits "A" and "B". Where MUNICIPALITY holds elections in conjunction with the Presidential Preference Primary, the Fee Schedule in Exhibit "A" controls. In all other situations, Run-Off Election and Stand-Alone Election Fee Schedules set forth in Exhibit "B" control. MUNICIPALITY agrees that the Municipal Fee Schedule and the prices contained in Exhibits "A" and "B" are subject to change.

4.3 Other. For each election and upon proper notice to MUNICIPALITY, MUNICIPALITY shall pay SOE for any other election services not contemplated herein which may be needed to conduct an orderly election.

ARTICLE 5 – TERM

For each election, the terms of this Agreement begin with ballot layout and conclude when ballots have been processed, election results have been certified, all vote processing equipment has been returned to the SOE's warehouse and an audit, if applicable, has been completed. In the event of an election contest or challenge, SOE agrees to cooperate in providing any public records which the SOE maintains or otherwise controls.

ARTICLE 6 – APPLICABLE REQUIREMENTS OF FLORIDA'S ELECTION CODE

MUNICIPALITY shall properly call the election in accordance with any Florida Statutes, applicable charter provisions or city ordinances. MUNICIPALITY agrees that the Municipal Clerk is responsible for the conduct of the city's elections and for ensuring compliance with all applicable Florida Statutes, including the Florida Election Code and any municipal charter provisions and ordinances. Any obligations or duties not set forth in this Agreement shall be the sole responsibility of MUNICIPALITY.

ARTICLE 7 – NOTICE AND ADVERTISEMENT OF ELECTIONS

7.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Elections. SOE shall prepare and arrange for publication of all legal advertising required by state and federal statutes in both English and Spanish and SOE shall be responsible for obtaining the accurate and complete translation of any such advertising. If additional advertisements are required by the MUNICIPALITY'S charter, ordinance(s) or resolution(s), MUNICIPALITY shall be responsible for preparing and arranging for publication of all such legal advertising which is not already satisfied under state and federal statutes. MUNICIPALITY shall be responsible for the accurate and complete translation of any such advertisements.

7.2 Run-Off Election/Stand-Alone Municipal Election. In the event of a run-off election and for all stand-alone municipal elections, MUNICIPALITY shall prepare and arrange for publication of all legal advertising required by state and federal statutes, city charter and city ordinances. MUNICIPALITY agrees that all advertisements of elections conducted in Palm Beach County shall be published in both English and Spanish and that MUNICIPALITY shall be responsible for the accurate and complete translation of any such notices. SOE shall, if available, provide samples of required advertising upon request.

ARTICLE 8 – QUALIFYING OF CANDIDATES

MUNICIPALITY may provide qualifying packets to candidates. MUNICIPALITY shall accept and process all qualifying papers and fees. For audio ballots, MUNICIPALITY shall collect pronunciation guides from candidates at the time of qualifying and shall submit them to SOE at the close of qualifying.

If petitions are part of qualifying process, MUNICIPALITY shall pay SOE Ten Cents ($.10) per name, or such other amount as determined per Florida Statutes or the Florida Administrative Code, checked to verify any signatures on qualifying petitions. SOE agrees to verify any signatures for any qualifying petitions timely submitted by MUNICIPALITY in the order such petitions are received. Except as set forth in the following paragraph, SOE shall complete signature verification of petitions within 30 days of receipt of the petitions from MUNICIPALITY.

When MUNICIPALITY provides SOE with candidate petitions before the signature verification cutoff deadline (before noon of the 28th day preceding the first day of qualifying), SOE will verify the signed petitions no later than the 7th day before the first day of qualifying. (*See* Section 99.095(3), Florida Statutes.) If the candidate reaches the required number of signatures, SOE will continue to verify timely submitted signed petitions until the candidate indicates in writing to stop verification.

In no event shall SOE issue any recommendations or make any legal determinations as to the qualifications of eligibility of any candidate for municipal office.

ARTICLE 9 – PRINTING OF BALLOTS AND BALLOT SERVICES

9.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE shall place an order for sufficient quantity of Election Day ballots with a third-party printer as selected exclusively by SOE. MUNICIPALITY shall reimburse SOE for payment to printer if the MUNICIPALITY's races cause the ballot to add an additional page, in which case

MUNICIPALITY shall be responsible for the costs of the additional page. MUNICIPALITY shall pay SOE a per-ballot fee for each Vote-By-Mail ballot printed that is not otherwise being printed by SOE for the Presidential Preference Primary, including any additional pages required for MUNICIPLITY'S races or questions.

MUNICIPALITY shall furnish, immediately upon the conclusion of the qualifying period, all ballot information in English. SOE agrees to provide, at MUNICIPALITY's cost and expense, translation of MUNICIPALITY's ballot language from English to Spanish, including the name of the candidates as they are to appear on the ballot, the name of the Municipality, the name of the election, the title of office or referendum title, explanation, and questions, in accordance with Section 203 of the Voting Rights Act, as well as Creole translations for the ExpressVote machine.

SOE agrees to provide the layout of the ballot(s) based on the information furnished by MUNICIPALITY and deliver ballot layout to the approved printer. Both SOE and MUNICIPALITY must sign off on ballot proof(s).

Once test ballots are received from the printer, SOE will test all vote processing equipment in accordance with the standards established by the Florida Division of Elections and any applicable Florida Statutes. Upon receipt of the printed ballots from the printer, SOE shall receive, securely store and account for all ballots until disbursed to poll workers. SOE shall also control and limit all access to un-voted ballots while in possession of SOE.

9.2 Run-Off Election/Stand-Alone Municipal Election.

In the event of a run-off election and for all stand-alone municipal elections, MUNICIPALITY will be responsible for providing all information stated in 9.1. MUNICIPALITY will again be responsible for the cost of providing any translations and must again approve ballot content and layout prior to printing.

MUNICIPALITY will also be responsible for reimbursing SOE for any and all costs incurred in accordance with the fee schedule shown in Exhibit "B".

ARTICLE 10 – POLL WORKERS

10.1 Selection and Training of Poll Workers. SOE will select poll workers from a group of trained poll workers. SOE will assign standby poll workers to be available on Election Day. SOE will train all poll workers in accordance with the Florida Election Code and other guidelines, procedures or regulations as followed or adopted for the conduct of elections in Palm Beach County. The clerk for MUNICIPALITY, or a representative, shall be in attendance for poll worker training sessions. Poll workers shall undergo job specific training and complete required number of training hours as specified by SOE poll worker department management. All necessary supplies and ballots will be provided by SOE and stored in precinct cabinets or transported in poll worker clerk bags.

10.2 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election. SOE shall pay poll workers directly for their services.

10.3 Run-Off Election/Stand-Alone Municipal Election. In the event of a run-off election and for all stand-alone municipal elections, MUNICIPALITY shall pay poll workers directly for their services in the same amounts/at the same hourly rates that SOE pays poll workers which, as of

the Effective Date hereof, is set forth in Exhibit "B". If SOE changes the rates of pay/hourly rates SOE is paying poll workers, MUNICIPALITY agrees to pay the current rates of pay/hourly rates being paid by SOE at that time.

ARTICLE 11 – SELECTION OF POLLING PLACES

SOE shall provide a list of Polling Place(s) intended for use as a voting location. Each location shall meet necessary Americans with Disabilities Act (ADA) requirements. In the event of a run-off election, MUNICIPALITY shall provide ADA compliant Polling Places.

ARTICLE 12 – SAMPLE BALLOTS

12.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE shall prepare, proof and deliver sample ballot layout to third-party vendor for distribution to registered voters. MUNICIPALITY shall review the sample ballot(s) and confirm the accuracy of the election date, office, candidate name(s)(including the order of appearance on the ballot), polling locations, polling places and all other information contained therein. SOE shall coordinate the mailing of the sample ballots to all registered voters in the municipality prior to the election, including accurate polling place information.

12.2 Run-Off Election/Stand-Alone Municipal Election.

In the event of a run-off election and for all stand-alone municipal elections, SOE ***shall not*** create or mail sample ballots. If MUNICIPALITY wishes to create a sample ballot, SOE will post it on SOE's website.

ARTICLE 13 – VOTE-BY-MAIL BALLOTS

MUNICIPALITY shall refer all requests for Vote-By-Mail ballots to SOE. Unless MUNICIPALITY or the Clerk for MUNICIPALITY provides written direction to the contrary, SOE agrees to accept all requests for Vote-By-Mail ballots by telephone, mail, email or in person. SOE also agrees to mail Vote-By-Mail and overseas ballots as requested by registered voters, receive and securely store any voted Vote-By-Mail ballots, verify the signatures on any returned voted Vote-By-Mail ballot certificates, facilitate voter signature cures, accommodate public inspection of Vote-By-Mail ballot mailing envelopes and voter certificates, and account for all Vote-By-Mail ballots.

SOE may begin processing Vote-By-Mail ballots prior to Election evening, pursuant to Florida Statute 101.68.

In the event of a run-off election and for all stand-alone municipal elections, if MUNICIPALITY doesn't use the County Canvassing Board, MUNICIPALITY shall schedule and coordinate the date on which the MUNICIPALITIY's Canvassing Board is to assemble to canvass the Vote-By-Mail ballots. If applicable, MUNICIPALITY shall coordinate for the use of SOE facilities to conduct the Canvassing Board activities. MUNICIPALITY shall notice and advertise in both English and Spanish, as needed, the dates of any Canvassing Board meetings. MUNICIPALITY shall convene the Canvassing Board to determine which voted Vote-By-Mail ballots are to be tabulated. MUNICIPALITY shall provide for collection of results from each precinct (See Exhibit "B"). MUNICIPALITY must also ensure they have a Canvassing Board member present

for opening, duplication, tabulation and all other activities requiring Canvassing Board presence by law.

ARTICLE 14 – TRANSPORTATION OF ELECTIONS EQUIPMENT AND SUPPLIES

14.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.

SOE will be responsible for delivery and pick up of any vote processing equipment. Election equipment will be delivered by SOE, or a third party representative of SOE on an agreed upon date, up to eight (8) days prior to the election. SOE, or a third party representative of SOE, will pick up voting equipment on an agreed upon date. SOE shall have full discretion and authority to hire and employ any outside third parties to assist with or perform delivery and pick up of voting equipment (Exhibit "A").

14.2 Run-Off Election/Stand-Alone Municipal Election.

In the event of a run-off election and for all stand-alone municipal elections, the SOE will maintain responsibility for transportation of equipment and supplies as stated in 14.1. MUNICIPALITY shall reimburse SOE for any and all costs incurred for equipment delivery and pickup in accordance with the fee schedule set forth in Exhibit "B".

14.3 MUNICIPALITY is not permitted to deliver any election equipment.

ARTICLE 15 – LOCATION AND STORAGE OF VOTING EQUIPMENT

All voting equipment shall be stored, maintained and located in a well-protected, secure, temperature-controlled, indoor room or facility. Once the voting equipment is delivered to a voting site, no equipment shall be relocated without the prior written approval of SOE.

ARTICLE 16 – CANVASSING OF ELECTION RESULTS

16.1 Uniform Municipal Election in Conjunction with Presidential Preference Primary Election.
SOE shall schedule and coordinate the date on which the Canvassing Board is to assemble to canvass the results of the election. SOE shall notice and advertise, as needed, the dates of any canvassing board meetings. SOE shall convene the Canvassing Board to determine which voted Vote-By-Mail ballots are to be tabulated. SOE shall provide for collection of results from each precinct.

16.2 Run-Off Election/Stand-Alone Municipal Election. In the event of a run-off election and for all stand-alone municipal elections, if MUNICIPALITY doesn't use the County Canvassing Board, MUNICIPALITY shall schedule and coordinate the date on which MUNICIPALITIY's Canvassing Board is to assemble to canvass the results of the election. If applicable, MUNICIPALITY shall coordinate for the use of SOE facilities to conduct the Canvassing Board activities. MUNICIPALITY shall notice and advertise in both English and Spanish, as needed, the dates of any Canvassing Board meetings. MUNICIPALITY shall convene the Canvassing Board to determine which voted Vote-By-Mail ballots are to be tabulated. MUNICIPALITY shall provide for collection of results from each precinct (See Exhibit "B"). MUNICIPALITY must also ensure they have a Canvassing Board member present for opening, duplication, tabulation and all other activities requiring Canvassing Board presence by law.

ARTICLE 17 – AUDITS

MUNICIPALITY agrees to pay SOE for any additional costs as may be necessary, including overtime expenses, for conducting the audit.

ARTICLE 18 – POST-ELECTION RECORDS RETENTION

SOE shall process affirmation forms and sort, inventory, and pack all election materials for pickup by SOE for retention and disposition. SOE shall store or cause to be stored all necessary election records and ballots until expiration of retention period as prescribed by applicable Florida Statutes and Rules.

ARTICLE 19 – VOTER HISTORY

MUNICIPALITY and SOE will make mutually acceptable arrangements for recording voter history. The date selected for undertaking this activity may occur subsequent to the conclusion of all election dates and outside of the terms of this Agreement but both parties agree to work toward recording voter history in a timely manner.

ARTICLE 20 – OTHER NECESSARY COSTS

Any additional costs or fees that may be incurred by SOE in compliance with the Florida Election Code and as a direct result of a municipal election, that are not specified in this Agreement, shall be paid for by MUNICIPALITY at rates and fees as established by SOE. Examples of such additional costs or reimbursements include, but are not limited to, the following:

A. Recounts. Any expenditure for conducting a recount, including any overtime expenses for reprogramming voting equipment, and other expenses as may be necessary to conduct a recount; and,

B. Attorneys' Fees and Costs. Actual attorneys' fees and costs incurred by SOE for research or representation on any election-related matter shall be invoiced by SOE for reimbursement by MUNICIPALITY.

ARTICLE 21 – HOLD HARMLESS COVENANT

To the extent permitted by law, MUNICIPALITY shall at all times hereafter indemnify, hold harmless and, at SOE's option, defend or pay for an attorney selected by SOE to defend SOE, its officers, agents and employees against any and all claims, damages, injuries, losses, liabilities and expenditures of any kind, including attorneys' fees, court costs and expenses, including but not limited to administrative challenges, civil suits or other legal challenges or appeals that may arise from the contest of election results or the validation of any candidate qualifications, arising out of or resulting from any or all acts of omission or commission of or by the MUNICIPALITY, its officers, agents or employees with respect to any election conducted pursuant to this Agreement. Except for negligent acts of SOE in performance of this agreement, MUNICIPALITY also agrees to indemnify SOE against any administrative challenges, civil suits or other legal challenges or appeals that may arise, including all attorneys' fees and costs, from the contest of election results or the validation of any candidate qualifications.

The foregoing indemnification shall not constitute a waiver of sovereign immunity beyond the waiver or limits set forth at Sec. 768.28, Florida Statutes. In no case shall such limits for SOE or MUNICIPALITY extend beyond $200,000 for any one person or beyond $300,000 for any

judgment which, when totaled with all other judgments, arises out of the same incident or occurrence. Furthermore, nothing herein shall be construed as consent by the MUNICIPALITY or the SOE, as a state agency or subdivision of the State of Florida, to be sued by third-parties in any matter arising out of any contract.

These provisions shall not be construed to constitute agreement by either party to indemnify the other for such others' negligent, willful or intentional acts or omissions.

ARTICLE 22 – ENTIRETY AND AMENDMENTS

The Agreement embodies this entire agreement between SOE and MUNICIPALITY and supersedes all prior agreements and understandings relating to the conduct of elections. No modification, amendment or alteration to this Agreement shall be effective of binding unless submitted in writing and executed by the duly authorized representatives of both SOE and MUNICIPALITY.

ARTICLE 23 – EFFECTIVE DATE

The effective date of this Agreement shall be the latest date of execution by duly authorized representatives of SOE and MUNICIPALITY as shown on the signature page hereto.

IN WITNESS WHEREOF, we, the undersigned, do hereby state that we have the authority to bind and obligate as promised herein, SOE and MUNICIPALITY for purposes of executing this agreement on the dates set forth below.

Signature	Signature
Wendy Sartory Link Name (Printed or Typed)	Ronnie Felder Name (Printed or Typed)
Palm Beach County Supervisor of Elections Title	Mayor Title
Date	Date
Witness Signature	Witness Signature
Witness Name (Printed or Typed)	Witness Name (Printed or Typed)

Reviewed as to Legal Sufficiency

Dawn Wynn, City Attorney

Date: _____

EXHIBIT "A"

Palm Beach County Supervisor of Elections

Schedule of Municipal Election Fees

Presidential Preference Primary and Municipal Elections

2024

Standard Operation and Programming	
Polling Place Operations	
Ballot Preparation and Printing	
Vote-By-Mail (VBM) Ballot Requests and Postage	
Post-Election Reporting and Audit	
Service Center Operations and Tabulation	
Total (small municipality ≤ 2k registered voters = $600)	**$750.00**
VBM Services Other Than Required for PPP	
VBM Ballot Services – Per Ballot Processed	$6.91/Ballot
VBM Return Mail Postage Costs – Actual Cost	**TBD**
Unanticipated Costs	**TBD**

EXHIBIT "B"

Palm Beach County Supervisor of Elections

Schedule of Municipal Run-Off/Stand-Alone Election Fees

Presidential Preference Primary and Municipal Elections

2024

General Municipal Run-Off/Stand-Alone Election Services	**Estimated Costs**
Vote-by-Mail Ballot Services	$7.11/Ballot
Run-Off/Stand-Alone Election Day Services	$7,195.66
Precinct Services (per precinct)	$596.24
Accounting/Billing	$141.36
Polling Location Inspection (if applicable)	$ 66.53
POLL WORKER PAY Early Voting hourly rate: Site Supervisor: $19/hour Assistant Site Supervisor: $17/hour Inspector: $15/hour Election Day lump sum*: Clerk: $390.00 Assistant Clerk: $250.00 VST: $305.00 Inspector: $230.00 Precinct Deputy: $200.00 Standby Poll Worker (deployed by SOE): Paid at rate for the position which they are trained *Rate of pay is a lump sum that includes training and election day. The Clerk and VST pay rate also includes Monday set-up. Any additional items requested by the municipality will be invoiced separately	TBD
On call support ($2500 range)	Invoiced by Vendor TBD
VBM Return Postage Fees	$ .60

*Itemized invoices will be provided in the event of a run-off election.

RESOLUTION NO. 15-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AGREEMENT WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS OFFICE TO PROVIDE FOR THE 2024 MUNICIPAL ELECTION RELATED SERVICES; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach 2024 Municipal Election will be held as provided in accordance with Article 2 of the City's Charter entitled "Government", Section 4 entitled "Date of election—Run-off elections" and Chapter 5 of the Code of Ordinances entitled "Elections" for the electorates to fill the vacant seats at such time; and

WHEREAS, the City Charter provides for Special Elections to be held in accordance with applicable laws; a separate agreement is required.

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

SECTION 1. The Mayor and City Clerk is hereby authorized to execute the Election Services Agreement with the Palm Beach County Supervisor of Elections Office January 17, 2024.

SECTION 2. The City Clerk is authorized to coordinate with Palm Beach County's Supervisor of Elections for use of the voting equipment and processing of absentee ballots and others as related to the election process for said Elections.

SECTION 3. The City Council hereby authorizes the Palm Beach County Supervisor of Elections to provide voting equipment to accommodate a successful election; and in conjunction with the manufacturers of the new voting equipment, train the Poll workers to facilitate the designated precincts within the municipal boundaries. If Run-off Election becomes necessary, the City Clerk is hereby authorized to proceed as scheduled.

SECTION 4. Immediately after closing of the polls on the day of said Election(s), the clerks of each precinct shall return all official results and election information to the drop-off locations designated by the Palm Beach County Supervisor of Elections Office. If there is a Run-off Election, thereof to the City Clerk at the Municipal Complex. The City Clerk of the City of Riviera Beach shall deliver to the Palm Beach County Supervisor of Elections returns for official results.

SECTION 5. The City Clerk is hereby authorized to accept the Palm Beach County Supervisor of Elections Office certified results of said Municipal Election(s); unless there is no scheduled City Council Meeting, the meeting shall be scheduled prior to next Regular City Council Meeting.

This resolution shall take effect immediately upon its approval.

PASSED AND APPROVED this 17th day of January, 2024.

REMAINDER OF THE PAGE LEFT BLANK INTENTIONALLY

APPROVED:

_____
RONNIE L. FELDER

MAYOR

ATTEST:

_____
DEBRAH HALL-MCCULLON, CMC
CERTIFIED MUNICIPAL CLERK
ACTING CITY CLERK

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY _____

K. MILLLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____

REVIEWED AS TO LEGAL SUFFICIENCY

DAWN WYNN
CITY ATTORNEY

DATE: _____

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Valerie Grimsley, Parks and Recreation Interim Director

Through: Jonathan E. Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Amateur Athletic Events 2024**

Date: January 17, 2024

CC: General Public

Background:

Temporary road closures for several amateur athletic events; and providing for an effective date.

City Goals:
This request addresses the goal of prosperous, resilient and sustainable economy.

Fiscal/Budget Impact:
There is no impact on the Parks and Recreation budget.

Recommendation:
Staff recommends a Motion to approve to Resolution Number 16-24

Attachments:
1. road closure memo.pdf
2. amatuer athletic events 2024 resolution.pdf

"The Best Waterfront City in Which to Live, Work And Play."

CITY OF RIVIERA BEACH – MEMORANDUM

TO: Honorable Mayor, Chairperson and City Council

FROM: Valerie Grimsley, Interim Parks & Recreation Director

SUBJECT: **Resolution Number 16-24: A Resolution of The City Council of The City of Riviera Beach, Palm Beach County, Florida; authorizing the temporary closures for amateur athletic events; and providing an effective date.**

DATE: January 9, 2024

CC: General Public

Background:
The City has been active in hosting amateur sporting events as they have a positive impact on the local economy. In order to host some of these events safely it is necessary to temporarily close roads, and notify residents/businesses of events and road closures.

City Goals:
This request addresses the goal of prosperous, resilient and sustainable economy.

Fiscal/Budget Impact:
There is no impact on the Parks and Recreation Budget.

Recommendation:
Staff recommends a Motion to approve Resolution Number 16-24.

Attachments:
1. Resolution 16-24 roadclosure.docx

Resolution Number 16-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the temporary closures for several amateur athletic events; and providing for an effective date.

Whereas, The City supports amateur athletics as it is an economic contributor to the City's economy, and

Whereas, In order to produce these events in a safe manner, closures are planned for vendors, participants and spectators; and

Whereas, Staff is requesting the authorization for temporarily road closures over several dates in 2024.

Now, Therefore Be It Resolved, By the City Council of the City of Riviera Beach, Palm Beach County, Florida, as follows:

Section 1. Approve temporary road closures in Riviera Beach on the following dates and times.

Event 1. MLK 5K/10K (Co-Sponsorship between Parks & Recreation, Game on race events and Black Chamber of Commerce) Saturday, January 20, 2024, 5:00a.m. until 11:00a.m.

1) Lane closures will be a small portion of West 13th Street, and on Dr. martin Luther King, Jr. Boulevard between Congress Avenue and President Barack Obama Highway.

Event 2. 4th Annual Bridge the Gap 5K benefitting Take Stock in Children Saturday, February 17, 2024, 6:00a.m. until 10:30a.m.

1) Temporary closure of N Ocean Avenue from Ocean Mall N to Surf Road, back to S Ocean Avenue up and over the Blue Heron Bridge and back to Ocean Mall.

Event 3. Palm Beach Triathlon Sunday, March 17th, 2024, 1:00a.m. until 12:00p.m.

1) Temporary closure of North Ocean Avenue in Riviera Beach.

Event 4. Run Singer Island Saturday, March 30, 2024, 1:00a.m. until 12:00p.m.

1) Temporary closure of North Ocean Avenue in Riviera Beach.

Event 5. Palm Beach Triathlon Fall Sunday, September 15, 2024, 1:00a.m. until 12:00p.m.

1) Temporary closure of North Ocean Avenue in Riviera Beach.

Section 2. That this Resolution shall take effect immediately upon its passage and approval by the City Council.

[The Remainder of This Page is Intentionally Left Blank]

Passed and Approved this_____day of _____, **2024.**

Approved:

_____
Ronnie L. Felder
Mayor

_____
Douglas A. Lawson
Chairperson

Attest:

_____
Debrah Hall, CMC, FCRM
Acting City Clerk

_____
Shirley D. Lanier
Chair Pro Tem

_____
Tradrick McCoy
Councilperson

_____
Julia A. Botel
Councilperson

_____
Kashamba Miller-Anderson
Councilperson

Reviewed as to Legal Sufficiency

_____
Dawn S. Wynn, City Attorney

Date: _____

Motioned By: _____

Seconded By: _____

T. McCoy: _____

K. Miller-Anderson: _____

S. Lanier: _____

J. Botel: _____

D. Lawson: _____

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4251: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 31 Zoning of the Land Development Code of the City of Riviera Beach at Article V. Section 31-1 Definitions; Section 31-281 to update Purpose of the Office & Professional Zoning District (OP); Section 31-282(b) Special Exception uses to update allowed uses; Providing for Conflicts, Severability, an Effective date and other purposes.**

Date: January 17, 2024

CC: General Public

Background:

This proposed amendment to the code of ordinances is being brought forward to encourage more diverse and complementary uses within the OP zoning district. The applicant, 2655 Next Generation, LLC, currently owns the +/- 1.15 acre property located at 2655 North Ocean Drive and identified by PCNs 56-43-42-27-02-003-0030 and 56-43-42-27-04-000- 4940 as depicted on the attached in the City of Riviera Beach ("City"). The Property has an Office land use designation and an Office and Professional ("OP") zoning designation. The Owners believe that a building used for a singular office use is not the highest and best for the City or the Owner. Therefore, in an effort to fully utilize an existing office building with low tenancy, the solution proposed is to allow for the redevelopment of the Property in a manner that permits for the inclusion of uses typically found in an office building.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:
This Item has no fiscal impact.

Recommendation:
Staff recommends a Motion to approve Ordinance Number 4251.

Attachments:
1. Ordinance 4251-Professional Office OP Zoning District.pdf
2. Proposed Text Language.pdf
3. PZB_Staff_Report-OP_District_Code_Revision.pdf
4. Combined Submittal Materials-OP.pdf
5. Proof of Newspaper Ad
6. Riviera Beach business impact estimate Ordinance 4251.pdf
7. Proof of Advertisment- OP ZTA Advertisement.pdf

ORDINANCE NO. 4251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 ZONING OF THE LAND DEVELOPMENT CODE OF THE CITY OF RIVIERA BEACH AT ARTICLE V. SECTION 31-1 DEFINITIONS; SECTION 31-281 TO UPDATE PURPOSE OF THE OFFICE & PROFESSIONAL ZONING DISTRICT (OP); SECTION 31-282(B) SPECIAL EXCEPTION USES TO UPDATE ALLOWED USES; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND OTHER PURPOSES.

WHEREAS, 2655 Next Generation (Applicant), LLC, proposed amendments to the Code of Ordinances Chapter 31 Article V. Section 31-1 Definitions to provide for a definition of café and boutique fitness studio. The applicant would also like to amend Section 31-281, to update the Purpose of the Office & Professional (OP) Zoning District, to clarify ancillary uses that complement and enhance office uses within the district. Finally, Section 31-282(b) Special Exception uses is proposed for amendment to allow restaurants, boutique fitness studios, and cafes within the zoning district via the special exception approval process; and

WHEREAS, The proposed Zoning Code Text Amendments are designed to allow for a complete and whole expansion of the Office & Professional (OP) Zoning District and increase the viability of businesses in this district; and

WHEREAS, Section 31 (The Zoning Code) of the City Code of Ordinances includes support for Office & Professional (OP) Zoning District Uses as a consideration for Future Land Use review.

WHEREAS, The Planning & Zoning Board heard this item on October 12, 2023 and voted to recommend that City Council approve this item with the provision to remove cafes as an identified use.

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

SECTION 1. The City Council of the City of Riviera Beach hereby approves a request for Text Amendments to the Code of Ordinances, Chapter 31, Article 31-1, Definitions to provide for a definition for a boutique fitness studio. Secondly, amend Section 31-281, to update the Purpose of the Office & Professional (OP) Zoning District, to clarify ancillary uses that complement and enhance offices uses within the OP district.

SECTION 2. Section 31-281 is amended as follows:

Section 31-281 – Purpose.
The OP office and professional district is intended to provide for development of administrative, clerical and professional offices of residential scale and character and to

provide for ancillary uses that complement and enhance office uses, to serve nearby residential and commercial areas as well as the city as a whole. These uses are characterized by low volume of direct daily customer contacts. Secondarily, this district accommodates existing medium density residential uses. This district is designed to be a transitional zone and should be used to buffer low density residential uses from more intense land uses.

Section 31-282(b) - Special Exception.
The following uses are permitted by special exception in the OP office and professional district:

(1) Major manufacturing or corporate headquarters on sites of five acres or more.
(2) Churches and their educational buildings.
(3) Restaurants
(4) Boutique Fitness Studios

SECTION 3. Section 31-1 is amended as follows:

Section 31-1 – Definitions.
Boutique Fitness Studio: a small gym that emphasizes group exercise and specializes in one or two fitness disciplines or areas.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. The effective date of these Text Amendments, if these Text Amendments are not timely challenged, shall be the date of adoption.

PASSED AND APPROVED on first reading this ____ day of _____, 2023

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2023.

The remainder of this page is intentionally left blank.

APPROVED:

RONNIE L. FELDER
MAYOR

ATTEST:

TAWANNA SMITH

CERTIFIED MUNICPAL CLERK
INTERIM CITY CLERK

REVIEWED AS TO LEGAL SUFFICIENCY

DAWN S. WYNN, CITY ATTORNEY

DOUGLAS LAWSON
CHAIRPERSON

SHIRLEY D. LANIER
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

DR. JULIA BOTEL
COUNCILPERSON

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

1st READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

Section 31-281 – Purpose.

The OP office and professional district is intended to provide for development of administrative, clerical and professional offices of residential scale and character and to provide for ancillary uses that complement and enhance office uses, to serve nearby residential and commercial areas as well as the city as a whole. These uses are characterized by low volume of direct daily customer contacts. Secondarily, this district accommodates existing medium density residential uses. This district is designed to be a transitional zone and should be used to buffer low density residential uses from more intense land uses.

Section 31-282(b) - Special Exception.

The following uses are permitted by special exception in the OP office and professional district:

(1) Major manufacturing or corporate headquarters on sites of five acres or more.
(2) Churches and their educational buildings.
(3) Restaurants
(4) Boutique Fitness Studios

Section 31-1 – Definitions.

Boutique Fitness Studio: a small gym that emphasizes group exercise and specializes in one or two fitness disciplines or areas.

City of Riviera Beach Staff Report
Amendment to Chapter 31 Article V- District Regulations of the Land Development Code: Office And Professional District

An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 31 Zoning of the Land Development Code of the City of Riviera Beach at Article V. Section 31-1 Definitions; Section 31-281 to update Purpose of the Office And Professional Zoning District; Section 31-282(b) Special Exception uses to update allowed uses; Providing for Conflicts, Severability, an Effective date and other purposes.

A. **Applicant:** 2655 Next Generation LLC.

B. **Request:** The application is a proposed amendment to the Code of Ordinances Chapter 31 Article V. Section 31-1 Definitions to provide for a definition of café and boutique fitness studio. The applicant would also like to amend Section 31-281 to update Purpose of the Office And Professional Zoning District to clarify that ancillary uses that complement and enhance offices uses are also a purpose of the district. Finally, Section 31-282(b) Special Exception uses is proposed to be amended for the allowance of restaurants, boutique fitness studios, and cafes within the zoning district via the special exception approval process.

C. **Background:** This proposed amendment to the code of ordinances is being brought forward to encourage more diverse and complementary uses within the OP zoning district. The applicant, 2655 Next Generation, LLC, currently owns the +/- 1.15 acre property located at 2655 North Ocean Drive and identified by PCNs 56-43-42-27-02-003-0030 and 56-43-42-27-04-000- 4940 as depicted on the attached in the City of Riviera Beach ("City"). The Property has an Office land use designation and an Office and Professional ("OP") zoning designation. As owners of the Property, 2655 Next Generation understands the importance of smart development. With that in mind, the Owners believe that a building used for a singular office use is not the highest and best for the City or the Owner. Therefore, in an effort to fully utilize an existing office building with low tenancy (a common development pattern), the creative solution proposed is to allow for the redevelopment of the Property in a manner that permits for the inclusion of uses typically found in an office building. As a direct result of the limitations placed on the types of uses permitted in the OP zoning district, the Owners are now proposing an amendment to the text of the City's Land Development Code.

D. **Staff Analysis:** City staff has reviewed this request and finds that it would allow for more flexible uses in the OP zoning district. This district currently exists only in a small portion of Singer Island so its immediate impacts will be isolated. However, if future properties rezone to this district, property owners will have expanded options of allowed and special exception uses. Staff believes that restaurants and gyms allowed by special exception will allow for the evaluation of their appropriateness in a particular location on a case-by-case basis. Staff recommends that café be removed form the proposed ordinance as there is not sufficient difference between the definition of café and restaurant to necessitate a regulatory distinction.

E. **Recommendation:** The Planning & Zoning Board voted to recommend that City Council approve this item to amend the Code of Ordinances Sections 31-1, 31-281 and 31-232 and recommend approval of this Ordinance as proposed except for the removal of language regarding cafes. Staff also recommends approval of this item.

City of Riviera Beach Staff Report
Amendment to Chapter 31 Article V- District Regulations of the Land Development Code:
Office & Professional District - OP

An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 31 Zoning of the Land Development Code of the City of Riviera Beach at Article V. Section 31-1 Definitions; Section 31-281 to update Purpose of the Office & Professional Zoning District (OP); Section 31-282(b) Special Exception uses to update allowed uses; Providing for Conflicts, Severability, an Effective date and other purposes.

A. Applicant:

2655 Next Generation LLC.

B. Request:

The application is a proposed amendment to the Code of Ordinances Chapter 31 Article V. Section 31-1 Definitions to provide for a definition of café and boutique fitness studio. The applicant would also like to amend Section 31-281 to update Purpose of the Office & Professional (OP) Zoning District to clarify that ancillary uses that complement and enhance offices uses are also a purpose of the district. Finally, Section 31-282(b) Special Exception uses is proposed to be amended for the allowance of restaurants, boutique fitness studios, and cafes within the zoning district via the special exception approval process.

C. Background:

This proposed amendment to the code of ordinances is being brought forward to encourage more diverse and complementary uses within the OP zoning district. The applicant, 2655 Next Generation, LLC, currently owns the +/- 1.15 acre property located at 2655 North Ocean Drive and identified by PCNs 56-43-42-27-02-003-0030 and 56-43-42-27-04-000- 4940 as depicted on the attached in the City of Riviera Beach ("City"). The Property has an Office land use designation and an Office and Professional ("OP") zoning designation. As owners of the Property, 2655 Next Generation understands the importance of smart development. With that in mind, the Owners believe that a building used for a singular office use is not the highest and best for the City or the Owner. Therefore, in an effort to fully utilize an existing office building with low tenancy (a common development pattern), the creative solution proposed is to allow for the redevelopment of the Property in a manner that permits for the inclusion of uses typically found in an office building. As a direct result of the limitations placed on the types of uses permitted in the OP zoning district, the Owners are now proposing an amendment to the text of the City's Land Development Code.

D. Staff Analysis and Recommendation:

City staff has reviewed this request and concludes that the proposed text amendment would allow for more flexible uses in the OP zoning district. This district currently exists only in a small portion of Singer Island so its immediate impacts would be isolated. However, if future properties rezone to this district, property owners would have expanded options of allowed and special exception uses. Staff believes that restaurants and gyms allowed by special exception will allow for the evaluation of their appropriateness in a particular location on a case-by-case basis.

Staff has utilized the eight (8) Land Use and Rezoning criteria below, to evaluate this request by the applicant, 2655 Next Generation LLC. After review, staff finds that the request satisfies the criteria:

1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan;
2) Whether there exists changed conditions which require an amendment;
3) Whether the proposed amendment is in conformance with all applicable portions of the city development code;
4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;
5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;
6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;
7) Whether and the extent to which the proposed amendment would adversely affect property values in the area;
8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

Regarding the above criteria, staff would like the Board to particularly note compliance with this request to the following language from the Comprehensive Plan

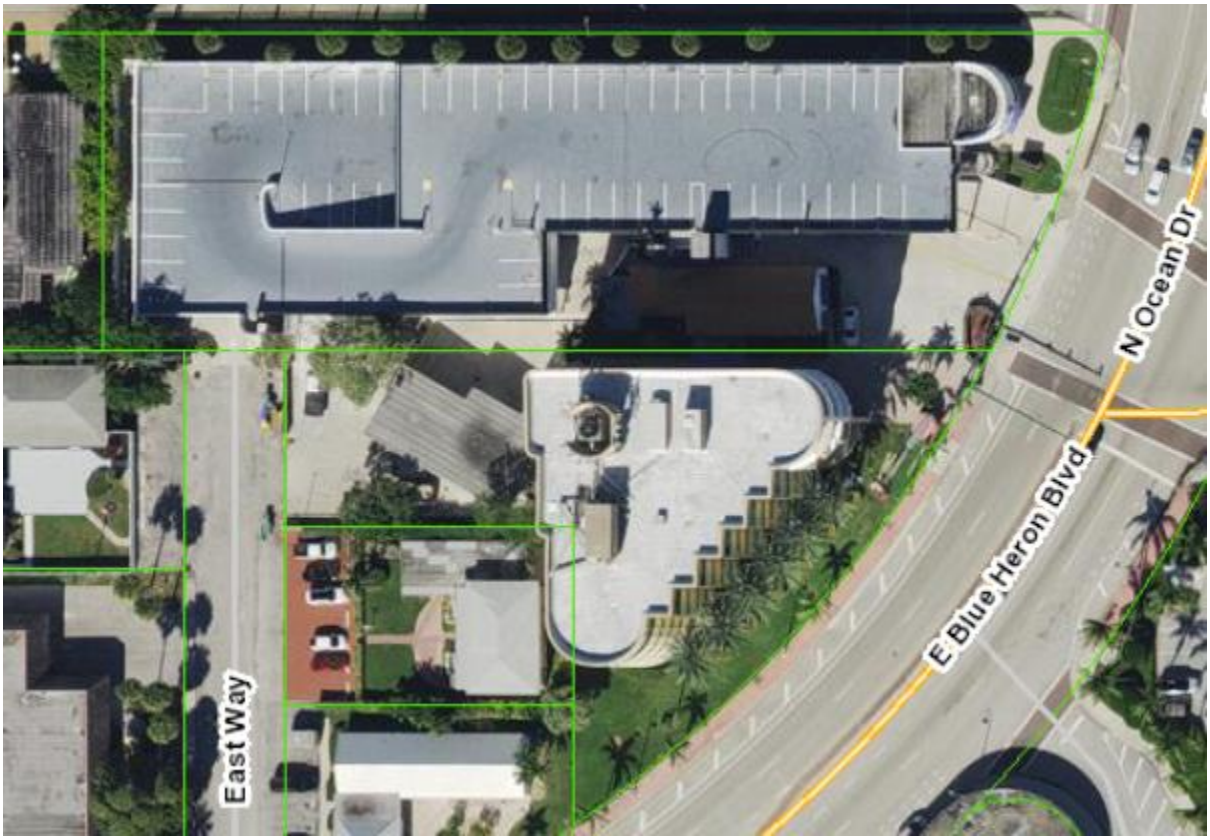
Policy 1.8.1:

Office: A transitional category, intended to encourage office development along corridors and in commercial centers, which also permits multifamily housing and low intensity commercial uses. Implemented through the OP Zoning district, density is limited to 15 units/acre. Use intensity is moderate, and shall vary depending on adjacent uses. The maximum impervious area shall be 75%. Height standards shall relate to adjacent uses, being more restrictive in proximity to single-family land use areas, as described in the Land Development Code.

Staff recommends that the Planning & Zoning Board find that it is reasonable and appropriate for the City to amend the Code of Ordinances Sections 31-1, 31-281 and 31-232 and recommend approval of this Ordinance as proposed except for the removal of language regarding cafes.

In addition, Staff recommends that café be removed form the proposed ordinance as there is not sufficient difference between the definition of café and restaurant to necessitate a regulatory distinction.

NOT TO SCALE



AGENT AUTHORIZATION FORM

Owner(s) of Record: 2655 Next Generation, LLC

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared Babak Ebrahimzadeh

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

Lots 3, 4, and 5, Block 3, of REPLAT OF YACHT HARBOR, according to the Plat thereof as recorded in Plat Book 23, page 57, of the Public Records of Palm Beach County, Florida.

Lots 494 and 497, PALM BEACH SHORES, according to the Plat thereof in Plat Book 23, Pages 29 through 32, of the Public Records of Palm Beach County, Florida.

Said lands situate in the City of Riviera Beach, Palm Beach County, Florida and containing 73,621 square feet (1.6901 acres) more or less.

the street address of which is: 2655 N Ocean Drive, Riviera Beach, FL 33404 (folio #s 56434227040004940 and 56434227020030030)

and that we hereby appoint:

Name: Dunay, Miskel & Backman, LLP
Address: 14 SE 4th Street, Suite 36
Boca Raton, FL 33432
Telephone: 561-405-3363

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

_____ (Seal)

_____ (Seal)

_____ (Seal)

Sworn to and subscribed before me this 6th day of June, 2023.

_____
Notary Public

TAMAR RACHEL MITROGIANNIS
Notary Public - State of Florida
Commission # HH 252019
My Comm. Expires Apr 11, 2026
Bonded through National Notary Assn.

DUNAY MISKEL BACKMAN LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman
Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott
Christina Bilenki
David F. Milledge
Jeffrey Schneider
Sara Thompson

Project Narrative

2655 Next Generation, LLC ("Owner"), currently owns the +/- 1.15 acre property located at 2655 North Ocean Drive ("Property") and identified by PCNs 56-43-42-27-02-003-0030 and 56-43-42-27-04-000-4940 as depicted on the attached in the City of Riviera Beach ("City"). The Property has an Office land use designation and an Office and Professional ("OP") zoning designation. As owners of the Property, 2655 Next Generation understands the importance of smart development. With that in mind, the Owners believe that a building used for a singular office use is not the highest and best for the City or the Owner. Therefore, in an effort to fully utilize an existing office building with low tenancy (a common development pattern), the creative solution proposed is to allow for the redevelopment of the Property in a manner that permits for the inclusion of uses typically found in an office building. As a direct result of the limitations placed on the types of uses permitted in the OP zoning district, the Owners are now proposing an amendment to the text of the City's Land Development Code ("Code").

Specifically, the Owner is proposing amendments to the City's Code to encourage more diverse and complementary uses within the OP zoning district. Failure to amend the City's Code to expand the permitted uses will deprive the area of its full potential and what it can offer the area and the City.

Permitting amendments to the OP zoning district will allow for development of property in a manner that will greatly enhance the office experience. With work life returning to the office, these additional uses will complement the office uses within the building without requiring the provision of excess parking. Not only will it enhance the building itself, but these additional uses will benefit the area in general. Whether future patrons live in the area, work nearby, or are visiting the City, these uses will serve to elevate their experience.

Section 31-281 – Purpose.

The OP office and professional district is intended to provide for development of administrative, clerical and professional offices of residential scale and character and to provide for ancillary uses that complement and enhance office uses, to serve nearby residential and commercial areas as well as the city as a whole. These uses are characterized by low volume of direct daily customer contacts. Secondarily, this district accommodates existing medium density residential uses. This district is designed to be a transitional zone and should be used to buffer low density residential uses from more intense land uses.

Section 31-282(b) - Special Exception.

The following uses are permitted by special exception in the OP office and professional district:

(1) Major manufacturing or corporate headquarters on sites of five acres or more.
(2) Churches and their educational buildings.
(3) Restaurants
(4) Boutique Fitness Studios
(5) Cafés

Section 31-1 – Definitions.

Boutique Fitness Studio: a small gym that emphasizes group exercise and specializes in one or two fitness disciplines or areas.

Cafés: a small restaurant selling light meals and drinks.

LocaliQ
Florida
GANNETT

Order Confirmation

Not an Invoice

Account Number:	731063
Customer Name:	Riviera Beach, City Of
Customer Address:	Riviera Beach, City Of 600 W Blue Heron BLVD Riviera Beach FL 33404-4311
Contact Name:	Abbrella Weathers
Contact Phone:	
Contact Email:	AWeathers@rivierabeach.org
PO Number:	SECTION 31-1 DEF

Date:	11/09/2023
Order Number:	9514854
Prepayment Amount:	$ 0.00

Column Count:	2.0000
Line Count:	34.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
WPB Palm Beach Post	1	11/16/2023 - 11/16/2023	Govt Public Notices
WPB palmbeachpost.com	1	11/16/2023 - 11/16/2023	Govt Public Notices

Order Confirmation Amount	**$210.12**

Ad Preview

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, November 29, 2023 at 6:00 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 ZONING OF THE LAND DEVELOPMENT CODE OF THE CITY OF RIVIERA BEACH AT ARTICLE V. SECTION 31-1 DEFINITIONS; SECTION 31-281 TO UPDATE PURPOSE OF THE OFFICE & PROFESSIONAL ZONING DISTRICT (OP); SECTION 31-282(B) SPECIAL EXCEPTION USES TO UPDATE ALLOWED USES; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND OTHER PURPOSES.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

#9514854 Nov. 16, 2023

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4251- Office Professional District Text Amendment

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667056 OP ZTA Advertisement
Date: Friday, December 22, 2023 12:51:50 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $210.12, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE CITY COUNCIL MEETING CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17,2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 ZONING OF THE

LAND DEVELOPMENT CODE OF THE CITY OF RIVIERA BEACH AT ARTICLE V. SECTION 31-1 DEFINITIONS; SECTION 31-281 TO UPDATE PURPOSE OF THE OFFICE & PROFESSIONAL ZONING DISTRICT (OP); SECTION 31-282(B) SPECIAL EXCEPTION USES TO UPDATE ALLOWED USES; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND OTHER PURPOSES.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their own expense, will need a record of the proceedings

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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:37 AM
To: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>; Legals-Pbpost

<legals@pbpost.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667056 OP ZTA Advertisement

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4243: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the Land Development Code, Chapter 31, zoning, Sections 31-1, 31-61, 31-141, 31-161, 31-187, 31-192, 31-197, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, and 31-536; creating sections 31-560, 31-561, 31-562, and 31-563; amending the definition of family; amending the definition of the terms multiple family dwelling and duplex dwelling; adding definitions for the terms assisted living facility, community residence, hospital, nursing home, recovery community, recovery residence, specialty medical facility, and specialty hospital; providing for severability, repeal of laws in conflict, codification, and for an effective date.**

Date: January 17, 2024

CC: General Public

Background:

This proposed amendment to the code of ordinances is being brought forward to update and clarify the list of permitted and special exception uses related to residential uses for those who need either community support or professional staff for their well-being. The City has a legitimate interest in protecting individuals with disabilities, including those recovering from addiction, (i) by providing opportunities for them to live and receive supervision, assistance, treatment and/or supportive care in congregate living facilities, including community residences or recovery communities, as defined in this amendment, located within residential zoning districts; (ii) by encouraging the normalization and integration of such facilities into

the surrounding neighborhoods; and (iii) by ensuring that the community residences and recovery communities meet appropriate standards and receive adequate oversight in providing services to their residents.

While the integration and normalization of community residence and recovery communities can be beneficial to the residents and neighborhoods alike, the over-concentration of such facilities would alter the residential character of the surrounding neighborhood by creating or intensifying an institutional atmosphere or creating or intensifying a de facto social service district. The City has a legitimate interest in preserving the peaceful, residential character of its neighborhoods and encouraging the harmonious integration and normalization of community residences, by preventing the over-concentration of community residences and recovery communities in any particular neighborhood or area through reasonable distance requirements and other siting and development standards for such facilities.

Finally, currently development regulations of the City do not adequately identify and regulate the various medical uses that are common in the industry today. This amendment would identify these uses through definitions and provide district placement and development standards for the uses. Staff worked extensively with the City Attorney's Office and outside Legal to craft this code amendment. It is now ready for the consideration at public hearing.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:

This item has no budgetary impact.

Recommendation:

Staff recommends a motion to approve Ordinance 4243.

Attachments:

1. Ordinance 4243 Community Residences 11.29.23.docx
2. PZB Staff Report To Council-Community Residences & Medical Uses 8.24.23.docx
3. Sober Homes Map 3.pdf
4. Lake Worth Beach-FARR levels of housing letter-MR. Waters -PDF Signed.pdf
5. Proof of Advertisment.jpg
6. Riviera Beach business-impact-estimate-Community Residences Ordinance.pdf
7. Proof of Advertisement

ORDINANCE NUMBER 4243

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 31, ZONING, SECTIONS 31-1, 31-61, 31-141, 31-161, 31-187, 31-192, 31-197, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, AND 31-536; CREATING SECTIONS 31-560, 31-561, 31-562, AND 31-563; AMENDING THE DEFINITION OF FAMILY; AMENDING THE DEFINITION OF THE TERMS MULTIPLE FAMILY DWELLING AND DUPLEX DWELLING; ADDING DEFINITIONS FOR THE TERMS ASSISTED LIVING FACILITY, COMMUNITY RESIDENCE, HOSPITAL, NURSING HOME, RECOVERY COMMUNITY, RECOVERY RESIDENCE, SPECIALTY MEDICAL FACILITY, AND SPECIALTY HOSPITAL; PROVIDING FOR SEVERABILITY, REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND FOR AN EFFECTIVE DATE.

WHEREAS, the City's Land Development Code currently lacks adequate definitions and/or use standards for the terms *assisted living facility*, *community residence*, *family*, *hospital*, *nursing home*, *recovery community*, *recovery residence*, *specialty medical facility*, and *specialty hospital*; and

WHEREAS, the definitions of *multiple family dwelling* and *duplex dwelling* require clarification as to allowed occupancy; and

WHEREAS, section 419.001, Florida Statutes, authorizes local governments to enact certain zoning requirements with respect to community residences; and

WHEREAS, the City has a legitimate interest in protecting individuals with disabilities, including those recovering from addiction, (i) by providing opportunities for them to live in community residences or recovery communities located within residential zoning districts; (ii) by encouraging the normalization and integration of such residences into the surrounding neighborhoods; and (iii) by ensuring that the community residences and recovery communities meet appropriate standards and receive adequate oversight in providing services to their residents; and

WHEREAS, while the inclusion and normalization of community residences and recovery communities can be beneficial to the residents and neighborhoods alike, the over-concentration of such residences would create a *de facto* social service district; and

WHEREAS, the current distribution of known community residences within the City is as depicted on the attached and incorporated Exhibit "A"; and

WHEREAS, Exhibit "A" shows apparent clustering of such residences within 1000 feet or fewer of one another within a distinct area of the City; and

WHEREAS, the City has a legitimate interest in avoiding the creation of a *de facto* social services district in any particular neighborhood or area through the establishment of reasonable distance requirements and other siting and development standards for community residences and community; and

WHEREAS, in 2020, Palm Beach County commissioned a study authored by Daniel Lauber, AICP, and entitled *Zoning Analysis and Framework for Community Residences for People with Disabilities and for Recovery Communities in Palm Beach County Florida* ("Palm Beach County Study"); and

WHEREAS, the Palm Beach County Study noted that "when community residences are a permitted use, it is most reasonable to impose a spacing distance between community residences that keeps them about a block apart in terms of actual walking distance, generally about 660 feet or about ten lots apart in the typical American town with the common 55 to 65 foot minimum lot width"; and

WHEREAS, minimum lot widths for single-family and two-family residential properties within the City are generally within ten feet of the typical lot size cited in the Palm Beach County Study, with the most frequently applicable minimum lot size being seventy-five (75) feet; and

WHEREAS, the Palm Beach County Study recommended that recovery communities, which are strictly multi-family, be subject to greater spacing requirements of 1,200 feet; and

WHEREAS, on December 8, 2016, a Palm Beach County grand jury issued its *Report on the Proliferation of Fraud and Abuse in Florida's Addiction Treatment Industry* ("Grand Jury Report"); and

WHEREAS, the Grand Jury Report detailed abuses suffered by residents of recovery residences undergoing treatment for addiction, found a compelling and urgent need for increased oversight and enforcement in Florida's substance abuse treatment industry, and recommended, among other things, requiring licensing and certification for recovery residences; and

WHEREAS, section 397.487, Florida Statutes, authorizes the Florida Association of Recovery Residences (FARR) to issue voluntary certifications to facilities providing a residential setting for persons recovering from addiction, provided such facilities satisfy basic requirements; and

WHEREAS, the City Council finds that FARR certifications aid in the standardization and safe operation of recovery residences; and

WHEREAS, the City Council desires to clarify that FARR certification is required for recovery residences, except for those with and Oxford House charter; and

WHEREAS, the City Council desires to clarify that FARR certification is required for recovery communities operating within the City; and

WHEREAS, recovery residences and recovery communities operating as of the effective date of this Ordinance shall have until December 31, 2024, to obtain the aforementioned certifications, as applicable; and

WHEREAS, the City Council recognizes that certain non-residential medical uses are appropriate only in non-residential settings such as hospitals, specialty medical facilities, and specialty hospitals; and

WHEREAS, while hospitals, specialty medical facilities, and specialty hospitals are essential to the health, safety, and general welfare of the community, they are generally incompatible with residential uses; and

WHEREAS, the City has a legitimate interest in ensuring that hospitals, specialty medical facilities, and specialty hospitals operate safely and without altering the character of adjacent residential districts by the creation of excessive, noise, light and traffic; and

WHEREAS, the Planning & Zoning Board reviewed the proposed text amendments on _____, 2023, and voted _____to recommend approval of the proposed amendments to Chapter 31; and

WHEREAS, the City Council desires to approve the proposed amendments; and

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

SECTION 1. RECITALS. The recitals set forth above are hereby adopted as true and correct statements and made part of this Ordinance.

SECTION 2. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-1 is hereby amended as follows:

Sec. 31-1. Definitions.

Assisted living facility means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one (1) or more personal services for a period exceeding twenty-four (24) hours to fifteen (15) or more adults.

~~*Community residential home* means a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or~~

~~licensed by the Agency for Health Care Administration which provides a living environment for seven to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.~~

Community residence means a form of permanent housing for groups that do not meet the definition of "family," consisting of persons who, by reason of a disability, require the assistance or support furnished by other residents of the community residence as well as the support services, if any, provided by the staff of the community residence. Its primary purpose is to provide shelter in a family-like environment; treatment is incidental as in any home. Community residences may be *Type I* or *Type II*, as further described in section 31-561. A community residence shall be considered a residential use of property for purposes of all zoning, building, and property maintenance codes.

Dwelling, duplex means a building designed to be occupied by two families, living independently of each other. ~~for two-family occupancy.~~

Dwelling, multiple family means a building designed to be occupied by ~~for~~ three or more families, living independently of each other.

~~*Family* means one or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit exclusive of household servants.~~

Family means one (1) or more persons living together and interrelated by bonds of consanguinity, marriage, domestic partnership as defined in Section 2-6 of the Palm Beach County Code of Ordinances, or legal adoption, or a group of persons up to three (3) in number who are not so interrelated, occupying the whole or part of a dwelling as a single housekeeping unit, supplied with a kitchen or facilities for doing their own cooking on the premises, and who share common living facilities. Any person under the age of eighteen (18) years whose legal custody has been awarded to the State Department of Children and Families or to a child-placing agency licensed by the Department, or who is otherwise considered to be a foster child under the laws of the state, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this definition. A family does not include residents of any nursing home; club; boarding or lodging house; dormitory; fraternity; sorority; or group of individuals whose association is seasonal or similar in nature to a resort, motel, hotel, boarding or lodging house.

Hospital means a state-licensed institution that provides primary health services and medical or surgical care to humans, primarily inpatients, who are sick or injured, and including as an integral part of the institution, related facilities such as clinical laboratories, outpatient facilities, training facilities, central services facilities, and staff offices. Hospitals offer facilities and beds for use beyond 24 hours by persons needing medical treatment or service.

Nursing home means an institution, building, residence, private home, or other place which undertakes through its ownership or management to provide for a period exceeding twenty-four-hour nursing care, personal care, or custodial care for three (3) or more persons not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity, or advanced age require such services, but does include accommodations for providing care and treatment primarily for the acutely ill.

Recovery community means a facility consisting of multiple dwelling units in a single multi-family structure that are not held out to the general public for rent or occupancy, that provides a drug-free and alcohol-free living arrangement for people in recovery from drug and/or alcohol addiction, which, taken together, do not emulate a single biological family and are under the auspices of a single entity or group of related entities. Recovery communities include land uses for which the operator is eligible to apply for certification from the State of Florida. A recovery community shall be considered a multi-family residential use of property for purposes of all zoning, building, and property maintenance codes.

Recovery residence means a type of community residence that provides lodging for more than three (3) unrelated persons suffering from addiction, occupying the whole or part of a dwelling as a single housekeeping unit sharing common living, sleeping, cooking and/or eating facilities.

Specialty medical facility means, a facility, regardless of size, offering non-overnight specialized treatment and services including, but not limited to, ambulatory surgical facilities, dialysis centers, substance abuse treatment facilities, outpatient rehabilitation facilities, birthing facilities, and urgent care facilities. This use also includes medical or dental offices which are larger than 5,000 sq. ft.

Specialty hospital means a hospital which offers a restricted range of services appropriate to the diagnosis, care, and treatment of patients with specific categories of medical or psychiatric illnesses or disorders which include: Specialty medical hospitals; specialty rehabilitation hospitals; specialty psychiatric hospitals, which may include beds licensed to offer intensive residential treatment programs; specialty substance abuse hospitals, which may include beds licensed to offer intensive residential treatment programs; and an addictions receiving facility.

SECTION 3. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-61 is hereby amended as follows:

Sec. 31-61. Review procedures for special exceptions.

(a) *Purpose.* This section is intended to address the review procedures for those uses which have been designated as special exceptions within the permitted uses of the applicable zoning district. The city council shall decide only upon such special exceptions that are specifically authorized by the terms of this chapter, i.e., to grant special exceptions with such

conditions and safeguards as are appropriate under this chapter or to deny special exceptions when not in harmony with the purpose, intent and requirements of this chapter.

(b) *Public hearings required*. A public hearing shall be held by the planning and zoning board and city council in accordance with the public hearing procedures and notice requirements in section 31-4, prior to any decision regarding a request for special exception.

(c) *Submission.* A site plan shall be submitted concurrently with the special exception. For special exceptions, the grant of the special exception shall expire if a building permit is not issued within two years from the date the special exception was granted by the city council.

(d) *Fees.* The fees for special exceptions are set out in section 31-691 of this code, which references the land development application fee schedule.

(e) *Payment plan option.* A payment plan option is available for the three following special exception uses: ~~community residential home~~ large family child care home, and place of worship. The aforementioned uses may choose to utilize the payment plan option as follows:

(1) Half of the required fees due to apply for a special exception use approval (including special exception fees, site plan fees and advertising fees) may be submitted in lieu of full payment when a complete special exception application packet is officially submitted to staff. This payment will provide for review by both staff and the planning and zoning board. The remainder of fees due shall be provided by the applicant prior to application review by the city council within one year of planning and zoning board review or the application shall expire and officially be considered withdrawn.

(2) Partial payment of fees submitted through this payment plan option are non-refundable and does not guarantee a final use approval.

SECTION 4. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-141 is hereby amended as follows:

Sec. 31-141. Nonconforming lots and structures.

(a) *Lots.* If a vacant lot in the RS-6 single-family dwelling district has an area or width, or both, less than the above minimum and was a lot of record at the time of the passage of the ordinance from which this article was derived, the lot may be occupied by a single-family dwelling and its accessory uses, provided the minimum yard regulations of the district are conformed with.

(b) *Structures.* All nonconforming structures in the RS-6 district which legally existed prior to adoption of the ordinance from which this article was derived shall be allowed to expand within the required setback lines without the necessity of first obtaining a variance.

~~(c) *Congregate living facilities.* Any adult congregate living facility (ACLF), developmental services group home, adult foster home or foster home for children under applicable rules of the state department of health and rehabilitative services in existence on the effective date of the ordinance from which this subsection is derived and which meets the other requirements contained in this division shall be a permitted use; provided, however, that the occupancy levels~~

~~permitted prior to the effective date of the ordinance from which this subsection is derived shall not be increased, unless specifically authorized by the city council.~~

SECTION 5. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-161 is hereby amended as follows:

Sec. 31-161. Nonconforming lots and structures.

(a) *Lots.* If a vacant lot in the RS-8 single-family dwelling district has an area or width, or both, less than the above minimum and was a lot of record at the time of the passage of the ordinance from which this article was derived, the lot may be occupied by a single-family dwelling and its accessory uses, provided the minimum yard regulations of the district are conformed with.

(b) *Structures.* All nonconforming structures in the RS-8 district which legally existed prior to adoption of the ordinance from which this article was derived shall be allowed to expand within the required setback lines without the necessity of first obtaining a variance.

(c) *Open carport.* An open carport may be built to within five feet of the property line on one side of a residence in a subdivision that has 75 percent or more of the lots with houses existing and on lots 50 feet in width in existing subdivisions of record; provided, however, a clear distance of ten feet is maintained between the eaves of the carport and the eaves of the building on the adjoining property. Carports set closer than seven feet from the property lines shall not be enclosed.

~~(d) *Congregate living facilities.* Any adult congregate living facility (ACLF), developmental services group home, adult foster home or foster home for children under applicable rules of the state department of health and rehabilitative services in existence on the effective date of the ordinance from which this subsection is derived and which meets the other requirements contained in this division shall be a permitted use; provided, however, that the occupancy levels permitted prior to the effective date of the ordinance from which this subsection was derived shall not be increased, unless specifically authorized by the city council.~~

SECTION 6. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-187 is hereby amended as follows:

Sec. 31-187. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the RML-12 multiple-family dwelling district:

(1) Any of the permitted uses in the RS-8 single-family dwelling district.

(2) Multifamily dwelling units.

(~~3~~) ~~Community residential home~~ .

(3<u>4</u>) Family day care home.

(4 ~~5~~) Home occupations (see section 31-545).

(b) *Special exception.* The following uses are permitted by special exception in the RML-12 multiple-family dwelling district:

~~(1) Community care facility.~~

(~~2~~ 1) Day care center.

(~~3~~ 2) Churches and their educational buildings.

SECTION 7. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-192 is hereby amended as follows:

Sec. 31-192. Site plan review.

A site plan review shall be required for all permitted uses in the RML-12 multiple-family dwelling district except the following:

(1) Residential developments with up to and including five units.

~~(2) Community residential home~~.

(2)(~~3~~) Family day care home.

SECTION 8. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-197 is hereby amended as follows:

Sec. 31-197. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the RM-15 multifamily dwelling district:

(1) Any use permitted in the RS-8 single-family dwelling district.

(2) Multifamily dwelling units.

(b) *Special exception.* The following uses are permitted by special exception in the RM-15 multifamily dwelling district:

(1) Residential planned unit developments (R-PUD).

(2) Day care centers.

(3) Mobile home parks.

(4) Boardinghouses or lodging houses.

(5) Guest houses or tourist homes.

~~(6) Nursing or convalescent homes.~~

(~~7~~) ~~Adult congregate living facilities (ACLF).~~

(~~8~~) ~~Group homes.~~

(~~9~~ 6) Churches and their educational buildings.

SECTION 9. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-222 is hereby amended as follows:

Sec. 31-222. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the RMH-15 multifamily/hotel district:

(1) Single-family dwellings.

(2) Two-family dwellings.

(3) Multiple family dwellings.

(4) Hotels, motels, apartment hotels.

(5) Restaurants and shops accessory to hotels or motels, which uses shall not have signs or displays visible from the public street.

(6) Private clubs as accessory to the residential uses.

(7) Any use commonly accessory to the above uses.

(8) Home occupations.

(b) *Special exception.* The following uses are permitted by special exception in the RMH-15 multifamily/hotel district:

(1) Residential planned unit development (R-PUD).

(2) Timesharing.

~~(3) Nursing and convalescent homes and ACLFs.~~

(3) Assisted living facilities.

(4) Nursing home.

SECTION 10. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-242 is hereby amended as follows:

Sec. 31-242. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the RM-20 high density multifamily dwelling district:

~~(1) Single-family dwellings.~~

~~(2) Two-family dwellings.~~

(~~3~~ 1) Multiple family dwellings.

(~~4~~ 2) Townhouses.

(~~5~~ 3) Condominiums and cooperatives.

(~~6~~ 4) Private clubs as accessory to the residential uses.

(~~7~~ 5) Home occupations.

(~~8~~ 6) Any use commonly accessory to the above uses.

(b) *Special exception.* The following uses are permitted by special exception in the RM-20 high density multifamily dwelling district:

(1) Residential planned unit developments (R-PUD).

(2) Mobile home parks.

(3) Assisted living facilities.

(4) Nursing homes.

SECTION 11. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-302 is hereby amended as follows:

Sec. 31-302. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the CN neighborhood commercial district:

(1) Uses permitted in accordance with RM-15 district regulations.

(2) Retail uses, including any or several of the following:

a. Bakery.

b. Bookstore.

c. Boutique.

d. Dairy products.

e. Druggist or pharmacy.

f. Florist.

g. Gift shop.

h. Home accessories, excluding furniture and major appliances.

i. Food store or delicatessen.

j. Hobby shop.

k. Music store.

l. Newsstand.

m. Pet supply shop.

n. Restaurant without drive-through facility or eating establishment without drive-through facility.

o. Stationery store.

p. Tobacco shop.

(3) Service uses, including any or several of the following:

a. Barber or beauty shop.

b. Coin laundry or dry cleaning substation.

c. Locksmith.

d. Photographer.

e. Shoe repair.

f. Travel agency.

(b) *Uses permitted by special exception.*

(1) Convenience grocery store without gasoline pumps (no building larger than 3,500 square feet).

(2) Churches and their educational buildings.

(3) Specialty Medical Facility.

SECTION 12. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-222 is hereby amended as follows:

Sec. 31-322. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the CG general commercial district:

(1) Any use permitted in the CN neighborhood commercial district, except that residential use shall not be permitted.

(2) *Reserved.*

(3) Personal service establishments, such as barbershops, beauty parlors, medical and dental clinics, restaurants, stores, banks, professional and other offices, funeral homes, parking garages and lots, laundry pickup stations, shoe repair, tailoring, watch and clock repair, and locksmith.

(4) Hospitals.

(5) Bus passenger terminal.

(6) Theaters and motion picture houses, except drive-in theaters.

(7) Advertising panels or signs.

(8) Private clubs.

(9) Coin-operated personal service establishments, conforming to subsection (a)(2) in this section.

(10) New car dealerships.

(11) Churches and their educational buildings.

(b) *Special exception.* The following uses may be permitted by special exception in the CG general commercial district:

(1) Hotel/motel, in accordance with RMH-15 regulations.

(2) Commercial planned unit development, C-PUD.

(3) Inlet harbor center planned unit development, IHC-PUD, only within the boundaries of the inlet harbor center redevelopment agency.

(4) Drive-in restaurants.

(5) Filling stations.

(6) Auto malls.

(7) Car washes.

(8) Bars, saloons, taverns, cocktail lounges, or nightclubs.

(9) Gun shop.

(10) Substance abuse clinics.

(11) Shopping centers in excess of 20,000 square feet of building area.

~~(12) Adult congregate living facility (ACLF): Temporary conversion from existing hotel/motel structures within the Inlet Harbor Center Overlay zoning district only (see subsection 31-523(e)).~~

(12) Assisted living facilities.

(13) Nursing homes.

(14) Specialty Medical Facility.

(15) Specialty Hospital.

SECTION 13. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-362 is hereby amended as follows:

Sec. 31-362. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the IL limited industrial district:

(1) The following light industrial and manufacturing uses where the scale of operations and the process of manufacturing or treatment of materials is such that the amount of dust, odor, gas, smoke or noise resulting therefrom will not be objectionable to surrounding residential properties and where the operations are conducted in one or more buildings:

Appliance manufacturing.

Auto paint and body shop.

Auto repairs and auto body shop.

Bakeries, wholesale, large scale preparation.

Boats, manufacturing.

Business offices accessory to primary industrial use.

Cold storage.

Confectionery, wholesale, large scale preparation.

Contractor's storage yard.

Cosmetics manufacturing.

Dairy processing.

Dry cleaning plant.

Electronic equipment manufacturing.

Engraving.

Food processing.

Furniture manufacturing.

Glass manufacturing.

Laundry plant.

Leather goods manufacturing.

Lumber yard.

Metal fabrication.

Millwork.

Monument works.

Motion picture studio.

Precision instruments and optics manufacturing.

Port related ship supply establishments and facilities.

Printing and publishing.

Textile and clothing manufacturing.

Tobacco products manufacturing.

Upholstery shop.

Welding shop.

Wholesaling.

New vehicle dealerships.

(2) CN district uses, nonresidential, which shall be in accordance with chapter 26.

(b) *Special exception.* The following uses may be permitted by special exception in the IL limited industrial district:

(1) PUD.

(2) Used car lots.

(3) Beverage manufacturing and bottling works.

(4) Laboratory industrial research.

(5) Auto services, including transmission and oil change establishments.

(6) Truck rental and leasing.

(7) Specialty Medical Facility.

(8) Specialty Hospital.

SECTION 14. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-382 is hereby amended as follows:

Sec. 31-382. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the IG general industrial district:

(1) Any use permitted in the IL districts.

(2) Manufacturing, processing and fabrication of any product or commodity except those enumerated hereinafter as prohibited uses or provided as special exceptions.

(3) Outdoor drive-in theaters.

(4) Public utility structures.

(5) Railroad switching and make-up yards.

(6) Petroleum storage but not in excess of 50,000 gallons at any one manufacturing or industrial location.

(7) Liquid gas storage not in excess of 15,000 gallons at any one manufacturing or industrial location.

(8) Any customary accessory use to all above facilities.

(9) The following uses shall be permitted east of Broadway (U.S. No. 1) in this district only if directly related to Port of Palm Beach activities and not in conflict with the requirements of this district:

a. Piers, docks and wharves.

b. Terminals for freight or passengers arriving or departing by ship.

c. Railroad lines and sidings for service wharfs and piers, and railroad right-of-way freight, terminals' team-tracks and spur tracks.

d. Facilities for maintenance and repair of vessels.

e. Ship supply establishments and facilities.

f. Wholesale warehouse and retail establishments dealing primarily in bulk materials delivered by ship, and railroad or ship and truck in combination.

g. Government and professional.

h. Refueling stations for Port of Palm Beach District.

(10) CN district uses excluding residential shall be in accordance with chapter 26.

(11) Temporary labor employment office.

(12) Pawn shop.

(13) Recycling center.

(14) Recycling facility.

(b) *Special exception.* The following uses may be permitted by special exception in the IG general industrial district:

(1) PUD.

(2) Warehouses and storage uses.

(3) Reserved.

(4) Asphalt and concrete mixing and batching, and product manufacture.

(5) Foreign trade zone.

(6) Adult entertainment establishments (see Ordinance No. 2648 [ch. 2.5]).

(7) Self-service storage.

(8) Specialty Hospital.

SECTION 15. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-422 is hereby amended as follows:

Sec. 31-422. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the CF community facility district:

(1) Municipal services and accessory buildings and structures including but not limited to the following:

a. Fire stations.

b. Police stations.

c. Libraries.

(2) Municipally owned and operated parks and recreation areas.

(3) Educational institutions including but not limited to the following:

a. Colleges and universities.

b. Schools, public and private.

c. Vocational schools and training centers and seminaries.

(b) *Special exception.* The following uses may be permitted in the CF community facility district:

(1) The following types of uses and other similar services may be permitted in this district provided if they are operated under the direct control of the municipality:

a. Restaurant and other similar food service establishments.

b. Lounges may be permitted if in conjunction with a restaurant operation.

c. Gift shops.

d. Beach apparel.

e. Other recreation facilities.

f. Sundries and confectionery establishments.

g. Publicly owned and operated marinas and dry storage facilities.

h. Specialty Medical Facilities.

(2) State/county parks.

(3) State/federal buildings and facilities.

SECTION 16. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-487 is hereby amended as follows:

Sec. 31-487. Uses permitted in R-PUD residential planned unit development.

The following uses are permitted in the R-PUD residential planned unit development:

(1) Any residential structure type and arrangement compatible with the purpose and intent of this special exception.

(2) Residential accessory uses.

(3) Home occupations.

(4) Publicly operated parks and recreation areas or other facility operated by a nonprofit organization.

(5) Public and private utility services and accessory buildings and structures, excluding sanitary landfill, incinerator, refuse and trash dumps, for the use of the development.

(6) Recreation facilities and clubs.

(7) Churches or places of worship and accessory buildings and structures.

(8) Day care centers.

(9) Nursing homes. ~~and convalescent facilities~~.

(10) Clinics, medical, dental, chiropractic and veterinary, outpatient only.

(11) Government services and accessory buildings and structures.

(12) Business offices and studios.

(13) Professional offices.

(14) Financial institutions.

(15) Personal services, including but not limited to barber shops, beauty salons and the like.

(16) Hotels and motels.

(17) Restaurants and lounges.

(18) Bakeries, retail; limited preparation of products for on-premises sale.

(19) Food and beverage stores.

(20) Confectionery, retail; limited preparation of products for on-premises sale.

(21) Drycleaning and laundry pickup stations.

(22) Self-service laundry and dry cleaning.

(23) Newsstands.

(24) Automobile service stations; no major repairs.

(25) Pharmacy.

(26) Hardware, paint and garden supplies.

(27) Assisted Living Facilities.

SECTION 17. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-536(a)(3), Downtown Core District, is hereby amended as follows:

(3) *Building use.*

a. *Uses permitted on all streets.* The following uses are permitted in the DC downtown core district on both primary and secondary streets:

1. Multifamily dwelling units.

2. Professional office.

(i) Drive throughs serving banks shall meet the configuration criteria in subsection 31-536(a)(3)c.4. but are not required to obtain a special exception.

3. Retail establishments.

(i) Drive throughs serving restaurants require special exception and shall meet the configuration criteria in § 31-536(a)(3)(c)(4).

4. Hospitals.

5. Marine-related businesses as follows:

(i) Retail, office, or commercial uses pertaining to marine industries, which does not involve manufacturing.

(ii) Show rooms and office uses for marine sales, repair, or manufacturing.

6. Daycare (See section 31-544).

7. Hotels/motels.

8. Nursing ~~or convalescent~~ homes ~~and adult living facilities (ALF)~~.

9. Assisted living facilities.

~~9~~10. Churches and their educational buildings; Storefront churches.

~~10~~ 11. Civic open space (See section 31-538).

~~11~~12. Community Gardens.

SECTION 18. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-536(b)(2), Downtown General District, is hereby amended as follows:

(2) *Use regulations.*

a. Uses permitted. The following uses are permitted by right in the DG district, except that on primary streets, parking (whether principle or accessory use) shall be separated from the street for at least 20 feet:

1. Residential
2. Professional office, except drive throughs are not permitted.
3. Retail establishments, except drive throughs are not permitted.
4. Daycare (See section 31-544.).
5. Nursing ~~or convalescent~~ homes ~~and adult living facilities (ALF)~~.
6. Assisted living facilities.

~~6~~ 7.Churches and their educational buildings; storefront churches.
~~7~~ 8.Civic open spaces (See section 31-538.).
~~8~~ 9.Community gardens.
10. Specialty Medical Facility.

SECTION 19. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-536(c)(3), Downtown Residential District, is hereby amended as follows:

(3) *Use regulations.*

a. *Uses permitted.* The following uses are permitted in the DR district:

1. Single-family dwellings.
2. Multiple family dwellings, provided the dwelling is provided in the form of a townhouse, apartment house, or courtyard building, as described in subsection 34-536(c)(1).
3. Home occupations.
4. Community gardens.
5. Civic open spaces (See section 31-538.).

b. *Special exception.* The following uses may be permitted by special exception in the DR downtown residential district:

1. Churches and their educational buildings.
2. Daycare (See section 31-544.).
3. Nursing ~~or convalescent~~ homes ~~and adult living facilities (ALF), or group home~~.
4. Assisted living facilities.

SECTION 20. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-560 is hereby created as follows:

Sec. 31-560. Community Residences and Recovery Communities – Purpose.

The purpose of sections 31-561 and 31-562 is to provide for the general health, safety, and welfare of the City of Riviera Beach; to provide for the inclusion of persons with disabilities into residential settings by preventing *de facto* social service districts; and to protect persons with disabilities residing in community residences and recovery communities by establishing reasonable requirements for certification, licensure, or the equivalent.

SECTION 21. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-561 is hereby created as follows:

Sec. 31-561. Standards for Community Residences.

(a) *Allowed Zoning Districts*. Community residences are allowed as follows:

(1) Type I community residences (up to six (6) residents): are a permitted use in all zoning districts that allow residential uses, subject to the requirements of this section.

(2) Type II community residences (between seven (7) and fourteen (14) residents): are a permitted use in all zoning districts that allow multifamily housing, subject to the requirements of this section.

(b) *Typical uses.*

(1) Type I and Type II community residences include, but are not limited to, residential settings for persons who meet the following criteria:

(i) A person residing in an adult family care home as defined by F.S. § 429.65(2).

(ii) A physically disabled or handicapped person as defined in F.S. § 760.22(7).

(iii) A developmentally disabled person as defined in F.S. § 393.063(9)

(iv) A non-dangerous person with a mental illness as defined in F.S. § 394.455(18).

(v) A child as defined in F.S. § 39.01(12) and (14); or

(vi) A person suffering from addiction receiving care and treatment in a recovery residence.

(2) In addition, Type II community residences include those residences as defined by section 419.001(1)(a), Florida Statutes.

(c) *License, Certification, or Recertification Requirements*.

(i) Community residences are required to have and maintain any license or certification that the State of Florida requires.

(ii) Recovery residences, except for chartered Oxford Houses, are required to be certified by the Florida Association of Recovery Residences (FARR). An existing recovery residence that, as of the effective date of Ordinance No. 4243, does not meet the requirements of this subsection shall have until December 31, 2024, to come into compliance or shall cease operation and safely relocate residents.

(iii) A community residence that has been denied a license or certification the State of Florida requires or a FARR certification or an Oxford House charter, or had such license, certification, or charter revoked, suspended, or denied renewal, shall cease operation within 60 days of the revocation, suspension, or denied renewal and safely relocate residents.

(d) *Siting/Location.* A community residence shall not be located within a 660-foot radius of an existing community residence and shall not be located within a 1,200-foot radius of an existing recovery community.

(e) Persons with disabilities may seek reasonable accommodation with respect to the requirements for community residences pursuant to section 31-9 of this Chapter, which sets forth the procedure for such requests.

SECTION 22. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-562 is hereby created as follows:

Sec. 31-562. Standards for Recovery Communities.

(a) *Allowed Zoning Districts.* Recovery communities are a permitted use in all zoning districts that allow multifamily dwellings, subject to the requirements of this section.

(b) *License, Certification, or Recertification Requirements*.

(i) Recovery communities are required to have and maintain any license or certification that the State of Florida requires.

(ii) Recovery communities are required to be certified by the Florida Association of Recovery Residences (FARR). An existing recovery community that, as of the effective date of Ordinance No. 4243, does not meet the requirements of this subsection shall have until December 31, 2024, to come into compliance or shall cease operation and safely relocate residents.

(iii) A recovery community that has been denied a license or certification the State of Florida requires or a FARR certification, or had such license or certification revoked, suspended, or denied renewal, shall cease operation within 60 days of the revocation, suspension, or denied renewal and safely relocate residents.

(e) *Siting/Location*. A recovery community shall not be located within 1,200 linear feet of an existing recovery community and shall not be located within 1,200 linear feet of an existing community residence. Linear feet shall be measured from the nearest property line of the proposed recovery community to the nearest property line of the closest existing recovery community or community residence.

(f) Persons with disabilities may seek reasonable accommodation with respect to the requirements for recovery communities pursuant to section 31-9 of this Chapter, which sets forth the procedure for such requests.

SECTION 23. The City of Riviera Beach Land Development Code, Chapter 31, Zoning, Section 31-563 is hereby created as follows:

Sec. 31-563. Standards for Non-Residential Medical Uses.

(a) Purpose: The purpose of this section is to provide for the siting of medical treatment centers that are not residential in nature, to include hospitals, specialty medical facilities, and specialty hospitals, while ensuring that such facilities do not interfere with residential character of adjacent communities by causing excessive noise, light, and traffic.

(b) Specialty Medical Facilities shall comply with the following standards:

(1) Separation from residential uses. The facility shall be at least 250 feet from a residential zoning district.

(2) Overnight treatment. Overnight treatment is prohibited.

(3) Hours of operation. The facility shall not offer treatment or services between the hours of 10 p.m. and 7 a.m.

(c) Specialty Hospitals shall comply with the following standards:

(1) Separation from Residential Uses. The hospital shall be at least 500 feet from a residential zoning district.

(2) Overnight Treatment. Overnight treatment is permitted.

(3) Hours of Operations. The hospital may be open 24 hours per day.

(4) The specialty hospital shall be located on a site that has an area of at least three acres and fronts on or has direct access to and from an arterial or collector street.

(5) Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the specialty hospital, with minimal conflicts with other vehicular or pedestrian traffic in the area.

(6) A perimeter security plan is required and shall address at a minimum vehicular and pedestrian access to site, parking areas, and lighting.

(7) Outdoor recreation and/or passive space shall be provided for both patients and visitors.

(d) Hospitals shall comply with the following standards:

(1) Separation from Residential Uses. The hospital shall be at least 500 feet from a residential zoning district.

(2) Overnight Treatment. Overnight treatment is permitted.

(3) Hours of Operations. The hospital may be open 24 hours per day.

(4) The hospital shall be located on a site that has an area of at least four acres and fronts on or has direct access to and from an arterial or collector street.

(5) Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the hospital, with minimal conflicts with other vehicular or pedestrian traffic in the area.

(6) A Perimeter Security Plan is required and shall address at a minimum vehicular and pedestrian access to site, parking areas, and lighting.

(7) Outdoor recreation and/or passive space shall be provided for both patients and visitors.

Secs. 31-~~560~~564—31-565. Reserved.

SECTION 24. SEVERABILITY. If any section, subsection, sentence, clause, phrase or provision of this Ordinance, or its application, to any person or circumstance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 25. REPEAL OF LAWS IN CONFLICT. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 26. CODIFICATION. Specific authority is hereby granted to codify the Ordinance as 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 sections of this Ordinance may be renumbered to accomplish such intentions.

SECTION 27. EFFECTIVE DATE. This Ordinance shall become effective immediately upon final passage and adoption by the City Council.

PASSED AND APPROVED on the first reading this _____day of _____,2023.

PASSED AND ADOPTED on second and final reading this _____ day of _____, 2023.

[The remainder of this page is intentionally blank.]

APPROVED:

_____
RONNIE L. FELDER
MAYOR

_____
DOUGLAS LAWSON
CHAIRPERSON

ATTEST:

_____
TAWANNA KING
CERTIFIED MUNICIPAL CLERK
INTERIM CITY CLERK

_____
SHIRLEY D. LANIER
CHAIR PRO TEM

REVIEWED AS TO LEGAL SUFFICIENCY

_____
DAWN S. WYNN, CITY ATTORNEY

DATE: _____

_____
TRADRICK MCCOY
COUNCILPERSON

_____
JULIA A. BOTEL, Ed.D
COUNCILPERSON

_____
KASHAMBA MILLER-ANDERSON
COUNCILPERSON

1ST READING

MOTIONED BY:_____

SECONDED BY:_____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY:_____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

City of Riviera Beach Staff Report
Amendment to the LDC for Community Residences and Medical uses

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, "ZONING", ARTICLE I "IN GENERAL", SECTION 31-1 "DEFINITIONS", TO AMEND THE DEFINITION OF "FAMILY" AND ADD DEFINITIONS FOR "COMMUNITY RESIDENCES", "RECOVERY COMMUNITY", "ASSISTED LIVING FACILITIES", "NURSING HOMES", "HOSPITAL", "SPECIALTY HOSPITAL", "SPECIALTY MEDICAL FACILITY" ; AMENDING ARTICLE V, "DISTRICT REGULATIONS", TO PROVIDE FOR THE REGULATION OF SAME; AND AMENDING ARTICLE VI, "SUPPLEMENTAL DISTRICT REGULATIONS" TO ADD A NEW SECTIONS 31-560, "COMMUNITY RESIDENCES" AND 31-563 "MEDICAL USES"; AND FOR OTHER PURPOSES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

A. **Applicant:** This is a staff-initiated revision to the Code of Ordinances. The Applicant is the City of Riviera Beach.

B. **Request:** This application is a proposed amendment to the Code of Ordinances Chapter 31, Zoning, Article I, to add definitions for community residences, recovery community, assisted living facility, nursing home, hospital, specialty hospital, and specialty medical facility. The proposed amendment goes on to provide district regulations to provide for identified zoning districts most appropriate for said uses. Finally, the amendment provides standards and findings for the aforementioned residential uses and medical uses.

C. **Background:** This proposed amendment to the code of ordinances is being brought forward to update and clarify the list of permitted and special exception uses related to residential uses for those who need either community support or professional staff for their well-being. The City has a legitimate interest in protecting individuals with disabilities, including those recovering from addiction, (i) by providing opportunities for them to live and receive supervision, assistance, treatment and/or supportive care in congregate living facilities, including community residences or recovery communities, as defined in this amendment, located within residential zoning districts; (ii) by encouraging the normalization and integration of such facilities into the surrounding neighborhoods; and (iii) by ensuring that the community residences and recovery communities meet appropriate standards and receive adequate oversight in providing services to their residents.

While the integration and normalization of community residence and recovery communities can be beneficial to the residents and neighborhoods alike, the over-concentration of such facilities would alter the residential character of the surrounding neighborhood by creating or intensifying an institutional atmosphere or creating or intensifying a de facto social service district. The City has a legitimate interest in preserving the peaceful, residential character of its neighborhoods and encouraging the harmonious integration and normalization of community residences, by preventing the over-concentration of community residences and recovery communities in any particular neighborhood or area through reasonable distance requirements and other siting and development standards for such facilities.

Finally, currently development regulations of the City do not adequately identify and regulate the various medical uses that are common in the industry today. This amendment would identify these uses through definitions and provide district placement and development standards for the uses. Staff worked extensively with the City Attorney's Office and outside Legal to craft this code amendment. It is now ready for the consideration at public hearing.

D. Recommendation: Staff recommends that City Council find that it is reasonable and appropriate for the City to amend the Code of Ordinances and recommends approval of this Ordinance as proposed. The Planning & Zoning Board voted unanimously to recommend that City Council approve this item.

0 0.25 0.5 1 Mile

Disclaimer:
Data Source for the Sober Homes is Riviera Beach Police Dept and Business Tax Receipt
Data Source for Existing ALF/CLF is from existing City of Riviera Beach GIS Database

FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Legend
- EXISTING ALF/CLF
- Sober Homes
- Treatment Center
- EXISTING ALF/CLF BUFFER (1,000 FEET)
- Sober Homes Buffer
- Parcels
- City Boundary

Sober Homes and Community Treatment Centers
City of Riviera Beach, FL

N

FARR
Florida Association of Recovery Residences

August 22, 2023

Dear Mr. Waters –

Thank you again for meeting with us regarding sober living recovery residences in your city. After reviewing the FARR website, we recognize those descriptions are not accurate or reflective of how certified homes operate. Attached are the accurate FARR descriptions of the 4 levels of housing we certify. To the extent of any conflict between these standards and the FARR website, these standards will control. Our website was initially created to mirror the NARR housing levels, but like many other states, our FARR standards are significantly different with regard to Level III and Level IV homes. We do not allow any form of treatment or personal care services to occur in a Level III or IV residence. Should you have any other questions, please do not hesitate to contact me.

Best Regards,

Josh Thrasher

Director of Certification

Cc: Elizabeth Lenihan, Esq., City Attorney

Erin Sita, Assistant Zoning Director

FARR Board of Directors

Jeffrey Lynne, Esq.

James Green, Esq.

Steve Polin, Esq.

500 Gulfstream Blvd., Ste. 204 Delray Beach, FL 33483
Office 561.299.0405
www.FARROnline.org

FLORIDA ASSOCIATION OF RECOVERY RESIDENCES, INC. REGISTRATION#: CH67583, has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435- 7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE.
Florida Association of Recovery Residences is recognized as a 501(c)(3) non-profit organization by the IRS. Tax Identification Number: 46-0634210

FARR
Florida Association of Recovery Residences

Levels of Care

I

FARR Level I residences are perhaps best exemplified by the Oxford House model. Individuals who enter FARR Level I homes have a high recovery capital with a minimum of 9 months sobriety. Level I homes are democratically run by the members who reside in the home through a guided P&P manual or charter.

II

FARR Level II residences encompass the traditional perspective of sober living homes. There is oversight from a house manager with lived experience, typically a senior resident. Residents are expected to follow the rules outlined in the resident handbook, pay their dues, and work on achieving milestones within a chosen recovery path.

III

FARR Level III residences offer higher supervision by staff with formal training to ensure resident accountability. Level III homes offer peer-support services and are staffed 24 hours a day. No clinical services are performed at the residence. The services offered usually include life skill mentoring, recovery planning, & meal preparation. This support structure is most appropriate for residents who require a more structured environment during early recovery from addiction.

IV

FARR Level IV residences are staffed 24 hours a day and blend the Clinical Model (licensable services) into the Social Model to varying degrees. All clinical services are performed off-site. In Florida, Level IV residences are required to obtain and maintain appropriate outpatient licensure from the Department of Children & Family Services (DCF). Residents are required to follow a treatment plan, attend groups, and individual sessions, in addition to developing a recovery plan within the social model of recovery spectrum.

500 Gulfstream Blvd., Ste. 204 Delray Beach, FL 33483
Office 561.299.0405
www.FARROnline.org

FLORIDA ASSOCIATION OF RECOVERY RESIDENCES, INC. REGISTRATION#: CH67583, has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitation of Contributions Act. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435- 7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE.
Florida Association of Recovery Residences is recognized as a 501(c)(3) non-profit organization by the IRS. Tax Identification Number: 46-0634210

Public Notices

SI USTED ES UNA PERSONA MINUSVALIDA QUE NECESITA ALGUN ACOMODAMIENTO PARA PODER PARTICIPAR EN ESTE PROCEDIMIENTO, USTED TIENE DERECHO SIN TENER GASTOS PROPIOS, A QUE SE LE PROVEA CIERTA AYUDA. TENGA LA AMABILIDAD DE PONERSE EN CONTACTO CON GERMAINE ENGLISH, 205 N. DIXIE HIGHWAY, WEST PALM BEACH, FLORIDA 33401; TELEFONO NUMERO (561) 355-4327 POR LO MENOS 7 DIAS ANTES DE LA CITA FIJADA PARA SU COMPARECENCIA EN LOS TRIBUNALES, O INMEDIATAMENTE DESPUES DE RECIBIR ESTA NOTIFICACION SI EL TIEMPO ANTES DE LA COMPARECENCIA QUE SE HA PROGRAMADO ES MENOS DE 7 DIAS; SI USTED TIENE DISCAPACITACION DEL OIDO O DE LA VOZ, LLAME AL 711.

SI OU SE YON MOUN KI ENFIM KI BEZWEN AKOMODASYON POU W KA PATISIPE NAN PWOSEDI SA, OU KAUFEYE SAN OU PA GEN OKENN LAJAN POU W PEYE. GEN PWOVIZYON POU JWEN KEK ED. YANPRI KONTAKTE GERMAINE ENGLISH, KOORDONATE PWOGRAM LNA POU AMERIKEN KI ENFIM YO NAN TRIBINAL KONTE PALM BEACH LA KI NAN 205 NORTH DIXIE HIGHWAY, WEST PALM BEACH, FLORIDA 33401; TELEFON LI SE (561) 355 4327 NAN 7 JOU ANVAN DAT OU GEN RANDEVOU POU PAREZI NAN TRIBINAL LA. YEN IMEDYATMAN APRE RESEVWA CITASYON AN SI LE OU POU SOURD OUBYEN NAN LA MWENS KE 7 JOU. SI OU PROBLEM POU W TANDE YEN PALE, RELE 711.

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to all parties on the attached service list by e-Service or First Class U.S. Mail on this 21st day of September, 2023.

Respectfully submitted,

GETTY LAW GROUP
DAVID GRIFFITHS, ESQ.
Florida Bar #91444
3rd Avenue, Suite 303
Jupiter, FL 33131
(561) 537-7538 (Telephone)
(561) 537-7567 (Facsimile)
dgriffiths@gettylawgroup.com
Attorney for Plaintiff

Submitted to the File, R. Jud. Admin. Rule 2.516, the above signed counsel for Plaintiff designates other gettylawgroup.com as the primary e-mail address for service, in the above matter. All pleadings and documents required to be served on parties.

September 26, October 4, 2023
9350570

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA
Case No: 50-2023-DR-010223-XXXX-MB
Division: FC

Linwood Jenkins,
Petitioner,
and
Shakira Rivera
Respondent.
NOTICE OF ACTION FOR FAMILY CASES WITH MINOR

Fictitious Business

Notice of Closure of Greenacres Chiropractic Center
Located at 4613 Lake Worth Road Lake Worth Fl
Effective August 31, 2023
Records requests may be submitted to
palacc@hotmail.com

September 19,26,October 3, 10 2023
LSA9982246

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT.

Public Notices

CHILD
TO: Shakira Rivera
4224 Garden Ave., West Palm Beach, FL 33405
YOU ARE NOTIFIED that an action for Modification Petition has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on Linwood Jenkins, whose address is confidential (court has on file) on or before October 31, 2023, and file the original with the clerk of this Court at 205 N. Dixie Hwy. West Palm Beach, FL before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in the petition.
The action is asking the court to decide how the following real or personal property should be divided: none
Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.
You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Address and Email Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed or emailed to the address(es) on record at the clerk's office.
WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.
Dated: September 18, 2023
Joseph Abruzzo
Clerk of the Circuit Court & Comptroller
Palm Beach County
By: /s/ Gale L. Milazzo
Deputy Clerk
Wbs. 19/5, 10, 1/2023 9350713

Request for Proposals
For
Patch Reef Park Court Tennis & Pickleball Project

The Board of Commissioners of the Greater Boca Raton Beach & Park District (the "District") will receive proposals until October 25, 2023 at 11:00 a.m. for the renovation of the tennis and pickleball facility at Patch Reef Park, 3900 West Yamato Road, Boca Raton, FL 33431. The proposals will be publicly opened in the District's offices located at the Swim and Racquet Center (room 154), 7849 N. Andrews Blvd., Boca Raton, Florida, in the presence of District officials.
There will be a mandatory pre-bid meeting on Wednesday, October 11 @ 10:00 am at the address of the District (7849 St. Andrews Blvd, Boca Raton, room 154). Attendance at this meeting is mandatory for bid consideration.
The project consists of rebuilding 17 tennis courts and adding an additional 18 newly built, covered pickleball courts. To obtain a copy of the Request for Proposals or to visit the site, please contact Melissa Dawson, Facilities Manager, at mdawson@bocaparks.org or 561-417-4591.
September 19,26,October 3,9, 2023
9351144

Public Notices

ADVERTISEMENT FOR BIDS
LANDSCAPE MAINTENANCE OF CANALS & MEDIANS
BID NO. 24-007
The City of Greenacres, Florida is soliciting proposals from experienced and qualified companies to provide landscape maintenance services at canals and medians for the City.
Proposals must be submitted on or before Wednesday, October 11, 2023 at 3:00 P.M. to one of two methods as follows:
1. Online through DemandStar: OR
2. Submitted in duplicate, in one sealed envelope addressed to the Director of Purchasing and marked "SEALED BID 24-007 LAND-SCAPE MAINTENANCE OF CANALS & MEDIANS". Bid proposals will be received by the City of Greenacres, Office of the Director of Purchasing located at 5800 Melaleuca Lane, Greenacres, Florida 33463.
Any bid received after the date noted during time will be returned unopened.
Proposers desiring copies of the bid document for use in preparing a proposal may obtain a set of such documents from DemandStar at www.demandstar.com.
The City reserves the right to accept or reject any and all bid proposals received as well as to waive any irregularities therein. The City further reserves the right to award the contract to that bidder whose proposal best complies with the specifications, bids more with their bid proposals by notifying the successful proposer in writing that upon such notification and delivery of the contract and bid proposal will constitute an irrevocable offer for a period of sixty (60) days. Once contract bid proposals become a record of the City and will not be returned to the bidders.

Monica Powery, CPPB
Director of Purchasing
September 26, 2023 9350696

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FLORIDA
PROBATE DIVISION
File No. 2023-CP-004784
IN RE: MARIA E. PONCE
Deceased.
Division: Probate
NOTICE TO CREDITORS

The administration of the estate of Maria E. Ponce, deceased, whose date of death was August 17, 2023, is pending under File No. 2023-CP-004784 in the Circuit Court for Palm Beach County, Florida, Probate Division, the address of which is 205 N. Dixie Highway, West Palm Beach, Florida 33401. The names and addresses of the personal representative and the personal representative's attorney are set forth below.
All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.
All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.
ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.
NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.
The date of first publication of this notice is: September 19, 2023
Attorney for Petitioner: Taren Castro, Esq., Florida Bar No. 1022015, The Castro Law Firm, PLLC, 11440 Okeechobee Boulevard Suite 210, Royal Palm Beach, FL 33411, Telephone (561) 333-9149
Personal Representative: Yanelis Molina, 2731 Miramontes Circle, Wellington, FL 33414
September 19,26, 2023 9351017

INVITATION TO BID
Project: Palm Beach County Fire Station #49 #0013-0701-1145
Bid Due Date: September 26, 2023 @ 3PM
CORE Construction and our partners, active as the Construction Managers, are seeking Subcontractor Bids for the new construction of Palm Beach Fire Station #49, located at the corner of Lyons Road and Flavor Pict Road, Boynton Beach, FL.
The scope of work consists of a new 1-Story fire station with a 4-bay apparatus. The overall building is around 18,208 SF with CMU and metal framing of the main building and continuous concrete at the apparatus bay.
Anticipated construction start is Nov/Dec 2023. LMWBE certified subcontractors & suppliers are encouraged to participate.
For access to bid documents & to unsubscribe, send a request to bids@corecconstruction.com
9351/9/2023 #9351796

BE BOLD!
Make your ad standout.

Homes

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, October 4, 2023 at 6:00 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 31, ZONING, SECTIONS 31-1, 31-61, 31-117, 31-137, 31-141, 31-157, 31-161, 31-177, 31-187, 31-192, 31-222, 31-242, 31-302, 31-322, 31-362, 31-382, 31-422, 31-487, AND 31-536; CREATING SECTIONS 31-560, 31-561, 31-562, AND 31-563; AMENDING THE DEFINITION OF FAMILY; ADDING DEFINITIONS FOR

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, October 4, 2023 at 6:00 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 28, "SIGNS," TO UPDATE THE DEFINITIONS AND REGULATIONS PERTAINING TO TEMPORARY SIGNS; AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4243- Community Residences

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

DRAFT

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

Shorecrest

Continued from Page 1A

featuring up to 4,000 square feet, on the east side of the property facing the Intracoastal Waterway and Palm Beach, Himmel said.

Most units, however, will cost about $5 million, Himmel said.

Shorecrest's target market is people moving to Palm Beach County to work in one of the many Class A office towers in the city, most of which are owned by Related, Himmel said.

"It's for people moving here for our offices, young, newly married people, and empty nesters," Himmel said.

At a time when homes on West Palm Beach's waterfront are selling for seven figures, "where else can you get anything on the water for under $5 million?" Himmel asked.

Shorecrest's architect is Roger Ferris, a notable contemporary architect whose worldwide body of work is "magnificent," Himmel said. This is Ferris's first project in Palm Beach County.

The sales gallery is expected to open in January at The Square.

The move underscores Related's desire to capitalize on a new crop of upscale condominiums rising in the city in much the same way the company dominates the downtown office market.

Related Cos. already is marketing preconstruction units at South Flagler House, an ultra-luxury condo project planned along the Intracoastal Waterway at 1355 S. Flagler Drive. This pricey enclave features 108 units in twin towers designed by another noted architect, Robert A.M. Stern Architects in New York. Prices start at $5.9 million but units will mostly range from $12 million to $18 million each.

Himmel described Shorecrest and South Flagler House "as completely different markets," with South Flagler House catering to more of the Palm Beach crowd.

While South Flagler House is in the same vaunted market as the Bristol, Shorecrest will compete with other luxury condos already under construction along North Flagler Drive. They include Olara next to the temple site, as well as Alba farther north on Flagler Drive.

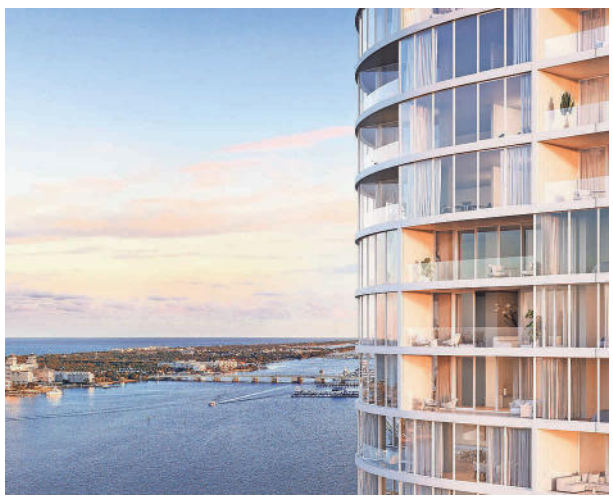
Both Shorecrest and South Flagler House expand Related's already heavy financial investment in West Palm Beach.

In addition to The Square, formerly CityPlace, Related built the Hilton West Palm Beach hotel and office towers 360 Rosemary and CityPlace Tower. New towers under construction include One Flagler along the waterfront and East and West Towers at The Square.

The company also owns the Phillips Point and Esperante office towers.

Recently, Ross talked about his decision to live full time at his home in Palm Beach and invest more in the local community.

In December, Ross announced the creation of Related Together, a new local nonprofit, as well as the donation of $8 million to The Stephen M. Ross Emerging Scholars Program at Palm Beach State College. The program will provide scholarships to students living in poor neighborhoods near the downtown, including the Historic Northwest, Coleman Park and Pleasant City neighborhoods.



Shorecrest, a luxury condominium planned for 1901 N. Flagler Drive by Related Cos. of New York. Sales will begin in the new year.
COURTESY OF RELATED COMPANIES AND THE BOUNDARY

Himmel said the tower will feature the temple and its offices on the first two floors, then a condo lobby floor and a garage floor. Some 20 stories of condominium residences will be built above these floors, he said.

"Everything we have today is being reconstructed, brand-new," List said.

List also was enthusiastic about plans to build the preschool, which the temple used to offer years ago. The school will be open to the public.

The temple will move to another location temporarily once construction begins, but that is expected to be at least a year away, he said.

Meanwhile, on the tower's west side, the preschool will be built on the ground floor and then a five-story parking garage will be built above the school, Himmel added.

The plans to build the temple in the condo were common knowledge in the development community for more than a year, but neither temple officials nor Related would publicly speak about the plan until now.

During a September West Palm Beach City Commission meeting, Temple representatives asked the city for approval to lift the zoning height for its property to 306 feet from 202 feet. Temple officials said they sought the added height for "fairness" because a project to its north, Olara, also had the same 306-foot height.

Himmel and List on Monday said the higher zoning allowance advanced the sales contract and boosted the undisclosed price. The contract is slated to close by a February 2026 deadline.

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, **January 17, 2023, at 6:30 PM**, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, "ZONING", ARTICLE I "IN GENERAL", SECTION 31-1 "DEFINITIONS", TO AMEND THE DEFINITION OF "FAMILY" AND ADD DEFINITIONS FOR "COMMUNITY RESIDENCES", "RECOVERY COMMUNITY", "ASSISTED LIVING FACILITIES", "NURSING HOMES", "HOSPITAL", "SPECIALTY HOSPITAL", "SPECIALTY MEDICAL FACILITY"; AMENDING ARTICLE V, "DISTRICT REGULATIONS", TO PROVIDE FOR THE REGULATION OF SAME; AND AMENDING ARTICLE VI, "SUPPLEMENTAL DISTRICT REGULATIONS" TO ADD A NEW SECTIONS 31-560, "COMMUNITY RESIDENCES" AND 31-563 "MEDICAL USES"; AND FOR OTHER PURPOSES; AND PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

WE-38289509

VOTE FOR US
2024 THE OFFICIAL COMMUNITY'S CHOICE AWARDS
PALM BEACH COUNTY
The Palm Beach Post
LOCALIQ

CONTACT OUR MEMBERSHIP OFFICE TO SCHEDULE A PERSONAL VISIT 561.775.4763

RESIDENCES FROM THE $800,000S TO $5 MILLION

+ Redesigned 115,000 square foot Grand Clubhouse
+ 3 Championship Golf Courses
+ 65,000 square foot Sports Complex
+ '71 Golf Learning Center
+ Nationally Recognized 21-Court Tennis and 9-Court Pickleball Center
+ Bocce Center
+ 6 Distinctive Dining Venues
+ Fitness Center, Pilates and Group Exercise Studios
+ Extensive Card Rooms
+ Resort-Style Swimming Pool
+ Cosmo & Company Salon & Spa
+ Golf & Racquet Shops
+ On-Site Physical Therapy
+ Social Events

100 BallenIsles Circle, Palm Beach Gardens, FL 33418 | ballenisles.org

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4245: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, creating City Code of Ordinances Chapter 32, Art in Public Places, providing for purpose, conflicts, severability and codification; and providing for an effective date.**

Date: January 17, 2024

CC: General Public

Background:

This application is a proposed amendment to the Code of Ordinances adding Chapter 32, Art in Public Places (known as AIPP) adding definitions, program application, guidelines, and creation of Public Arts Fund. In 2008, City Council began original discussions on an Art in Public Places program. The City Council continued to show interest in the proposed program and directed staff to conduct additional research on elements of a successful programs in the region. Staff found AIPP Programs vary from community to community. There are numerous examples of successful municipal and regional AIPP programs within Florida and in particular in our region. Municipalities have found Public art to energize and help reclaim our public spaces by transforming the built environment we experience every day. Public art is accessible to all residents and visitors and can contribute to the cultural richness of a community, thus providing expanded opportunities for tourism. It was found that an AIPP Program is established by Ordinance and then a Master Plan for AIPP is developed. Most AIPP Programs have a program facilitator or staff liaison, an advisory board, and identified funding sources.

Taking that into consideration, the City Council approved a resolution authorizing the creation of an Art in Public Places Program on November 3, 2021. The goal of the program is to encourage the installations of high-quality public art throughout the City for the benefit of the residents and visitors. The Council then directed the Development Services Department to prepare an ordinance that will create an incentive program to allow medium to large scale land development projects to participate in the City's AIPP Program.

To ensure a sustainable process for the City, staff has created this ordinance aligning with best practices of local programs. This new chapter includes guidelines for the City, staff, proposed Arts Committee members and applicants. It also sets expectations for acquisition and administration of public art and funding. Providing a variation of methods for the City to obtain public art, it aims to encourage participation from both public and private development. The ordinance proposes source funding to include: a one (1%) percent art fund fee from new and renovated development projects or art dedication in lieu of the fee, a one (1%) percent contribution from received City Business Tax Receipt funds, and private donations. Administration of the program will be through the proposed Arts Committee. Staff believes this provides a fair and orderly opportunity for development projects to the enhancement of Riviera Beach's cultural vitality and quality of life. Approval of this ordinance would not conflict with any existing ordinances or policies.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:

There will be no fiscal impact from this Item.

Recommendation:

Staff recommends a Motion to approve Ordinance Number 4245.

Attachments:

1. AIPP_Ordinance_4245- Second Reading.docx
2. Comparison of Florida Municipal Public Art Program NEW2.pdf
3. Reference Ordinances: Port st Lucie . tiered.docx
4. Reference Ordinances: West Palm Beach PUBLIC_ART.docx
5. Reference Ordinances: Palm Beach Gardens_Art_in_public_places_requirements..docx
6. Reference Ordinances: Boynton Beach-fl-1.pdf
7. Riviera Beach business-impact-estimate- Ordinance 4245.docx
8. Riviera Beach Business Impact Estimate-Ordinance 4245 Art in Public Places.docx
9. RE_ 9667000 AIPP Advertisement.pdf

Ordinance No. 4245

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING CITY CODE OF ORDINANCES CHAPTER 32, ART IN PUBLIC PLACES, PROVIDING FOR PURPOSE, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach is "Reimagining Riviera Beach" in innovative and thoughtful ways, using a facilitated participative process for the health, safety and general welfare of its residents and visitors; and

WHEREAS, recognizing the City Council's passion for restoring services to key priority areas for the City, and that one such area is addressing the City's significant challenges regarding underinvestment, litter, and illegal dumping; and

WHEREAS, the City Council recognizes that public art humanizes the built environment, invigorates public spaces and is vital to the quality of the life of its residents and to the economic success of its businesses as it attracts visitors and potential residents, fuels the local economy by creating job opportunities, and assists the City in fulfilling its mission to make Riviera Beach the best City in which to live, work, and visit; and

WHEREAS, the City Council recognizes public art will contribute to the aesthetic character, cultural diversity, and provide community education of the built environment; and

WHEREAS, the City Council adopted Resolution 127-21 November 3, 2021, which approved the creation of an Art in Public Places Program (Public Art Program); and

WHEREAS, the City Council recognizes the purpose of a public art program is to establish a program for the integration of public art into both public and private development projects throughout the city; and

WHEREAS, at the direction of Council, Development Services staff engaged subject area public art experts and professionals to obtain best industry standards for program requirements and implementation practices; and

WHEREAS, the findings recommend that funding for public art should include funding from private and public development; and

WHEREAS, for priority areas, public art in tandem with other place-based approaches can encourage revitalization and establish a sense of place; and

WHEREAS, the City hereby creates the Public Art Fund to ensure consistent resources; and

WHEREAS, projects permitted through the City, shall be assessed a public art fee of one (1%) percent of construction, renovation or remodeling costs at the time of permit

issuance by the City as well as City contribution of one (1%) percent of total Business Tax Receipts revenue will be deposited into the Public Art Fund to enhance and maintain the City's aesthetic diversity and character; and

WHEREAS, in Metromedia, Inc. v. San Diego, 453 U.S. 490 (1980), the United States Supreme Court determined that regulations pertaining to land development, which necessitate adherence to aesthetic criteria, have typically been upheld on the grounds of serving a valid public objective; and

WHEREAS, The City Council hereby creates the Public Art Fund with the goal of financing the installation of high-quality public art throughout the City for the benefit of its residents and visitors; and

WHEREAS, The Planning & Zoning Board reviewed this item on October 12, 2023 and voted unanimously to recommend that City Council approve this ordinance; and

WHEREAS, the City Council hereby finds and declares that the adoption of this Ordinance is consistent with the Land Use Element of the City of Riviera Beach Comprehensive Plan, particularly Objective 1.2 Redevelopment and Objective 1.9 Community Enhancement and that it is necessary, appropriate, and advances the public interest.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The City of Riviera Beach Code of Ordinances is hereby amended to create a new chapter, Chapter 32, Art in Public Places Program. It is to be read as follows:

CHAPTER 32. - ART IN PUBLIC PLACES PROGRAM

Intent and Purpose.

(a) It is the intent and purpose of this chapter to further the commitment of the City to the aesthetic, economic, cultural, and historical enrichment of the community through the creation of works of art so residents and visitors to the City of Riviera Beach are afforded an opportunity to benefit from the latent and direct impact art has on a community. The requirements of this chapter shall be construed to promote the aesthetic values of the entire community and to encourage the acquirement, preservation and protection of works of art.

Section 32-1 Definitions.

(a) For the purposes of this section, the following words and phrases shall have the following meanings:

Art, Work of Art, or Artwork: Tangible creations by Artists which include all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, paintings; sculptures; engravings; carvings; frescos; stained glass; mosaics; mobiles; tapestries; murals; photographs; video projections; digital images; bas-relief; high relief; fountains; kinetics; collages; drawings; monuments erected to commemorate a person or an event; functional furnishings, such as Artist designed seating and pavers; Artist designed architectural elements; and Artist designed landforms or landscape elements. The following shall not be considered as Art for the intents and purposes of this Code:

1. Reproductions or unlimited copies of original pieces of art; Objects which are mass-produced; or
2. Works that are decorative, ornamental, or functional elements of the architecture or landscape design, except when commissioned from an Artist as an integral design aspect of a Structure or site.

Artist: A practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as an Artist include, but are not limited to, income realized through the sole commission of Art, frequent or consistent Art exhibitions, placement of art in public institutions or museums, receipt of honors, and awards or training in the arts.

Construction Cost or Total Construction Costs: The total value of the construction of, or reconstruction work on structures as determined by the City's Building Official in issuance of a Building permit for construction, reconstruction, or remodeling. Costs such as that of land acquisition, architectural design, consultants, and engineering fees are not Construction Costs.

Project: new construction, renovation work, or façade improvements requiring a building permit where 50 percent or more of a building is being modified, renovated, expanded, rebuilt or improved by construction. For purposes of this article, project shall not include the following:

(1) Repair or reconstruction of structures which have been damaged by fire, flood, wind, earthquake, tropical storm or other casualty;
(2) Historic preservation or restoration;
(3) Interior renovation;
(4) Flood protection work items;
(5) Fire sprinkler installation work items as defined by the city code.

Each phase of a residential planned development shall be a separate project. If a developer is constructing more than five residential units in a residential planned development, or phase of such development, that did not previously comply with this article, such new construction shall be considered a project for purposes of this article. A residential unit shall be considered part of a project if the certificate of

occupancy for the residential unit is not issued prior to the submittal of a building permit application for the remaining residential units in a group of more than five.

Public Art Fee: One percent of the total dollar amount of the total construction costs of qualifying projects that equals or exceeds $50,000.00, which may be discounted as provided in this article.

Public Art Fund: A separate account set up by the City to receive monies for the Art in Public Places Program.

Public Art Master Plan: The plan to be generated by the Development Services Department and approved by the City Council, which presents selected sites and criteria for the selection of works of art.

Public place: any place, public or private, exposed to public view, including, but not limited to, buildings, parks, right-of-way medians and open spaces or any place owned and operated by a government or governmental entity and which is accessible to the public.

Remodeling: Alterations made to a building, including but not limited to, changes to the façade of a building, changes to the interior of a building, increases or decreases in the floor area of a building and changes to exterior improvements.

Renovation: A project requiring a building permit where 50 percent (50%) or more of the exterior building area is being modified, rebuilt or improved by construction.

Section 32-2 Applicability.

(a) The Public Art Fee set forth in this chapter shall apply to the following activities:

(1) Private non-residential development projects as set forth in section 32-6.

(2) Residential development projects with more than five (5) units as set forth in section 32-6.

(3) Public construction projects as set forth in section 32-6.

(b) Exceptions. The Public Art Fee set forth in this chapter do not apply to the following projects or activities:

(1) Remodeling, repair, or reconstruction of structures damaged by fire, flood, wind, earthquake or other calamity determined by the City of Riviera Beach building official.

(2) The percent of the project dedicated to affordable housing on premise as determined by the City of Riviera Beach.

(3) Normal, routine maintenance including replacement of existing damaged or failing structural or non-structural elements, HVAC, plumbing, electric, or fire detection/suppression equipment of a project not associated with an addition, renovation or new construction.

(4) Residential development projects with five (5) units or less.

(5) Historic preservation or restoration projects.
(6) Educational facilities dedicated to daycare and K-12 education.
(7) Non-profit. Projects on the premises of property owned or leased by non-profit organizations which are tax-exempt pursuant to section 501(c)(3) of the United States Internal Revenue Code. To qualify for an exemption under this subsection, the project must be intended for use in furtherance of the organization's non-profit cause.

Section 32-3 Public Art Advisory Board, Creation and Composition.

(a) A Public Art Advisory Board is hereby created as a body of individuals appointed by the City Council that shall have the duty and responsibility to make recommendations to the City Council on public art projects.

(b) The Public Art Advisory Board must be comprised of seven (7) members and two (2) alternates with a minimum of three members having a specialization in one of the following areas:

(1) Architect, or interior designer;

(2) Landscape architect or land use planner;

(3) Professional in the field of art;

(4) Art or architectural historian;

(5) Art educator;

(6) Artist.

(c) All members and alternates of the Public Art Advisory Board must reside within the city limits for a minimum of one (1) year preceding appointment unless they have a specialization in art per subsection (b) of this section.

(d) Each member of the Public Art Advisory Board serves without compensation.

(e) No member of the Public Art Advisory Board may be the artist, provide the artwork, provide art consulting services, or have any interest in any artwork to be reviewed by the board, whether proposed by a private developer or the city.

(f) The Public Art Advisory Board may be suspended by the City Council if the appointed membership is less than three (3) members or at least two (3) consecutive meetings have been canceled due to the lack of a quorum for the transaction of business. In the event the Public Art Advisory Board is suspended, the Planning and Zoning Board shall assume the duties and responsibilities of the Public Art Advisory Board as provided under this chapter.

(g) Four members or alternate members in any combination shall constitute a quorum necessary to make recommendations to the City Council.

(h) The board shall designate one of its members to act as chair for a term of one year, or until a successor is elected and qualified. The board shall maintain minutes of all of its meetings.

(i) Alternate members shall attend all meetings of the board and the presence of alternate members shall count toward a quorum. The first alternate member shall have the privilege of voting only upon the absence of a regular member or an abstention because a regular member believes he or she has a conflict of interest at a meeting. The second alternate member shall have the privilege of voting only upon the absence or abstention due to conflict of interest of two of the regular members to a meeting or the absence or abstention of one regular member and the first alternate.

(j) All meetings of the Public Art Advisory Board must comply with Florida law, including the Sunshine Law & Public Records Law.

Section 32-4 –Public Art Advisory Board Powers, Duties, and Functions

(a) The Public Art Advisory Board shall:

(1) Advise the City Council on the adoption of policies and procedures to acquire, commission, and maintain works of art in public places.

(2) Advise the City Council regarding applications for the installation of art as part of private projects pursuant to this chapter.

(3) Advise the City Council regarding installation of art as part of public projects pursuant to this chapter.

(4) Advise the City Council regarding proposed donations of art pursuant to this chapter.

(5) Recommend sites for location of public art in accordance with the Public Art Master Plan.

(6) Provide recommendations and guidance in implementation of the Public Art Master Plan.

(7) From time to time, recommend to the City Council updates or revisions to the Public Art Master Plan that identifies proposed locations and criteria for public artwork, art selection, and placement criteria, and other program recommendations, to reflect the changing environment of the city. It is the intent that such master plan be updated every five (5) years.

(8) Conduct, with the assistance of city staff, calls to artists regarding installation of art as part of public projects and regarding installation of art using the Art Fund pursuant to this chapter.

(9) Provide recommendations to the City Council on the maintenance of city-owned artwork to preserve and protect the public art in the city's collection.

(10) Provide recommendations to the City Council on the deaccessioning, removal, or replacement of public art owned by the city.

(11) Advise the City Council regarding murals to be installed on city property.

(12) Propose recommendations to the City Council regarding the amendments to the art in public places ordinance and program.

(13) Report to the City Council, on an annual basis, the status of the art in public places program, the application of the master plan, the use of art in public places funds and the fund balance.

(b) The recommendations of the Public Art Advisory Board to the City Council are advisory only and may or may not be consistent with similar recommendations made to the City Council by other city boards.

Section 32-5 –Criteria for Art

The Public Art Advisory Board shall consider the following criteria in recommending approval or disapproval of a work of art:

(a) *Complies.* The proposed art conforms to the definition of art contained in this chapter and will be created by an artist or local artist as defined in this chapter.

(b) *Master plan.* The proposed art meets the qualities described in the art in public places master plan, if applicable to the project.

(c) *Visual accessibility.* The proposed art will be readily visible to the public and meet the location requirements of this chapter.

(d) *Quality.* The proposed artist is professionally recognized in the medium, and the proposed art is of quality and enduring value.

(e) *Appropriateness to site.* The proposed art is of design, scale, and material appropriate to the site.

(f) *Compatibility.* The proposed art is compatible with surrounding neighborhoods.

(g) *Public Welfare.* The proposed art is not detrimental to the public welfare and will not constitute a safety hazard.

(h) *Maintenance.* The proposed art will not require extraordinary maintenance.

(i) *Valuation*. The proposed art meets or exceeds the public art assessment requirements of this chapter.

(j) *Location.* The proposed location of the art and/or element(s) is in an exterior place and is appropriate to accommodate the size and scale of the proposed art and/or element(s), has or can reasonably accommodate any necessary supporting infrastructure and is in compliance with applicable city code requirements such as visibility triangle. Notwithstanding the foregoing, art purchased with the art in public places fund or for public construction projects may be located inside publicly owned buildings.

(k) *Artist qualifications.* The proposed artist meets the definition of artist under this article; has demonstrated ability for work in the chosen media, has demonstrated good workmanship in prior artwork, and has the ability to complete the project in a timely manner.

(l) *Budget.* The proposed art and/or element(s) are included in the project budget and the funds allocated for the project.

Section 32-6 Establishment of Public Art Fee

(a) All new construction, reconstruction or remodeling projects commenced after the adoption of this chapter which have a construction value of $50,000.00 or greater (adjusted annually based on Consumer Price Index), shall participate in the Public Art Program by paying a public art fee or contribute art on –site of same value. The public art fee shall be equal to one percent (1%) of construction value of the project.

(1) *Participation of Private Development.* The public art fee applies to new construction, renovation or improvements of all private non-residential development projects, residential development projects with more than five (5) units and planned developments.

i. *Requirements.* All private development meeting the applicability requirements of this section must elect one of the following methods prior to the issuance of the first building permit or site work permit:

a. Option 1. Contribute to fund. Contribute an amount of one percent (1%) of the total budgets as a fee for art in public places. The fee shall be collected by the City prior to the issuance of construction permits.

b. *Option 2. On-site Artwork.* Provide documentation confirming the escrow of funds equivalent to a

minimum of one percent (1%) of the total construction costs for a work of art and submit an application for approval of the work of art in compliance with this chapter. If a local artist will be commissioned to provide a work of art, the value of the work of art cannot be less than ninety percent (90%) of one percent (1%) of the total construction costs.

c. *Option 3. On-site Artwork and Contribute to Fund.* Submit documentation evidencing the escrow of funds for a work of art valued in an amount less than one percent (1%) of the total construction costs and contribute the balance of the public art fee (one percent (1%) of the total construction costs) for deposit in the public art fund. The developer must submit an application for approval of the work of art in compliance with this chapter.

ii. *Deposit of funds.* The developer shall submit to the City a deposit in the amount of money equal to the public art fee prior to the issuance of the first building permit. If the final development project cost is higher than the cost figure originally used by the developer to calculate the preliminary art budget, the art budget must be increased as necessary to equal one percent (1%) of the actual total project cost. The additional funds must be submitted to the City by the developer prior to the issuance of the first Certificate of Occupancy.

(2) *Participation of Public Development*. Any city-approved allocations and permissions related to the construction, renovation, or refurbishment of eligible public projects must allocate a minimum of one percent (1%) of the overall construction expenses to be contributed to the Public Art Fund.

i. *Eligibility*. Public projects eligible for the public art fee encompass any publicly accessible building, facility, or structure, whether in its entirety or in part, that allows public occupancy. Also eligible are sidewalk, pedestrian or bicycle path projects where sufficient location, spaces, utilities and other elements to support public art exist, as determined by the City Engineer and Development Services Director.

ii. Public improvements that are not subject to the public art fee are:

1. Any road project, including but not limited to construction, resurfacing, curbing, drainage, striping, lighting and signalization.

2. Any electrical and communication substations and switching houses.

3. A streetscape, sidewalk, pedestrian or bicycle path project where there is not adequate space, utilities and other elements to support public art, as determined by engineering and planning staff.

4. Any public building, facility, or structure which is not accessible to the public.

5. Any project funded by a revenue source which by law cannot be utilized for the acquisition of works of art.

6. Any acquisition of land.

7. Any project constructed using federal funds which cannot be utilized for public art.

8. Public construction projects outside of the geographical boundaries of the city.

(b) *Business Tax Receipt.* One percent (1%) of the net proceeds of any Business Tax Receipt revenue shall be deposited and set aside to fund public art.

(c) *Donations.* Donations from private persons or entities and state or federal monies may be deposited into the Public Art Fund and expended on public art projects.

Section 32-7 Establishment of Public Art Fund.

(a) *Fund established.* A separate Public Art fund will be established by the city. All public art fees collected from private and public projects must be deposited into this fund and the funds must be kept separate from any other city funds.

(b) *Administration.* The Finance Department will collect the fees from public art participants. The Public Art Advisory Board shall recommend to the City Council expenditures from the funds in furtherance of the Art in Public Places Program.

(c) *Use of funds*. The public art funds shall be used by the city for the selection, commission, acquisition and maintenance of artwork on city property or exterior places in the city. Funds may be pooled and expended for public art in accordance with this article. Such funds may be spent on artwork which comply with the master plan and the criteria established in this section or art-related costs including, but not limited to the following:

(1) *Selection.* Selection processes for public art including advertising, selection panelist fees, completion stipends, outside consultant fees, and/or travel expenses for artists or experts.

(2) *Commissioning, acquisition and installation.* Artist and engineering design fees, permit fees, purchase price, fabrication, transportation, installation, site preparation and improvement, lighting and other costs directly related to the installation of the public art.

(3) *Maintenance.* Maintenance of public art owned by the city, including evaluation fees for professional conservators, costs of repair, cleaning and conservation.

(4) *Relocation or removal.* Costs directly related to the transportation and relocation or removal of public art.

(5) *Insurance and security.* The costs for damage and theft insurance for public art owned by the city, and, as appropriate, costs for security for installations or exhibitions.

(6) *Consulting.* The fees and costs for consultants, appraisers and curators as may be necessary.

(7) *Promotion.* Costs to promote the art in the public art program including public art tours, lectures, descriptive on-site plaques, social media, brochures and other methods.

(8) *Program administration.* All personnel costs for the management and staffing, as needed, to support the Art in Public Places program.

(d) In addition to the above allowable expenditures, the Public Art Advisory Board is authorized to spend an amount that does not exceed $5,000.00 per fiscal year from the public art fund, which may be used by the committee for small projects distributed among the art districts identified in the public art master plan, and in compliance with the master plan, or for other authorized committee duties. Funds shall not be utilized for artist receptions, dedication art events, promotional materials for the artist, or expenses for the operation or maintenance of public art on private property. Except for the use of board funds, as provided above, use of the public art funds shall be approved by the City Council.

(e) *Use of art.* All artwork purchased with public art funds must be displayed on city-owned land, a city-owned right of way, a city-owned building, a city-leased facility, a city rented facility or on another governmental entity's property that is located within the city. Artwork placement on another governmental entity's property within City limits is permissible, provided that an interlocal agreement between the City and the owning governmental entity is executed and approved by the City Council. All artwork acquired through public art funds must be exhibited in a visually prominent location

accessible to the public to maximize the public's enjoyment and benefit from the art.

(f) *Procurement.* The procurement of goods, services or construction for the art in public places program or using public art funds must comply with the city's procurement regulations and Florida law, as applicable.

(g) *Carryover.* Unspent funds from the previous fiscal year shall roll over into the subsequent year within the fund. Additionally, any interest accrued on these funds shall remain within the fund.

(h) *Insurance.* City-owned artwork acquired through Public Art funds, transferred to the city, or on loan to the city, must all have appropriate insurance coverage maintained.

Section 32-8 Art in Public Places Requirements

(a) *Application requirements.* The applicant shall provide the information described below and any additional information requested by the Development Services Department necessary to review the application pursuant to the standards of the Code.

(1) Application forms. The application shall be made on forms provided by the Development Services Department.

(2) Artist information. Portfolio containing photographs of the artist's existing work, exhibition and sales history, and biography.

(3) Miscellaneous plans, renderings, and details. Artist's color renderings and/or photographs of proposed artwork; materials sample board; site plan depicting the proposed location of the artwork; landscape plan, if necessary, depicting additional landscaping or modifications to existing landscaping; architectural elevations, if necessary, depicting structures associated with the artwork; lighting location plan and light fixture details; or other information requested by staff, the art in public places advisory board, or the City Council. All submittals shall be required to provide an accurate representation of the proposed artwork.

(b) Board review of contribution of art and elements. The Public Art Advisory Board shall review the application based on the standards and criteria established in this chapter and shall recommend to City Council whether to approve, deny, or approve with conditions the selection and location of the artwork.

(c) City Council approval. The developer/owner or commissioned artist will present the proposed artwork to City Council after the Public Art Advisory Board recommendation is made. City staff will advise City Council of the recommendation of the advisory board. In the event the proposed public art is

not approved by City Council, the escrowed public art assessment shall be forfeited to the city and deposited into the public art account.

(d) Accounting of Escrow Deposit. Accounting of escrow. Prior to the issuance of the final certificate of occupancy for a project, the developer shall submit a revised construction cost affidavit, which shall be submitted whether developer elected to pay the art assessment or install artwork. The developer's attorney or escrow agent will provide the city a final written affidavit and accounting of the payment for art and any art consulting fees from the escrowed art deposit at the conclusion of the placement of artwork. The accounting shall be supported with copies of invoices evidencing the cost of the artwork. This affidavit shall be in a form acceptable to the City. Any surplus balance in the escrow account after the developer has completed the installation of the required art work shall be disbursed to the city and deposited into the public art account. In the event that artwork which complies with the requirements of this Chapter is not installed within 36 months of issuance of the building permit for the project, all escrow funds shall be disbursed to the city and deposited into the public art account, unless such time is extended in writing by the Director of Development Services or their designee.

(e) *Ownership and Maintenance of Artwork Installed on Private Property*. Artwork installed on private property pursuant to the requirements of this article shall be the property of the property owner. Title and ownership of the artwork shall transfer in whole or in part to any successor in interest of the property. The property owner shall be responsible for maintenance of the artwork in good condition at all times. Upon project completion, the developer shall submit to the city the final artwork maintenance plan, a copy of the plaque text, photos of visual placement, artist's contact information, and owner's contact information. The property owner shall be responsible for ensuring that the public's view of the artwork is maintained and no vegetation or additional construction shall obstruct the public's view. Maintenance shall include any associated landscaping or related improvements. In the event of destruction or casualty to the artwork, the property owner shall repair or replace the artwork with art equal in value to the value of the artwork originally installed. If the artwork is to be replaced, the Public Art Advisory Board shall review the proposed artwork and shall recommend to the City Council whether to approve, deny, or approve with conditions the selection of the artwork in accordance with the public art program implementation guidelines.

(f) *Artist Grant of License.* The artist of artwork approved and installed on city property under the public art program shall grant to the city an unlimited, perpetual, non-exclusive, royalty-free license to reproduce and distribute two-dimensional reproductions of the artwork, in photos, videos and related media, for city-related purposes; and shall waive and release in favor of the city all

rights, including the right of attribution or integrity, which artist may have in the artwork as provided by 17 U.S.C. §§ 106A and 113(d)(Visual Artist Rights Act). The city shall make all reasonable efforts to attribute the artwork to the artist in all uses. Any such documentation shall be approved by the city attorney. By participating in the public art process, the artist authorizes review by the Public Art Advisory Board and compliance with public records laws.

(g) Unless specifically stated otherwise in a written agreement approved by the City Council, all artworks acquired using funds from the Public Art Fund shall become the property of the city.

Section 32-9 Unsolicited Public Art Proposals.

(a) *Applicability.* The provisions of this section apply to unsolicited proposals for public art on city or city agency owned property.

(b) *Application review periods.* Unsolicited applications for public art will be considered by the Public Art Advisory Board as received.

(c) *Review.* The Public Art Advisory Board shall not be obligated to recommend approval of any unsolicited proposals, but may recommend an unsolicited proposal, if such proposal meets each of the following criteria:

(1) The proposed artwork complies with each criteria listed in Section 32-5 of this chapter, excepting valuation; and

(2) There is sufficient funding for the design, creation, fabrication, and installation of the proposed artwork and all structural and supporting elements.

Section 32-10 Enforcement

(a) *Certificate of Occupancy*. Unless an alternative deadline is established in a development order, or a time extension is granted by the Director of Development Services, no certificate of occupancy for a project subject to the public art fee pursuant to 32-6 of this Chapter will be issued until the artwork is installed and inspected and/or the full public art fee has been paid to the city.

(b) *Other remedies.* The provisions of this chapter may also be enforced through any remedy available to the city in law or in equity. Violations may also be enforced through the code enforcement provisions of this code; or the city may institute a civil action in a court of competent jurisdiction to seek injunctive or other relief to enforce compliance with the terms of this chapter or any rule or regulation promulgated under this chapter, to enjoin and prohibit said violation or to compel the performance of actions which will result in compliance with this chapter. These remedies are cumulative, and the use of any appropriate remedy does not constitute an election of remedies by the city. The use of one remedy does not preclude the use of any others.

SECTION 3. Severability. If any section, subsection, sentence clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

SECTION 4. Repeal of Laws in Conflict. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed to the extent of said conflict.

SECTION 5. Codification. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Riviera Beach, Florida as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 6. Effective Date. This ordinance shall take effect immediately upon its final passage and adoption.

PASSED AND APPROVED on the first reading this _____ day of _____, 2023.

PASSED AND APPROVED on second and final reading this _____ day of _____, 2024.

[The remainder of this page is left intentionally blank.]

APPROVED:

_____	_____
RONNIE L. FELDER	**DOUGLAS LAWSON**
MAYOR	**CHAIRPERSON**

ATTEST:

_____

DEBRAH S. HALL
ACTING CITY CLERK

REVIEWED AS TO LEGAL SUFFICIENCY:

_____

DAWN S. WYNN, CITY ATTORNEY

_____

SHIRLEY D. LANIER
CHAIR PRO TEM

_____

TRADRICK MCCOY
COUNCILPESON

_____

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

_____

DR. JULIA BOTEL
COUNCILPERSON

1ST READING

MOTIONED BY: _____

SECONDED BY: _____

D. LAWSON	_____
S. LANIER	_____
T. MCCOY	_____
J. BOTEL	_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

D. LAWSON	_____
S. LANIER	_____
T. MCCOY	_____
J. BOTEL	_____

Comparison of Florida Public Art Program

MUNICIPALITY	PERCENT FOR ART	MUNICIPAL PARTICIPATION	PRIVATE DEVELOPERS	MINIMUM/ THRESHOLD	CAP/MAX PER PROJECT
BOYNTON BEACH	1 PERCENT	YES	YES	250,000	NONE
DELRAY BEACH	1.5 PERCENT	YES	NO	200,000	NONE
PALM BEACH GARDENS	1 PERCENT	NO	YES	100,000	NONE
WEST PALM BEACH	1 PERCENT	YES	NO	NONE	$150,000 in any budget or FISCAL year.
PORT ST. LUCIE	1 PERCENT	YES	YES	NONE	50,000 (only applies to first $5 million) for any single capital project.
CORAL GABLES	1 PERCENT	Yes, but allocations dedicated for restoration, maintenance and acquisition of Historic Public Art	YES	$1 million for non-municipal projects, adjusted annually based on CPI.	NONE
POMPANO BEACH	2 PERCENT	YES	NO	NONE	NONE
NORTH MIAMI	1.5 PERCENT	YES	NO	NONE	NONE
MIAMI BEACH	1.5 PERCENT	YES	NO	NONE	NONE
MIAMI GARDENS	1.5 PERCENT	YES	NO	NONE	NONE
ORLANDO	1 PERCENT	YES	No, except that a developer may only qualify for an increase in zoning density or intensity in the AC-3A/t district by contributing	NONE	$500,000 (public art fee applies to the first $50 million of any CIP)
CLEARWATER	1 PERCENT	YES	YES	$500,000 for CIP. $5 million for private development.	200000

CHAPTER 162. ART IN PUBLIC PLACES[1]

Sec. 162.01. Purpose.

The purpose of the art in public places program is to establish a program for the integration of public art in both public and private development projects throughout the city to visually enliven the city, illuminate the city's history, diversity and culture, and foster economic development.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.02. Definitions.

For the purposes of this chapter, the words and phrases listed below have the following definitions:

Art, artwork or *work of art* means an original physical work created or produced by an Artist (as defined hereinafter), including, but not limited to, paintings, sculptures, engravings, carvings, frescos, stained glass and glass works, mosaics, mobiles, murals, collages, statues, bas reliefs, tapestries, photographs, video projections, drawings, fountains, landscape designs, artifacts of historical or cultural significance, monuments erected to commemorate a person or event, functional furnishings such as artist-designed seating, or other media. Artwork may be free-standing or integrated with the work of other design professionals into a building or site. Artwork may be new or may be an existing work of art. Artwork may include, but is not limited to:

1. Sculpture: Free-standing, wall supported or suspended; kinetic, electronic; in any material or combination of materials.
2. Murals or portable paintings: in any material or variety of materials.
3. Fiber works, neon, glass, mosaics, photographs, prints, calligraphy, earthworks, any combination of forms of media, including: light, sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.
4. Furnishings or fixtures, including, but not limited to: gates, railings, lighting, street lights, signage, seating, if created by artists as unique elements or limited editions.
5. Artistic or aesthetic elements of the overall architecture or landscape design if created by a professional artist or a design team that includes a professional visual artist. Such design elements may include pools, paths, benches, planters, and fixtures and vegetative materials where designed by a professional visual artist and/or are an integral part of the artwork by the artist.
6. Temporary artwork or installation that serve the purpose of providing community and educational outreach.
7. The incremental costs of infrastructure elements, such as sound walls, utility structures, roadway elements, and other items if designed by an artist as a co-designer.

Ineligible Artwork: The following are not considered artwork:

[1]Editor's note(s)—Ord. No. 18-67, § 1, adopted Dec. 10, 2018, repealed the former Ch. 162., §§ 162.01—162.08, and enacted a new Ch. 162 as set out herein. The former Ch. 162 pertained to similar subject matter and derived from Ord. No. 13-18, 4-22-13; Ord. No. 15-25, 4-13-15; Ord. No. 17-38, 7-10-17.

1. Art objects which are mass produced or are of standard manufacture, such as playground equipment, fountains, statuary elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose.
2. Reproductions, by mechanical or other means, of original artwork, except in the case of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts.
3. Decorative, ornamental, architectural, or functional elements which are designed by the building architect as opposed to elements created by an artist commissioned for that purpose.
4. Services or utilities necessary to operate and maintain an artwork over time.

Artist means a person generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist include, but are not limited to, income realized through the sole commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, receipt of honors and awards, and training in the arts.

Exterior place means any place, public or private, outdoor and exterior to buildings or structures and exposed to public view, including, but not limited to, buildings, parks, right-of-way medians and open spaces.

Local artist means an artist, as defined in this chapter, who resides in Martin County, St. Lucie County, Indian River County, or Okeechobee County.

Maintenance, with respect to artwork, means the required repairs or cleaning to keep a work of art in its intended condition, including preventative maintenance at scheduled intervals to curtail future deterioration, ordinary repairs or maintenance, including but not limited to, painting, repair, replacement, or installation of mechanical equipment.

Maintenance, with respect to ordinary property maintenance, means ordinary repairs or maintenance of a structure, including but not limited to, painting, roof repair, replacement, or installation of mechanical equipment.

Mural means any drawing, artwork, inscription, or marking that is marked, etched, drawn or painted on any building or structure.

Project means new construction, renovation work, or façade improvements requiring a building permit where fifty percent (50%) or more of a building is being modified, renovated, expanded, rebuilt or improved by construction. For purposes of this chapter, "project" does not include the following:

1. Repair or reconstruction of structures which have been damaged by fire, flood, wind, earthquake or other casualty.
2. Historic preservation or restoration.
3. Interior renovation.
4. Flood protection work items.
5. Fire sprinkler installation work items.

Public art assessment means one percent of the total dollar amount of the total construction costs of private development.

Public art master plan means the plan generated by the public art advisory board and approved by the city council, which presents selected sites and criteria for the selection of works of art.

Renovation means a project requiring a building permit where fifty percent (50%) or more of the exterior building area is being modified, rebuilt or improved by construction. For purposes of this chapter, "renovation" does not include the following:

1. Repair or reconstruction of structures which have been damaged by fire, flood, wind, earthquake or other casualty.
2. Historic preservation or restoration.
3. Development activity on existing, previously approved developments for the sole purpose of complying with Chapter 553, Part II, Accessibility by Handicapped Persons of the Florida Statutes.

Temporary artwork means artwork created for a specific timeframe or event, and which is situated at a particular site on a temporary basis, not to exceed a period of two (2) years.

Total construction costs means the total cost of the improvements, excluding land costs, approved for a development project, as indicated on the construction contract(s) for the subject improvements.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.03. Public art advisory board, creation, and composition.

1. A public art advisory board is hereby created as a body of individuals appointed by the mayor and consented to by city council that shall have the duty and responsibility to make recommendations to the city council on public art projects.
2. The public art advisory board must be comprised of seven (7) members and two (2) alternates as follow:
    a. A representative of the St. Lucie County Chamber of Commerce.
    b. A representative of the Treasure Coast Builders' Association.
    c. Whenever possible, the remaining members should be representative of one (1) or more of the following classifications:
        i. Architect, or interior designer;
        ii. Landscape architect or land use planner;
        iii. Professional in the field of art;
        iv. Art or architectural historian;
        v. Art educator;
        vi. Artist.
3. All members and alternates of the public art advisory board must reside within the city limits for a minimum of one (1) year preceding appointment.
4. Each member of the public art advisory board serves without compensation.
5. No member of the public art advisory board may be the artist, provide the artwork, provide art consulting services, or have any interest in any artwork to be reviewed by the board, whether proposed by a private developer or the city.
6. The public art advisory board may be suspended by the city council if the appointed membership is less than three (3) members or at least two (2) consecutive meetings have been canceled due to the lack of a quorum for the transaction of business. In the event the public art advisory board is suspended, the city manager or their designee shall assume the duties and responsibilities of the public art advisory board as provided under this chapter.
7. All meetings of the public art advisory board must comply with Florida law.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.04. Public art advisory powers, duties, and functions.

1. The public art advisory board shall:
    a. Advise the city council on the adoption of policies and procedures to acquire, commission, and maintain works of art in public places.
    b. Advise the city council regarding applications for the installation of art as part of private projects pursuant to this chapter.
    c. Advise the city council regarding installation of art as part of public projects pursuant to this chapter.
    d. Advise the city council regarding proposed donations of art pursuant to this chapter.
    e. Recommend sites for location of public art in accordance with the public art master plan.
    f. Provide recommendations and guidance in implementation of the public art master plan.
    g. From time to time, recommend to the city council updates or revisions to the public art master plan that identify proposed locations and criteria for public artwork, art selection, and placement criteria, and other program recommendations, to reflect the changing environment of the city. It is the intent that such master plan be updated every five (5) years.
    h. Conduct, with the assistance of city staff, calls to artists regarding installation of art as part of public projects and regarding installation of art using the Art Fund pursuant to this chapter.
    i. Provide recommendations to the city council on the maintenance of city-owned artwork to preserve and protect the public art in the city's collection.
    j. Provide recommendations to the city council on the deaccessioning, removal, or replacement of public art owned by the city.
    k. Advise the city council regarding murals to be installed on city property.
    l. Propose recommendations to the city council regarding the art in public places ordinance and program.
    m. Report to the city council, on an annual basis, the status of the art in public places program, the application of the master plan, the use of art in public places funds and the fund balance.
2. The recommendations of the public art advisory board to the city council are advisory only and may or may not be consistent with similar recommendations made to the city council by other city boards.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.05. Criteria for art.

The public art advisory board shall consider the following criteria in recommending approval or disapproval of a work of art:

1. *Complies*. The proposed art conforms to the definition of art contained in this chapter and will be created by an artist or local artist as defined in this chapter.
2. *Master plan*. The proposed art meets the qualities described in the art in public places master plan, if applicable to the project.
3. *Visual accessibility*.The proposed art will be readily visible to the public and meet the location requirements of this chapter.

4. *Quality*. The proposed artist is professionally recognized in the medium, and the proposed art is of quality and enduring value.
5. *Appropriateness to site*. The proposed art is of design, scale, and material appropriate to the site.
6. *Compatibility*. The proposed art is compatible with surrounding neighborhoods.
7. *Public Welfare*.The proposed art is not detrimental to the public welfare and will not constitute a safety hazard.
8. *Maintenance*.The proposed art will not require extraordinary maintenance.
9. *Valuation*. The proposed art meets or exceeds the public art assessment requirements of this chapter.
10. *Location*.The proposed location of the art and/or element(s) is in an exterior place and is appropriate to accommodate the size and scale of the proposed art and/or element(s), has or can reasonably accommodate any necessary supporting infrastructure and is in compliance with applicable city code requirements such as visibility triangle. Notwithstanding the foregoing, art purchased with the art in public places fund or for public construction projects may be located inside publicly owned buildings.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.06. Art in public places fund.

1. *Fund established.* A separate art in public places fund must be established by the city. All art assessment deposits from private and public development must be deposited into this fund and the funds must be kept separate from any other city funds. Fifteen percent (15%) of all funds deposited into the art in public places fund must be allocated and restricted to use for maintenance, relocation and removal costs of city owned art. This does not prohibit the remaining funds from also being used for these purposes.
2. *Use of funds.* The art in public places fund shall be used by the city for the selection, commission, acquisition, and maintenance of art in public places anywhere in the city. Such funds may be spent on artworks or art-related costs including, but not limited to:
    a. *Selection.* Selection processes for public art to be owned by the city, including but not limited to advertising, selection panelist fees, completion stipends, outside consultant fees, and/or travel expenses for artists or experts.
    b. *Commissioning, acquisition, and installation.* Artist and engineering design fees, permit fees, purchase price, fabrication, transportation, installation, site preparation and improvement, lighting and other costs directly related to the installation of public art owned by the city or on loan to the city.
    c. *Maintenance.* Maintenance of public art owned by the city or on loan to the city, including but not limited to evaluation fees for professional conservators, costs of repair, cleaning and conservation.
    d. *Relocation, removal & storage.* Costs directly related to the transportation and relocation or removal of public art owned by the city or on loan to the city or storage of public art owned or on loan to the city.
    e. *Insurance and security.* The costs for damage and theft insurance for public art owned by the city or on loan to the city, and, as appropriate, costs for security for installations or exhibitions for art owned by the city or on loan to the city.
    f. *Consulting.* The fees and costs for consultants, appraisers, and curators as may be necessary.
    g. *Promotion.* Costs to promote the public art in the art in public places program, including but not limited to implementation of programs educating the public on the art in public places program, public art tours, public lectures, descriptive on-site plaques, social media, brochures and other methods.

h. *Program administration.* All personnel costs for the management and staffing, as needed, to support the art in public places program.

3. *Use of art purchased with public art funds.* All artwork purchased with public art funds must be displayed on city-owned land, a city-owned building, a city-leased facility, a city rented facility or on another governmental entity's property that is located within the city. Artwork may be placed on another governmental entity's property so long as the property is located within City limits and an interlocal agreement between the City and the governmental entity that owns the property is executed and approved by the city council. All artwork purchased with public art funds must be displayed in a visually accessible location for the public to receive the most enjoyment and benefit from the art.

4. *Prohibited uses.* Funds cannot be utilized for artist receptions, dedication art events, promotional materials for the artist, or expenses for the operation or maintenance of public art on private property. In the event city owned artwork is placed on property owned by another governmental entity, the fund may be utilized to maintain the City's work of art provided an interlocal agreement between the city and the governmental entity that owns the property is executed and approved by the city council.

5. *Procurement.* The procurement of goods, services or construction for the art in public places program or using art in public places funds must comply with the city's procurement regulations and Florida law, as applicable.

6. *Carryover.* Any monies not expended in the fund in any fiscal year must be carried over in the fund into the following year. Any interest earned on the funds must be retained in the fund.

7. *Contracts for artwork.* Artists, as part of any commission or contract with the city for the provision of artwork, are required to submit to the city a "maintenance and inventory sheet," which must include an annual cost estimate for the annual maintenance necessary in order to properly preserve and maintain the artwork in substantially the same condition that it was in when accepted by the city.

8. *Insurance*. Proper insurance coverage must be maintained by the city on artwork purchased with Public Art Fund monies, on artwork whose ownership has been transferred to the city or on artwork that has been loaned to the city.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.07. Applicability.

1. The art in public places program assessments set forth in this chapter apply to the following activities:
   a. Private non-residential development projects as set forth in section 162.08.
   b. Residential development projects with more than ten (10) units as set forth in section 162.08.
   c. Public construction projects as set forth in section 162.12.
2. Exceptions. The art in public places program assessments set forth in this chapter do not apply to the following development or activities:
   a. Residential development projects with ten (10) units or less.
   b. Ordinary property maintenance.
   c. Repairs and restoration resulting from fire, flood, windstorm or other casualty or natural disaster, as determined by the building official.
   d. Industrial and commercial development that is not open or accessible to the general public due to the storage or use of hazardous, radiological, or infectious materials, national security reasons, or other reasons related to the health, safety, or security of the public.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.08. Public art assessment for private development.

1. *Applicability.*

    a. The provisions of this chapter and the public art assessment apply to all private non-residential development projects and all residential development projects with more than ten (10) units, including new construction, or the renovation or improvement of an existing building where fifty percent (50%) or more of a building is being modified, renovated, expanded, rebuilt or improved by construction.

    b. The provisions of this section apply to new development or new construction within existing planned developments.

2. *Requirements.* All private development meeting the applicability requirements of this section must elect one of the following assessment methods within ninety (90) days of the issuance of the first building permit or site work permit for a subdivision plat for any portion of the project:

    a. *Option 1.On-site Artwork.* Submit documentation evidencing the escrow of funds for a work of art valued in an amount not less than one percent (1%) of the total construction costs and submit an application for approval of the work of art in compliance with this chapter. If a local artist will be commissioned to provide a work of art, the value of the work of art cannot be less than ninety percent (90%) of one percent (1%) of the total construction costs; or

    b. *Option 2. Contribute to Fund.* Contribute an amount equal to eighty percent (80%) of one percent (1%) of the total construction costs for deposit to the art in public places funds. The public art assessment must be paid in full prior to the issuance of a certificate of occupancy except for subdivision plats which are required to submit the public art assessment in full at the time of recording of the final plat; or

    c. *Option 3.On-site Artwork and Contribute to Fund.* Submit documentation evidencing the escrow of funds for a work of art valued in an amount less than one percent (1%) of the total construction costs and contribute eighty percent (80%) of the balance of the public art assessment (one percent (1%) of the total construction costs) for deposit in the art in public places fund.

    d. *Option 4. Alternative Equivalent Proposal.* Submit an alternative equivalent proposal to the planning and zoning director

        i. The proposal shall be for installation freely accessible work of art on City public right-of-way, on property owned by other public agencies, or on another property under the control or ownership of the developer. The proposal may seek combination of the public art assessment associated with multiple projects into one larger work of art in lieu of several small works of art.

        ii. The proposal shall contain all information and establish all criteria set forth in section 162.09 of this Chapter, excluding the document required by 162.09(3)(g).

        iii. The developer must demonstrate that the cost of the proposal will equal the cost of the public art assessment otherwise required under Subsection 162.08 and not create unbudgeted costs for the City.

        iv. The City may approve the proposal if it finds that:

            a) The alternative equivalent proposal will further the purposes of this Chapter as set forth under Section 162.01;

            b) The proposed location of the alternative equivalent proposal is in reasonable proximity to the location of the site(s) generating the work of art requirement, in order to avoid clustering of all public art in one location.

c) the cost of the proposal will be equal to or greater than the cost of the public art assessment that would otherwise be required under Subsection 162.08(2)(a)—(c); and

d) the developer has established to the satisfaction of the City that the alternative equivalent proposal will create freely accessible public art in the City to an equal or greater extent than installation of the public art on the individual project site or a contribution to the Fund.

v. In approving a proposal, the City may impose reasonable conditions of approval requiring the developer to enter into agreements with the City or other public agencies or private parties in order to memorialize the legal obligations of all parties involved with the alternative equivalent proposal.

3. The public art assessment for residential development projects will be calculated on a plat by plat basis. Total construction costs for purposes of calculating the public art assessment will be based on the total construction costs for all property depicted on each plat included within the residential development project.

4. Notwithstanding the foregoing, the public art assessment for any single project, cannot exceed one hundred thousand dollars ($100,000.00).

(Ord. No. 18-67, § 1, 12-10-18; Ord. No. 21-105, § 2, 11-22-21)

Sec. 162.09. Inclusion of art at private development site.

1. *Location.* Artwork must be located in an exterior place.

2. *Process.* If the developer chooses to provide artwork at the site of the private development, the developer must comply with the following process:

   a. *Escrow and accounting of funds for artwork.* The developer must submit documentation to the city showing a deposit for public art was made with the developer's attorney or escrow agent into an escrow account not more than ninety (90) days after the issuance of the first building permit or site work permit for subdivision plats, in an amount equal to one percent (1%) of the total construction costs.

   b. *Art consultant.* If the developer chooses to provide artwork on site, the developer may utilize up to twelve percent (12%) of the escrowed art deposit to retain an art consultant to assist in the selection and procurement of the required work of art. The art consultant cannot have a financial or other relationship with the artist or developer, or any ownership in the artwork purchased by the developer. The artist is not entitled to the art consultant fee.

   c. *Artist selection.* Selection of the artist will be the responsibility of the developer. The selected artist must be an artist as defined in this chapter. The commission of the artist must be by written contract between the developer and artist.

3. *Application for approval of proposed art.* An application for approval of the work of art must be made to the public art advisory board within ninety (90) days of the issuance of the first building permit or site work permit for subdivision plats. The application must include:

   a. Artist's qualifications, including resume and portfolio establishing the artist's credentials.

   b. Detailed description and depiction of the work of art and its location on the site.

   c. Drawings and renderings of the proposed work of art, in terms of size, scale, color, shape, and materials in sufficient detail to provide a clear understanding of the art.

   d. Appraisal of the value of the art.

e. Documentation showing that a deposit for public art was made into an escrow account.

f. Maintenance program required for the artwork.

g. Proposed restrictive covenant running with the land that binds the property owner's successors and assigns to retain and maintain the artwork in compliance with this chapter, as more specifically described in section 162.10.

h. Compliance with public accessibility (ADA) requirements.

4. *Board review of contribution of art.* The public art advisory board shall review the proposed artwork based on the criteria established in section 162.05 and shall recommend to the city council whether to approve, deny, or approve with conditions the selection and location of the artwork with sensitivity to the aesthetic and cultural traditions and the history of the city and to the character of the surrounding neighborhoods.

5. *Appraisal.* To establish the value of the artwork to be installed or retained by the developer to comply with this section, the city may employ an independent art appraiser to provide a written appraisal of the art work(s) submitted. Such appraisal will be paid for by the developer from the escrowed art deposit.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.10. Ownership and maintenance of artwork installed on private property.

1. Artwork installed on private property pursuant to the requirements of this chapter is the property of the property owner. Title and ownership of the artwork transfers in whole or in part to any successor in interest of the property. The property owner shall be responsible for maintenance of the artwork in good condition at all times, as determined by the city. The property owner shall be responsible for ensuring that the public's view of the artwork is maintained, and that no vegetation or additional construction obstructs the public's view. Maintenance includes any associated landscaping or related improvements.

2. The owner of any property containing artwork installed in compliance with this chapter must include restrictions by recorded covenant that require retention and maintenance of the artwork in compliance with this chapter to run with the land and be binding on the owner's successors and assigns. The restrictive covenant must be recorded within ten (10) days of the issuance of the certificate of occupancy for the project. Any such restrictive covenant must be approved by the city attorney prior to recordation.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.11. Removal or replacement of artwork installed on private property.

1. Artwork installed in accordance with this chapter must remain on site in the approved location and cannot be altered, replaced, or removed except as provided in this chapter, or when deemed to be unsafe by the city building official, or require replacement due to destruction or casualty to the artwork.

2. All replacement art must equal or exceed the value of the original artwork and must not be less than the original public art assessment requirement. If the artwork is to be replaced, the public art advisory board shall review the proposed artwork and shall recommend to the city council whether to approve, deny, or approve with conditions the selection of the artwork in accordance with the art in public places implementation guidelines.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.12. Public art assessment for public construction projects and inclusion of art on public construction projects.

1. *Eligibility.* All appropriations and authorizations for the new construction, renovation, or remodeling of eligible public improvements by the city must include an amount of not less than one percent (1%) of total construction costs to be deposited in the art in public places fund.

    a. Eligible public projects subject to the public art assessment are any public building, facility, or structure which permits public occupancy of all or a portion thereof, including but not limited to police stations, office buildings, recreation and community centers.

    b. A sidewalk, pedestrian or bicycle path project where sufficient location, spaces, utilities and other elements to accommodate public art exist, as determined by engineering and planning staff.

    c. Ineligible public improvements that are not subject to the public art assessment are:

        i. Any road project, including but not limited to construction, resurfacing, curbing, drainage, striping, lighting and signalization.

        ii. Any public utility project, including water, wastewater and storm water projects.

        iii. Any electrical and communication substations and switching houses.

        iv. A streetscape, sidewalk, pedestrian or bicycle path project where there is not sufficient space, utilities and other elements to accommodate public art, as determined by engineering and planning staff.

        v. Any public building, facility, or structure which is not accessible to the public.

        vi. Any project funded by a revenue source which by law cannot be utilized for the acquisition of works of art.

        vii. Any acquisition of land.

        viii. Any eligible public construction project where the city council determines the project appropriation cannot accommodate the art assessment, or the assessment will result in a cost overrun.

        ix. Any project constructed using federal funds which cannot be utilized for public art.

        x. Public construction projects outside of the geographical boundaries of the city.

    2. *Budget.* For eligible projects, an estimate of the public art assessment must be calculated, included and detailed in the project budget. At the start of the fiscal year, or after adoption of a project budget amendment, the public art assessment will be transferred to the art in public places fund.

    3. *Process.* For eligible projects, the public art advisory board shall recommend, for approval by the city council, whether the public project should include a work of art. If approved by the city council, the public art advisory board, with the assistance of city staff, shall conduct a call to artists, requests for proposals or direct invitation for proposals for works of art to be incorporated into the project within the budget and in compliance with the art in public places master plan. The board shall not recommend works of art for installation on public property which cannot be reasonably maintained within the resources allocated by the city. The board shall review the proposed artwork based on the criteria established in section 162.05 and shall recommend to the city council whether to approve, deny, or approve with conditions the selection and location of the artwork with sensitivity to the aesthetic and cultural traditions and the history of the city and to the character of the surrounding neighborhoods. The city council shall have the final decision of the selection of the artists and/or

selection of the artwork. If the assessment for a particular public project is not sufficient to acquire a work of art which would comply with the master plan or be appropriate for the city, or if the city council determines, the public art assessment from a public project must be deposited into the art in public places fund and may be pooled with other such funds for the acquisition of a work of art for display at another city facility, in compliance with the public art master plan and at the time and place determined by the city council.

4. *Ownership and maintenance.* All artwork acquired pursuant to this section must be titled in the name of the city. The city is responsible for maintaining its artwork.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.13. Artist grant of license to city.

1. The artist of artwork to be owned by the city and approved and installed under the art in public places program must:
    a. Grant to the city an unlimited, perpetual, non-exclusive, royalty-free license to reproduce and distribute two-dimensional reproductions of the artwork, in photos, videos and related media, for city-related purposes;
    b. Grant to the city irrevocable ownership rights in any copyright or other intellectual property right regarding the artwork; and
    c. Waive and release in favor of the city all rights, including the right of attribution or integrity, which artist may have in the artwork.
    d. The City shall make all reasonable efforts to attribute the artwork to the artist in all uses.
2. The Artist retains a perpetual, royalty-free license to reproduce two-dimensional reproductions of the artwork, in photos, videos and related media, for demonstration of artist's artwork.

Any documentation regarding the above shall be approved by the city attorney.

3. The city shall have the option of acknowledging the artist and the artwork title in reproductions.
4. By participating in the art in public places process, the artist authorizes review by the public art advisory board and compliance with public records laws.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.14. Enforcement.

1. *Certificate of Occupancy.* Unless an alternative deadline is established in a development order, or a time extension is granted by the planning and zoning director, no certificate of occupancy for a project subject to the public art assessment pursuant to section 162.08 will be issued until the artwork is installed and/or the full art assessment has been paid to the city.
2. *Other remedies.* The provisions of this chapter may also be enforced through any remedy available to the city in law or in equity. Violations may also be enforced through the code enforcement provisions of this code; or the city may institute a civil action in a court of competent jurisdiction to seek injunctive or other relief to enforce compliance with the terms of this chapter or any rule or regulation promulgated under this chapter, to enjoin and prohibit said violation or to compel the performance of actions which will result in compliance with this chapter. These remedies are cumulative, and the use of any appropriate remedy does not

constitute an election of remedies by the city. The use of one remedy does not preclude the use of any others.

(Ord. No. 18-67, § 1, 12-10-18)

Sec. 162.15. Private gifts of art to the city.

The donation of works of art to the city is encouraged. The acceptance of donations of art by the city and the placement of art on city property carry certain responsibilities. Some of the issues to be considered include the creativity, style, durability, diversity historical relevance and maintenance of the work of art. This section provides guidelines for the acceptance of private donations of art to the city.

1. *Application process*. An application for donation of a work of art must include the following documentation:
    a. A written description of the work of art.
    b. Not less than five (5) visual representations of the work of art.
    c. A list of proposed installation sites.
    d. Biographical information about the artist including, if available, a list of the artist's works of art placed in public places.
    e. Information about the private donor including the full name, current and complete contact information.
    f. Any terms or conditions imposed by the donor which the donation of the work of art may be subject to.
2. *Gifts Panel.*
    a. The public art advisory board shall act as the gift panel responsible for review and for making a recommendation concerning acceptance of proposed donations of art to the city and the placement of donated art on city property.
    b. *Guidelines for review.* Works of art proposed for donation to the city must be evaluated based on the following criteria:
        i. The proposed artist is professionally recognized in the medium and the proposed art is of quality and enduring value.
        ii. Value and condition of the work of art.
        iii. Historical relevance/relationship to the city.
        iv. Relationship to the city's existing public art collection.
        v. It conforms to the definition of art contained in this chapter and will be created by an artist as defined in this chapter.
        vi. The proposed art meets the qualities described in the art in public places master plan, if applicable to the project.
        vii. Conditions imposed by the donor.
        viii. The proposed art will not require extraordinary maintenance.
    c. When considering placement of art donated to the city, the public art advisory board shall consider the following:

i. Appropriateness of the location for works of art and that the proposed art is of design, scale, and material appropriate to the site.

ii. Physical layout of the site and/or building.

iii. Recommendation by architect of the project.

iv. The proposed art will be readily visible to the public and meet the location requirements of this chapter.

v. The proposed art is compatible with surrounding neighborhoods.

vi. The proposed art is not detrimental to the public welfare and will not constitute a safety hazard.

d. *Assignment of rights.* All donations of works of art to the city must include an artist grant of license in conformity with section 162.13.

e. All works of art acquired pursuant to this section must be acquired in the name of the city, and title must vest to the city.

(Ord. No. 18-67, § 1, 12-10-18)

ARTICLE V. PUBLIC ART[1]

Sec. 78-121. Purpose and intent.

The city recognizes the importance of public art to enhance our public spaces, drive development, enhance community vibrancy, and expand the opportunities for its citizens to experience public art. The purpose of the public art program is to establish a program for the integration of public art into both public and private development projects throughout the city. The public art committee, named the ArtLife WPB advisory committee, is established as an advisory committee for the program. The public art funds are accounted separately from other city monies to support the public art program.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-122. Definitions.

Unless qualified in the text, the following definitions shall apply to this article:

Affordable housing means housing that is affordable for households at or below 140 percent of the area median income as defined by the U.S. Department of Housing and Urban Development (HUD) income limits per household size and that meets maximum housing payments established by HUD, Florida Housing Finance or local ordinance.

Art, artwork or *work of art* means an original physical work created or produced by a professional artist, including, but not limited to, paintings, sculpture, engravings, carvings, frescos, stained glass and glass work, mosaics, mobiles, murals, collages, mosaics, statues, bas reliefs, photographs, video projections, performative works, drawings, fountains, artifacts of historical or cultural significance, functional furnishings such as artist-designed seating, or other media. Artwork may be free-standing or integrated with the work of other design professionals into a building or site. Artwork may be new or may be an existing work of art. Artwork may include, but is not limited to:

(1) Sculpture: Free-standing, wall supported or suspended; kinetic, electronic; in any material or combination of materials.

(2) Murals or portable paintings: In any material or variety of materials.

(3) Fiber works, neon, glass, mosaics, photographs, prints, calligraphy, earthworks, any combination of forms of media, including: Light, sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.

(4) Furnishings or fixtures, including, but not limited to: gates, railings, lighting, street lights, signage, seating, if created by artists as unique elements or limited editions.

(5) Historically important elements, as determined by the city's historic preservation board.

[1]Editor's note(s)—Ord. No. 4915-20 , § 1, adopted Dec. 28, 2020, repealed the former art. V, §§ 78-121—78-137, and enacted a new art. V as set out herein. The former art. V pertained to art in public places and derived from Ord. No. 4635-16, § 1, adopted May 9, 2016; Ord. No. 4754-17, §§ 1—10, adopted Feb. 12, 2018.

(6) Culturally significant elements.

(7) Temporary artwork or installations, that serve the purpose of providing community and educational outreach.

Ineligible artwork. The following shall not be considered artwork:

(1) Art objects which are mass produced or of standard manufacture, such as playground equipment, fountains, statuary elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose.

(2) Reproductions, by mechanical or other means, of original artwork, except in the cases of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts.

(3) Decorative, ornamental, architectural, or functional elements of the architecture or landscape design which are designed by the building architect. as opposed to elements created by an artist commissioned for that purpose. Such elements may be considered artwork when commissioned from an artist as an integral aspect of the structure or site.

(4) Commercial expression, including design elements related to the visual identity of a developer or occupant of a building such as a logo, trademark iconography, color scheme or theme, even if created by an artist.

(5) Services or utilities necessary to operate and maintain an artwork over time.

(6) Works of art not visible to the public from a public right-of-way.

Artist means an individual recognized by critics and peers as a professional practitioner in the visual arts as judged by the practitioner's body of work, educational background and training, experience, public commissions, exhibition record, publications, receipt of honors and awards, and training in the arts. The term "artist" includes local artists.

Construction costs means the hard costs associated with the construction of a project excluding real property acquisition costs, environmental remediation costs, demolition costs, grading and site preparation costs, and costs associated with subsequent changes in construction contracts. Calculations shall be based on construction and site improvement costs as declared on all building permit applications for the project. For purposes of calculating the public art assessment, construction costs shall include, but not be limited to, all building, plumbing, mechanical, and electrical permit applications for the project.

Exterior means any place, public or private, outdoor and exterior to buildings or structures and exposed to public view, including, but not limited to, buildings, parks, right-of-way medians and open spaces.

Local artist is an artist, as defined in this section, who resides in the county.

Master plan means the public art master plan, as approved by the city commission from time to time.

Mural means any drawing, artwork, inscription, or marking that is marked, etched, drawn or painted on any building or structure.

Project means new construction, renovation work, or façade improvements requiring a building permit where 50 percent or more of a building is being modified, renovated, expanded, rebuilt or improved by construction. For purposes of this article, project shall not include the following:

(1) Repair or reconstruction of structures which have been damaged by fire, flood, wind, earthquake, tropical storm or other casualty;

(2) Historic preservation or restoration;

(3) Interior renovation;

(4) Flood protection work items;

(5) Fire sprinkler installation work items as defined by the city code.

Each phase of a residential planned development shall be a separate project. If a developer is constructing four or more residential units in a residential planned development, or phase of such development, that did not previously comply with this article, such new construction shall be considered a project for purposes of this article. A residential unit shall be considered part of a project if the certificate of occupancy for the residential unit is not issued prior to the submittal of a building permit application for the remaining residential units in a group of four or more.

Public art assessment means the assessment of one percent of the total dollar amount of the construction costs of private development that equals or exceeds $500,000.00, which may be discounted as provided in this article.

Public place means any place, public or private, exposed to public view, including, but not limited to, buildings, parks, right-of-way medians and open spaces. or any place owned and operated by a government or governmental entity and which is accessible to the public.

Renovation means a project requiring a building permit where 50 percent or more of the exterior building area is being modified, rebuilt or improved by construction. For purposes of this article, renovation shall not include the following:

(1) Repair or reconstruction of structures which have been damaged by fire, flood, wind, earthquake or other casualty;

(2) Historic preservation or restoration;

Temporary artwork is artwork created for a specific timeframe or event, and which is situated at a particular site on a temporary basis, not to exceed a period of 18 months.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-123. ArtLife WPB committee; membership and organization.

(a) The ArtLife WPB committee is hereby established as an advisory committee to the city. The committee shall be composed of seven members and two alternate members appointed by the mayor.

(b) Not less than three members shall have demonstrated a knowledge of the arts, and preferably an educational degree related to the arts, and possess competence in the evaluation of art, art history, art education, architecture, sculpture, painting and other appropriate media, urban design, or a related field.

(c) Members shall either live or work in the city.

(d) Each term of office shall be for four years. Successive terms shall not be permitted unless approved by the mayor. A former member may be reappointed after a hiatus of at least two years. No member shall serve more than two terms, regardless of whether such terms were successive.

(e) Vacancies occurring before the expiration of a term shall be filled by the mayor for the remainder of the term. The mayor may appoint and remove members at the mayor's discretion

(f) The committee shall designate one of its members to act as chair for a term of one year, or until a successor is elected and qualified. The committee shall maintain minutes of all of its meetings.

(g) Each member of the committee shall serve without compensation.

(h) Four members or alternate members shall constitute a quorum necessary to make approvals and recommendations to the city commission.

(i) Alternate members shall attend all meetings of the committee and the presence of alternate members shall count toward a quorum. The first alternate member shall have the privilege of voting only upon the absence of a regular member. The second alternate member shall have the privilege of voting only upon the absence of two of the regular members or the absence of one regular member and the first alternate.

(j) The committee shall meet at least once each calendar quarter, and may meet more often on a regular basis which date shall be established by its members. The committee may hold special meetings at the direction of its chair upon not less than 24-hour notice.

(k) Members shall be required to attend all regular and special meetings of the committee. The chair shall notify the mayor when a member accumulates three consecutive absences or when a member fails to attend 60 percent of the committee meetings within a calendar year. Such member may be removed, and, upon such removal, the mayor shall appoint a new member to complete the unexpired term of office.

(l) Each committee meeting shall be noticed as a public meeting of the city and minutes shall be taken.

(m) No committee member may be the artist, provide the artwork, provide consulting services, or have any interest in any artwork to be reviewed by the committee, whether proposed by a private developer or the city.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-124. Powers, duties and functions.

The ArtLife WPB committee shall:

(1) Recommend to the city commission policies and procedures to acquire, commission and maintain works of art in public places.

(2) Advise the city commission regarding applications for the installation of art as part of a private projects pursuant to this article.

(3) Advise the city commission regarding installation of art as part of a public projects pursuant to this article. The recommendation may address whether the site is appropriate for public art, whether the assessment should be deposited in the public art account, or waived, in full or in part.

(4) Advise the city commission regarding proposed donations of art pursuant to this article.

(5) Conduct, with the assistance of city staff, calls to artists or other competitions regarding installation of art as part of public projects pursuant to this article.

(6) Provide recommendations and guidance in the implementation of the public art master plan.

(7) From time to time, recommend to the city commission updates or revisions to the public art master plan.

(8) Provide recommendations to the city commission on the maintenance of city-owned artwork to preserve and protect the public art in the city's collection.

(9) Provide recommendations to the city commission on the deaccessioning, removal or replacement of public art owned by the city.

(10) Propose recommendations to the city commission regarding the public art in ordinance and public art program.

(11) Report to the city commission, on an annual basis: i) the status of the public art program, ii) the application of the public art master plan, iii) the use of public art program funds and iv) the public art fund balance.

(12) To perform other duties and functions as requested by the city commission.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-125. Criteria for art and elements.

The ArtLife WPB committee shall consider the following criteria in recommending, artwork:

(1) *Complies.* The proposed art conforms to the definition of art contained in this article and will be created by an artist or local artist, as defined in this article;

(2) *Master plan.* The proposed art complies with the public art master plan.

(3) *Historic significance.* The proposed historic element is historically important, reflects the history of the city or the character of the surrounding neighborhood.

(4) *Cultural significance.* The proposed element is culturally significant and reflects the aesthetic and cultural traditions and diversity of the city or the surrounding neighborhood.

(5) *Visual accessibility.* The proposed art/element will be readily visible to the public and meet the location requirements of this article.

(6) *Quality.* The proposed artist is professionally recognized in the medium and the proposed art/element is of aesthetic quality and enduring value.

(7) *Appropriateness to site.* The proposed art/element is of design, scale and material appropriate to the site.

(8) *Diversity.* The artwork brings diversity to the public art program in terms of media, cultural and/or historical significance, innovation and creativity.

(9) *Public welfare.* The proposed art/element reflects and enduring artistic concept, is not detrimental to the public welfare and will not constitute a safety hazard. Complies with public accessibility requirements, if applicable.

(10) *Maintenance.* The proposed art/element will require only minimum maintenance and the maintenance plan is reasonable based on value, size, materials, location and potential for vandalism, weathering, and the anticipated life of the artwork.

(11) *Valuation.* The proposed art and/or element(s) meet or exceed the valuation requirements of this article.

(12) *Location.* The proposed location of the art and/ or element(s) is in an exterior place and is appropriate to accommodate the size and scale of the proposed art and/or elements(s), has or can reasonably accommodate any necessary supporting infrastructure, is in compliance with applicable code requirements such as visibility triangle, and complies with the locations identified in the public art master plan.

(13) *Artist qualifications.* The proposed artist meets the definition of artist under this article; has demonstrated ability for work in the chosen media, has demonstrated good workmanship in prior artwork, and has the ability to complete the project in a timely manner.

(14) *Budget.* The proposed art and/or element(s) are included in the project budget and the funds allocated for the project.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-126. Public art account.

(a) Account established. A separate public art account shall be established by the city. The funds shall be kept separate from any other city funds.

(b) All art assessment deposits from private and public development shall be deposited into this public art account.

(c) The city may accept gifts, grants, and donations to be used for public art and such funds shall be deposited into the public art account.

(d) Use of funds. The public art account funds shall be used by the city for the selection, commission, acquisition and maintenance of artwork on city property or exterior places in the city. Funds may be pooled and expended for public art in accordance with this article. Such funds may be spent on artwork which comply with the master plan and the criteria established in this article or art-related costs including, but not limited to,

(1) *Selection.* Selection processes for public art including advertising, selection panelist fees, completion stipends, outside consultant fees, and/or travel expenses for artists or experts.

(2) *Commissioning, acquisition and installation.* Artist and engineering design fees, permit fees, purchase price, fabrication, transportation, installation, site preparation and improvement, lighting and other costs directly related to the installation of the public art.

(3) *Maintenance.* Maintenance of public art owned by the city, including evaluation fees for professional conservators, costs of repair, cleaning and conservation.

(4) *Relocation or removal.* Costs directly related to the transportation and relocation or removal of public art.

(5) *Insurance and security.* The costs for damage and theft insurance for public art owned by the city, and, as appropriate, costs for security for installations or exhibitions.

(6) *Consulting.* The fees and costs for consultants, appraisers and curators as may be necessary.

(7) *Promotion.* Costs to promote the art in the public art program including public art tours, lectures, descriptive on-site plaques, social media, brochures and other methods.

(8) *Program administration.* All personnel costs for the management and staffing, as needed, to support the ArtLife WPB program.

(e) Funds shall not be utilized for artist receptions, dedication art events, promotional materials for the artist, or expenses for the operation or maintenance of public art on private property.

(f) Committee funds. The ArtLife WPB committee is authorized to spend an amount that does not exceed $15,000.00 per fiscal year from the public art account, which may be used by the committee for small projects distributed among the art districts identified in the public art master plan, and in compliance with the master plan, or for other authorized committee duties.

(g) Commission approval. Except for the use of committee funds, as provided above, use of the public art funds shall be approved by the city commission.

(h) Carryover. Any monies not expended in the public art account in any fiscal year shall be carried over in the account into the following year. Any interest earned on the funds shall be retained in the public art account.

(i) No general grants or sponsorships. The public art funds are not intended to provide general grant funding or sponsorships to artists, but shall be utilized in accordance with the public art master plan and the requirements of this article.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-127. Enforcement.

(a) Certificate of occupancy. Unless an alternative deadline is established in a development order, no certificate of occupancy for the project shall be issued until the final revised construction cost affidavit and accounting of the escrowed art funds has been provided; the public art coordinator and the construction services staff have confirmed by site inspection that the installed artwork has been installed and is acceptable, and/or the full art assessment has been paid to the city.

(b) The provisions of this article may also be enforced through any remedy available to the city in law or in equity. Violations may also be enforced through the code enforcement provisions of chapter 26 of this Code; or through the provisions of section 1-13 of this Code; or the city may institute a civil action in a court of competent jurisdiction to seek injunctive or other relief to enforce compliance with the terms of this article or any rule or regulation promulgated under this section, to enjoin and prohibit said violation or to compel the performance of actions which will result in compliance with the terms of this article. The city shall recover its court costs and reasonable attorneys' fees in any legal proceedings commenced to enforce this article. These remedies are cumulative and the use of any appropriate remedy shall not constitute an election of other remedies by the city. The use of one remedy shall not preclude the use of any others.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-128. Applicability.

(a) *The public art program requirements and public art assessment described in this section shall apply to the following activities:*

(1) Private development projects as set forth in section 78-129.

(2) Public construction projects as set forth in section 78-133.

(3) Projects by a non-profit entity as set forth in section 78-129.

(b) *Exceptions.* The requirements of this article shall not apply to the following development or activities:

(1) Single-family residences not developed as a planned development;

(2) Ordinary property maintenance;

(3) Repairs and restoration resulting from fire, flood, windstorm or other casualty or natural disaster, as determined by the building official;

(4) Affordable residential housing units where at least 51 percent of the units are reserved for affordable housing;

(5) Institutional uses, such as churches, hospitals, and public or not-for-profit private schools;

(6 Projects on premises which are owned or leased solely by a non-profit entity recognized under section 501(c)(3) of the internal revenue code and used in furtherance of the non-profit purpose;

(7) Industrial and commercial development that is not open or accessible to the public due to the storage or use of hazardous, radiological, or infectious materials, national security reasons, or other reasons related to the health, safety or security of the public.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-129. Public art assessment for private development.

(a) *Applicability.*

(1) *Private development.* The provisions of this article and the public art assessment section shall apply to all private development projects, including new construction, or the renovation or improvement of an existing building, where total construction costs are equal to or greater than $500,000.00. All buildings within new planned developments shall be assessed cumulatively towards this public art requirement, even if the buildings are permitted separately or developed in phases. The provisions of this section apply to new development or new construction within existing planned developments.

(2) *Non-profit.* Projects on premises which are owned or leased by a non-profit entity that are not tax-exempt under section 501(c)(3) of the internal revenue code, or projects on premises which are owned or leased solely by a non-profit entity recognized under section 501(c)(3) of the internal revenue code yet the project is not intended to be used in furtherance of the non-profit purpose, are subject to the public art assessment

(b) *Requirements.* All private development meeting the applicability requirements of this section shall be assessed a sum in accordance with this section, which funds shall be utilized for public art in accordance with this article. Notwithstanding the foregoing, the public art assessment for any single project shall not exceed $2,000,000.00. Before the issuance of the first building permit for the project, the developer must select one of the following options:

(1) *Option 1:* Install and artwork on the development site valued in an amount not less than one percent of the total construction costs; or

(2) *Option 2:* Contribute an amount equal to 75 percent of one percent of the total construction costs for deposit to the public art account.

(c) *Valuation of artwork.* The following costs shall not be included in the valuation of the artwork: site preparation costs, landscaping and hardscaping costs, artist events, promotional materials, future costs for the operation, conservation or maintenance of the artwork.

(d) *Distinct artwork.* Artwork for compliance with this article shall be distinct from and shall not be considered as compliance with any requirements of the zoning and land development regulations.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-130. Inclusion of art or elements in the project.

(a) *Historical or cultural elements.* The developer may choose to retain or incorporate historically important or culturally significant elements in the project in lieu of or in addition to artwork. Historical or cultural elements may include distinctive exterior features, finishes, and construction techniques or examples of craftsmanship that characterize a historic period or culture. The total value of all historical or cultural elements and/or artwork must equal one percent of the total construction costs.

(b) *Location.* Artwork and/or historical or cultural elements must be located to be readily visible to the public based on normal traffic of vehicles and pedestrians in the area.

(c) *Process.* If the developer chooses to provide artwork or historical or cultural elements, the developer shall follow the following process:

(1) If installing artwork in accordance with option 1, submit an art assessment application, which includes all documents described in subsection (c)(5) of this section. The art application shall be submitted with the application for a building permit.

(2) If contributing toward the public art funds in accordance with option 2, the application for a building permit should include a statement that option 2 has been selected to meet the public art requirement. The public art assessment shall be paid in full at the time of payment of the building permit fees.

(3) Art consultant. If the developer chooses to provide artwork, the developer may utilize up to 12 percent of the escrowed art deposit to retain an art consultant to assist in the selection and procurement of the required artwork. The art consultant shall have no financial or other relationship with the artist or developer, nor any ownership in the artwork purchased by the developer. The artist shall not be entitled to the art consultant fee.

(4) Artist selection. Selection of the artist will be the responsibility of the developer. The selected artist shall be an artist as defined in this article. The commission of the artist shall be by written contract between the developer and artist.

(5) Application for approval of public art. An application for approval of the public artwork shall be made to the ArtLife WPB committee within 30 days of the issuance of the first building permit for the project. The application shall include each of the following items:

a. Public art application, on the city's forms, completed and signed.

b. Construction cost valuation of the project.

c. Art budget, itemized.

d. Value of proposed artwork.

e. Artist's qualifications, including resume and portfolio establishing the artist's credentials;

f. Detailed description and depiction of the artwork, including conceptual approach and relevant design information.

g. Drawings and renderings of the proposed artwork, in terms of size, scale, color, shape, and materials in sufficient detail to provide a clear understanding of the art or elements proposed. A digital color rendering, printed at 11 by 17 inches of the artwork shall be included. Drawings and renderings shall be to scale, at the proposed location and show surrounding landscaping, buildings, lighting, public right-of-way, plaque placement, parking, frontage, and any other information relevant to the site and placement.

h. Materials and method description including all proposed materials and installation methods and must include samples or photo documentation.

i. Copies of the artist contract and relevant subcontracts.

j. Copy of the escrow agreement.

k. Documentation showing that a deposit for public art was made into an escrow account. The developer shall submit documentation to the city showing that a deposit for public art was made with the developer's attorney into an escrow account in an amount equal to one percent of the total construction costs. If the amount to be escrowed exceeds $500,000.00, than in lieu of a deposit of the full amount of the art assessment, a payment bond in an amount not less than the full required deposit amount, which references this city code section, from a surety acceptable to the city, may be provided. Such bond shall provide for payment of the bond amount to the city in the event that either: (1) the proposed public art is not approved by the city commission; or 2) the public art, or historical or cultural element, which complies with the requirements of this article is not installed within 36 months of issuance of the building permit, unless such time is extended in writing by the building official.;

l. Maintenance program required for the artwork or elements. Include maintenance milestones and identify the party responsible for maintenance. A final maintenance plan is due upon project completion;

m. Community outreach. Describe community outreach communication and plans.

n. Schedule. Describe proposed project schedule and project development timelines, including City reviews and artwork installation schedule.

o. Compliance with public accessibility (ADA) requirements.

(6) Committee review of contribution of art and elements. The ArtLife WPB committee shall review the proposed artwork at their next meeting that is scheduled at least 20 days from application submittal, based on the standards and criteria established in this article and shall recommend to the city commission whether to approve, deny, or approve with conditions the selection and location of the artwork. If the artwork includes historical elements, the city's historic preservation board will review the proposed historical elements and provide their findings to the ArtLife WPB committee.

(7) City commission approval. The developer/owner or commissioned artist will present the proposed artwork to the city commission on the next available commission agenda after the ArtLife WPB committee recommendation is made. The city's administrator of public art and culture will advise the city commission of the recommendation of the committee. In the event the proposed public art is not approved by the city commission, the escrowed public art assessment shall be forfeited to the city and deposited into the public art account.

(8) Site plan. Artwork shall be clearly demonstrated on all site-plans submitted for city approvals.

(9) Appraisal. To establish the value of the artwork to be installed or historical or cultural elements to be installed or retained by developer to comply with this article, the city may employ an independent art appraiser to provide a written appraisal of the art work(s) submitted or cultural or historic elements. Such appraisal will be paid for by the developer from the escrowed art deposit.

(10) Construction cost overruns. If the final cost of the total construction for the project is higher than the initial project cost estimate used to calculate the art assessment or escrowed art deposit, the developer shall either: i) provide additional art for the project valued at one percent of the increase in the total construction cost or ii) provide an additional deposit to the public art account valued at one percent of the increase in the total construction cost. The additional art shall be installed or the deposit shall be made prior to issuance of the final certificate of occupancy.

(11) Accounting of escrow. Prior to the issuance of the final certificate of occupancy for a project, the developer shall submit a revised construction cost affidavit, which shall be submitted whether developer elected to pay the art assessment or install artwork. The developer's attorney or escrow agent will provide the city a final written affidavit and accounting of the payment for art and any art consulting fees from the escrowed art deposit at the conclusion of the placement of artwork. The accounting shall be supported with copies of invoices evidencing the cost of the artwork. This affidavit shall be in a form acceptable to the city. Any surplus balance in the escrow account after the developer has completed the installation of the required art work shall be disbursed to the city and deposited into the public art account. In the event that artwork which complies with the requirements of this article is not installed within 36 months of issuance of the building permit for the project, all escrow funds shall be disbursed to the city and deposited into the public art account, unless such time is extended in writing by the city's administrator of public art and culture.

(12) Final documentation. Upon project completion, the developer shall submit to the city the final artwork maintenance plan, a copy of the plaque text, photos of visual placement, artist's contact information, and owner's contact information.

(13) Plaque or marker. Developer installed artwork shall be identified on-site with signage provided by the developer, with language approved by the city, which identifies the artwork as a public benefit created under the city's public art program.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-131. Ownership and maintenance of private art.

Artwork installed on private property pursuant to the requirements of this article shall be the property of the property owner. Title and ownership of the artwork shall transfer in whole or in part to any successor in interest of the property. The property owner shall be responsible for maintenance of the art work in good condition at all times. The property owner shall be responsible for ensuring that the public's view of the artwork is maintained and no vegetation or additional construction shall obstruct the public's view. Maintenance shall include any associated landscaping or related improvements. In the event of destruction or casualty to the artwork, the property owner shall repair or replace the artwork with art equal in value to the value of the artwork originally installed. If the artwork is to be replaced, the ArtLife WPB advisory board shall review the proposed artwork and shall recommend to the city commission whether to approve, deny, or approve with conditions the selection of the artwork in accordance with the public art implementation guidelines.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-132. Removal or replacement of art.

(a) Artwork installed in accordance with this article shall remain on site in the approved location and cannot be altered, replaced or removed except as provided in this article, or when deemed to be unsafe by the city building official, or necessary replacement due to damage from natural disasters. The seller of any property containing artwork installed in compliance with this article shall include restrictions by deed or other instrument that requires retention and maintenance of the artwork or elements in compliance with this article.

(b) All replacement artwork shall equal or exceed the value of the original artwork and shall not be less than the original public art assessment requirement. The replacement art shall meet the all of the requirements of this article. All replacement art and elements must be approved by the ArtLife WPB committee and the city commission. The replacement art shall be installed and be available for public view not more than six months after the existing artwork is removed, unless this period is extended by the city's director of development services.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-133. Public projects.

(a) *Applicability.* All appropriations and authorizations for the new construction, renovation or remodeling of eligible public improvements shall include an amount of not less than one percent of the total construction costs to be deposited in the public art account.

(1) Eligible public projects subject to the public art assessment shall be:

a. Any public building, facility or structure which permits public occupancy of all or a portion thereof, including but not limited to fire stations, police stations, and public community centers.

b. Any vertical construction within a public park or recreation facility.

c. A sidewalk, pedestrian or bicycle path project where sufficient location, space, utilities and other elements to accommodate public art exist, as determined by engineering and planning staff and the public art administrator.

(2) Public improvements that are not subject to the art assessment are:

a. Any road project, including but not limited to construction, resurfacing, curbing, drainage, striping, lighting and signalization.

b. Any public utility project, including water, waste water and stormwater projects.

c. A streetscape, sidewalk, pedestrian or bicycle path project where there is not sufficient space, utilities and other elements to accommodate public art, as determined by engineering and planning staff and the city's administrator of public art and culture.

d. Any public building, facility or structure which is not accessible to the public.

e. Any project funded by a revenue source which by law cannot be utilized for the acquisition of works of art.

f. Any acquisition of land.

g. Any eligible public construction project where the city commission determines that the project appropriation cannot accommodate the art assessment, or the assessment will result in a cost overrun.

h. Any affordable housing project or project constructed using federal funds which cannot be utilized for public art.

i. Any project for the repair and maintenance of an existing public facility.

(b) *Budget.* For eligible projects, an estimate of the public art assessment shall be calculated, included and detailed in the project budget.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-134 City public art.

(a) *Public art.* In addition to the artwork installed as part of a public project, the city's public art may include, and public art funds may be used for artwork commissioned for installation on public property, and for temporary or rotating installations or exhibitions, or performative art. The city's public art collection may also include public art installed as part of a private development, provided title and rights to such artwork are transferred to the city and such artwork is formally accepted by the city commission.

(b) *Donations.* Donations of artwork for the city's public art collection shall be reviewed by the ArtLife WPB committee for compliance with this article and the master plan and the committee shall make a recommendation to the city commission regarding acceptance of the donation. Donations of artwork shall be formally accepted by the city commission.

(c) *Approvals.* All public art to be commissioned or acquired as part of a public project or for installation or exhibition by the city shall be reviewed by the ArtLife WPB committee based on the criteria established in this article with a recommendation made to the city commission. The committee shall not recommend artwork for installation on public property which cannot be reasonably maintained within the resources allocated by the city. The city commission shall have the final decision of the approval of the artwork.

(d) *Ownership.* All artwork acquired and owned by the city as part of its public art collection shall be titled in the name of the city. Artwork installed on city property shall be owned by the city.

(e) *Private funded artwork.* In the event that a development is unable to accommodate artwork, a developer may offer to commission and install a privately funded artwork on property owned by the city or a city agency, provided title and rights to such artwork are transferred to the city, the installation location is approved by the city commission and such artwork is formally accepted by the city commission. Offers for private funded artwork for the city's public art collection shall be reviewed by the ArtLife WPB committee for compliance with this article and the master plan and the committee shall make a recommendation to the city commission regarding acceptance of such artwork.

(f) *Maintenance.* The city shall be responsible for maintaining city-owned artwork.

(g) *Procurement.* The procurement of goods, services or construction under the public art program or to be funded by public art funds shall comply with the procurement code, as applicable. Commission of proposals for city owned public art shall be by call to artists, request for qualifications, request for proposals or other form of competitive selection, or direct invitation.

(h) *Contract required.* The commissioning of an artist by the city for public art using public art funds shall be documented by a contract in a form acceptable to the city attorney. Prior to the use of any public art funds for artwork on private property, a written agreement detailing the use of funds, the ownership and maintenance responsibilities and other terms as determined by the city attorney shall be entered into with the property owner and approved by the city commission.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-135 Artist grant of license.

The artist of artwork approved and installed on city property under the art in public places program shall grant to the city an unlimited, perpetual, non-exclusive, royalty-free license to reproduce and distribute two-dimensional reproductions of the artwork, in photos, videos and related media, for city-related purposes; and shall waive and release in favor of the city all rights, including the right of attribution or integrity, which artist may have in the artwork as provided by 17 U.S.C. §§ 106A and 113(d)(Visual Artist Rights Act). The city shall make all reasonable efforts to attribute the artwork to the artist in all uses. Any such documentation shall be approved by the city attorney. By participating in the public art process, the artist authorizes review by the ArtLife WPB committee and compliance with public records laws.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-136. Permits and building code.

(a) Building permit. A building permit and inspections shall be required for artwork and foundation work when necessitated by the work, as determined by the building official.

(b) Electrical components. An electrical permit and inspections are required for artwork that uses electrical components. Either the entire electrical system or each electrical component used shall be listed by underwriter's laboratory (UL), or similar nationally recognized testing laboratory, and shall only be used in accordance with such listing. Alternatively, the electrical drawings and installation shall demonstrate that the electrical system complies with the version of the National Electrical Code referenced in the current Florida Building Code. The electrical power supply must be installed by a licensed electrical contractor in accordance with the current Florida Building Code. The electrical system configuration shall provide access for maintenance of the electrical system in accordance with the current Florida Building Code.

(c) When the artwork media is lighting or text-based art, and is not a sign, the art is not required to meet code requirements for signs, but must be determined by city inspectors to be safe.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Sec. 78-137. Unsolicited public art proposals.

(a) *Applicability.* The provisions of this section apply to unsolicited proposals for public art on city or city agency owned property,

(b) *Application review periods.* Unsolicited applications for public art will be considered by the ArtLife WPB committee as received, on a monthly basis.

(c) *Application.* An application for consideration of an unsolicited proposal for public art by the ArtLife WPB committee shall include sufficient information to allow the committee to consider the proposal in light of each of the criteria set forth in section 78-125. It shall be the responsibility of the proposer to ensure that sufficient information is provided.

(c) *Review.* The ArtLife WPB committee shall not be obligated to recommend approval of any unsolicited proposals, but may recommend an unsolicited proposal, if such proposal meets each of the following criteria:

(1) The proposed artwork complies with each criteria listed in section 78-125 of this article, excepting valuation; and

(2) There is sufficient funding for the design, creation, fabrication, and installation of the proposed artwork and all structural and supporting elements.

(Ord. No. 4915-20 , § 1, 12-28-2020)

Secs. 78-138—78-150. Reserved.

Subdivision I. Art in Public Places

Sec. 78-261. Art in public places requirements.

(a) *Application requirements.* The applicant shall provide the information described below and any additional information requested by the growth management department necessary to review the application pursuant to the standards of the Code.

(1) *Application forms.* The application shall be made on forms provided by the growth management department.

(2) *Artist information.* Portfolio containing photographs of the artist's existing work, exhibition and sales history, and biography.

(3) *Miscellaneous plans, renderings, and details.* Artist's color renderings and/or photographs of proposed artwork; materials sample board; site plan depicting the proposed location of the artwork; landscape plan, if necessary, depicting additional landscaping or modifications to existing landscaping; architectural elevations, if necessary, depicting structures associated with the artwork; lighting location plan and light fixture details; or other information requested by staff, the art in public places advisory board, or the city council. All submittals shall be required to provide an accurate representation of the proposed artwork.

(b) *Violations.* Violation of this chapter shall be subject to enforcement as provided in article VII.

(c) *Requirements for art or fee in lieu of art.* All new nonresidential development, except city projects, where total vertical construction costs of all buildings on a project site are equal to or greater than $1,000,000.00 shall provide art valued in an amount of one percent of the total vertical construction costs, as provided in this section and section 78-262. All buildings within planned unit developments and planned community districts shall be assessed cumulatively towards the art in public places requirement, even if they are permitted separately. If the aggregate cost of the entire project exceeds the $1,000,000.00 threshold, each phase of development shall contribute the required one percent of construction cost towards art in public places for the building project. The art fee for redevelopment of an existing building shall be calculated based on the construction costs of the new development, excluding the assessed value of the existing buildings that are replaced or redeveloped.

(1) *Private development.* A private developer may choose either to provide artwork on the project site or to contribute one percent of the total vertical construction costs to the city's art impact fund. The city's art impact fund shall be interest bearing with all interest to be retained by the city.

a. *Contribution of art.* If the developer chooses to provide artwork, the art in public places advisory board shall review the proposed artwork and shall recommend to the city council whether to approve, deny, or approve with conditions the selection and location of the artwork according to the standards of this division. The artwork shall be provided as follows:

1. Deposit of funds. The developer shall submit documentation to the city showing that a deposit was made with the developer's attorney into an escrow account in an amount of money equal to the art fee prior to the issuance of the first building permit. The developer's attorney will furnish the city documentation of the withdrawals for payment of

art fees in accordance with the terms of the contract between the developer and the artist or artists, or the developer's arts consultants. The developer and/or the developer's attorney will provide the city a final written certification and accounting of the payment of art and consulting fees at the conclusion of the placement of artwork. This certification shall be provided in a manner acceptable to the city.

2. Surplus balance. Any surplus balance existing in the escrow accounts after the developer has installed the required artwork shall be collected by the city. The surplus balance shall be held in a segregated, interest-bearing fund (the "art impact fund"), and shall be used for the provision of additional art work at the construction site or another site within the city. Use of such funds shall be determined by the city council, following a recommendation by the art in public places advisory board, and shall be in accordance with further provisions of this division.

3. Artist selection. The selection and commissions of the artists shall be by written contract between the developer and artists.

4. Art consultant. The developer may utilize up to 12 percent of the required fee to retain an art consultant to assist in the selection and procurement of required artwork; an additional three percent of the required fee shall be used to pay the city for administering the art in public places program. The art consultant shall have no financial relationship with the artist, nor any ownership in artwork purchased by the developer. The artist shall be allowed to act as the art consultant for the art petition, but shall be precluded from receiving the art consultant fee.

5. Vertical construction cost overruns. Prior to the issuance of the final certificate of occupancy for a project, the developer shall submit a revised construction cost certification. If the final cost of the vertical construction for the entire project is higher than the cost figure used to calculate the preliminary art budget, the art budget shall be increased as necessary to equal one percent of the actual defined total vertical construction cost for the project. The art budget shall be revised within 30 calendar days of any such changes. The increase in the art budget due to the final increase of the vertical construction cost for the entire project shall be placed in the city art impact fund, or shall be used for the provision of art on site, at the option of the developer.

6. Appraisal. To establish the value of art submitted to comply with this division, the city may employ an independent art appraiser to provide a written appraisal of the art submitted. Such appraisal will be paid for by the developer as part of the overall art contribution.

7. Artwork purchased pursuant to the requirements of this section belongs to the property owner, and shall be insured and maintained in good condition at all times as determined by the city's code enforcement official. Maintenance shall include any associated landscaping or related improvements. The city has the right to maintain any art it deems improperly maintained and charge the owner the cost of such maintenance, including cost of collection, interest, and attorney's fees.

8. Unless an alternative deadline is established in a development order, or a time extension is granted by the growth management administrator, no certificate of occupancy for the project shall be issued until the artwork is installed and the final certification and accounting of the payment of the escrow fees has been provided. Artwork installed in accordance with this division cannot be altered or removed from the site without approval of the city council.

9. The artist of approved artwork shall grant to the City of Palm Beach Gardens an unlimited, perpetual, non-exclusive, royalty-free, irrevocable license to reproduce and distribute two-

dimensional reproductions of the artwork for city-related purposes, and grant to the city the exclusive irrevocable ownership rights in any trademark, service mark, or trade dress rights regarding the artwork, pursuant to a license that shall be approved by the city attorney. City approval of the artwork shall be deemed to be a grant of the artist for authorization by third parties to review and reproduce documents provided by the artist to the city which are deemed to be public records pursuant to public record laws of the state. The city shall also have the option of referring to the name and title of the artist and artwork in reproductions.

10. Review by the art in public places advisory board.

    A. *Workshop.* The applicant may appear before the art in public places advisory board in order to receive guidance in the initial stages of the review. In this case, the applicant may choose between two types of review described below:

        i. The applicant may appear before the board in order to receive more detailed direction, if the applicant does not have a set direction, prior to receiving a final recommendation by the board. The applicant is strongly encouraged to submit the portfolios of up to three artists. The portfolios shall contain photographs of the artists' existing works, as well as the artists' biographies; or

        ii. The applicant may have a set direction regarding the artwork and may appear before the board for preliminary comments prior to receiving the board's final recommendation. The applicant shall submit the portfolio of the proposed artist which shall contain photographs of the artist's existing works, as well as the artist's biography.

    B. *AIPP board meeting.* Upon the development review committee certification of the petition, the petition shall be scheduled for an art in public places board meeting for a recommendation to city council.

    C. *Criteria for review of artwork by the board.* In making its recommendation to the city council, the board shall consider the quality of the artwork; the exhibition and sales history of the artist; the artist's works in public collections and previous public art purchases or commissions; the ability of the artist to complete the project within a specified schedule; and the compliance with the standards of this division.

    D. *Guidelines.* The art in public places advisory board may adopt art in public places implementation guidelines to assist both the public and private sector planning activities.

11. Review by staff. In making recommendations to the art in public places advisory board and to the city council, staff shall consider the standards of this division in association with sound planning principles.

12. In the case of redevelopment of a property which has contributed artwork on the site pursuant to this article, the artwork may be replaced, at the option of the developer, with new artwork pursuant to this article, or the existing artwork may remain on the site. In the latter case, the value of the existing artwork and its placement must comply with this article as if it were new artwork.

b. *Fee in lieu of artwork.* Instead of providing artwork on the project site, a developer may choose to contribute one (1) percent of the total vertical construction costs as the required art fee. If the

contribution is made, the contribution shall be placed in the city's art impact fund and used as provided in subsection 78-261(c)(2). The contributor shall have no input in the use of such funds.

(2) *Art impact fund.* When the developer provides a fee in lieu of artwork as set forth in this section 78-261, the following shall apply to the use of the funds:

a. The fee shall be placed in the city's art impact fund. Funds from the art impact fund may be spent anywhere in the city, and such funds may be spent on any art or art-related costs such as, but not limited to, lighting, consulting, landscaping, aesthetic features or enhancements, maintenance of art work, and to promote public art and the public art process in the city.

b. Artist selection. The city council may choose either to select an artist through a call-to-artist process or to procure works of art through commission via written contract with a specific artist for a specific work of art.

i. *Call to artists.* If a preferred artist has not been determined, the city may issue a call to artists to procure a work or works of art. A selection committee will review the submitted proposals and shall select at least two finalists for consideration by the art in public places advisory board. The art in public places advisory board shall review the finalists' proposals and make a recommendation to the city council on the selection and commission of the artist and the artwork. The selection and commission of the artist and artwork shall be by written contract between the city and the artist. Final decision-making authority regarding the artwork and artist shall be at the sole discretion of the city council.

ii. *Artist/artwork selection.* The city may utilize funds allocated from the art impact fund to retain a specific artist for a specific artwork on city-owned land, a city-owned building, a facility that is leased or rented by the city or on any property where the city has granted permission by the property owner. The selection and commission of the artist and artwork shall be by written contract between the city and artist. Final decision-making authority regarding the artwork and artist shall be at the sole discretion of the city council.

iii. *Contracts for artwork.* Artists, as a part of any commission or contract with the city for the provision of artwork, shall be required to submit to the city a "maintenance and inventory sheet," which shall include an annual cost estimate for the annual maintenance necessary in order to properly preserve and maintain the artwork in substantially the same condition that it was in when accepted by the city.

c. Use of purchased art. All artwork purchased by the city-required art fee contribution shall be displayed on city-owned land, a city-owned building, or a city-leased or rented facility unless otherwise approved by the city on any public or private property, so long as the property owner's consent is provided. Such consent shall be in the form acceptable to the city attorney. The artwork shall be displayed in a visually accessible location, which shall be suitable to the design of the site, in order for the public to receive the most enjoyment and benefit from the art.

d. Art consultant. The city may utilize funds allocated from the art account to retain an art consultant. The artist shall be allowed to act as the art consultant, but shall be precluded from receiving the art consultant fee.

e. Proper insurance coverage shall be maintained by the city on artwork purchased with funds generated by this article or on artwork whose ownership has been transferred to the city. The artwork owned by the city shall be maintained by the city.

f. Maintenance of artwork. The art impact fund shall be utilized to cover the costs of acquiring and maintaining public works of art purchased for display on city-owned, -leased, or -rented property/buildings, or on any property where the city has been granted permission by the property owner.

i. *Art impact maintenance fund.* The city council shall designate portions of the art impact fund in order to provide for the maintenance and upkeep of all publicly-owned works of art in order to ensure that proper preservation and maintenance is provided.

ii. *Art maintenance requirement.* When the city council approves the acquisition of a public work of art, the city council shall designate funds from the art impact fund dedicated to the continual maintenance and preservation of the subject work of art for a period of no less than 25 years.

iii. *Maintenance funds.* Maintenance funds may be expended to cover any and all expenses reasonably associated with the maintenance and preservation of public works of art.

(Ord. No. 1, 2007, §§ 2, 3, 2-1-07; Ord. No. 37, 2009, § 1, 12-17-09; Ord. No. 7, 2017, § 12, 3-2-17; Ord. No. 6, 2022, § 13, 7-14-22)

Sec. 78-262. Standards for artwork.

(a) Artwork shall be displayed in a visually accessible location, which shall be suitable to the design of the site, in order for the public to receive the most enjoyment and benefit from the art. A plaque shall be installed in a reasonable proximity to the artwork to inform the public that the art is part of the city's art in public places.

(b) Artwork shall be integrated into the overall planning and design for a structure or project, and shall be compatible with the intent and purpose of the structure at which the work or works are located.

(c) Artwork shall be integrated into the overall landscaping plan, and landscaping shall be utilized to enhance the visibility of such works.

(d) Artwork shall be lighted at a minimum from dusk until dawn, unless otherwise approved by city council. The lighting shall be designed and located in order to prevent excessive lighting, energy waste, glare, light trespass, and sky glow.

(e) Artwork installed pursuant to the division cannot be altered or removed from the site without approval of the city council.

(f) Maintenance. Artwork shall be maintained in good condition at all times, including any associated landscaping or related improvements.

(g) Zoning and building consideration. Consideration shall be given to project zoning. Permits and building approval shall be obtained, when necessary, and shall be in compliance with the Florida Building Code, the National Electric Code, and the previously-approved plans by city council.

(Ord. No. 1, 2007, §§ 2, 4, 5, 2-1-07; Ord. No. 6, 2022, § 14, 7-14-22)

Sec. 78-263. Definitions of art.

The following words, terms, and phrases, when used in this subsection, shall have the meanings ascribed herein except where the context clearly indicates a different meaning:

Art, artwork, or *works of art* means all tangible creations by artists exhibiting the highest quality of skill and aesthetic principles, and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, painting, sculpture, fountains, engraving, carving, frescos, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, artist-designed seating, or other functional art pieces and collaborative design projects between architects and/or landscape architects and artists, together with all hard costs and soft costs such as, but not limited to, lighting, landscaping, or other aesthetic effects or

enhancements integrated with the art and approved by the growth management administrator. The city council shall not consider for approval art objects which are mass-produced in unlimited quantities.

Artist or *professional artist* means a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist include, but are not limited to, training in the arts, income realized through the sole commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, and receipt of honors and awards in the art field.

Construction cost means the total cost of vertical construction of all buildings constructed on the site, not including parking garages and site infrastructure.

Development, as it pertains to art means any project to construct or remodel any private or public development, except residential and/or residential components of mixed-use development, or any portion thereof within the limits of the city, where total construction costs equal or exceed one million dollars ($1,000,000.00).

(Ord. No. 7, 2017, § 13, 3-2-17; Ord. No. 6, 2022, § 15, 7-14-22)

Editor's note(s)—Ord. No. 7, 2017, § 13, adopted March 2, 2017, repealed § 78-263, and enacted a new § 78-263 as set out herein. Former § 78-263 pertained to waiver of requirements and derived from Ord. No. 1, 2007, § 6, adopted February 1, 2007.

ARTICLE XII. ART IN PUBLIC PLACES PROGRAM

Sec. 2-159. Short title; intent.

(a) This article shall be known and cited as the "Art in Public Places Program."

(b) It is the intent and purpose of this article to further the commitment of the city to the aesthetic, historical, cultural and economic enrichment of the community through the creation of works of art so that citizens and visitors to the city are afforded an opportunity to enjoy and appreciate works of art. The requirements of this article shall be construed to promote the aesthetic values of the entire community and to encourage the preservation and protection of works of art.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-160. Definitions.

For the purposes of this section, the following words and phrases shall have the following meanings:

Artist or Professional Artist means a practitioner in the visual arts, generally recognized by critics and peers as a professional of serious intent and ability. Indications of a person's status as a professional artist include, but are not limited to, income realized through the sole commission of artwork, frequent or consistent art exhibitions, placement of artwork in public institutions or museums, receipt of honors and awards, and training in the arts.

Art, Artwork or Works of Art means tangible creations by artists exhibiting the highest quality of skill and aesthetic principles and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, paintings, sculptures, engravings, carvings, frescos, stained glass, mosaics, mobiles, tapestries, murals, photographs, video projections, digital images, bas- relief, high relief, fountains, kinetics, collages, drawings, monuments erected to commemorate a person or an event, functional furnishings, such as artist designed seating and pavers, unique or original architectural elements, and artist designed landforms or landscape elements. The following shall not be considered artwork or works of art for purposes of this article:

(1) Reproductions or unlimited copies of original artwork.

(2) Art objects, which are mass-produced.

(3) Works that are decorative, ornamental, or functional elements of the architecture or landscape design, except when commissioned from an artist or designed as an integral aspect of a structure or site.

Building means any structure that encloses space and is used or built for the shelter or enclosure of persons, businesses, chattel or property.

Development means any construction, or redevelopment, or structural alteration of any private or public building within the limits of the city.

Arts Commission means the advisory board established by the City Commission pursuant to Ordinance 01-64.

Public Art Fund means a separate, interest bearing account set up by the city to receive monies for the Art in Public Places Program.

Remodeling or *conversion* means alterations made to a building within any twelve month period, including, but not limited to, changes to the facade of a building, changes to the interior of a building, increases or decreases in the floor area of a building and changes to exterior improvements.

In-fill Housing means new residential units on parcels less than five (5) acres that are not part of an approved planned unit development as defined by the city land development regulations.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-161. Arts Commission.

The Boynton Beach Arts Commission shall function and operate as outlined in the City of Boynton Beach's Ordinance No. 01-64.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-162. Powers and duties of committee.

(a) The Arts Commission shall have the following additional powers and duties:

(1) Recommend to the City Commission adoption of Art in Public Places Program Guidelines and amendments thereto;

(2) Recommend to the City Commission adoption of a Public Art Master Plan identifying locations for public artworks and establishing a priority order;

(3) Recommend to the City Commission authorization of expenditures for maintaining and implementing the Art in Public Places Program;

(4) Recommend to the City Commission other expenditures of the Public Art Fund such as hiring staff and services to run the Art in Public Places Program;

(5) Exercise their authority to approve, approve with conditions or disapprove proposed installation of artwork based on Art in Public Places Program Guidelines; and

(6) Advance, through education and communication, the Art in Public Places Program Guidelines. The guidelines are attached to Ord. No. 05-060 as Exhibit "A".

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-163. Establishment of public art fee.

(a) All development, redevelopment, reconstruction or remodeling projects commenced after the adoption of this article which have a construction value of $250,000.00 or greater, shall participate in the Art in Public Places Program by paying a public art fee. For the purpose of this section, a project will be considered "commenced" when an application for review is first submitted to the city's Development Department. The public art fee shall be equal to one percent (1%) of construction value of the project. The Building Division/Finance Department shall administer the billing and collection of the thirty percent (30%) or (.03) of the one percent (1%) of the public art fee at the time of Building Permit issuance and the seventy percent (70%) or (.07) of the one percent (1%) prior to and as a condition of issuance of the certificate of occupancy that includes the public art. One hundred percent (100%) of the public art fees collected are to be allocated to the Public Art Fund. All distributions for the Public Art Fund require the recommendation of the Arts Commission prior to City Commission approval.

(b) The following types of projects are exempt from the payment of the public art fee:

(1) Remodeling, repair or reconstruction of structures damaged by fire, flood, wind, earthquake or other calamity determined by the City of Boynton Beach Building Official.

(2) The percent of the project dedicated to affordable housing as defined by the City of Boynton Beach.

(3) All projects which were submitted prior to or on October 5, 2005, notwithstanding any subsequent request for site plan extension.

(4) Single-family and two-family in-fill housing.

(5) Normal, routine maintenance including replacement of existing damaged or failing structural or non-structural elements, HVAC, plumbing, electric, or fire detection/suppression equipment of a project not associated with an addition, renovation or new construction.

(6) Remodeling, repair, reconstruction, or additions made after October 5, 2005 to any existing amenity, clubhouse, building, pool, park, playground and/or common area element located within an existing private residential development. This specific exemption applies retroactively to October 5, 2005.

(c) Project owners required to participate in the Art in Public Places Program may obtain reimbursement up to seventy percent (70%) of collected art fee if the following conditions are met:

(1) The owner of a development agrees to follow the Art Commission's recommendations to develop the art in the project; and

(2) Prior to placement on the development site, has the artwork approved by the Arts Commission to insure that the artwork will be accessible and readily visible to the public based on location of artwork and normal traffic of vehicles/pedestrians in the proposed location; and

(3) Select an artist directly to execute a project that meets specific criteria outlined by the recommendations and guidelines document provided by the Arts Commission or hire a professional consultant to select artists to commission site-specific, architecturally integrated artworks that meet specific art guidelines criteria outlined by the recommendations and guidelines document provided by the Arts Commission; or purchase artworks for permanent installation recommended by the Arts Commission; or elect to purchase an existing artwork or commission an original artwork for donation as a gift to the City of Boynton Beach's public art collection.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07; Ord. No. 15-009, § 2, 3-17-15; Ord. No. 16-002, § 2, 2-2-16)

Sec. 2-164. Art and artist selection criteria.

(a) The Art and Artist selection criteria shall be in compliance with the Arts Commissions Guidelines and Recommendations.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-165. Public Art Fund.

(a) There is hereby created a Public Art Fund administered by the Arts Commission. Funding shall consist of all contributions received from art fees for development and redevelopment. Contributions shall include one percent (1%) of construction value on projects exceeding $250,000.00, any cash grants and donations to the city for public art projects from governmental or private resources, and all other funds allocated by the city through the budgetary process for the provision

of public art.

(b) Expenditures from the Public Art Fund shall include but not be limited to expenses associated with the selection, commissioning, acquisition, transportation, maintenance, public education, promotion, administration, program marketing, documentation, removal and insurance of the works of art or in relation thereto. The Arts Commission can recommend to the City Commission expenditures from the funds in furtherance of the Art in Public Places Program.

(c) Disbursements of the public art fee shall be seventy percent (70%) to the construction of art in a given project and thirty percent (30%) for the administration of the Art in Public Places Program and a (endowment or reserve fund) for future work as described in the Arts Commissions Guidelines and Recommendations.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-166. Ownership of artwork.

Unless otherwise expressly agreed to in writing by the city, ownership of all art acquired through expending funds in the Public Art Fund shall be owned by the city according to the Arts Commissions Recommendations and Guidelines.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-167. Art in Public Places Program Guidelines.

(a) The Arts Commission shall prepare and from time to time recommend to the City Commission revisions to the Art in Public Places Program Guidelines and make the same available to the public, which shall provide guidance for program organization; organizational governance and staffing responsibilities; procedures for project planning; artist selection; art selection criteria; art placement criteria; donations; loans and memorials; collection management; and administration of the Public Art Fund.

(b) In the event language contained in the Art in Public Places Program Guidelines conflicts with this article, the language in the article shall control.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Sec. 2-168. Art in Public Places Program Location Plan.

The Arts Commission shall prepare, and from time to time revise, a Art in Public Places Program Location Plan that identifies locations and criteria for public artworks and establishes a priority order.

(Ord. No. 05-060, § 2, 10-5-05; Ord. No. 07-002, § 2, 4-3-07)

Secs. 2-169—2-170. Reserved.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4246- Art in Public Places Ordinance

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:
Ordinance 4245- Art in Public Places

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667000 AIPP Advertisement
Date: Friday, December 22, 2023 12:44:15 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $188.49, which includes a publisher affidavit that will be mailed to you after the last date of publication. **Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.**

PUBLIC HEARING NOTICE CITY COUNCIL MEETING CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17, 2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH

COUNTY, FLORIDA, CREATING CITY CODE OF ORDINANCES CHAPTER 32, ART IN PUBLIC PLACES, PROVIDING FOR PURPOSE, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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

proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.015).
In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.
Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices
LocaliQ | USA TODAY NETWORK
Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:31 AM
To: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>; Legals-Pbpost <legals@pbpost.com>

Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667000 AIPP Advertisement

Good afternoon,
I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP
Michael Grimm, Building Official, CBO, CFM

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4252: An Ordinance Of The City Council Of The City Of Riviera Beach, Palm Beach County, Florida, amending Chapter 22 of the City's Code Of Ordinances entitled "Buildings And Building Regulations", Article II, "Building And Technical Codes", Section 22-31 "Building Code Adopted", by adopting by reference a new administrative code entitled "Riviera Beach Amendments To The Florida Building Code 8th Edition (2023)" ; Providing For Conflicts, Severability and Codification; and providing for an Effective Date.**

Date: January 17, 2024

CC: General Public

Background:

Chapter 553 of the Florida Statutes authorizes the creation of the Florida Building Commission (Commission) and the Florida Building Code (FBC). The Florida Building Code (Code) is a statewide Code that governs the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings, structures, and facilities and the enforcement of such laws and rules. The Commission develops and adopts a new edition of the Code triennially. The Code is deemed adopted for use statewide without the need for adoption by local government.

The proposed FBC 8th Edition (2023) is based upon the 2021 International Building Code. The FBC 8th Edition (2023) has been adopted with an effective date of December 31, 2023.

Florida Statute 553.73(4)(a) authorizes local governments to adopt amendments to the administrative provisions of the FBC in order to meet local administrative needs, procedures, and operational standards. The amendments apply to all eight volumes of the FBC family of codes. Adopting the amendments in this manner allowed for future updates to the Code to be adopted without the need for major changes to the City's Code of Ordinances.

City staff has relied upon the research and expertise of the Building Officials Association of Florida (BOAF) and the Building Code Advisory Board of Palm Beach County (BCAB) in creating the City's version of the administrative amendments to the 2023 FBC. Chapter One of the FBC 8th Edition (2023) was reviewed and adjusted by the BOAF and then reviewed and adjusted by BCAB. The BCAB voted unanimously to recommend the adoption of the amended Model Chapter One by each local jurisdiction.

The BCAB recommended amendments have been reviewed and further revised by City's Building Division staff in order to ensure it conforms to the City's operational standards. Adoption of the Amendments to Chapter One will be in the best interest of the public by providing for the administration of the entire family of codes, and by strengthening the Code for the health, safety and general welfare of the residents in the City of Riviera Beach. The adoption of the Amendments will allow City regulations to be comparable and compatible with the regulations in unincorporated Palm Beach County and most of the other jurisdictions within Palm Beach County.

City Goals:
The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:
This Item has no budgetary impact.

Recommendation:
Staff recommends a Motion to approve Ordinance Number 4252.

Attachments:
1. Ordinance RB Amendments to FBC 2023.doc
2. RB Chapter 1 FBC 8th Edition 2023 cleaned version.docx
3. RB Chapter 1 FBC 8th Edition 2023 highlighted.docx
4. Riviera Beach Business Impact Estimate-Ordinance 4252 Building and Building Regulations.docx
5. Proof of Advertisement

ORDINANCE NO. 4252

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 22 OF THE CITY'S CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, "BUILDING AND TECHNICAL CODES", SECTION 22-31 "BUILDING CODE ADOPTED", BY ADOPTING BY REFERENCE A NEW ADMINISTRATIVE CODE ENTITLED "RIVIERA BEACH AMENDMENTS TO THE FLORIDA BUILDING CODE 8th EDITION (2023)" ; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; pursuant to Chapter 553, Florida Statutes, known as the "Florida Building Codes Act", the legislature provided for the adoption and enforcement of a single unified State building code, entitled the "Florida Building Code"; and

WHEREAS; pursuant to the laws of the State of Florida and Section 553.73(4)(b), Florida Statutes, the Building Code Advisory Board of Palm Beach County ("BCAB") has reviewed the Code provisions in the Florida Building Code and, based upon that review, has recommended the adoption of amendments to Chapter One of the Code; and

WHEREAS; the City Council of Riviera Beach finds that the adoption of the Florida Building Code 8th Edition 2023, together with the amendments to Chapter One as recommended by the BCAB, will greatly promote the health, safety and welfare of the residents of the City of Riviera Beach.

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

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

SECTION 2. Chapter 22, "Buildings and Building Regulations", Article II, "Building and Technical Codes" Section 22-31 of the City's Code of Ordinances is hereby amended to read as follows (additions are underlined and deletions appear in strikethrough format):

* * *

ARTICLE II. - BUILDING AND TECHNICAL CODES

Sec. 22-31. - Building code adopted.

(a) The Florida Building Code, as adopted by the state legislature, is hereby incorporated by reference as the building code for the City of Riviera Beach, Florida.

(b) The City hereby adopts by reference the "Riviera Beach Amendments to the Florida Building Code ~~7~~8th Edition (202~~0~~3)" as recommended by the Palm Beach County Building Code Advisory Board, and as conformed to the city's operational standards. A copy of the above referenced code**s** shall be kept on file in the building division's office of the city and shall be available for public inspection upon request.

SECTION 3: REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 4: SEVERABILITY

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance

is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to

have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part

or parts shall be deemed to be held valid as if such part or parts had not been included therein,

or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person,

group of persons, property, kind of property, circumstances, or set of circumstances, such

holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 5: CODIFICATION

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Riviera Beach, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "ordinance" may be changed to "Section", "Article" or another word.

SECTION 6: EFFECTIVE DATE

The provisions of this Ordinance shall become effective January 1, 2024.

PASSED AND APPROVED on the first reading this **____** day of December, 2023.

PASSED AND ADOPTED on second and final reading this _____ day of _____ 2024.

APPROVED:

RONNIE L. FELDER
MAYOR

DOUGLAS A. LAWSON
CHAIRPERSON

ATTEST:

DEBRAH S. HALL
ACTING CITY CLERK

SHIRLEY D. LANIER
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

JULIA A. BOTEL, Ed.D
COUNCILPERSON

1ST READING

MOTIONED BY:_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY:_____

D. LAWSON	_____
S. LANIER	_____
T. MCCOY	_____
K. MILLER-ANDERSON	_____
J. BOTEL	_____

SECONDED BY:_____

D. LAWSON	_____
S. LANIER	_____
T. MCCOY	_____
K. MILLER-ANDERSON	_____
J. BOTEL	_____

REVIEWED AS TO LEGAL SUFFICIENCY

_____

DAWN S. WYNN, CITY ATTORNEY

DATE:_____

RIVIERA BEACH

AMENDMENTS TO THE FLORIDA BUILDING CODE

8th Edition (2023)

CITY OF RIVIERA BEACH

Department of Development Services, Building Division

600 W. Blue Heron Blvd.

Riviera Beach, FL 33404

Chapter 1

Scope and Administration

PART 1—SCOPE AND APPLICATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the *Florida Building Code,* hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

1. Detached one- and two-family *dwellings* and multiple single-family *dwellings* (*townhouses*) not more than three *stories* above *grade plane* in height with a separate *means of egress* and their accessory structures not more than three stories above grade plane in height, shall comply with the *Florida Building Code, Residential.*

2. Code Requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. The City of Riviera Beach hereby adopts by reference;

1. The Florida Building Code- Building Edition
    - Appendix A "Employee Qualifications"
    - Appendix B "Florida Standard for Passive Radon Resistant Construction"
    - Appendix C "Florida Standard for Mitigation of Radon in Existing Buildings"
    - Appendix E "Florida Standard for Radon Resistant Construction New Commercial Construction"
    - Appendix F "Rodentproofing"
    - Appendix J "Grading"
2. The Florida Building Code –Residential Edition
    - Appendix E "Florida Standard for Mitigation of Radon in Existing Buildings"
    - Appendix F "Florida Standard for Passive Radon Resistant New Residential Building Construction"
    - Appendix G "Piping Standards for Various Applications"
    - Appendix J "Existing Building and Structures"
    - Appendix K "Sound Transmission"
    - Appendix M "Home Day Care R3 Occupancy"
    - Appendix O "Automatic Vehicular Gates"
    - Appendix P "Sizing of Water Piping System"
    - Appendix X "Solar Ready Provisions"
3. The Florida Building Code –Plumbing Edition
    - Appendix C "Structural Safety"

- Appendix E "Sizing of Water Piping System"
- Appendix F "Proposed Construction Building Codes for Turf and Landscape Irrigation Systems"

101.2.2 Residential Construction standards or practices which are not covered by Florida Building Code, Residential Volume shall be in accordance with the provisions of Florida Building Code, Building.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.3.1 Quality control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting. Further, no employee shall be liable in tort for damage from such conditions, in accordance with Section 768.28 Florida Statutes, as may be amended or replaced.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.11and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the *Florida Building Code, Fuel Gas shall* apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.2 Mechanical. The provisions of the *Florida Building Code, Mechanical shall* apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.3 Plumbing. The provisions of the *Florida Building Code, Plumbing* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.4 Property maintenance. The provisions of the *Riviera Beach Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.5 Fire prevention. For provisions related to fire prevention, refer to the *Florida Fire Prevention Code*. The *Florida Fire Prevention Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, *repair, alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the *Florida Building Code, Energy Conservation shall* apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.7 Existing buildings. The provisions of the *Florida Existing Building Code* shall apply to matters governing the *repair, alteration,* change of occupancy, *addition* to and relocation of existing buildings.

101.4.8 Accessibility. For provisions related to accessibility, refer to the *Florida Building Code, Accessibility.*

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see Section 458, *Florida Building Code. Building,* and Rule 61-41 *Florida Administrative Code.*

101.4.10 Electrical. The provisions of Chapter 27 of the Florida Building Code, Building Volume shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.11 Flood Damage Prevention The provisions of the Code of Ordinances of the City of Riviera Beach, Chapter 25-Floodplain Management, shall apply to all development wholly within or partially within a flood hazard area.

101.5 Building Official. Whenever, the building official is mentioned in this code, it is also intended to mean the building official's designee, wherever applicable.

SECTION 102
APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.1.1 The *Florida Building Code* does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

102.2 Building. The provisions of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the *Florida Building Code, Existing Building.* The following buildings, structures and facilities, except for those located in a Special Flood Hazard Area are exempt from the *Florida Building Code* as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

(a) Building and structures specifically regulated and preempted by the federal government.

(b) Railroads and ancillary facilities associated with the railroad.

(c) Nonresidential farm buildings on farms.

(d) Temporary buildings or sheds used exclusively for construction purposes.

(e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Section 553.501-553.513, *Florida Statutes*) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures. Permits shall be required for structural support and tie down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.

(f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the generation, transmission, or distribution of electricity.

(g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.

(h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

(i) Family mausoleums not exceeding 250 square feet (23 m^2) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

(j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

(k) A building or structure having less than 1,000 square feet (93 m^2) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:

1. Is not rented or leased or used as a principal residence;

2. Is not located within the 100-year floodplain according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and

3. Is not connected to an off-site electric power or water supply.

(l) Service providers of water, sewer, storm, gas, cable, telephone, or other similar utility systems are exempt to the point of service connection for the building or structure.

102.2.1 In addition to the requirements of Section 553.79 and 553.80, *Florida Statutes*, facilities subject to the provisions of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, and the certification requirements of the federal government.

102.2.2 Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

1. The building or structure is structurally sound and in occupiable condition for its intended use;

2. The occupancy use classification for the building or structure is not changed as a result of the move;

3. The building is not substantially remodeled;

4. Current fire code requirements for ingress and egress are met;

5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and

6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the *Florida Building Code*, Building for all residential buildings or structures of the same occupancy class.

7. The requirements of Florida Building Code, Existing Building Volume, are also satisfied.

102.2.3 The *building official* shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

102.2.4 This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned buildings and boilers.

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

a. Addition, alteration, or repairs performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet (93 m^2) or the square footage of the primary structure, whichever is less.

b. Addition, alteration, or repairs by a non-owner within a specific cost limitation set by rule, provided the total cost shall not exceed $5,000 within any 12-month period.

c. Building and inspection fees.

2. However, the exemptions under subparagraph 1 do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement

agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.

3. Each code exemption, as defined in sub-subparagraphs 1a, 1b, and 1c shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

4. However, each enforcement district or local enforcement agency may establish an alternative permitting program for replacing nonstructural components of building systems in a residential dwelling unit. A licensed contractor performing such work for the resident shall also be exempt from individual permits and inspections if either the owner or the licensed contractor obtains a valid Annual Permit per Section 105.1.1 of this code and all such work is reported as required in Section 105.1.2 of this code for compliance evaluation. No added capacity, system expansion or new building work of any type shall be excluded from individual permit and inspection by this provision.

102.2.6 This section does not apply to swings and other playground equipment accessory to a one- or two-family dwelling.

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

102.4.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Florida Codes listed in Section101.4, the provisions of this code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *Florida Building Code, Existing Building,* the *Florida Fire Prevention Code,* and the *Riviera Beach Property Maintenance Code**, or*** as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

102.6.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *Florida Building Code* or *Florida Residential Code,* as applicable, for new construction or with any current permit for such occupancy.

102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *Florida Fire Prevention Code* the *Riviera Beach Property Maintenance Code,* or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

(1) Relocation of an existing manufactured building does not constitute an alteration.

(2) A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the *Florida Building Code* (after March 1, 2002), the wind speed map of the *Florida Building Code* shall be applicable.

(3) A relocated building shall comply with the flood hazard area requirements of the new location, if applicable.

102.8 Existing mechanical equipment. An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the Florida Building Code except during reroofing when the equipment is being replaced or moved during reroofing and is not in compliance with the provisions of the Florida Building Code relating to roof-mounted mechanical units.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103
BUILDING DIVISION

103.1 Creation of enforcement agency. The Building Division is hereby created and the official in charge thereof shall be known as the *building official*.

103.2 Appointment. The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy *building official*, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*.

For the maintenance of existing properties, see the *Riviera Beach Property Maintenance Code.*

103.4 Restrictions on employees. (Reserved).

SECTION 104
DUTIES AND POWERS OF THE BUILDING OFFICIAL

104.1 General. The *building official* is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The *building official* shall receive applications, review *construction documents* and issue *permits* for the erection, and *alteration,* demolition and moving of buildings, structures, and service systems, inspect the premises for which such *permits* have been issued and enforce compliance with the provisions of this code.

104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. For applications for reconstruction, rehabilitation, *repair, alteration, addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair* of *substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair* of *substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612 and the provisions of the Code of Ordinances of the City of Riviera Beach, Chapter 25-Floodplain Management.

104.3 Notices and orders. The *building official* shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The *building official* shall make all of the required inspections, or the *building official* shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved agency* or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The *building official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the *building official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *building official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records per FS 119.

104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the City of Riviera Beach in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer, employee, or board member because of an act performed by that officer, employee, or board member in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the City of Riviera Beach until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.8.1 Legal defense. Any suit or criminal complaint instituted against an officer, employee, or board member because of an act performed by that officer, employee, or board member in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the City of Riviera Beach until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *building official*.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Building Division.

104.10.1 Flood hazard areas. The *building official* shall coordinate with the floodplain administrator to review requests submitted to the *building official* that seek approval to modify the strict application of the flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 117.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets all of the following:

(1) The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code
(2) The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code as it pertains to the following:
    2.1 Quality.
    2.2 Strength
    2.3 Effectiveness
    2.4 Fire Resistance
    2.5 Durability
    2.6 Safety
    2.7 Level of Sanitation

Where the alternative material, design or method of construction is not approved, the *building official* shall respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the building official.

SECTION 105
PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.

105.1.1 Annual facility permit. In lieu of an individual *permit* for each *alteration* to an *existing* electrical, gas, mechanical or plumbing or interior nonstructural office system(s), the *building official* is authorized to issue an annual *permit* for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The *building official* shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

105.1.2 Annual Facility permit records. The person to whom an annual *permit* is issued shall keep a detailed record of *alterations* made under such annual *permit*. The *building official* shall have access to such records at all times or such records shall be filed with the *building official* as designated. The building official is authorized to revoke such permit, if code violations are found to exist.

105.1.3 Food permit. In accordance with 500.12, *Florida Statutes*, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this

section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the *local floodplain management ordinance*. *As determined by the building official, permits* shall not be required for the following:

Building:
1. Building permits are not required for replacement or repair work having a value of less than $1,500.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.

2. Cabinets and countertops with no reconfiguration for 1&2 Family Dwellings, tiling and other floor finishes for 1 & 2 Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.

3. Temporary motion picture, television and theater sets and scenery.

4. Traditional swings and other standard playground equipment accessory to detached one and two-family dwellings, as determined by the building official, but they may be subject to Zoning permits.

5. Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.

6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

8. The installation, replacement, removal or metering of any electrical load management control device where installed by a utility service provider.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

3. The replacement of common household plumbing fixtures to existing supply lines and sanitary connections in 1&2 Family Dwellings. This does not include water heaters, bathtubs and showers.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*. Notification shall be given to the building official, including the work address, nature of emergency, and scope of work immediately, or by the next business day.

105.2.2. Minor repairs. Ordinary minor repairs may be made with the approval of the *building official* without a permit, provided the repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

105.2.3 Public service agencies. A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a *permit*, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose.

Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Section 713.135(5) and (6), *Florida Statutes*.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building permit for which an application is submitted prior to the effective date of the *Florida Building Code*, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the permit application may be submitted in person in a non-electronic format, at the discretion of the *building official.*

105.3.1 Action on application. The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefore. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefore as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the *building official* shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

105.3.1.1 If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the *Florida Building Code* on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

105.3.1.2 No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, *Florida Statutes*:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than $125,000.

2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes*, may design a new fire protection system of 49 or fewer sprinklers; and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of 49 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system; or may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system, if there is no change of occupancy of the affected areas, as defined in this Code and the Florida Fire Prevention Code, and there is no change in the water demand as defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the alteration.

Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes may design:*,

(a) a new fire protection system of 49 or fewer sprinklers;
(b) the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of 49 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system;

(c) the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system, if there is no change of occupancy of the affected areas, as defined in this Code and the Florida Fire Prevention Code, and there is no change in the water demand as defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the alteration.

3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than $125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one, two, three or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, *Florida Statutes*, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of $125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

Example 1: When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is $47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system.

NOTE: It was further clarified by the Commission that the limiting criteria of 100 persons and $125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than $5,000.

Exception:

Simplified permitting process for fire alarm system projects.
(1) As used in this section, the term:
(a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, Florida Statutes.
(b) "Fire alarm system project" means a fire alarm system alteration of a total of 20 or fewer initiating devices and notification devices, or the installation or replacement of a fire communicator connected to an existing fire alarm control panel in an existing commercial, residential, apartment, cooperative, or condominium building.
(2) (a) A local enforcement agency may require a contractor, as a condition of obtaining a permit for a fire alarm system project, to submit a completed application and payment.

(b) A local enforcement agency may not require a contractor to submit plans or specifications as a condition of obtaining a permit for a fire alarm system project.
(3) A local enforcement agency must issue a permit for a fire alarm system project in person or electronically.
(4) A local enforcement agency must require at least one inspection of a fire alarm system project to ensure compliance with applicable codes and standards. If a fire alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.
(5) A contractor must keep a copy of the plans and specifications at a fire alarm system project worksite and make such plans and specifications available to the inspector at each inspection.

5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical system meeting the following thresholds are required to be designed by a Florida Registered Engineer. Any system which:
(a) Requires an electrical system with a value greater than $125,000; and
(b) Requires an aggregate service capacity of greater than 600 amperes (240 volts) on a residential electrical system or greater than 800 amperes (240 volts) on a commercial or industrial electrical system, or any multi-phase system;

Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, *Florida Statutes*.

6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, Florida Statutes

105.3.1.3 Reviewing application for building permit.

1. When reviewing an application for a building permit, a local government may not request additional information from the applicant more than three times, unless the applicant waives such limitation in writing.

2. If a local government requests additional information from an applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 15 days after receiving such information:

a. Determine if the application is properly completed;

b. Approve the application;

c. Approve the application with conditions;

d. Deny the application; or

e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.

3. If a local government makes a second request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information:

a. Determine if the application is properly completed;

b. Approve the application;

c. Approve the application with conditions;

d. Deny the application; or

e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.

4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:

a. Approve the application;

b. Approve the application with conditions; or

c. Deny the application.

5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.

105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, or for any 180 day period of abandonment or suspension during the application process, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing prior to the abandonment date, with justifiable cause demonstrated. Abandoned applications shall be subject to destruction in accordance with state law. The fee for renewal, re-issuance, and extension of a permit application shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit application extensions and renewals.

105.3.3 An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: “NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, such as the requirement for Home or Property Owners Association approval, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.”

105.3.4 A building permit for a single-family residential dwelling must be issued within 30 working days of application therefore unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the *Florida Building Code* or the enforcing agency’s laws or ordinances.

105.3.5 Identification of minimum premium policy. Except as otherwise provided in Chapter 440, *Florida Statutes*, Workers’ Compensation, every employer shall, as a condition to receiving a building permit, show proof that it has secured compensation for its employees as provided in Section 440.10 and 440.38, *Florida Statutes.*

105.3.6 Asbestos removal contractor exemption. Refer to Section 105.9 for additional requirements. A licensed asbestos removal contractor is not required when moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

> **Disclosure Statement:** State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

105.3.7 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.3.8 A local government may not require a contract between a builder and an owner for the issuance of a building permit or as a requirement for the submission of a building permit application.

105.3.8 Public right of way. A permit shall not be given by the building official for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane

105.4 Conditions of the permit. The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of any other federal, state and local laws, ordinances, codes and regulations. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of any other federal, state and local laws, ordinances, codes and regulations shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction or of any other federal, state and local laws, ordinances, codes and regulations.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

105.4.1.1 If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new permit, or revalidation (renewal) of the original permit, is not obtained within 180 days from the date the initial permit became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, or due to action by an environmental or archeological agency having jurisdiction. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 3 months each. The extension shall be requested in writing and justifiable cause demonstrated, prior to expiration.

105.4.1.4 The fee for renewal, reissuance and extension of a permit shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit extensions and renewals.

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 The extension shall be requested in writing and justifiable cause demonstrated as determined by the *building official.*

105.5.2 For the purposes of this subsection, a closed permit shall mean a permit for which all requirements for completion have been satisfied or a permit that has been administratively closed by the building official.

105.5.3 For the purposes of this subsection, an open permit shall mean a permit that has not satisfied all requirements for completion as defined in 105.5.2.

105.5.4 Closing out or resolving open or expired permits shall be the responsibility of the permit applicant and the property owner. Failure to close out or resolve open permits may be reported to the proper authority by the building official.

105.6 Denial or revocation. Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with

the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

105.6.1 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize sanction or assess fees against an arm's-length purchaser of a property for value solely because a building permit applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

105.6.2 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to a contractor solely because the contractor is listed on other building permits that were not closed.

105.6.3 Misrepresentation of application. The building official may revoke a permit or approval, issued under the provisions of this code, when there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

105.6.4Violation of code provisions. The building official may require correction or revoke the permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

105.7 **Placement of permit.** The building *permit* or a copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. In accordance with Section 713.135, *Florida Statutes,* when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes,* and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Refer to Section 105.3.6 "Asbestos Removal Contractor Exemption" of this code for additional requirements.

105.10 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval. For a bait system, see Section 1816.1.7 of the Florida Building Code for contract document requirements.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon written request and approval of the *building official*, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

105.13 Phased permit approval. After submittal of the appropriate construction documents, the *building official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

105.14 Permit issued on basis of an affidavit. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the *building official*, are hazardous or complex, the *building official* shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the *building official* written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the *building official*. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part III of Chapter 468, *Florida Statutes.* Nothing aforesaid shall preclude plan review or inspections by the building official (See also Section 107.6).

105.14.1 Affidavits in flood hazard areas Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the Florida Building Code and the building official shall review and inspect those requirements.

105.15 Opening protection. When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is $50,000 or more for a site built single-family detached residential structure that is located in the wind borne debris region as defined in this Code and that has an insured value of $750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of $750,000 or more; opening protections as required within this Code or *Florida Building Code, Residential* for new construction shall be provided.

Exception: Where defined wind-borne debris regions have not changed, single family detached residential structures permitted subject to the *Florida Building Code* are not required to comply with this section.

105.16 Inspection of existing residential building not impacted by construction.

(a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.

(b) This subsection does not apply to a building permit sought for:

1. A substantial improvement as defined in Section 161.54, *Florida Statutes* or as defined in the *Florida Building Code*.

2. A change of occupancy as defined in the *Florida Building Code*.

3. A conversion from residential to nonresidential or mixed use pursuant to Section553.507(2)(a), Florida Statutes or as defined in the *Florida Building Code*.

4. A historic building as defined in the *Florida Building Code*.

(c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:

1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).

2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).

3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).

4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20-933.30, *Florida Statutes*.

105.17 Streamlined low-voltage alarm system installation permitting.

(1) As used in this section, the term:

(a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, *Florida Statutes*.

(b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, Florida Statutes, including video cameras and closed-circuit television systems used to signal or detect a burglary, fire, robbery, or medical emergency, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, current edition, or a new or existing low-voltage electric fence. The term also includes ancillary components or equipment attached to a low-voltage alarm system, or low-voltage electric fence, including, but not limited to, home-automation equipment, thermostats, closed-circuit television systems, access controls, battery recharging devices, and video cameras.

(c) “Low-voltage electric fence” means an alarm system, as defined in s. 489.505, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.

(d) “Wireless alarm system” means a burglar alarm system or smoke detector that is not hardwired

(2) Notwithstanding any provision of this Code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.

(3) A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further *permit* shall be required for the low-voltage alarm system project other than as provided in this section:

(a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.

(b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low- voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.

(c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.

(d) The low-voltage electric fence shall not be installed in an area zoned exclusively for single- family or multi-family residential use.

(e) The low-voltage electric fence shall not enclose the portions of a property which are used for residential purposes.

(4) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.

(5) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, *Florida Statutes*. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.

(a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.

(b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.

(6) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.

(7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.

(8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of Section 553.793(7), *Florida Statutes*.

(9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

(10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.

(11) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section. The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of chapter 489, *Florida Statutes.*

SECTION 106
FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m2), such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107
SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application in accordance with Florida Statute 553.79. The construction documents shall be prepared by a registered design professional where required by Chapter 471, Florida Statutes & 61G15 Florida Administrative Code or Chapter 481, Florida Statutes & 61G1 Florida Administrative Code. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*. Electronic media documents shall be submitted when required by the building official, in a format acceptable to the building official, and may require only one set of submittals.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

If the design professional is an architect, interior designer, or engineer legally registered under the laws of this state regulating the practice of architecture or interior design as provided for in Chapter 481, Florida Statutes, Part I, or landscape architecture as provided for in Chapter 481, Florida Statutes, Part II, or engineering as provided for in

Chapter 471, Florida Statutes, then he or she shall affix his or her official seal to said drawings, specifications and accompanying data, as required by Florida Statute.

107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.6.

107.2.1 Information on construction documents.
Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

107.2.1.1 For roof assemblies required by the code, the construction documents shall illustrate, describe and delineate the type of roofing system, materials, fastening requirements, flashing requirements and wind resistance rating that are required to be installed. Product evaluation and installation shall indicate compliance with the wind criteria required for the specific site or a statement by an architect or engineer certifying suitability for the specific site must be submitted with the construction documents.

107.2.1.2 Additional data. The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal, signature and date as state law requires.

107.2.1.3 Quality of building plans. Building plans shall be drawn to a minimum 1/8 inch scale upon substantial paper, cloth or other acceptable medium. The building official may establish, through Departmental policy, other standards for plans and specifications, including electronic format, in order to provide conformity to its electronic permit review and record retention program. This policy may include such things as minimum size, shape, contrast, clarity, or other items related to records management. Electronic media must be compatible with the archive requirements of Florida Statutes.

107.2.2 Fire protection system shop drawings. Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the *exit discharge* to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system which was tested, where applicable, as well as the test procedure used.

107.2.5 Exterior balcony and elevated walking surfaces. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier the construction documents shall include details for all element of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions. (CA7834)

107.2.6 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and *design flood* elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan when the application for *permit* is for *alteration* or repair or when otherwise warranted.

107.2.6.1 Design flood elevations. Where *design flood* elevations are not specified, they shall be established in accordance with Section 1612.3.1. *Design flood* elevations shall be uniformly specified utilizing the currently effective NAVD 88.

107.2.6.2 For the purpose of inspection and record retention, site plans for a building may be maintained in the form of an electronic copy at the worksite. These plans must be open to inspection by the *building official* or a duly authorized representative, as required by the *Florida Building Code*.

107.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603.

107.3 Examination of documents. The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Exceptions:

1. Building plans approved pursuant to Section 553.77(5), *Florida Statutes*, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to FAC 61-41.009, Florida Administrative Code, shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.

2. Industrial construction on sites where design, construction and fire safety are supervised by appropriately licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to approval by the *building official*, from review of plans and inspections, providing the appropriate licensed design and inspection professionals certify that applicable codes and

standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

107.3.1 Approval of construction documents. When the *building official* issues a *permit*, the *construction document* shall be *approved*, in writing or by stamp, as "Reviewed for Code Compliance." One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

107.3.2 Previous approvals. This code shall not require changes in the *construction documents*, construction or designated occupancy of a structure for which a lawful *permit* has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

107.3.3 Phased approval. The *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the *owner* or the owner's authorized agent to engage and designate on the building *permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the owner's authorized agent shall designate a successor *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building official* shall be notified in writing by the *owner* or the owner's authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties. Successor *registered design professional in responsible charge* licensed under Chapter 471 Florida Statutes shall comply with Section 471.025(4) Florida Statute and the procedure set forth in 61G15-27.001 Florida Administrative Code; or licensed under Chapter 481 Florida Statutes shall comply with Section 481.221(6) Florida Statute and the procedure set forth in 61G1-18.002 Florida Administrative Code.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Those products which are regulated by FAC Rule 61G20 shall be reviewed and approved in writing by the designer of record prior to submittal for jurisdictional approval.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the *building official*.

Deferral of any submittal items shall have the prior approval of the *building official*. The *registered design professional in responsible charge* shall list the deferred submittals on the *construction documents* for review by the *building official*.

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *building official* with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The

deferred submittal items shall not be installed until the deferred submittal documents have been *approved* by the *building official.*

107.3.4.2 Certifications by contractors authorized under the provisions of Section 489.115(4)(b), *Florida Statutes,* shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, *Florida Statutes,* or Chapter 481 *Florida Statutes,* by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind-resistance provisions of the code or alternate methodologies approved by the Florida Building Commission for one- and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, *Florida Statutes*.

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the *building official* shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration and building envelope penetrations; flashing; and rough opening dimensions; and all exterior elevations:

Commercial Buildings:
Building

1. Site requirements:
Parking
Fire access
Vehicle loading
Driving/turning radius
Fire hydrant/water supply/post indicator valve (PIV)
Set back/separation (assumed property lines)
Location of specific tanks, water lines and sewer lines
Flood hazard areas, flood zones, and design flood elevations

2. Occupancy group and special occupancy requirements shall be determined (cross check with the energy code submittal).

3. Minimum type of construction shall be determined (see Table 503).

4. Fire-resistant construction requirements shall include the following components:
Fire-resistant separations
Fire-resistant protection for type of construction
Protection of openings and penetrations of rated walls
Fire blocking and draftstopping and calculated fire resistance

5. Fire suppression systems shall include:
Early warning smoke evacuation systems
Schematic fire sprinklers
Standpipes
Pre-engineered systems
Riser diagram

6. Life safety systems shall be determined and shall include the following requirements:
Occupant load and egress capacities
Early warning
Smoke control

Stair pressurization
Systems schematic

7. Occupancy load/egress requirements shall include:
Occupancy load
Gross
Net
Means of egress
Exit access
Exit
Exit discharge
Stairs construction/geometry and protection
Doors
Emergency lighting and exit signs
Specific occupancy requirements
Construction requirements
Horizontal exits/exit passageways

8. Structural requirements shall include:
Soil conditions/analysis
Termite protection
Design loads
Wind requirements
Building envelope
Impact resistant coverings or systems
Structural calculations (if required)
Foundation
Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials
Wall systems
Floor systems
Roof systems
Threshold inspection plan
Stair systems

9. Materials shall be reviewed and shall at a minimum include the following:
Wood
Steel
Aluminum
Concrete
Plastic
Glass
Masonry
Gypsum board and plaster
Insulating (mechanical)
Roofing
Deck coatings
Insulation
Building envelope portions of the Energy Code (including calculation and mandatory requirements)

10. Accessibility requirements shall include the following:

Site requirements
Accessible route
Vertical accessibility
Toilet and bathing facilities
Drinking fountains
Equipment
Special occupancy requirements
Fair housing requirements

11. Interior requirements shall include the following:
Interior finishes (flame spread/smoke development)
Light and ventilation
(including corresponding portion of the energy code)
Sanitation

12. Special systems:
Elevators
Escalators
Lifts

13. Swimming pools:
Barrier requirements
Spas
Wading pools

14. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical

1. Electrical:

Wiring
Services
Feeders and branch circuits
Overcurrent protection
Grounding
Wiring methods and materials
GFCIs
Electrical portions of the Energy Code (including calculation and mandatory requirements)

2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. Design flood elevation

Plumbing

1. Minimum plumbing facilities
2. Fixture requirements
3. Water supply piping

4. Sanitary drainage
5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. Design flood elevation
15. Water/plumbing portions of the Energy Code (including calculation and mandatory requirements)

Mechanical

1. Mechanical portions of the Energy calculations
2. Exhaust systems:

Clothes dryer exhaust
Kitchen equipment exhaust
Specialty exhaust systems

3. Equipment
4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. Design flood elevation
17. Smoke and/or Fire Dampers

Gas

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents
5. Appliances
6. Type of gas
7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation
11. Gas portions of the Energy Code (including calculation and mandatory requirements)

Demolition

1. Asbestos removal

Residential (one- and two-family):

1. Site requirements:

Drainage Plan (professionally prepared)
Set back/separation (assumed property lines)
Location of septic tanks

2. Fire-resistant construction (if required)
3. Fire
4. Smoke and/or carbon monoxide alarm detector locations
5. Egress

Egress window size and location stairs construction requirements

6. Structural requirements shall include:

Wall section from foundation through roof, including assembly and materials, connector tables, wind requirements, and structural calculations (if required)
Termite protection
Design loads
Wind requirements
Building envelope
Foundation
Wall systems
Floor systems
Roof systems

Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials

7. Accessibility requirements: show/identify accessible bath
8. Impact resistant coverings or systems
9. Residential Energy Code submittal (including calculation and mandatory requirements)
10. Electrical**:**

Electric service riser with wire sizes, conduit detail and grounding detail
Complete load calculations, Panel schedules

11. Mechanical:

Equipment and location, Duct systems

12. Plumbing:

Plumbing riser

13. Gas:

Gas piping
Venting
Combustion air
Chimneys and vents
Appliances
Type of gas
Fireplaces
LP tank location
Riser diagram/shutoffs

14. Swimming Pools

Barrier requirements
Spas
Wading pools

Manufactured buildings/housing -

1. Site requirements
   Setback/separation (assumed property lines)
   Location of septic tanks (if applicable)
2. Structural
   Wind zone
   Flood
   Anchoring
   Blocking
3. Plumbing
   List potable water source and meter size (if applicable)
4. Mechanical
   Exhaust systems
   Clothes dryer exhaust
   Kitchen equipment exhaust
5. Electrical exterior disconnect location

Exemptions.

Plans examination by the *building official* shall not be required for the following work:

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. Reroofs (as determined by local jurisdiction)
3. Minor electrical, plumbing and mechanical repairs
4. Annual maintenance permits
5. Prototype plans
   Except for local site adaptions, siding, foundations and/or modifications.
   Except for structures that require waiver.
6. Manufactured buildings plan except for foundations and modifications of buildings on site and as listed above in manufactured buildings/housing.

107.4 Amended construction documents. Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents.*

107.5 Retention of construction documents. One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

107.6 Affidavits. The *building official* may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The *building official* may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the *building official* copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the *building official* relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468,

Florida Statutes. Nothing aforesaid shall preclude plan review or inspections by the building official (See also Section 105.14). On applications in which private provider services are utilized, all time frames shall adhere to time frames as indicated in Florida Statutes 553.791 (7).

107.6.1 Building permits issued in special flood hazard areas on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), the authority granted to the *building official* to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code.*

107.6.2 Affidavits Provided Pursuant to Section 553.791, Florida Statutes. For a building or structure in a flood hazard area, the building official shall review any affidavit certifying compliance with the flood load and flood-resistant construction requirements of the Florida Building Code.

SECTION 108
TEMPORARY STRUCTURES AND USES

108.1 General. The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall comply with the requirements in Section 3103.

108.3 Temporary power. The *building official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

108.4 Termination of approval. The *building official* is authorized to terminate such *permit* for a temporary structure or use and to order the temporary structure to be removed or use to be discontinued.

SECTION 109
FEES

109.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.2.1 Types of Fees Enumerated. Fees may be charged for but not limited to the following:

- Permits;
- Plans examination;
- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);

- Variance requests;
- Administrative appeals;
- Violations; and
- Other fees as established by local resolution or ordinance.

109.3 Building permit valuations. The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* or without prior approval from the *building official* as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

109.6 Refunds. The *building official* is authorized to establish and publish a refund policy through local ordinance or resolution.

SECTION 110
INSPECTIONS

110.1 General. Construction or work for which a *permit* is required shall be subject to inspection by the *building official* and such construction or work shall remain exposed and provided with access for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The building official shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the building official, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The building official may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized

inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the building official. The building official shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statues; or licensed under Chapter 471 or 481 Florida Statutes.

The building official may require the owner to employ an inspection service in the following instances:

1. For buildings or additions of Type I construction;
2. For all major structural alterations;
3. Where the concrete design is based on compressive strength in excess of 3000 pounds per square inch;
4. For pile driving;
5. For buildings with an area greater than 20,000 square feet;
6. For buildings more than two stories in height; or
7. For buildings and structures of unusual design or methods of construction.

Such inspectors shall be present when work is underway on the structural elements of the building to adequately attest to its compliance**.** Such inspectors shall be a registered architect, or engineer. An employee of the architect or engineer licensed under Chapter 468, Part XII, Florida Statutes may perform the inspections, under the direction of and with final certification from the architect or engineer. Such inspectors shall submit weekly progress reports including the daily inspections to the building official, and including a code compliance opinion of the resident inspector.

At the completion of the construction work or project, the architect or engineer shall submit a certificate of compliance to the building official, stating that the work was done in compliance with this code and in accordance with the permitted drawing.

Final inspection shall be made by the building official before a Certificate of Occupancy or Certificate of Completion is issued; and confirmation inspections may be made at any time to monitor activities and resident inspectors.

110.1.3 Affidavit for inspection. With specific prior approval of, and in a format acceptable to the building official, an affidavit for certification of inspection may be accepted from the permit qualifier; when accompanied by extensive photographic evidence of sufficient detail to demonstrate code compliance. The photographic evidence shall be comprehensive in the display of the installation and/or construction and job location identifiers. The affidavit and accompanying photographs shall be provided to the inspector onsite, at the next scheduled inspection. If the photographs are found to be insufficient by the building official to demonstrate compliance with this code and/or the permitted document, or clearly display location identifiers, or are missing, the inspector shall require the contractor to obtain the services of a registered Florida professional engineer to inspect and certify the installation and/or construction.

110.1.3.1 Exception: Affidavits may not be accepted for inspection of elements of construction which require inspection by the local jurisdiction under the requirements of Title 44, Code of Federal Regulations, Parts 59 and 60, and the local flood damage prevention ordinance.

110.2 Preliminary inspection. Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.3 Required inspections. The *building official* upon notification from the permit holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be

corrected in order to comply with the technical codes. The *building official* shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Building

1. Foundation inspection. To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:

Stem-wall

Monolithic slab-on-grade

Piling/pile caps

Footers/grade beams

1.1 Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

1.2 A foundation/form board survey prepared and certified by a registered surveyor may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

1.3. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the Authority having Jurisdiction.

2. Framing inspection. To be made after the roof, all framing, fire blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved* and shall at a minimum include the following building components:

Window/door framing

Window U-factor/SHGC as indicated on approved energy calculations

Vertical cells/columns

Lintel/tie beams

Framing/trusses/bracing/connectors (including truss layout and engineered drawings)

Draft stopping/fire blocking

Curtain wall framing

Energy insulation (Insulation R-factor as indicated on approved energy calculations)

Accessibility.

Verify rough opening dimensions are within tolerances.

Window/door buck attachment

2.1. Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal Includes wall and ceiling insulation.

2.2. Lath and gypsum board inspection for fire-resistance-rated or shear assemblies. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

3. Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:

Roof sheathing

Wall sheathing

Continuous air barrier

Exterior Siding/Cladding

Sheathing fasteners

Roof/wall dry-in.

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material. **Exception:** ring shank nails shall be bent over and a new fastener installed.

4. Exterior wall coverings. Shall at a minimum include the following building components in progress inspections:

Exterior wall coverings and veneers

Soffit coverings

5. Roofing inspection. Shall at a minimum be made in at least two inspections and include the following building components:

Dry-in

Insulation

Roof coverings (including In Progress as necessary)

Insulation on roof deck (according to submitted energy calculation)

Flashing

Sheathing

5.1. Re-Roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the *building official.*

6. Final inspection. To be made after the building, including all sub-trade inspections, is completed and ready for occupancy.

6.1 In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation or the elevation to which a building is dry floodproofed, as applicable, shall be submitted to the authority having jurisdiction.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete shell.

a. Steel reinforcement inspection
b. Underground electric inspection.
c. Underground piping inspection including a pressure test.
d. Underground electric inspection under deck area (including the equipotential bonding)
e. Underground piping inspection under deck area..
f. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
g. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
h. Final pool piping.
i. Final Electrical inspection.
j. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17and R4501.17 of this code.

8. Demolition inspections. First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.

Final inspection to be made after all demolition work is completed.

9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the *Florida Building Code*. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).

10. Where impact resistant coverings or impact resistant systems are installed, the *building official* shall schedule adequate inspections of impact resistant coverings or impact resistant systems to determine the following:

The system indicated on the plans was installed.

The system is installed in accordance with the manufacturer's installation instructions and the product approval.

Electrical

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.

3. Final inspection. To be made after the building electrical system is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

4. Existing Swimming Pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.

includes plumbing provisions of the energy code and approved energy calculations provisions.

3. Final inspection. To be made after the building plumbing system is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the *Florida Building Code, Plumbing* for required tests.

Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.

includes mechanical provisions of the energy code and approved energy calculations provisions.

3. Final inspection. To be made after the building mechanical system is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.

includes gas provisions of the energy code and approved energy calculations provisions.

2. Final piping inspection. To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.

3. Final inspection. To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.

2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

110.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection.
Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.4 of the Florida Building Code, Building and Section R322 of the Florida Building Code, Residential, shall be submitted to the building official.

110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, *fire blocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved.*

110.3.5 Lath, gypsum board and gypsum panel product inspection. Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are

in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

> **Exception:** Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

110.3.6 Weather-exposed balcony and walking surface waterproofing. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and *approved*.

110.3.7 Fire- and smoke-resistant penetrations.
Protection of joints and penetrations in fire-resistance rated assemblies, *smoke barriers* and smoke partition shall not be concealed from view until inspected and *approved*.

110.3.8 Energy efficiency inspections. Inspections shall be made to determine compliance with *FBC, Energy Conservation* and confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation *R*- and *U*-values, fenestration *U*-value and Solar Heat Gain Coefficient, duct system *R*-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

110.3.9 Other inspections. In addition to the inspections specified in Sections 110.3 through 110.3.7, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

110.3.10 Special inspections. Reserved.

110.3.11 Final inspection. The final inspection shall be made after all work required by the building *permit* is completed.

110.3.11.1 Flood hazard documentation. If located in a flood hazard area, coastal high hazard areas or coastal A zones, documentation as required in Section 1612.5 of the Florida Building Code, Building; and or Section R322 of the Florida Building Code, Residential, shall be submitted to the building official prior to the final inspection.

110.3.11.2 Commercial Energy Code documentation. If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

110.3.11.3 Residential Energy Code documentation. If required by energy code path submittal (Section R405), confirmation that the envelope and duct test requirements shall be received by building official.

110.3.12 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.13 or Section 2304.11.6, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the *building official* has been received.

110.3.13 Impact resistant coverings or systems. Where impact resistant coverings or systems are installed to meet requirements of this code, the *building official* shall schedule adequate inspections of impact resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.

2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

110.4 Inspection agencies. The *building official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

110.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the *permit* holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

110.7 Shoring. For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer, prior to any required mandatory inspections by the threshold building inspector.

110.8 Threshold building.

110.8.1 During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

110.8.2 The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the *Florida Building Code.*

110.8.3 The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, *Florida Statutes*, as an engineer or under Chapter 481, *Florida Statutes*, as an architect.

110.8.4 Each enforcement agency shall require that, on every threshold building:

110.8.4.1 The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above described construction of all structural load-bearing components

complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency."

110.8.4.2 Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency's recorded set of permit documents.

110.8.4.3 All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

110.8.4.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect's or engineer's knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this Section and Chapter 633, *Florida Statutes.*

110.8.5 No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a), *Florida Statutes*, or to a licensed building contractor, as defined in Section 489.105(3)(b), *Florida Statutes*, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

110.8.6 The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, *Florida Statutes*, without duplicative inspection by the building department. The *building official* is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*, or certified as a special inspector under Chapter 471 or 481, *Florida Statutes.* Inspections of threshold buildings required by Section 553.79(5), *Florida Statutes*, are in addition to the minimum inspections required by this code.

110.9 Mandatory structural inspections for condominium and cooperative buildings.

110. 1 General. 9. The Legislature finds that maintaining the structural integrity of a building throughout its service life is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such, the Legislature finds that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

110.9.2. As used in this section, the terms:

(a) "Milestone inspection" means a structural inspection of a building, including an inspection of load-bearing walls and the primary structural members and primary structural systems as those terms are defined in s. 627.706, Florida Statutes, by a licensed architect or engineer authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code.

(b) "Substantial structural deterioration" means substantial structural distress that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks,

distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

110.9.3. A condominium association under chapter 718, Florida Statutes, and a cooperative association under chapter 719, Florida Statutes, must have a milestone inspection performed for each building that is three stories or more in height by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If the building is located within 3 miles of a coastline as defined in s. 376.031, Florida Statutes, the condominium association or cooperative association must have a milestone inspection performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. The condominium association or cooperative association must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with the inspection. This subsection does not apply to a single- family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

110.9.4. If a milestone inspection is required under this section and the building's certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local *building official*.

110.9.5. Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association by certified mail, return receipt requested.

110.9.6. Within 180 days after receiving the written notice under Section 110.9.5, the condominium association or cooperative association must complete phase one of the milestone inspection. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

110.9.7. A milestone inspection consists of two phases:

110.9.7.1. For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 110.9.7.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.7.2. A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.8. Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, and to the *building official* of the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

(a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.

(b) Indicate the manner and type of inspection forming the basis for the inspection report.

(c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.

(d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.

(e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.

(f) Identify and describe any items requiring further inspection.

110.9.9. The association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery and by electronic transmission to unit owners who previously consented to received notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector- prepared summary on the association's website, if the association is required to have a website.

110.9.10. A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

110.9.11. A board of county commissioners may adopt an ordinance requiring that a condominium or cooperative association schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

110.10 Impact of construction. All construction activity regulated by this code shall be performed in a manner so as not to adversely impact the condition of adjacent property, unless such activity is permitted to affect said property pursuant to a consent granted by the applicable property owner, under terms or conditions agreeable to the applicable property owner. This includes, but is not limited to, the control of dust, noise, water or drainage runoffs, debris, and the storage of construction materials. New construction activity shall not adversely impact legal historic surface water drainage flows serving adjacent properties, and may require special drainage design complying with engineering standards to preserve the positive drainage patterns of the affected sites. Accordingly, developers, contractors and owners of all new residential development, including additions, pools, patios, driveways, decks or similar items, on existing properties resulting in a significant decrease of permeable land area on any parcel or has

altered the drainage flow on the developed property shall, as a permit condition, provide a professionally prepared drainage plan clearly indicating compliance with this paragraph. Upon completion of the improvement, a certification from a licensed professional, as appropriate under Florida law, shall be submitted to the inspector in order to receive approval of the final inspection.

SECTION 111
CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.

111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.

2. The address of the structure.

3. The name and address of the *owner* or the owner's authorized agent.

4. A description of that portion of the structure for which the certificate is issued.

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction

7. The name of the *building official*.

8. The edition of the code under which the *permit* was issued.

9. The use and occupancy, in accordance with the provisions of Chapter 3.

10. The type of construction as defined in Chapter 6.

11. The design *occupant load*.

12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.

13. Any special stipulations and conditions of the building *permit*.

111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be

occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

111.5 Certificate of Completion. A Certificate of Completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a Certificate of Occupancy.

111.6 Fixturing and Stocking. The building official is authorized to issue approval for fixturing, stocking, or decorating, when appropriate, to allow the builder to prepare the structure for permanent occupancy. The building may not be open to the general public or be used for the transaction of any commerce. Such approval must be conditioned upon the approval of the Fire Marshal, when applicable.

111.7 Digital Submittal Requirements for New Construction.

111.7.1 Building Footprints. The building official is authorized to require the submittal of digital shape (CAD) files, in a specific format, depicting a geo-referenced footprint with elevation for all new structures as a condition of the issuance of a Certificate of Occupancy.

111.7.2 Subdivision Topography. The building official is authorized to require the developer to submit electronic topographical data and re-delineated 100-year floodplain boundaries to the Federal Emergency Management Agency (FEMA) for all new subdivisions or lots of record for the purposes of updating and maintaining the community's flood maps through the Letter of Map Revision process.

SECTION 112
SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

112.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113
BOARD OF APPEALS

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

SECTION 114
VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 115

STOP WORK ORDER

115.1 Authority. Whenever the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116
UNSAFE STRUCTURES AND EQUIPMENT

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Record. The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

116.3 Notice. If an unsafe condition is found, the *building official* shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

116.5 Restoration. Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, to the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs*, *alterations, additions* and change of occupancy shall comply with the requirements of Section 105.2.2 and the *Florida Building Code, Existing Building*.

SECTION 117
VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), Florida Statutes, the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the *building official* for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building.*

Copyright Notice

ALL RIGHTS RESERVED. The BCAB Model Administrative Code contains substantial material owned and copyrighted by International Code Council. The ICC has granted a non-exclusive license to the Florida Department of Business and Professional Regulation to make the Florida Building Code available. This material is made available through the BCAB web site in order that municipalities may have a tool for the integration of administrative provisions from the Florida Building Code and the 2015 International Building Code.

Reproduction and use of those portions of the code containing ICC copyrighted material is limited by agreement with the State of Florida. Reproduction and distribution of ICC copyrighted material by private individuals, including, without limitation, electronic, optical, mechanical or any other means whatsoever, is expressly prohibited without the express written consent of ICC.

TRADEMARKS. "ICC" and the "ICC" logo are trademarks of the International Code Council, Incorporated.

RIVIERA BEACH

AMENDMENTS TO THE FLORIDA BUILDING CODE

8th Edition (2023)

~~BCAB MODEL ADMINISTRATIVE CODE~~

~~FOR THE 8th Edition (2023) FLORIDA BUILDING CODE~~

~~DRAFT~~

CITY OF RIVIERA BEACH

Department of Development Services, Building Division

600 W. Blue Heron Blvd.

Riviera Beach, FL 33404

561-845-4020

@rivierabeach.org

Copyright Notice

ALL RIGHTS RESERVED. The BCAB Model Administrative Code contains substantial material owned and copyrighted by International Code Council. The ICC has granted a non-exclusive license to the Florida Department of Business and Professional Regulation to make the Florida Building Code available. This material is made available through the BCAB web site in order that municipalities may have a tool for the integration of administrative provisions from the Florida Building Code and the 2015 International Building Code.

Reproduction and use of those portions of the code containing ICC copyrighted material is limited by agreement with the State of Florida. Reproduction and distribution of ICC copyrighted material by private individuals, including, without limitation, electronic, optical, mechanical or any other means whatsoever, is expressly prohibited without the express written consent of ICC.

TRADEMARKS. "ICC" and the "ICC" logo are trademarks of the International Code Council, Incorporated.

Legend:

Plain Text is from the FBC 7th Ed' (2020)

Shaded Text is from the BOAF recommended changes to FBC 2017

The red text is guidance that may be removed before adoption and also indicates local revisions.

Underlined green with yellow highlight text is from the BCAB recommended changes to FBC 2017

Purple Shaded White Text = FBC 2020 Changes

Green Shaded White Text = 2020 BCAB recommended changes to 2020 FBC

Green Shaded Black Text = 7th Edition Supplement #1

Blue Shaded Black Text is BCAB Subcommittee to the 2023 FBC

Chapter 1

Scope and Administration

PART 1—SCOPE AND APPLICATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the *Florida Building Code,* hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

1. Detached one- and two-family *dwellings* and multiple single-family *dwellings* (*townhouses*) not more than three *stories* above *grade plane* in height with a separate *means of egress* and their accessory structures not more than three stories above grade plane in height, shall comply with the *Florida Building Code, Residential.*

2. Code Requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. The City of Riviera Beach hereby adopts by reference;

1. The Florida Building Code- Building Edition
    - Appendix A "Employee Qualifications"
    - Appendix B "Florida Standard for Passive Radon Resistant Construction"
    - Appendix C "Florida Standard for Mitigation of Radon in Existing Buildings"
    - Appendix E "Florida Standard for Radon Resistant Construction New Commercial Construction"
    - Appendix F "Rodentproofing"
    - Appendix J "Grading"
2. The Florida Building Code –Residential Edition
    - Appendix E "Florida Standard for Mitigation of Radon in Existing Buildings"
    - Appendix F "Florida Standard for Passive Radon Resistant New Residential Building Construction"
    - Appendix G "Piping Standards for Various Applications"
    - Appendix J "Existing Building and Structures"
    - Appendix K "Sound Transmission"
    - Appendix M "Home Day Care R3 Occupancy"
    - Appendix O "Automatic Vehicular Gates"
    - Appendix P "Sizing of Water Piping System"
    - Appendix X "Solar Ready Provisions"
3. The Florida Building Code –Plumbing Edition
    - Appendix C "Structural Safety"

- Appendix E "Sizing of Water Piping System"
- Appendix F "Proposed Construction Building Codes for Turf and Landscape Irrigation Systems"

101.2.2 Florida Building Code, Residential Construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.3.1 Quality control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting. Further, no employee shall be liable in tort for damage from such conditions, in accordance with Section 768.28 Florida Statutes, as may be amended or replaced.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.911and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Gas. The provisions of the *Florida Building Code, Fuel Gas shall* apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply togas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.2 Mechanical. The provisions of the *Florida Building Code, Mechanical shall* apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.3 Plumbing. The provisions of the *Florida Building Code, Plumbing* shall apply to the installation, *alteration*, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.4 Property maintenance. The provisions of the *Riviera Beach Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.5 Fire prevention. For provisions related to fire prevention, refer to the *Florida Fire Prevention Code*. The *Florida Fire Prevention Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or

premises; and from the construction, extension, *repair*, *alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the *Florida Building Code, Energy Conservation shall* apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.7 Existing buildings. The provisions of the *Florida Existing Building Code* shall apply to matters governing the *repair*, *alteration*, change of occupancy, *addition* to and relocation of existing buildings.

101.4.8 Accessibility. For provisions related to accessibility, refer to the *Florida Building Code, Accessibility*.

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see Section 458, *Florida Building Code. Building*, and Rule 61-41 *Florida Administrative Code.*

101.4.10 Electrical. The provisions of Chapter 27 of the Florida Building Code, Building Volume shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.11 Flood Damage Prevention The provisions of the Code of Ordinances of the City of Riviera Beach, Chapter 25-Floodplain Management, shall apply to all development wholly within or partially within a flood hazard area.

101.5 Building Official. Whenever, the building official is mentioned in this code, it is also intended to mean the building official's designee, wherever applicable.

SECTION 102
APPLICABILITY

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.1.1 The *Florida Building Code* does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*. Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

102.2 Building. The provisions of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the *Florida Building Code, Existing Building*. The following buildings, structures and facilities, except for those located in a

Special Flood Hazard Area are exempt from the *Florida Building Code* as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

(a) Building and structures specifically regulated and preempted by the federal government.

(b) Railroads and ancillary facilities associated with the railroad.

(c) Nonresidential farm buildings on farms.

(d) Temporary buildings or sheds used exclusively for construction purposes.

(e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Section 553.501-553.513, *Florida Statutes*) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures. Permits shall be required for structural support and tie down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.

(f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the generation, transmission, or distribution of electricity.

(g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.

(h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

(i) Family mausoleums not exceeding 250 square feet (23 m^2) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

(j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

(k) A building or structure having less than 1,000 square feet (93 m^2) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:

1. Is not rented or leased or used as a principal residence;

2. Is not located within the 100-year floodplain according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and

3. Is not connected to an off-site electric power or water supply.

(l) Service providers of water, sewer, storm, gas, cable, telephone, or other similar utility systems are exempt to the point of service connection for the building or structure.

102.2.1 In addition to the requirements of Section 553.79 and 553.80, *Florida Statutes*, facilities subject to the provisions of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, and the certification requirements of the federal government.

102.2.2 Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

1. The building or structure is structurally sound and in occupiable condition for its intended use;

2. The occupancy use classification for the building or structure is not changed as a result of the move;

3. The building is not substantially remodeled;

4. Current fire code requirements for ingress and egress are met;

5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and

6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the *Florida Building Code*, Building for all residential buildings or structures of the same occupancy class.

7. The requirements of Florida Building Code, Existing Building Volume, are also satisfied.

102.2.3 The *building official* shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

102.2.4 This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned buildings and boilers.

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the Florida Building Code relating to:

a. Addition, alteration, or repairs performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet (93 m^2) or the square footage of the primary structure, whichever is less.

b. Addition, alteration, or repairs by a non-owner within a specific cost limitation set by rule, provided the total cost shall not exceed $5,000 within any 12-month period.

c. Building and inspection fees.

2. However, the exemptions under subparagraph 1 do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.

3. Each code exemption, as defined in sub-subparagraphs 1a, 1b, and 1c shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

4. However, each enforcement district or local enforcement agency may establish an alternative permitting program for replacing nonstructural components of building systems in a residential dwelling unit. A licensed contractor performing such work for the resident shall also be exempt from individual permits and inspections if either the owner or the licensed contractor obtains a valid Annual Permit per Section 105.1.1 of this code and all such work is reported as required in Section 105.1.2 of this code for compliance evaluation. No added capacity, system expansion or new building work of any type shall be excluded from individual permit and inspection by this provision.

102.2.6 This section does not apply to swings and other playground equipment accessory to a one- or two-family dwelling.

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

102.4.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Florida Codes listed in Section101.4, the provisions of this code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *Florida Building Code, Existing Building*, ~~*International Property Maintenance Code* **(Or what you have referenced in 101.4.4)** and~~ the *Florida Fire Prevention Code*, *and* the *Riviera Beach Property Maintenance Code*, ***or*** as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

102.6.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *Florida Building Code* or *Florida Residential Code*, as applicable, for new construction or with any current permit for such occupancy.

102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *Florida Fire Prevention Code* ~~*International Property Maintenance Code* **(Or what**~~ the *Riviera Beach Property Maintenance Code*, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

(1) Relocation of an existing manufactured building does not constitute an alteration.

(2) A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the *Florida Building Code* (after March 1, 2002), the wind speed map of the *Florida Building Code* shall be applicable.

(3) A relocated building shall comply with the flood hazard area requirements of the new location, if applicable.

102.8 Existing mechanical equipment. An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the Florida Building Code except during reroofing when the equipment is being replaced or moved during reroofing and is not in compliance with the provisions of the Florida Building Code relating to roof-mounted mechanical units.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103
~~DEPARTMENT OF BUILDING SAFETY~~
BUILDING DIVISION

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the *building official*.

103.2 Appointment. The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy *building official*, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*.

For the maintenance of existing properties, see ~~the *International Property Maintenance Code*. **(Or**~~ the *Riviera Beach Property Maintenance Code*.

103.4 Restrictions on employees. (Reserved).

SECTION 104
DUTIES AND POWERS OF THE BUILDING OFFICIAL

104.1 General. The *building official* is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The *building official* shall receive applications, review *construction documents* and issue *permits* for the erection, and *alteration*, demolition and moving of buildings, structures, and service systems, inspect the premises for which such *permits* have been issued and enforce compliance with the provisions of this code.

> **104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair* of *substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair* of *substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612.

104.3 Notices and orders. The *building official* shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The *building official* shall make all of the required inspections, or the *building official* shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved agency* or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The *building official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the *building official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *building official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records per FS 119.

104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the City of Riviera Beach ~~jurisdiction~~ in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to

persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer, employee, or board member because of an act performed by that officer, employee, or board member in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the City of Riviera Beach ~~jurisdiction~~ until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.8.1 Legal defense. Any suit or criminal complaint instituted against an officer, employee, or board member because of an act performed by that officer, employee, or board member in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the City of Riviera Beach ~~jurisdiction~~ until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *building official*.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Building Division ~~department of building safety~~.

104.10.1 Flood hazard areas. The *building official* shall coordinate with the floodplain administrator to review requests submitted to the *building official* that seek approval to modify the strict application of the flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 117.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed alternative meets all of the following:

1. The alternative material, design or method of construction is satisfactory and complies with the intent of the provisions of this code
2. The material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribded in this code as it pertains to the following:
    - 2.1 Quality.
    - 2.2 Strength
    - 2.3 Effectiveness
    - 2.4 Fire Resistance
    - 2.5 Durability
    - 2.6 Safety

2.7 Level of Sanitation

Where the alternative material, design or method of construction is not approved, the *building official* shall respond in writing, stating the reasons why the alternative was not approved.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the *building official.*

SECTION 105
PERMITS

105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing, fire protection system, or accessible or flood resistant site element, ~~system,~~ the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.

105.1.1 Annual facility permit. In lieu of an individual *permit* for each *alteration* to an *existing* electrical, gas, mechanical or plumbing or interior nonstructural office system(s), the *building official* is authorized to issue an annual *permit* for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The *building official* shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility permit shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

105.1.2 Annual Facility permit records. The person to whom an annual *permit* is issued shall keep a detailed record of *alterations* made under such annual *permit*. The *building official* shall have access to such records at all times or such records shall be filed with the *building official* as designated. The building official is authorized to revoke such permit, if code violations are found to exist.

105.1.3 Food permit. In accordance with 500.12, *Florida Statutes*, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for

an operating permit pursuant to Section 514.031, Florida Statutes. A certificate of completion or occupancy may not be issued until such operating permit is issued. The local enforcing agency shall conduct their review of the building permit application upon filing and in accordance with Chapter 553, Florida Statutes. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building permit application review while awaiting comment from the Department of Health.

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the *local floodplain management ordinance*. *As determined by the building official, ~~P~~ permits* shall not be required for the following: ***(This section may need to be adjusted to your local jurisdictions requirements)***

Building:

1. Building permits are not required for replacement or repair work having a value of less than $1,000.00, providing, however, that such work will not adversely affect the structural integrity, fire rating, exit access or egress requirements.

2. Cabinets and countertops with no reconfiguration for 1&2 Family Dwellings, tiling and other floor finishes for 1 & 2 Family Dwellings, painting, papering, carpeting, and similar finish work, with no electrical or plumbing work.

3. Temporary motion picture, television and theater sets and scenery.

4. Traditional swings and other standard playground equipment accessory to detached one and two-family dwellings, as determined by the building official, but they may be subject to Zoning permits.

5. Retractable awnings supported by an exterior wall and do not require additional support of Groups R-3 and U occupancies, but they may be subject to Zoning permits.

6. Non-fixed and movable fixtures, cases, racks, and counters not over 5 feet 9 inches (1753 mm) in height.

~~1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m2).~~

~~2. Fences not over 7 feet (1829 mm) high.~~

~~3. Oil derricks.~~

~~4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.~~

~~5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.~~

~~6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.~~

~~7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.~~

~~8. Temporary motion picture, television and theater stage sets and scenery.~~

~~9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.~~

~~10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

~~11. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.~~

~~12. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.~~

~~13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.~~

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

8. The installation, replacement, removal or metering of any electrical load management control device where installed by a utility service provider.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

3. The replacement of common household plumbing fixtures to existing supply lines and sanitary connections in 1&2 Family Dwellings. This does not include water heaters, bathtubs and showers.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*. Notification shall be given to the building official, including the work address, nature of emergency, and scope of work immediately, or by the next business day.

105.2.2. Minor repairs. Ordinary minor repairs may be made with the approval of the *building official* without a permit, provided the repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition* to, *alteration* of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes.

105.2.3 Public service agencies. A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a *permit*, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose.

Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Section 713.135(5) and (6), *Florida Statutes*.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building permit for which an application is submitted prior to the effective date of the *Florida Building Code*, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the permit and any extension granted to the permit.

Effective October 1, 2017, a local enforcement agency shall post each type of building permit application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the permit application may be submitted in person in a non-electronic format, at the discretion of the *building official*.

105.3.1 Action on application. The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefore. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefore as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for permits, the *building official* shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

105.3.1.1 If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the *Florida Building Code* on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

105.3.1.2 No permit may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such permit provides to the enforcing agency which issues the permit any of the following documents which apply to the construction for which the permit is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, *Florida Statutes*:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than $125,000.

2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes*, may design a new fire protection system of 49 or fewer sprinklers; and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of 49 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system; or may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system, if there is no change of occupancy of the affected areas, as defined in this Code and the Florida Fire Prevention Code, and there is no change in the water demand as defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the alteration.

Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads.

Personnel as authorized by chapter 633 *Florida Statutes may design:*,

(a) a new fire protection system of 49 or fewer sprinklers;
(b) the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of 49 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system;
(c) the alteration of an existing fire sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers, notwithstanding the size of the existing fire sprinkler system, if there is no change of occupancy of the affected areas, as defined in this Code and the Florida Fire Prevention Code, and there is no change in the water demand as defined in NFPA 13, "Standard for the Installation of Sprinkler Systems," and if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result of the alteration.

3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than $125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one, two, three or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, *Florida Statutes*, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of $125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

Example 1: When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is $47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower this is considered to be an 18-ton system.

NOTE: It was further clarified by the Commission that the limiting criteria of 100 persons and $125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire detection and alarm system which costs more than $5,000.

Exception:

Simplified permitting process for fire alarm system projects.—
(1) As used in this section, the term:
(a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, Florida Statutes.
(b) "Fire alarm system project" means a fire alarm system alteration of a total of 20 or fewer initiating devices and notification devices, or the installation or replacement of a fire communicator connected to an existing fire alarm control panel in an existing commercial, residential, apartment, cooperative, or condominium building.
(2)(a) A local enforcement agency may require a contractor, as a condition of obtaining a *permit* for a fire alarm system project, to submit a completed application and payment.
(b) A local enforcement agency may not require a contractor to submit plans or specifications as a condition of obtaining a *permit* for a fire alarm system project.
(3) A local enforcement agency must issue a *permit* for a fire alarm system project in person or electronically.
(4) A local enforcement agency must require at least one inspection of a fire alarm system project to ensure compliance with applicable codes and standards. If a fire alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

(5) A contractor must keep a copy of the plans and specifications at a fire alarm system project worksite and make such plans and specifications available to the inspector at each inspection.

5. Electrical documents. See Florida Statutes 471.003(2)(h). Any electrical system meeting the following thresholds are required to be designed by a Florida Registered Engineer. ~~The~~ Any system which:~~,~~
~~Requires an electrical system with a value of over $125,000; and Requires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system;~~
(a) Requires an electrical system with a value greater than $125,000; and
(b) Requires an aggregate service capacity of greater than 600 amperes (240 volts) on a residential electrical system or greater than 800 amperes (240 volts) on a commercial or industrial electrical system, or any multi-phase system;

Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, *Florida Statutes*.

6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, Florida Statutes

105.3.1.3 Reviewing application for building permit.

1. When reviewing an application for a building *permit,* a local government may not request additional information from the applicant more than three times, unless the applicant waives such limitation in writing.

2. If a local government requests additional information from an applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 15 days after receiving such information:

a. Determine if the application is properly completed;

b. Approve the application;

c. Approve the application with conditions;

d. Deny the application; or

e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.

3. If a local government makes a second request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information:

a. Determine if the application is properly completed;

b. Approve the application;

c. Approve the application with conditions;

d. Deny the application; or

e. Advise the applicant of information, if any, that is needed to deem the application properly completed or to determine the sufficiency of the application.

4. Before a third request for additional information may be made, the applicant must be offered an opportunity to meet with the local government to attempt to resolve outstanding issues. If a local government makes a third request for additional information from the applicant and the applicant submits the requested additional information to the local government within 30 days after receiving the request, the local government must, within 10 days after receiving such information unless the applicant waived the local government's limitation in writing, determine that the application is complete and:

a. Approve the application;

b. Approve the application with conditions; or

c. Deny the application.

5. If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the local government, at the applicant's request, must process the application and either approve the application, approve the application with conditions, or deny the application.

105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, or for any 180 day period of abandonment or suspension during the application process, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing prior to the abandonment date, ~~and~~ with justifiable cause demonstrated. Abandoned applications shall be subject to destruction in accordance with state law. The fee for renewal, re-issuance, and extension of a permit application shall be
set forth by the administrative authority. There may be fees or requirements from other government agencies for permit application extensions and renewals.

105.3.3 An enforcing authority may not issue a building permit for any building construction, erection, alteration, modification, repair or addition unless the permit either includes on its face or there is attached to the permit the following statement: "NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, such as the requirement for Home or Property Owners Association approval, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies."

105.3.4 A building permit for a single-family residential dwelling must be issued within 30 working days of application therefore unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the *Florida Building Code* or the enforcing agency's laws or ordinances.

105.3.5 Identification of minimum premium policy. Except as otherwise provided in Chapter 440, *Florida Statutes*, Workers' Compensation, every employer shall, as a condition to receiving a building permit, show

proof that it has secured compensation for its employees as provided in Section 440.10 and 440.38, *Florida Statutes*.

105.3.6 Asbestos removal contractor exemption. Refer to Section 105.9 for additional requirements. A licensed asbestos removal contractor is not required when moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building permit application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

> **Disclosure Statement:** State law requires asbestos abatement to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

105.3.7 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that required by an application for permit, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.3.8 A local government may not require a contract between a builder and an owner for the issuance of a building *permit* or as a requirement for the submission of a building *permit* application.

105.3.9 Public right of way. A permit shall not be given by the *building official* for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way permit from the authority having jurisdiction over the street, alley or public lane

105.4 Conditions of the permit. The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of any other federal, state and local laws, ordinances, codes and regulations~~the jurisdiction~~. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of ~~the~~ any other federal, state and local laws, ordinances, codes and regulations~~jurisdiction~~ shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction or of any other federal, state and local laws, ordinances, codes and regulations.

105.4.1 Permit intent. A permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a permit prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every permit issued shall become invalid unless the work authorized by such permit is commenced within six months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced.

105.4.1.1 If work has commenced and the permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new permit covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new permit, or revalidation (renewal) of the original permit, is not obtained within 180 days from the date the initial permit became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new permit may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial permit became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new permit.

105.4.1.3 Work shall be considered to be in active progress when the permit has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process, or due to action by an environmental or archeological agency having jurisdiction. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 3 months each. The extension shall be requested in writing and justifiable cause demonstrated, prior to expiration.

105.4.1.4 The fee for renewal, reissuance and extension of a permit shall be set forth by the administrative authority. There may be fees or requirements from other government agencies for permit extensions and renewals.

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. ~~tThe permit holder and property owner shall be responsible to either: **(1) Complete the work:** renew the permit, if applicable, or obtain a new permit to complete all work in accordance with the permitted plans and inspection or **(2) Remove the work:** renew the permit and revise the plans, if applicable, or obtain a new permit to remove any partially completed work in a safe and code compliant manner. Any work not removed shall be subject to the penalties for unpermitted work.~~ The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the *building official*.

~~**105.5.1** The *building official* is authorized to reject new permit applications from a contractor who holds more than *(Set the number of expired permits based upon your local needs)* expired or inactive permits.~~

~~**105.5.1.1** For the purposes of this subsection, a *closed permit* shall mean a permit for which all requirements for completion have been satisfied or a permit that has been administratively closed by the *building official*.~~

~~**105.5.1.2** For the purposes of this subsection, an *open permit* shall mean a permit that has not satisfied all requirements for completion as defined in 105.5.1.1.~~

~~**105.5.2** The *building official* is authorized to administratively close expired or inactive trade permits after *(Set this time limit (in years) based upon your local needs)* years of expiration when no safety hazard exists and no code violations have been previously identified.~~

~~**105.5.3** Closing out or resolving open or expired permits shall be the responsibility of the permit applicant and the property owner. Failure to close out or resolve open permits may be reported to the proper authority by the *building official*.~~

105.5.2 For the purposes of this subsection, a *closed permit* shall mean a *permit* for which all requirements for completion have been satisfied or a *permit* that has been administratively closed by the *building official.*

105.5.3 For the purposes of this subsection, an *open permit* shall mean a *permit* that has not satisfied all requirements for completion as defined in 105.5.2.

105.5.4 Closing out or resolving open or expired permits shall be the responsibility of the permit applicant and the property owner. Failure to close out or resolve open permits may be reported to the proper authority by the *building official*~~.~~

105.6 Denial or revocation. Whenever a permit required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the Florida Building Code, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the permit applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the Florida Building Code, the local building code administrator or inspector shall identify the specific plan features that do not comply with

the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the permit applicant.

105.6.1Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to; issue a notice of violation to; or fine, penalize sanction or assess fees against an arm's-length purchaser of a property for value solely because a building permit applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the permit.

105.6.2 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building permit to a contractor solely because the contractor is listed on other building permits that were not closed.

105.6.3 Misrepresentation of application. The building official may revoke a permit or approval, issued under the provisions of this code, when there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

105.6.4Violation of code provisions. The building official may require correction or revoke the permit upon determination by the building official that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the building, structure, electrical, gas, mechanical or plumbing systems for which the permit was issued is in violation of, or not in conformity with, the provisions of this code.

105.7 Placement of permit. The building *permit* or a copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building permit, the authority issuing such permit shall print on the face of each permit card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

105.9 Asbestos. The enforcing agency shall require each building permit for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law. Refer to Section 105.3.6 "Asbestos Removal Contractor Exemption" of this code for additional requirements.

105.10 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the permit is issued to and another copy for the building permit files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval. For a bait system, see Section 1816.1.7 of the Florida Building Code for contract document requirements.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before permit issuance. Upon written request and approval of the *building official*, the scope of work delineated in the building permit application and plan may be started prior to the final approval and issuance of the permit, provided any work completed is entirely at risk of the permit applicant and the work does not proceed past the first required inspection.

105.13 Phased permit approval. After submittal of the appropriate construction documents, the *building official* is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

105.14 Permit issued on basis of an affidavit. The building official may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit involves installation under conditions which, in the opinion of the *building official*, are hazardous or complex, the *building official* shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the permit, provide copies of inspection reports as inspections are performed, and upon completion make and file with the *building official* written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the *building official*. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part III of Chapter 468, *Florida Statutes*. Nothing aforesaid shall preclude plan review or inspections by the building official (See also Section 107.6).

105.14.1 Affidavits in flood hazard areas Permit issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the *Florida Building Code* and the *building official* shall review and inspect those requirements.

105.15 Opening protection. When any activity requiring a building permit that is applied for on or after July 1, 2008, and for which the estimated cost is $50,000 or more for a site built single-family detached residential structure that is located in the wind borne debris region as defined in this Code and that has an insured value of $750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of $750,000 or more; opening protections as required within this Code or *Florida Building Code, Residential* for new construction shall be provided.

> **Exception:** Where defined wind-borne debris regions have not changed, single family detached residential structures permitted subject to the *Florida Building Code* are not required to comply with this section.

105.16 Inspection of existing residential building not impacted by construction.

(a) A local enforcing agency, and any local building code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building permit the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought.

(b) This subsection does not apply to a building permit sought for:

1. A substantial improvement as defined in Section 161.54, *Florida Statutes* or as defined in the *Florida Building Code*.

2. A change of occupancy as defined in the *Florida Building Code*.

3. A conversion from residential to nonresidential or mixed use pursuant to Section553.507(2)(a), Florida Statutes or as defined in the *Florida Building Code*.

4. A historic building as defined in the *Florida Building Code*.

(c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:

1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).

2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the permit is sought in accordance with the prohibition in paragraph (a).

3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).

4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with Sections 933.20-933.30, *Florida Statutes*.

105.17 Streamlined low-voltage alarm system installation permitting.

(1) As used in this section, the term:

(a) "Contractor" means a person who is qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under part II of chapter 489, *Florida Statutes.*

(b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in Section 489.505, Florida Statutes, including video cameras and closed-circuit television systems used to signal or detect a burglary, fire, robbery, or medical emergency, that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, current edition, or a new or existing low-voltage electric fence. The term also includes ancillary components or equipment attached to a low-voltage alarm system, or low-voltage electric fence, including, but not limited to, home-automation equipment, thermostats, closed-circuit television systems, access controls, battery recharging devices, and video cameras.

(c) “Low-voltage electric fence” means an alarm system, as defined in s. 489.505, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.

(d) "Wireless alarm system" means a burglar alarm system or smoke detector that is not hardwired

(2) Notwithstanding any provision of this Code, this section applies to all low-voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.

3. A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further *permit* shall be required for the low-voltage alarm system project other than as provided in this section:

(a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.

(b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low- voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.

(c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.

(d) The low-voltage electric fence shall not be installed in an area zoned exclusively for single- family or multi-family residential use.

(e) The low-voltage electric fence shall not enclose the portions of a property which are used for residential purposes.

(4) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.

(5) A local enforcement agency shall make uniform basic permit labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in Section 553.793, *Florida Statutes*. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.

(a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.

(b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.

(6) A contractor shall post an unused uniform basic permit label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.

(7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm System Project.

(8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such

persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of Section 553.793(7), *Florida Statutes*.

(9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system project may be inspected by the local enforcement agency to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.

(10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.
(11) A uniform basic permit label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section.The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of chapter 489, *Florida Statutes.*

SECTION 106
FLOOR AND ROOF DESIGN LOADS

106.1 Live loads posted. Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m2), such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107
SUBMITTAL DOCUMENTS

107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application in accordance with Florida Statute 553.79. The *construction documents* shall be prepared by a *registered design professional* where required by Chapter 471, Florida Statutes & 61G15 Florida Administrative Code or Chapter 481, Florida Statutes & 61G1 Florida Administrative Code. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*. Electronic media documents shall be submitted when required by the building official, in a format acceptable to the building official, and may require only one set of submittals.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

If the design professional is an architect, interior designer, or engineer legally registered under the laws of this state regulating the practice of architecture or interior design as provided for in Chapter 481, Florida Statutes, Part I, or landscape architecture as provided for in Chapter 481, Florida Statutes, Part II, or engineering as provided for in Chapter 471, Florida Statutes, then he or she shall affix his or her official seal to said drawings, specifications and accompanying data, as required by Florida Statute.

107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.6.

107.2.1 Information on construction documents.
Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

107.2.1.1 For roof assemblies required by the code, the construction documents shall illustrate, describe and delineate the type of roofing system, materials, fastening requirements, flashing requirements and wind resistance rating that are required to be installed. Product evaluation and installation shall indicate compliance with the wind criteria required for the specific site or a statement by an architect or engineer certifying suitability for the specific site must be submitted with the construction documents.

107.2.1.2 Additional data. The building official may require details, computations, stress diagrams, and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the building official to be prepared by an architect or engineer shall be affixed with their official seal, signature and date as state law requires.

107.2.1.3 Quality of building plans. Building plans shall be drawn to a minimum 1/8 inch scale upon substantial paper, cloth or other acceptable medium. The building official may establish, through Departmental policy, other standards for plans and specifications, including electronic format, in order to provide conformity to its electronic permit review and record retention program. This policy may include such things as minimum size, shape, contrast, clarity, or other items related to records management. Electronic media must be compatible with the archive requirements of Florida Statutes.

107.2.2 Fire protection system shop drawings. Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the *exit discharge* to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

107.2.4 Exterior wall envelope. *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents*

maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system which was tested, where applicable, as well as the test procedure used.

107.2.5 Exterior balcony and elevated walking surfaces. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier the construction documents shall include details for all element of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions. (CA7834)

~~[A]~~ **107.2.6 Site plan.** The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and *design flood* elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan when the application for *permit* is for *alteration* or repair or when otherwise warranted.

~~[A]~~ **107.2.6.1 Design flood elevations.** Where *design flood* elevations are not specified, they shall be established in accordance with Section 1612.3.1. *Design flood* elevations shall be uniformly specified utilizing the currently effective NAVD 88.

107.2.6.2 For the purpose of inspection and record retention, site plans for a building may be maintained in the form of an electronic copy at the worksite. These plans must be open to inspection by the *building official* or a duly authorized representative, as required by the *Florida Building Code*.

107.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603.

107.3 Examination of documents. The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Exceptions:

1. Building plans approved pursuant to Section 553.77(5), *Florida Statutes*, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to FAC 61-41.009, Florida Administrative Code, shall be sufficient for local permit application documents of record for the modular building portion of the permitted project.

2. Industrial construction on sites where design, construction and fire safety are supervised by appropriately licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is exempt, subject to approval by the *building official*, from review of plans and inspections, providing the appropriate licensed design and inspection professionals certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

107.3.1 Approval of construction documents. When the *building official* issues a *permit*, the *construction document* shall be *approved*, in writing or by stamp, as "Reviewed for Code Compliance." One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

107.3.2 Previous approvals. This code shall not require changes in the *construction documents*, construction or designated occupancy of a structure for which a lawful *permit* has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

107.3.3 Phased approval. The *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the *owner* or the owner's authorized agent to engage and designate on the building *permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the owner's authorized agent shall designate a successor *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building official* shall be notified in writing by the *owner* or the owner's authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties. Successor *registered design professional in responsible charge* licensed under Chapter 471 Florida Statutes shall comply with Section 471.025(4) Florida Statute and the procedure set forth in 61G15-27.001 Florida Administrative Code; or licensed under Chapter 481 Florida Statutes shall comply with Section 481.221(6) Florida Statute and the procedure set forth in 61G1-18.002 Florida Administrative Code.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Those products which are regulated by FAC Rule 61G20 shall be reviewed and approved in writing by the designer of record prior to submittal for jurisdictional approval.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the *building official*.

Deferral of any submittal items shall have the prior approval of the *building official*. The *registered design professional in responsible charge* shall list the deferred submittals on the *construction documents* for review by the *building official*.

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *building official* with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been *approved* by the *building official*.

107.3.4.2 Certifications by contractors authorized under the provisions of Section 489.115(4)(b), *Florida Statutes*, shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, *Florida Statutes*, or Chapter 481 *Florida Statutes*, by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind-resistance provisions of the code or alternate methodologies approved by the Florida Building Commission for one- and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, *Florida Statutes.*

107.3.5 Minimum plan review criteria for buildings. The examination of the documents by the *building official* shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration and building envelope penetrations; flashing; and rough opening dimensions; and all exterior elevations:

Commercial Buildings:
Building

1. Site requirements:
Parking
Fire access
Vehicle loading
Driving/turning radius
Fire hydrant/water supply/post indicator valve (PIV)
Set back/separation (assumed property lines)
Location of specific tanks, water lines and sewer lines
Flood hazard areas, flood zones, and design flood elevations

2. Occupancy group and special occupancy requirements shall be determined (cross check with the energy code submittal).

3. Minimum type of construction shall be determined (see Table 503).

4. Fire-resistant construction requirements shall include the following components:
Fire-resistant separations
Fire-resistant protection for type of construction
Protection of openings and penetrations of rated walls
Fire blocking and draftstopping and calculated fire resistance

5. Fire suppression systems shall include:
Early warning smoke evacuation systems
Schematic fire sprinklers
Standpipes
Pre-engineered systems
Riser diagram
~~Same as above.~~

6. Life safety systems shall be determined and shall include the following requirements:
Occupant load and egress capacities
Early warning
Smoke control
Stair pressurization

Systems schematic

7. Occupancy load/egress requirements shall include:
Occupancy load
Gross
Net
Means of egress
Exit access
Exit
Exit discharge
Stairs construction/geometry and protection
Doors
Emergency lighting and exit signs
Specific occupancy requirements
Construction requirements
Horizontal exits/exit passageways

8. Structural requirements shall include:
Soil conditions/analysis
Termite protection
Design loads
Wind requirements
Building envelope
Impact resistant coverings or systems
Structural calculations (if required)
Foundation
Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials
Wall systems
Floor systems
Roof systems
Threshold inspection plan
Stair systems

9. Materials shall be reviewed and shall at a minimum include the following:
Wood
Steel
Aluminum
Concrete
Plastic
Glass
Masonry
Gypsum board and plaster
Insulating (mechanical)
Roofing
Deck coatings
Insulation
Building envelope portions of the Energy Code (including calculation and mandatory requirements)

10. Accessibility requirements shall include the following:
Site requirements

Accessible route
Vertical accessibility
Toilet and bathing facilities
Drinking fountains
Equipment
Special occupancy requirements
Fair housing requirements

11. Interior requirements shall include the following:
Interior finishes (flame spread/smoke development)
Light and ventilation
(including corresponding portion of the energy code)
Sanitation

12. Special systems:
Elevators
Escalators
Lifts

13. Swimming pools:
Barrier requirements
Spas
Wading pools

14. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical

1. Electrical:

Wiring
Services
Feeders and branch circuits
Overcurrent protection
Grounding
Wiring methods and materials
GFCIs
Electrical portions of the Energy Code (including calculation and mandatory requirements)

2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. Design flood elevation

Plumbing

1. Minimum plumbing facilities
2. Fixture requirements
3. Water supply piping
4. Sanitary drainage

5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. Design flood elevation
15. Water/plumbing portions of the Energy Code (including calculation and mandatory requirements)

Mechanical

1. Mechanical portions of the Energy calculations
2. Exhaust systems:

Clothes dryer exhaust
Kitchen equipment exhaust
Specialty exhaust systems

3. Equipment
4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. Design flood elevation

1. 17. Smoke and/or Fire Dampers

Gas

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents
5. Appliances
6. Type of gas
7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation
11. Gas portions of the Energy Code (including calculation and mandatory requirements)

Demolition

1. Asbestos removal

Residential (one- and two-family):

1. Site requirements:

Drainage Plan (professionally prepared)
Set back/separation (assumed property lines)
Location of septic tanks

2. Fire-resistant construction (if required)
3. Fire
4. Smoke and/or carbon monoxide alarm detector locations
5. Egress

Egress window size and location stairs construction requirements

6. Structural requirements shall include:

Wall section from foundation through roof, including assembly and materials, connector tables, wind requirements, and structural calculations (if required)
Termite protection
Design loads
Wind requirements
Building envelope
Foundation
Wall systems
Floor systems
Roof systems

Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, equipment, and flood damage-resistant materials

7. Accessibility requirements: show/identify accessible bath
8. Impact resistant coverings or systems
9. Residential Energy Code submittal (including calculation and mandatory requirements)
10. Electrical:

Electric service riser with wire sizes, conduit detail and grounding detail
Complete load calculations, Panel schedules

11. Mechanical:

Equipment and location, Duct systems

12. Plumbing:

Plumbing riser

13. Gas:

Gas piping
Venting
Combustion air
Chimneys and vents
Appliances
Type of gas
Fireplaces
LP tank location
Riser diagram/shutoffs

14. Swimming Pools

Barrier requirements
Spas
Wading pools

Manufactured buildings/housing -

1. Site requirements
   Setback/separation (assumed property lines)
   Location of septic tanks (if applicable)
2. Structural
   Wind zone

Flood Anchoring

   Blocking
3. Plumbing
   List potable water source and meter size (if applicable)
4. Mechanical
   Exhaust systems
   Clothes dryer exhaust
   Kitchen equipment exhaust
5. Electrical exterior disconnect location

Exemptions.

Plans examination by the *building official* shall not be required for the following work:

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. Reroofs (as determined by local jurisdiction)
3. Minor electrical, plumbing and mechanical repairs
4. Annual maintenance permits
5. Prototype plans

Except for local site adaptions, siding, foundations and/or modifications.
Except for structures that require waiver.

6. Manufactured buildings plan except for foundations and modifications of buildings on site and as listed above in manufactured buildings/housing.

107.4 Amended construction documents. Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

107.5 Retention of construction documents. One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

107.6 Affidavits. The *building official* may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The *building official* may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the *building official* copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the *building official* relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*,

and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*. Nothing aforesaid shall preclude plan review or inspections by the building official (See also Section 105.14). On applications in which private provider services are utilized, all time frames shall adhere to time frames as indicated in Florida Statutes 553.791 (7).

107.6.1 Building permits issued in special flood hazard areas on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), the authority granted to the *building official* to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code*.

107.6.2 Affidavits Provided Pursuant to Section 553.791, Florida Statutes. For a building or structure in a *flood hazard area*, the *building official* shall review any affidavit certifying compliance with the flood load and flood-resistant construction requirements of the Florida Building Code.

SECTION 108
TEMPORARY STRUCTURES AND USES

108.1 General. The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall comply with the requirements in Section 3103.

108.3 Temporary power. The *building official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

108.4 Termination of approval. The *building official* is authorized to terminate such *permit* for a temporary structure or use and to order the temporary structure to be removed or use to be discontinued.

SECTION 109
FEES

109.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.2.1 Types of Fees Enumerated. Fees may be charged for but not limited to the following:

- Permits;
- Plans examination;

- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
- Variance requests;
- Administrative appeals;
- Violations; and
- Other fees as established by local resolution or ordinance.

109.3 Building permit valuations. The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* or without prior approval from the *building official* as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be applied for within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The *building official* may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

109.5 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

109.6 Refunds. The *building official* is authorized to establish and publish a refund policy through local ordinance or resolution.

SECTION 110
INSPECTIONS

110.1 General. Construction or work for which a *permit* is required shall be subject to inspection by the *building official* and such construction or work shall remain ~~accessible~~ exposed and ~~exposed~~ provided with access for inspection purposes until *approved.*
Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the owner's authorized agent to cause the work to remain ~~accessible~~ exposed and ~~exposed~~ provided with access for inspection purposes. The *building official* shall be permitted to require a boundary line survey prepared by a qualified surveyor whenever the boundary lines cannot be readily determined in the field. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the *building official*, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The *building official* may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the *building official*. The *building official* shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statues; or licensed under Chapter 471 or 481 Florida Statutes.

The building official may require the owner to employ an inspection service in the following instances:
1. For buildings or additions of Type I construction;
2. For all major structural alterations;
3. Where the concrete design is based on compressive strength in excess of 3000 pounds per square inch;
4. For pile driving;
5. For buildings with an area greater than 20,000 square feet;
6. For buildings more than two stories in height; or
7. For buildings and structures of unusual design or methods of construction.
Such inspectors shall be present when work is underway on the structural elements of the building to adequately attest to its compliance**.** Such inspectors shall be a registered architect, or engineer. An employee of the architect or engineer licensed under Chapter 468, Part XII, Florida Statutes may perform the inspections, under the direction of and with final certification from the architect or engineer. Such inspectors shall submit weekly progress reports including the daily inspections to the building official, and including a code compliance opinion of the resident inspector.
At the completion of the construction work or project, the architect or engineer shall submit a certificate of compliance to the building official, stating that the work was done in compliance with this code and in accordance with the permitted drawing.
Final inspection shall be made by the building official before a Certificate of Occupancy or Certificate of Completion is issued; and confirmation inspections may be made at any time to monitor activities and resident inspectors.

110.1.3 Affidavit for inspection. With specific prior approval of, and in a format acceptable to the building official, an affidavit for certification of inspection may be accepted from the permit qualifier; when accompanied by extensive photographic evidence of sufficient detail to demonstrate code compliance. The photographic evidence shall be comprehensive in the display of the installation and/or construction and job location identifiers. The affidavit and accompanying photographs shall be provided to the inspector onsite, at the next scheduled inspection. If the photographs are found to be insufficient by the building official to demonstrate compliance with this code and/or the permitted document, or clearly display location identifiers, or are missing, the inspector shall require the contractor to obtain the services of a registered Florida professional engineer to inspect and certify the installation and/or construction.

110.1.3.1 Exception: Affidavits may not be accepted for inspection of elements of construction which require inspection by the local jurisdiction under the requirements of Title 44, Code of Federal Regulations, Parts 59 and 60, and the local flood damage prevention ordinance.

110.2 Preliminary inspection. Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.3 Required inspections. The *building official* upon notification from the permit holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The *building official* shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Building

1. Foundation inspection. To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:

·Stem-wall

·Monolithic slab-on-grade

·Piling/pile caps

·Footers/grade beams

1.1. Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

1.2A foundation/Form board survey prepared and certified by a registered surveyor may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.

1.3. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the Authority having Jurisdiction.

2. Framing inspection. To be made after the roof, all framing, fire blocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved* and shall at a minimum include the following building components:

·Window/door framing

-Window U-factor/SHGC as indicated on approved energy calculations

·Vertical cells/columns

·Lintel/tie beams

·Framing/trusses/bracing/connectors (including truss layout and engineered drawings)

·Draft stopping/fire blocking

·Curtain wall framing

·Energy insulation (Insulation R-factor as indicated on approved energy calculations)

·Accessibility.

·Verify rough opening dimensions are within tolerances.

-Window/door buck attachment

2.1. Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal Includes wall and ceiling insulation.

2.2. **Lath and gypsum board inspection for fire-resistance-rated or shear assemblies.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

3. Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:

·Roof sheathing

·Wall sheathing

-Continuous air barrier

-Exterior Siding/Cladding

·Sheathing fasteners

·Roof/wall dry-in.

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material. **Exception:** ring shank nails shall be bent over and a new fastener installed.

4. Exterior wall coverings. Shall at a minimum include the following building components in progress inspections:

- Exterior wall coverings and veneers
- Soffit coverings

5. Roofing inspection. Shall at a minimum be made in at least two inspections and include the following building components:

·Dry-in

·Insulation

·Roof coverings (including In Progress as necessary)

-Insulation on roof deck (according to submitted energy calculation)

·Flashing

- Sheathing

5.1.~~4.1.~~ Re-Roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the *building official.*

6. Final inspection. To be made after the building, including all sub-trade inspections, is completed and ready for occupancy.

6.1. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation or the elevation to which a building is dry floodproofed, as applicable, shall be submitted to the authority having jurisdiction.

7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete shell.

a. Steel reinforcement inspection
b. Underground electric inspection.
c. Underground piping inspection including a pressure test.
d. Underground electric inspection under deck area (including the equipotential bonding)
e. Underground piping inspection under deck area..
f. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
g. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
h. Final pool piping.
i. Final Electrical inspection.
j. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.

In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17and R4501.17 of this code.

8. Demolition inspections. First inspection to be made after all utility connections have been disconnected and secured in such manner that no unsafe or unsanitary conditions shall exist during or after demolition operations.

Final inspection to be made after all demolition work is completed.

9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the *Florida Building Code*. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).

10. Where impact resistant coverings or impact resistant systems are installed, the *building official* shall schedule adequate inspections of impact resistant coverings or impact resistant systems to determine the following:

The system indicated on the plans was installed.

The system is installed in accordance with the manufacturer's installation instructions and the product approval.

Electrical

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and prior to the installation of wall or ceiling membranes.

3. Final inspection. To be made after the building electrical system is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.

4. Existing Swimming Pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fireblocking and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.

-includes plumbing provisions of the energy code and approved energy calculations provisions.

3. Final inspection. To be made after the building plumbing system is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the *Florida Building Code, Plumbing* for required tests.

Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.

2. Rough-in inspection. To be made after the roof, framing, fire blocking and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes.

-includes mechanical provisions of the energy code and approved energy calculations provisions.

3. Final inspection. To be made after the building mechanical system is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected.

-includes gas provisions of the energy code and approved energy calculations provisions.

2. Final piping inspection. To be made after all piping authorized by the permit has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.

3. Final inspection. To be made on all new gas work authorized by the permit and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all times.

2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

110.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.3.2 Concrete slab and under-floor inspection.
Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.4 of the Florida Building Code, Building and Section R322 of the Florida Building Code, Residential, shall be submitted to the *building official*.

110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, *fire blocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

110.3.5 Lath, gypsum board and gypsum panel product inspection. Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

> **Exception:** Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

110.3.6 Weather-exposed balcony and walking surface waterproofing. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and *approved*.

~~[A]~~ **110.3.7 Fire- and smoke-resistant penetrations.**
Protection of joints and penetrations in fire-resistance rated assemblies, *smoke barriers* and smoke partition shall not be concealed from view until inspected and *approved*.

~~[A]~~ **110.3.8 Energy efficiency inspections.** Inspections shall be made to determine compliance with *FBC, Energy Conservation* and confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation *R*- and *U*-values, fenestration *U*-value and Solar Heat Gain Coefficient, duct system *R*-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

~~[A]~~ **110.3.9 Other inspections.** In addition to the inspections specified in Sections 110.3 through 110.3.7, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

110.3.10 Special inspections. Reserved.

110.3.11 Final inspection. The final inspection shall be made after all work required by the building *permit* is completed.

> **110.3.11.1 Flood hazard documentation**. If located in a *flood hazard area*, , *coastal high hazard areas or coastal A zones,* documentation as required in Section 1612.5 of the Florida Building Code, Building; ~~and~~ or Section R322 of the Florida Building Code, Residential, shall be submitted to the *building official* prior to the final inspection.

110.3.11.2 Commercial Energy Code documentation. If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

110.3.11.3 Residential Energy Code documentation. If required by energy code path submittal (Section R405), confirmation that the envelope and duct test requirements shall be received by *building official*.

110.3.12 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.13 or Section 2304.11.6, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the *building official* has been received.

110.3.13 Impact resistant coverings or systems. Where impact resistant coverings or systems are installed to meet requirements of this code, the *building official* shall schedule adequate inspections of impact resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

110.4 Inspection agencies. The *building official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

110.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the *permit* holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

110.7 Shoring. For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer, prior to any required mandatory inspections by the threshold building inspector.

110.8 Threshold building.

110.8.1 During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

~~**110.8.1** The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the *building official*, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.~~

110.8.2 The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under Section 553.71(7), Florida Statutes, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the *Florida Building Code*.

110.8.3 The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, *Florida Statutes*, as an engineer or under Chapter 481, *Florida Statutes*, as an architect.

110.8.4 Each enforcement agency shall require that, on every threshold building:

110.8.4.1 The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: “To the best of my knowledge and belief, the above described construction of all structural load-bearing components complies with the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency.”

110.8.4.2 Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency’s recorded set of permit documents.

110.8.4.3 All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

110.8.4.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect’s or engineer’s knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this Section and Chapter 633, *Florida Statutes.*

110.8.5 No enforcing agency may issue a building permit for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a), *Florida Statutes*, or to a licensed building contractor, as defined in Section 489.105(3)(b), *Florida Statutes*, within the scope of her or his license. The named contractor to whom the building permit is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building permit was issued.

110.8.6 The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, *Florida Statutes*, without duplicative inspection by the

building department. The *building official* is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes,* or certified as a special inspector under Chapter 471 or 481, *Florida Statutes*. Inspections of threshold buildings required by Section 553.79(5), *Florida Statutes*, are in addition to the minimum inspections required by this code.

110.9 Mandatory structural inspections for condominium and cooperative buildings.

110.9.1 General. The Legislature finds that maintaining the structural integrity of a building throughout its service life is of paramount importance in order to ensure that buildings are structurally sound so as to not pose a threat to the public health, safety, or welfare. As such, the Legislature finds that the imposition of a statewide structural inspection program for aging condominium and cooperative buildings in this state is necessary to ensure that such buildings are safe for continued use.

110.9.2. As used in this section, the terms:
(a) "Milestone inspection" means a structural inspection of a building, including an inspection of load-bearing walls and the primary structural members and primary structural systems as those terms are defined in s. 627.706, Florida Statutes, by a licensed architect or engineer authorized to practice in this state for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the firesafety code.

(b) "Substantial structural deterioration" means substantial structural distress that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, sagging, deflections, misalignment, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or phase two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

110.9.3. A condominium association under chapter 718, Florida Statutes, and a cooperative association under chapter 719, Florida Statutes, must have a milestone inspection performed for each building that is three stories or more in height by December 31 of the year in which the building reaches 30 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. If the building is located within 3 miles of a coastline as defined in s. 376.031, Florida Statutes, the condominium association or cooperative association must have a milestone inspection performed by December 31 of the year in which the building reaches 25 years of age, based on the date the certificate of occupancy for the building was issued, and every 10 years thereafter. The condominium association or cooperative association must arrange for the milestone inspection to be performed and is responsible for ensuring compliance with the requirements of this section. The condominium association or cooperative association is responsible for all costs associated with

the inspection. This subsection does not apply to a single- family, two-family, or three-family dwelling with three or fewer habitable stories above ground.

110.9.4. If a milestone inspection is required under this section and the building's certificate of occupancy was issued on or before July 1, 1992, the building's initial milestone inspection must be performed before December 31, 2024. If the date of issuance for the certificate of occupancy is not available, the date of issuance of the building's certificate of occupancy shall be the date of occupancy evidenced in any record of the local *building official*.

110.9.5. Upon determining that a building must have a milestone inspection, the local enforcement agency must provide written notice of such required inspection to the condominium association or cooperative association by certified mail, return receipt requested.

110.9.6. Within 180 days after receiving the written notice under Section 110.9.5, the condominium association or cooperative association must complete phase one of the milestone inspection. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

110.9.7. A milestone inspection consists of two phases:

110.9.7.1. For phase one of the milestone inspection, a licensed architect or engineer authorized to practice in this state shall perform a visual examination of habitable and nonhabitable areas of a building, including the major structural components of a building, and provide a qualitative assessment of the structural conditions of the building. If the architect or engineer finds no signs of substantial structural deterioration to any building components under visual examination, phase two of the inspection, as provided in Section 110.9.7.2, is not required. An architect or engineer who completes a phase one milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.7.2. A phase two of the milestone inspection must be performed if any substantial structural deterioration is identified during phase one. A phase two inspection may involve destructive or nondestructive testing at the inspector's direction. The inspection may be as extensive or as limited as necessary to fully assess areas of structural distress in order to confirm that the building is structurally sound and safe for its intended use and to recommend a program for fully assessing and repairing distressed and damaged portions of the building. When determining testing locations, the inspector must give preference to locations that are the least disruptive and most easily repairable while still being representative of the structure. An inspector who completes a phase two milestone inspection shall prepare and submit an inspection report pursuant to Section 110.9.8.

110.9.8. Upon completion of a phase one or phase two milestone inspection, the architect or engineer who performed the inspection must submit a sealed copy of the inspection report with a separate summary of, at minimum, the material findings and recommendations in the inspection report to the condominium association or cooperative association, and to the *building official* of

the local government which has jurisdiction. The inspection report must, at a minimum, meet all of the following criteria:

(a) Bear the seal and signature, or the electronic signature, of the licensed engineer or architect who performed the inspection.

(b) Indicate the manner and type of inspection forming the basis for the inspection report.

(c) Identify any substantial structural deterioration, within a reasonable professional probability based on the scope of the inspection, describe the extent of such deterioration, and identify any recommended repairs for such deterioration.

(d) State whether unsafe or dangerous conditions, as those terms are defined in the Florida Building Code, were observed.

(e) Recommend any remedial or preventive repair for any items that are damaged but are not substantial structural deterioration.

(f) Identify and describe any items requiring further inspection.

110.9.9. The association must distribute a copy of the inspector-prepared summary of the inspection report to each condominium unit owner or cooperative unit owner, regardless of the findings or recommendations in the report, by United States mail or personal delivery and by electronic transmission to unit owners who previously consented to received notice by electronic transmission; must post a copy of the inspector-prepared summary in a conspicuous place on the condominium or cooperative property; and must publish the full report and inspector- prepared summary on the association's website, if the association is required to have a website.

110.9.10. A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

110.9.11. A board of county commissioners may adopt an ordinance requiring that a condominium or cooperative association schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

110.10 Impact of construction. All construction activity regulated by this code shall be performed in a manner so as not to adversely impact the condition of adjacent property, unless such activity is permitted to affect said property pursuant to a consent granted by the applicable property owner, under terms or conditions agreeable to the applicable property owner. This includes, but is not limited to, the control of dust, noise, water or drainage runoffs, debris, and the storage of construction materials. New construction activity shall not adversely impact legal historic surface water drainage flows serving adjacent properties, and may require special drainage design complying with

engineering standards to preserve the positive drainage patterns of the affected sites. Accordingly, developers, contractors and owners of all new residential development, including additions, pools, patios, driveways, decks or similar items, on existing properties resulting in a significant decrease of permeable land area on any parcel or has altered the drainage flow on the developed property shall, as a permit condition, provide a professionally prepared drainage plan clearly indicating compliance with this paragraph. Upon completion of the improvement, a certification from a licensed professional, as appropriate under Florida law, shall be submitted to the inspector in order to receive approval of the final inspection.

SECTION 111
CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.

111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.

2. The address of the structure.

3. The name and address of the *owner* or the owner's authorized agent.

4. A description of that portion of the structure for which the certificate is issued.

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction

7. The name of the *building official*.

8. The edition of the code under which the *permit* was issued.

9. The use and occupancy, in accordance with the provisions of Chapter 3.

10. The type of construction as defined in Chapter 6.

11. The design *occupant load*.

12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.

13. Any special stipulations and conditions of the building *permit*.

111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

111.5 Certificate of Completion. A Certificate of Completion is proof that a structure or system is complete and for certain types of permits is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a Certificate of Occupancy.

111.6 Fixturing and Stocking. The building official is authorized to issue approval for fixturing, stocking, or decorating, when appropriate, to allow the builder to prepare the structure for permanent occupancy. The building may not be open to the general public or be used for the transaction of any commerce. Such approval must be conditioned upon the approval of the Fire Marshal, when applicable.

111.7 Digital Submittal Requirements for New Construction.

111.7.1 Building Footprints. The building official is authorized to require the submittal of digital shape (CAD) files, in a specific format, depicting a geo-referenced footprint with elevation for all new structures as a condition of the issuance of a Certificate of Occupancy.

111.7.2 Subdivision Topography. The building official is authorized to require the developer to submit electronic topographical data and re-delineated 100-year floodplain boundaries to the Federal Emergency Management Agency (FEMA) for all new subdivisions or lots of record for the purposes of updating and maintaining the community's flood maps through the Letter of Map Revision process.

SECTION 112
SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

112.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113
BOARD OF APPEALS

(If your jurisdiction has a process in place or this process)

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the *building official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

SECTION 114
VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 115

STOP WORK ORDER

115.1 Authority. Whenever the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited

work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116
UNSAFE STRUCTURES AND EQUIPMENT

(If your jurisdiction has a process in place or this process)

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Record. The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

116.3 Notice. If an unsafe condition is found, the *building official* shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

116.5 Restoration. Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, to the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs*, *alterations*, *additions* and change of occupancy shall comply with the requirements of Section 105.2.2 and the *Florida Building Code, Existing Building*.

SECTION 117
VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), Florida Statutes, the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the *building official* for variances to the provisions of Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.

Legend:

Plain Text is from the FBC 7th Ed' (2020)

Shaded Text is from the BOAF recommended changes to FBC 2017

The red text is guidance that may be removed before adoption and also indicates local revisions.

Underlined green with yellow highlight text is from the BCAB recommended changes to FBC 2017

Purple Shaded White Text = FBC 2020 Changes

Green Shaded White Text = 2020 BCAB recommended changes to 2020 FBC

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:
Ordinance 4252- Building and Building Regulations

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667065 Building Code Advertisement
Date: Friday, December 22, 2023 12:53:43 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $216.30, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE CITY COUNCIL MEETING CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17,2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 22 OF THE CITY'S CODE OF ORDINANCES ENTI-

TLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, "BUILDING AND TECHNICAL CODES", SECTION 22-31 "BUILDING CODE ADOPTED", BY ADOPTING BY REFERENCE A NEW ADMINISTRATIVE CODE ENTITLED "RIVIERA BEACH AMENDMENTS TO THE FLORIDA BUILDING CODE 8th EDITION (2023)" ; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their own expense, will need a record of the proceedings

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 (F.S. 286.015).
In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.
Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:38 AM
To: Legals-Pbpost <legals@pbpost.com>; Gannett Legals Public Notices 4

<ganlegpubnotices4@gannett.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667065 Building Code Advertisement

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP
Michael Grimm, Building Official, CBO, CFM

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4253: An Ordinance of The City Council of The City of Riviera Beach, Palm Beach County Florida, amending Chapter 22, of the Code of Ordinances entitled "Buildings and Building Regulations", Article II, Entitled "Building and Technical Codes", by updating and revising Section 22-33, entitled "Schedule of Permit Fees"; providing for Severability; Codification and Conflicts; and providing an Effective Date.**

Date: January 17, 2024

CC: General Public

Background:

Florida Statutes 166.222 and 553.80(7) authorizes the governing bodies of local municipalities to provide a schedule of reasonable permit fees in order to defray the cost of inspections and enforcement of the Florida Building Code (FBC). The Building Division's revenue from these fees should, on average over several years, not exceed the costs associated with enforcement activities such as plan review, permit processing, training, and inspections. Some of the activities that are not funded by these fees include zoning, inspection of public buildings, information requests, and enforcement of local ordinances other than the building codes.

The Building Division regularly reviews permit revenues, enforcement costs, department workload and fees charged by other jurisdictions. Occasionally the review results in proposed adjustments to the permit fee schedule to be brought before City Council for approval. There are many types of fees on the permit fee schedule including: a building permit fee based on the

value of construction, plan review fees, re-inspection fees, other penalties, and other fees for Building Division services. The most recent amendment to the Building Division Schedule of Fees was adopted through Ordinance 4017 on September 5, 2012.

This Ordinance takes the schedule of permit fees out of the city's municipal code of ordinances by allowing the fees to be adopted by city council through a resolution. Permit fees are not required to be adopted by ordinance and the resolution process is more efficient as it only requires approval at one council meeting and saves the city the cost of codifying the extensive permit fee schedule. After adoption of this ordinance at second reading a Resolution adopting a new schedule of permit fees will be presented to council for approval. Approval of this ordinance does not conflict with any existing ordinances or resolutions.

City Goals:

The City-wide Goal is to accelerate operational excellence.

Fiscal/Budget Impact:

This Item has no budgetary impact.

Recommendation:

Staff recommends a Motion to approve Ordinance Number 4253.

Attachments:

1. Ordinance_4253_Building_Code_Fee_Update.docx
2. Riviera Beach Business Impact Estimate-Ordinance 4253 Building and Building Regulations.docx
3. Proof of Advertisement Permit Fees Advertisement.pdf

ORDINANCE NO. 4253

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AMENDING CHAPTER 22, OF THE CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, ENTITLED "BUILDING AND TECHNICAL CODES", BY UPDATING AND REVISING SECTION 22-33, ENTITLED "SCHEDULE OF PERMIT FEES"; PROVIDING FOR SEVERABILITY; CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Chapter 166, provides the City with the authority to collect fees necessary to conduct municipal government; and

WHEREAS, the City Council last amended the Permit Fee Schedule in 2012 via Ordinance No. 4017; and

WHEREAS, the City Council of the City of Riviera Beach desires to amend the Schedule of Permit Fees.

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

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

SECTION 2: That Chapter 22 "Buildings and Building Regulations", Article II "Building and Technical Codes", Section 22-33 "Schedule of Permit Fees", of the City of Riviera Beach Code of Ordinances, is hereby amended by deleting the ~~stricken through~~ and adding the underlined language, as follows;

* * * * * * *

Chapter 22 BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. BUILDING AND TECHNICAL CODES

Sec. 22-33. Schedule of permit fees.

The city council shall, by resolution, establish reasonable rates to be charged for permit fees required for all buildings, structures, alterations or other work requiring a permit. The fee shall be paid as required at the time of filing application in accordance with the schedule as established by resolution and shall be based on the total cost valuation of the work. Total cost valuation shall be established per Sec. 109.3 of the Riviera Beach Amendments to the 2017 Florida Building Code, as may be amended from time to time. Additional related fees and charges shall also be

established by resolution of the city council. All fees may be adjusted for just cause as determined by the Building Official.

The current resolution setting forth the schedule of all current fees and charges levied by the city shall be available for inspection at city hall during regular business hours.

~~(a) Permit fees shall be based on the valuation of work, as defined by the most current building valuation data provided by the International Code Council, as amended. The valuation of work shall be utilized with the fee schedule listed in subsection (b) of this section in order to determine the total fee due. Primary or master permits will include the cost of all sub-permits, provided the necessary information is completely detailed on the plans that are submitted for permit and the total cost of such improvements is included in the estimated value.~~

~~(b) *Fee schedule.* Base permit fees will utilize a tiered permit fee calculation, meaning that defined valuation of work thresholds carry specific fee percentages due. This tiered system is cumulative, so multiple tiers may apply to a single building permit as well as other applicable fees which are added together to calculate the total permit fee due. Fees are listed below in Table 1: Building Fee Schedule.~~

~~TABLE 1: BUILDING FEE SCHEDULE~~

~~(1) *Base permit fees (tiered system):*~~

	~~Minimum permit fee (up to $1,000.00 of work valuation):~~	~~$75.00~~
	~~OR~~	
~~Tier 1:~~	~~For the First $2,500.00 (must be over $1,000):~~	~~$100.00~~
	~~And if the valuation of work is greater than $2,500.00, see tier 2;~~	
~~Tier 2:~~	~~From $2,500.00 to $10,000.00 (total in addition to tier above):~~	~~× 2.5%~~
	~~And if the valuation of work is greater than $10,000.00, see tier 3;~~	
~~Tier 3:~~	~~From $10,000.00 to $100,000.00 (total in addition to tiers above):~~	~~× 2.25%~~
	~~And if the valuation of work is greater than $100,000.00, see tier 4;~~	
~~Tier 4:~~	~~From $100,000.00 to $500,000.00 (total in addition to tiers above):~~	~~× 2%~~
	~~And if the valuation of work is greater than $500,000.00, see tier 5;~~	
~~Tier 5:~~	~~From $500,000.00 to $1,000,000.00 (total in addition to tiers above):~~	~~× 1.5%~~
	~~And if the valuation of work is greater than $1,000,000.00, see tier 6;~~	
~~Tier 6:~~	~~From $1,000,000.00 to $10,000,000.00 (total in addition to tiers above):~~	~~× 1.25%~~
	~~And if the valuation of work is greater than $1,000,000.00, see tier 7;~~	
~~Tier 7:~~	~~Greater than $10,000,000.00 (total in addition to tiers above):~~	~~× 1%~~

~~Additional fees listed below are charged as applicable in addition to any base permit fees.~~

~~(2) *Review fees:*Applicable review fees (see below) are added to the above referenced permit fees.~~

~~Fire rescue plan review and inspection: × .003 of the total valuation of work, (minimum fee of $30.00).~~

~~Engineer plan review and inspection: × .0025 of the total valuation of work (minimum fee of $50.00).~~

~~Training surcharge: × 1% of the total permit fee (minimum fee of $1.00).~~

~~State surcharges: × 3% of the total base permit fee (minimum fee of $4.00).~~

~~(3) *Various permit fees:* Applicable various permit fees listed below are added to abovementioned review fees.~~

~~Street excavation$500.00~~

~~Moving building500.00~~

~~Building demolition200.00~~

~~Interior demolition 2% of valuation or $50.00, whatever is greater~~

~~Construction trailers200.00~~

~~Copies per page0.15~~

~~Business tax receipt inspection50.00~~

~~Certificate of use inspection50.00~~

~~Failure to call for final inspection, each permit:50.00~~

~~Reinspection fee50.00~~

~~Plan revision fee50.00~~

~~Plan digitizing fee:~~

~~Residential single family25.00~~

~~Commercial per million dollars of value50.00~~

SECTION 3: Repeal of Conflicting Ordinances

All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 4: Severability

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance

is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 5: Codification

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Riviera Beach, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "ordinance" may be changed to "Section", "Article" or another word.

SECTION 6: Effective Date

The provisions of this Ordinance shall become effective January 1, 2024

PASSED AND APPROVED on the first reading this ___ day of _____, 2023.

PASSED AND ADOPTED on second and final reading this ___ day of _____ 2023.

APPROVED:

_____

RONNIE L. FELDER
MAYOR

_____

DOUGLAS A. LAWSON
CHAIRPERSON

ATTEST:

_____

DEBRAH S. HALL
ACTING CITY CLERK

_____

SHIRLEY D. LANIER
CHAIR PRO TEM

_____

TRADRICK MCCOY
COUNCILPERSON

_____

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

_____

JULIA A. BOTEL, Ed.D
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

_____

DAWN S. WYNN, CITY ATTORNEY

DATE:_____

1ST READING		2ND & FINAL READING	
MOTIONED BY:_____		MOTIONED BY: _____	
SECONDED BY:_____		SECONDED BY:_____	
D. LAWSON	_____	D. LAWSON	_____
S. LANIER	_____	S. LANIER	_____
T. MCCOY	_____	T. MCCOY	_____
K. MILLER-ANDERSON	_____	K. MILLER-ANDERSON	_____
J. BOTEL	_____	J. BOTEL	_____

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:
Ordinance 4253- Building and Building Regulations

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667094 Permit Fees Advertisement
Date: Friday, December 22, 2023 12:59:37 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $207.03, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE CITY COUNCIL MEETING CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17,2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AMENDING CHAPTER 22, OF THE CODE OF

CHAPTER 22, OF THE CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, ENTITLED "BUILDING AND TECHNICAL CODES", BY UPDATING AND REVISING SECTION 22-33, ENTITLED "SCHEDULE OF PERMIT FEES"; PROVIDING FOR SEVERABILITY; CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their own expense, will need a record of the proceedings.

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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********

If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:41 AM
To: Legals-Pbpost <legals@pbpost.com>; Gannett Legals Public Notices 4

<ganlegpubnotices4@gannett.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667094 Permit Fees Advertisement

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4246: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 10, "Licenses," Article VIII, "Mobile Vendors," Sections 10-262 through 10-268 of the City's Code of Ordinances to provide for regulations regarding mobile vendors dispensing food and other items; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date.**

Date: January 17, 2024

CC: General Public

Background:

On June 30, 2020, the Florida Legislature adopted, and, the Governor signed into law, CS/HB 1193; Deregulation of Professions and Occupations. The Bill created Section 509.102, Florida Statutes, which defined mobile food dispensing vehicle and preempted regulation of licenses, registrations, permits, and fees for mobile food dispensing vehicles to the State of Florida. Section 509.102, Florida Statutes, took effect Jul y 1, 2020. The creation of Section 509.102, Florida Statutes, necessitates the City amend the City Code in order to ensure the City's regulations governing mobile food dispensing vehicles are consistent with the new regulations. This ordinance will accomplish this goal. Furthermore, approval of this ordinance does not conflict with any existing City ordinances or resolutions.

City Goals:

The City-wide Goal is to build great neighborhoods.

Fiscal/Budget Impact:

There will be no fiscal impact from this Item.

Recommendation:

Staff recommends a Motion to approve Ordinance Number 4246

Attachments:

1. Ordinance_4246_Amending_Mobile Vending Code (003) (002).doc
2. Strikethrough-Underline- ARTICLE_VIII.___Draft 2 MOBILE_VENDORS.docx
3. Riviera Beach business-impact-estimate- Ordinance 4246.docx

ORDINANCE NO. 4246

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10, "LICENSES," ARTICLE VIII, "MOBILE VENDORS," SECTIONS 10-262 THROUGH 10-268 OF THE CITY'S CODE OF ORDINANCES TO PROVIDE FOR REGULATIONS REGARDING MOBILE VENDORS DISPENSING FOOD AND OTHER ITEMS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes, provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, on June 30, 2020, the Florida Legislature adopted, and, the Governor signed into law, CS/HB 1193; Deregulation of Professions and Occupations. The Bill created Section 509.102, Florida Statutes, which defined mobile food dispensing vehicle and preempted regulation of licenses, registrations, permits, and fees for mobile food dispensing vehicles to the State of Florida; and

WHEREAS, the creation of Section 509.102, Florida Statutes, necessitates the City amend the City Code in order to ensure the City's regulations governing mobile food dispensing vehicles are consistent with the new regulations; and

WHEREAS, the City of Riviera Beach ("the City") desires to modify and update its regulation of mobile vendors; and

WHEREAS, the City Council finds that, in the absence of reasonable regulations as to location, process, and limitations, mobile vendors could cause visual clutter, trash, vehicular circulation disruptions, parking shortages, sanitation issues, and distractions that endanger traffic, health, and safety; and

WHEREAS, the City Council finds and determines that these amendments are not in conflict with the public interest; and

WHEREAS, the City Council conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and participation by interested members of the public and staff; and

WHEREAS, the City Council has determined that the enactment of this Ordinance is for a proper municipal purpose and protects the health, safety and welfare of the public.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Chapter 10, "Licenses and Business Regulations," Article VIII, "Mobile Vendors," Section 10-262 through Section 10-268, are hereby amended as follows (additions are underlined; deletions are ~~stricken~~):

Sec. 10-262. Definitions.

The following words, term and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning.

Certificate of occupancy: means a certificate issued by the City of Riviera Beach Building Official to a builder or renovator, indicating that the building is in proper condition to be occupied.

~~*Disposable tableware*~~ *Single-service food utensils:* Eating and drinking utensils made of paper and/or plastic, individually wrapped, that are disposed of after initial use.

Ice cream truck: A motor vehicle utilized as the point of retail sales of prewrapped or prepackaged ice cream, frozen yogurt, frozen custard, flavored frozen water or similar frozen dessert products.

Mobile vending unit: Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand or other device designed to be portable and not permanently attached to the

ground from which goods, wares, merchandise ~~or food~~ is peddled, vended, sold, displayed, offered for sale or given away.

Mobile food vendor: A person who prepares, dispenses, or otherwise sells food from a mobile food truck.

Mobile vendor: A person who peddles, vends, sells, displays, offers to sell or gives away merchandise from a mobile vending unit which is parked or located on a parcel of private property.

Mobile Food Truck: A vehicle which is used to vend food and beverage products and is classified as one of the following:

a. Mobile Food Dispensing Vehicles (MFDV). Any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal. MFDVs may cook, prepare and assemble food items on or in the unit and serve a full menu. MFDVs are regulated by the Florida Department of Business and Professional Regulation.

b. Mobile Food Establishment (MFE). These vehicles vend pre-cooked foods, pre-packaged foods, pre-packaged drinks and incidental sales of pre-packaged frozen dairy or frozen water-based food products, fruits, and vegetables. No preparation or assembly of food or beverages may take place on or in the vehicle; however, the heating of pre-cooked food is permitted. MFEs are regulated by the Florida Department of Agriculture and Consumer Services.

~~*Mobile vending operation:* Peddling, vending, selling, displaying, offering for sale or giving away goods, wares, merchandise or food from a mobile vending unit located on private property.~~

Prepackaged food: means any properly labeled and processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, and prepared at an approved source.

Restricted mobile vendor: A ~~mobile vendor offering only prepackaged food, snow cones, raw produce, or prepackaged ice cream from a mobile vending unit, or a~~ mobile automobile detailer.

~~*Street-side vendor or road-side vendor:* A person who peddles, vends, sells, displays, offers to sell or gives away any food products, wares, or merchandise while located in or on a public street, sidewalk, or right-of-way~~.

~~*Temporary mobile vendor:* A person and or group who peddles, vends, sells, displays, offers to sell or gives away merchandise from a mobile vending unit for less than 15 days per calendar year.~~

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-263. Location Restriction and Prohibitions. ~~Permitted locations~~.

(a) Mobile food vendors shall not operate in residential zoning districts, except for ice cream trucks pursuant to Section 10-267. ~~and mobile automobile detailers, are not permitted in the following districts: RS-5, RS-6, RS-8, RML-12, RD-15, RM-15, RMH-15, RMH-20, or RM-20.~~

(b) Mobile food vendors are not permitted to conduct business in any area that is a public right-of-way.

(c) Mobile food vendors shall not operate in driveways, drive aisles, landscape medians, easements, or fire lanes.

(d) Mobile food vendors shall not operate on vacant, unimproved lots.

(e) Mobile food vendors shall ~~be located~~ operate only on private property where an existing, permanent business operates in a building with a certificate of occupancy and an active Business Tax Receipt and Certificate of Use.

(1) Mobile vendors shall provide the city with a notarized copy of the "Mobile Vendor Access Agreement Form" on an annual basis.

(f) During the operation-location review ~~application~~ process, mobile food vendors, shall submit a sketch depicting the location of the mobile ~~vendors,~~ food truck on the property, including the required designated parking spaces.

(g) Mobile ~~vendors,~~ food trucks shall be located within 100 feet of an entrance of a primary building that holds the certificate of occupancy and an active Business Tax Receipt and Certificate of Use.

(h) Mobile ~~vendors,~~ food trucks shall be setback a minimum of 35 feet from all intersections.

(i) Mobile ~~vendors,~~ food trucks shall be setback a minimum of 20 feet from all roads.

(j) Mobile ~~vendors,~~ food trucks are not allowed within 300 feet of a school, playground, or childcare facility.

(k) Mobile ~~vendors,~~ food trucks are not allowed to operate within 100 feet of another licensed mobile vendor.

(l) Mobile ~~vendors,~~ food trucks are prohibited in a temporary building, tent, or structure.

(m) Mobile ~~vending~~ food truck activities located within the Marina District Upland Area are exempt from the abovementioned regulations as long as the following conditions are met:

(1) Mobile ~~vending~~ food truck activities occur within approved areas specifically designated for mobile ~~vending~~ food truck activities.

a. The city and CRA are authorized to designate specific areas within the Marina District Upland Area for mobile vending activities.

(2) The mobile vendor ~~possesses any required state, county, and food safety licensure~~ complies with subsections (n) through (r) of this section.

(n) Mobile food vendors shall possess a valid state agency approval and a current City of Riviera Beach Fire Inspection report.

(o) Mobile food trucks shall not be located within fifteen (15) feet of any fire hydrant or storm drainage structure.

(p) Mobile food vendors are prohibited from selling or distributing alcoholic beverages.

(q) Mobile food vendors are prohibited from providing a dining area, including, but not limited to, tables, chairs, booths, bar stools, benches, and standup counters unless explicit permission is provided by the City.

(r) Mobile food vendors are prohibited from selling or dispensing food to customers in a moving vehicle or otherwise engage in drive-up sales.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-264. ~~Hours of operation~~ Operating Requirements.

(a) Mobile vendors may operate only during the business hours of the primary business on the property.

(1) Mobile food vendors are restricted to the following hours of operation:

a. Monday to Thursday: 7:00 a.m. to 10:00 p.m.

b. Friday and Saturday: 7:00 a.m. to 11:30 p.m.

c. Sunday: 12:00 p.m. to 9:00 p.m.

(b) The mobile vending unit shall be removed from the site during the hours of nonoperation. Any semi-permanent structure used and/or associated with the mobile vending operation shall also be removed from the site during hours of nonoperation.

(c) Mobile food trucks shall not exceed ten (10) feet in width, including any side extensions of awnings, twenty-four (24) feet in length, including the length of any trailer hitch, the trailer or other extensions.

(d) Mobile food trucks must be self-contained when operating, except for the required trash and/or recycling receptacles, which must be attached to the mobile food truck, and shall not impede free movement of automobiles or pedestrians. The mobile food vendor shall keep all areas within five (5) feet of the mobile food truck clean of grease, trash, paper, cups or cans associated with the vending operation.

(e) Mobile food trucks shall be operated only by the mobile food vendor or by an authorized employee of the mobile food vendor.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-265. Signage.

(a) All signs advertising for the mobile vending unit must meet the following requirements;

(1) Signs must be placed flat against the mobile vending unit.

a. Sandwich board signs are prohibited.

b. Any type of design or artwork that advertises the use of the mobile vending unit is considered to be a sign.

(2) Signs may not be larger than nine (9) square feet.

(3) No more than three (3) signs may be placed on the mobile vending unit.

(b) Mobile vendors are prohibited from using right-of-way signs, temporary signs and off-premises signs.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-266. ~~Exemptions and restrictions~~ General Regulations.

(a) A drive through is not permitted in conjunction with the mobile vendor.

(b) The mobile vendor shall install signage in a visible location on the mobile vending unit in a visible location indicating that loitering is not permitted.

(c) The mobile vendor must keep the immediate area surrounding the mobile vending unit clean and free from litter, garbage, and debris.

(d) Mobile vendors providing food or beverage intended for immediate consumption must provide a trash receptacle within ten feet of the mobile vending unit.

(e) The use of amplified music must adhere to existing city noise regulations.

(f) The use of temporary or portable lighting is prohibited except that which is required to illuminate the serving area of the mobile vending unit. Lighting must be shielded from adjacent properties to protect against light trespass.

(g) ~~The current business tax receipt must be posted in a visible location on the mobile vending unit, in addition to any required state, county, and food safety licensure.~~ All mobile food trucks must display in a prominent and visible manner, any State licenses, permits, and registrations, City of Riviera Beach Fire Inspection report and operation location review form.

(h) Under no circumstances shall grease be released into the City's sanitary sewer system. No liquid waste or grease is to be disposed in tree pits or onto the sidewalks, streets or other public spaces.

(i) Mobile food vendors must not engage in food preparation if the vehicle does not provide water and waste systems as required by the Florida Department of Business and Professional Regulation or otherwise fails to meet sanitation and safety requirements.

(k) All food service equipment utilized by the mobile food vendor shall be maintained in good repair and a clean condition.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-267. Mobile Food Establishments and Restricted Mobile Vendors.

(a) *Ice cream trucks.*

(1) *Permitted sales locations.*

a. Sales from ice cream trucks shall occur only on public roadways with a speed limit of 25 miles per hour or less located within residential districts or on private ways with the consent of the owner or owners of the private roadway.

1. Ice cream trucks shall pull as far as practicable to the side of the right-of-way when stopping for the purpose of making sales and shall operate four-way flashers when so stopped. In no event shall an ice cream truck stopped for the purpose of making sales prevent the passage of other motor vehicles on the right-of-way.

2. Ice cream trucks may stop for the purpose of making sales only between the hours of 11:00 a.m. and 8:00 p.m., however no sales are permitted after dusk.

3. Sales from the ice cream truck shall occur only when the ice cream truck is lawfully stopped.

4. Sales shall occur only from the side of the truck away from moving traffic and as near as possible to the curb or side of the street.

5. Sales shall not occur to a person standing in the roadway.

(2) *Prohibited locations.*

a. No ice cream truck shall make any sales within 500 feet of a restaurant or retail store selling prepackaged food items.

b. No ice cream truck shall make any sales within 500 feet of any public school.

c. No ice cream truck shall stop at any time for the purpose of making sales in any area where parking is prohibited.

(3) *Safety requirements.*

a. Signs stating "WATCH FOR CHILDREN" must be provided on the front, back and both sides of the vehicle in at least four inches letters of contrasting colors.

b. A serving window capable of being closed when not in use must be provided and located on the curbside only.

c. The vehicle must be equipped with left and right outside rearview mirrors as well as two additional outside wide-angle mirrors on the front and back of the vehicle to enable the driver to see around the entire vehicle.

d. All vehicles must have operable four-way, yellow flashing hazard lights to warn approaching drivers of children.

e. A rear bumper cover must be installed.

(b) *Raw produce vendors.*

(1) *Permitted locations.*

a. Raw produce vendors shall be setback a minimum of 35 feet from all intersections.

b. Raw produce vendors shall be setback a minimum of 20 feet from all roads.

(2) *Prohibited locations.*

a. Raw produce vendors shall not operate in parking spaces, driveways, sidewalks, fire lanes, rights-of-way, or public roads.

b. Raw produce vendors are prohibited in a temporary building, tent or structure.

(3) Safety requirements.

a. All products must be the original produce or work of the vendor.

b. No items offered for sale will be commercially grown, created or produced without value added by the vendor.

c. Produce offered for sale must be free from harmful pesticide residues and any applications must have been made according to manufacturer's directions.

d. All food items must be free from insects and spoilage.

e. All produce must be washed.

(c) *Mobile automobile detailers.*

(1) *Permitted locations.*

a. In all residential areas, mobile automobile detailers must operate in the driveway or parking lot.

b. Mobile automobile detailers shall not operate on sidewalks, fire lanes, rights-of-way, or public roads.

c. Mobile automobile detailers shall not block or impede traffic on any public or private road, easement, or right-of-way.

d. All water or other substances used by the mobile automobile detailer must be fully contained on the site where the vendor is operating.

e. Mobile automobile detailers shall not play music while operating in residential areas.

f. Mobile automobile detailers may not operate as a home occupation. Vendors are prohibited from servicing vehicles from their primary residence.

(2) *Hours of operation.*

a. Mobile automobile detailers are restricted to the following hours of operation in residential areas:

1. Monday to Thursday: 8:00 a.m. to 6:00 p.m.

2. Friday and Saturday: 7:00 a.m. to 7:00 p.m.

3. Sunday: 12:00 p.m. to 6:00 p.m.

b. Mobile automobile detailers are restricted to the following hours of operation in nonresidential areas:

1. Monday to Thursday: 7:00 a.m. to 7:00 p.m.

2. Friday and Saturday: 7:00 a.m. to 8:00 p.m.

3. Sunday: 12:00 p.m. to 6:00 p.m.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-268. Licensing requirements.

(a) ~~Prior to the issuance of a business tax receipt~~, Mobile food vendors must comply with the following State of Florida and local requirements as applicable:

(1) Mobile food vendors engaged in the selling of cooked or prepared food defined as a Mobile Food Dispensing Vehicle (MFDV), must be licensed by the Florida Department of Business and Professional Regulation's (DBPR) ~~Florida~~ Division of Hotels and Restaurants.

a. Obtaining licensing from the Florida DBPR's Division of Hotels and Restaurants does not guarantee approval by the City of Riviera Beach Planning and Zoning Division.

b. Mobile food ~~vendors~~ dispensing vehicles must pass all inspections conducted by the Florida DBPR's Division of Hotels and Restaurants to maintain ~~the business tax receipt for their establishment to maintain~~ operation.

c. Current inspection results must be conspicuously posted on the mobile ~~vending unit~~ food truck.

d. In accordance with the Florida Department of Business and Professional Regulation guidelines, all necessary control measures shall be used to effectively minimize, or eliminate when possible, the presence of rodents, roaches, and other vermin and insects on the premises of all mobile food trucks. Each mobile food vendor shall maintain a log containing a written record of the control measures performed by exterminators or other pest control businesses on the mobile food truck. This log shall be open to inspection by the city.

(2) Mobile food vendors engaged in the selling of prepackaged ice cream, popcorn, raw produce, or smoothies defined as a Mobile Food Establishment (MFE), must be licensed by the Florida Department of Agriculture and Consumer Services.

a. Obtaining licensing from the Florida Department of Agriculture and Consumer Services does not guarantee approval by the City of Riviera Beach Planning and Zoning Division.

b. Mobile food vendors must pass all inspections conducted by Florida Department of Agriculture and Consumer Services to maintain ~~the business tax receipt for their establishment~~ operations.

c. Current inspection results must be conspicuously posted on the mobile ~~vending unit~~ food truck.

(3) ~~Mobile food vendors must pass an inspection by the City of Riviera Beach Fire Department~~. Mobile food vendors shall make the mobile food truck available for inspection by the City of Riviera Beach Fire Rescue Department at a location determined by the fire department. The fire department shall ensure compliance with all applicable federal, state, and local fire safety statutes, regulations,

ordinances, and codes. MFDVs shall undergo an annual fire safety inspection by the City of Riviera Beach Fire Rescue Department.

a. Obtaining a passing inspection does not guarantee operation-location approval by the City of Riviera Beach Planning and Zoning Division.

b. Mobile food vendors must pass all inspections conducted by the City of Riviera Beach Fire Department to maintain ~~the business tax receipt for their establishment~~ operations.

(b) Mobile automobile detailers.

(1) Mobile automobile detailers engaged in professional cleaning services of automobiles are required to maintain a City of Riviera Beach Business Tax Receipt and Certificate of Use.

Section 4. **Severability.** If any section, subsection, sentence, clause, phrase, word or portion of this Ordinance, or the particular application thereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the remaining sections, subsections, sentences, clauses, phrases and words under application shall not be affected thereby and shall continue in full force and effect.

Section 5. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Codification. Specific authority is hereby granted to codify this Ordinance. The sections of the Ordinance may be made a part of the Code of Ordinances of the City of Riviera Beach and may be re-numbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section,” “division,” or any other appropriate word.

Section 7. Effective Date. This ordinance shall take effect immediately upon its final approval and adoption.

PASSED AND APPROVED on the first reading this _____ day of _____, 2023.

PASSED AND APPROVED on second and final reading this _____ day of _____, 2023.

APPROVED:

_____
RONNIE L. FELDER
MAYOR

_____
DOUGLAS LAWSON
CHAIRPERSON

ATTEST:

_____
TAWANNA SMITH
CERTIFIED MUNICIPAL CLERK
INTERIM CITY CLERK

_____
SHIRLEY D. LANIER
CHAIR PRO TEM

_____
TRADRICK MCCOY
COUNCILPESON

REVIEWED AS TO LEGAL SUFFICIENCY:

_____
DAWN S. WYNN, CITY ATTORNEY

_____
KASHAMBA MILLER-ANDERSON
COUNCILPERSON

_____
DR. JULIA BOTEL
COUNCILPERSON

1ST READING

MOTIONED BY: _____

SECONDED BY: _____

D. LAWSON	_____
S. LANIER	_____
T. MCCOY	_____
J. BOTEL	_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

D. LAWSON	_____
S. LANIER	_____
T. MCCOY	_____
J. BOTEL	_____

Sec. 10-262. Definitions.

The following words, term and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning.

Certificate of occupancy: means a certificate issued by the City of Riviera Beach Building Official to a builder or renovator, indicating that the building is in proper condition to be occupied.

~~*Disposable tableware*~~ *Single-service food utensils:* Eating and drinking utensils made of paper and/or plastic, individually wrapped, that are disposed of after initial use.

Ice cream truck: A motor vehicle utilized as the point of retail sales of prewrapped or prepackaged ice cream, frozen yogurt, frozen custard, flavored frozen water or similar frozen dessert products.

Mobile vending unit: Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand or other device designed to be portable and not permanently attached to the ground from which goods, wares, merchandise ~~or food~~ is peddled, vended, sold, displayed, offered for sale or given away.

Mobile food vendor: A person who prepares, dispenses, or otherwise sells food from a mobile food truck.

Mobile vendor: A person who peddles, vends, sells, displays, offers to sell or gives away merchandise from a mobile vending unit which is parked or located on a parcel of private property.

Mobile Food Truck: A vehicle which is used to vend food and beverage products and is classified as one of the following:

a. Mobile Food Dispensing Vehicles (MFDV). Any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal. MFDVs may cook, prepare and assemble food items on or in the unit and serve a full menu. MFDVs are regulated by the Florida Department of Business and Professional Regulation.

b. Mobile Food Establishment (MFE). These vehicles vend pre-cooked foods, pre-packaged foods, pre-packaged drinks and incidental sales of pre-packaged frozen dairy or frozen water-based food products, fruits, and vegetables. No preparation or assembly of food or beverages may take place on or in the vehicle; however, the heating of pre-cooked food is permitted. MFEs are regulated by the Florida Department of Agriculture and Consumer Services.

~~*Mobile vending operation:* Peddling, vending, selling, displaying, offering for sale or giving away goods, wares, merchandise or food from a mobile vending unit located on private property.~~

Prepackaged food: means any properly labeled and processed food, prepackaged to prevent any direct human contact with the food product upon distribution from the manufacturer, and prepared at an approved source.

Restricted mobile vendor: A ~~mobile vendor offering only prepackaged food, snow cones, raw produce, or prepackaged ice cream from a mobile vending unit, or a~~ mobile automobile detailer.

~~*Street-side vendor or road-side vendor:* A person who peddles, vends, sells, displays, offers to sell or gives away any food products, wares, or merchandise while located in or on a public street, sidewalk, or right-of-way~~.

~~*Temporary mobile vendor:* A person and or group who peddles, vends, sells, displays, offers to sell or gives away merchandise from a mobile vending unit for less than 15 days per calendar year.~~

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-263. Location Restriction and Prohibitions. ~~Permitted locations~~.

(a) Mobile food vendors shall not operate in residential zoning districts, except for ice cream trucks pursuant to Section 10-267. ~~and mobile automobile detailers, are not permitted in the following districts: RS-5, RS-6, RS-8, RML-12, RD-15, RM-15, RMH-15, RMH-20, or RM-20.~~

(b) Mobile food vendors are not permitted to conduct business in any area that is a public right-of-way.

(c) Mobile food vendors shall not operate in driveways, drive aisles, landscape medians, easements, or fire lanes.

(d) Mobile food vendors shall not operate on vacant, unimproved lots.

(e) Mobile food vendors shall ~~be located~~ operate only on private property where an existing, permanent business operates in a building with a certificate of occupancy and an active Business Tax Receipt and Certificate of Use.

(1) Mobile vendors shall provide the city with a notarized copy of the "Mobile Vendor Access Agreement Form" on an annual basis.

(f) During the application process, mobile food vendors, shall submit a sketch depicting the location of the mobile ~~vendors,~~ food truck on the property, including the designated parking spaces.

(g) Mobile ~~vendors,~~ food trucks shall be located within 100 feet of an entrance of a primary building that holds the certificate of occupancy and an active Business Tax Receipt and Certificate of Use.

(h) Mobile ~~vendors,~~ food trucks shall be setback a minimum of 35 feet from all intersections.

(i) Mobile ~~vendors,~~ food trucks shall be setback a minimum of 20 feet from all roads.

(j) Mobile ~~vendors,~~ food trucks are not allowed within 300 feet of a school, playground, or childcare facility.

(k) Mobile ~~vendors,~~ food trucks are not allowed to operate within 100 feet of another licensed mobile vendor.

(l) Mobile ~~vendors,~~ food trucks are prohibited in a temporary building, tent, or structure.

(m) Mobile ~~vending~~ food truck activities located within the Marina District Upland Area are exempt from the abovementioned regulations as long as the following conditions are met:

(1) Mobile ~~vending~~ food truck activities occur within approved areas specifically designated for mobile ~~vending~~ food truck activities.

a. The city and CRA are authorized to designate specific areas within the Marina District Upland Area for mobile vending activities.

(2) The mobile vendor ~~possesses any required state, county, and food safety licensure~~ complies with subsections (n) through (r) of this section.

(n) Mobile food vendors shall possess a valid state agency approval and a current City of Riviera Beach Fire Inspection report.

(o) Mobile food trucks shall not be located within fifteen (15) feet of any fire hydrant or storm drainage structure.

(p) Mobile food vendors are prohibited from selling or distributing alcoholic beverages.

(q) Mobile food vendors are prohibited from providing a dining area, including, but not limited to, tables, chairs, booths, bar stools, benches, and standup counters unless explicit permission is provided by the City.

(r) Mobile food vendors are prohibited from selling or dispensing food to customers in a moving vehicle or otherwise engage in drive-up sales.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-264. ~~Hours of operation~~ Operating Requirements.

(a) Mobile vendors may operate only during the business hours of the primary business on the property.

(1) Mobile food vendors are restricted to the following hours of operation:

a. Monday to Thursday: 7:00 a.m. to 10:00 p.m.

b. Friday and Saturday: 7:00 a.m. to 11:30 p.m.

c. Sunday: 12:00 p.m. to 9:00 p.m.

(b) The mobile vending unit shall be removed from the site during the hours of nonoperation. Any semi-permanent structure used and/or associated with the mobile vending operation shall also be removed from the site during hours of nonoperation.

(c) Mobile food trucks shall not exceed ten (10) feet in width, including any side extensions of awnings, twenty-four (24) feet in length, including the length of any trailer hitch, the trailer or other extensions.

(d) Mobile food trucks must be self-contained when operating, except for the required trash and/or recycling receptacles, which must be attached to the mobile food truck, and shall not impede free movement of automobiles or pedestrians. The mobile food vendor shall keep all areas within five (5) feet of the mobile food truck clean of grease, trash, paper, cups or cans associated with the vending operation.

(e) Mobile food trucks shall be operated only by the mobile food vendor or by an authorized employee of the mobile food vendor.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-265. Signage.

(a) All signs advertising for the mobile vending unit must meet the following requirements;

(1) Signs must be placed flat against the mobile vending unit.

a. Sandwich board signs are prohibited.

b. Any type of design or artwork that advertises the use of the mobile vending unit is considered to be a sign.

(2) Signs may not be larger than nine (9) square feet.

(3) No more than three (3) signs may be placed on the mobile vending unit.

(b) Mobile vendors are prohibited from using right-of-way signs, temporary signs and off-premises signs.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-266. ~~Exemptions and restrictions~~ General Regulations.

(a) A drive through is not permitted in conjunction with the mobile vendor.

(b) The mobile vendor shall install signage in a visible location on the mobile vending unit in a visible location indicating that loitering is not permitted.

(c) The mobile vendor must keep the immediate area surrounding the mobile vending unit clean and free from litter, garbage, and debris.

(d) Mobile vendors providing food or beverage intended for immediate consumption must provide a trash receptacle within ten feet of the mobile vending unit.

(e) The use of amplified music must adhere to existing city noise regulations.

(f) The use of temporary or portable lighting is prohibited except that which is required to illuminate the serving area of the mobile vending unit. Lighting must be shielded from adjacent properties to protect against light trespass.

(g) ~~The current business tax receipt must be posted in a visible location on the mobile vending unit, in addition to any required state, county, and food safety licensure.~~ All mobile food trucks must display any State licenses, permits, and registrations, City of Riviera Beach Fire Inspection report and any permits issued by the City, if required, in a prominent and visible manner.

(h) Under no circumstances shall grease be released into the City's sanitary sewer system. No liquid waste or grease is to be disposed in tree pits or onto the sidewalks, streets or other public spaces.

(i) Mobile food vendors must not engage in food preparation if the vehicle does not provide water and waste systems as required by the Florida Department of Business and Professional Regulation or otherwise fails to meet sanitation and safety requirements.

(k) All food service equipment utilized by the mobile food vendor shall be maintained in good repair and a clean condition.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-267. Mobile Food Establishments and Restricted Mobile Vendors.

(a) *Ice cream trucks.*

(1) *Permitted sales locations.*

a. Sales from ice cream trucks shall occur only on public roadways with a speed limit of 25 miles per hour or less located within residential districts or on private ways with the consent of the owner or owners of the private roadway.

1. Ice cream trucks shall pull as far as practicable to the side of the right-of-way when stopping for the purpose of making sales and shall operate four-way flashers when so stopped. In no event shall an ice cream truck stopped for the purpose of making sales prevent the passage of other motor vehicles on the right-of-way.

2. Ice cream trucks may stop for the purpose of making sales only between the hours of 11:00 a.m. and 8:00 p.m., however no sales are permitted after dusk.

3. Sales from the ice cream truck shall occur only when the ice cream truck is lawfully stopped.

4. Sales shall occur only from the side of the truck away from moving traffic and as near as possible to the curb or side of the street.

5. Sales shall not occur to a person standing in the roadway.

(2) *Prohibited locations.*

a. No ice cream truck shall make any sales within 500 feet of a restaurant or retail store selling prepackaged food items.

b. No ice cream truck shall make any sales within 500 feet of any public school.

c. No ice cream truck shall stop at any time for the purpose of making sales in any area where parking is prohibited.

(3) *Safety requirements.*

a. Signs stating "WATCH FOR CHILDREN" must be provided on the front, back and both sides of the vehicle in at least four inches letters of contrasting colors.

b. A serving window capable of being closed when not in use must be provided and located on the curbside only.

c. The vehicle must be equipped with left and right outside rear view mirrors as well as two additional outside wide-angle mirrors on the front and back of the vehicle to enable the driver to see around the entire vehicle.

d. All vehicles must have operable four-way, yellow flashing hazard lights to warn approaching drivers of children.

e. A rear bumper cover must be installed.

(b) *Raw produce vendors.*

(1) *Permitted locations.*

a. Raw produce vendors shall be setback a minimum of 35 feet from all intersections.

b. Raw produce vendors shall be setback a minimum of 20 feet from all roads.

(2) *Prohibited locations.*

a. Raw produce vendors shall not operate in parking spaces, driveways, sidewalks, fire lanes, rights-of-way, or public roads.

b. Raw produce vendors are prohibited in a temporary building, tent or structure.

(3) Safety requirements.

a. All products must be the original produce or work of the vendor.

b. No items offered for sale will be commercially grown, created or produced without value added by the vendor.

c. Produce offered for sale must be free from harmful pesticide residues and any applications must have been made according to manufacturer's directions.

d. All food items must be free from insects and spoilage.

e. All produce must be washed.

(c) *Mobile automobile detailers.*

(1) *Permitted locations.*

a. In all residential areas, mobile automobile detailers must operate in the driveway or parking lot.

b. Mobile automobile detailers shall not operate on sidewalks, fire lanes, rights-of-way, or public roads.

c. Mobile automobile detailers shall not block or impede traffic on any public or private road, easement, or right-of-way.

d. All water or other substances used by the mobile automobile detailer must be fully contained on the site where the vendor is operating.

e. Mobile automobile detailers shall not play music while operating in residential areas.

f. Mobile automobile detailers may not operate as a home occupation. Vendors are prohibited from servicing vehicles from their primary residence.

(2) *Hours of operation.*

a. Mobile automobile detailers are restricted to the following hours of operation in residential areas:

1. Monday to Thursday: 8:00 a.m. to 6:00 p.m.

2. Friday and Saturday: 7:00 a.m. to 7:00 p.m.

3. Sunday: 12:00 p.m. to 6:00 p.m.

b. Mobile automobile detailers are restricted to the following hours of operation in nonresidential areas:

1. Monday to Thursday: 7:00 a.m. to 7:00 p.m.

2. Friday and Saturday: 7:00 a.m. to 8:00 p.m.

3. Sunday: 12:00 p.m. to 6:00 p.m.

(Ord. No. 3059, § 2, 5-6-09; Ord. No. 4103, § 2, 10-18-17)

Sec. 10-268. Licensing requirements.

(a) ~~Prior to the issuance of a business tax receipt~~, Mobile food vendors must comply with the following State of Florida and local requirements as applicable:

(1) Mobile food vendors engaged in the selling of cooked or prepared food defined as a Mobile Food Dispensing Vehicle (MFDV), must be licensed by the Florida Department of Business and Professional Regulation's (DBPR) ~~Florida~~ Division of Hotels and Restaurants.

a. Obtaining licensing from the Florida DBPR's Division of Hotels and Restaurants does not guarantee approval by the City of Riviera Beach Planning and Zoning Division.

b. Mobile food ~~vendors~~ dispensing vehicles must pass all inspections conducted by the Florida DBPR's Division of Hotels and Restaurants ~~to maintain the business tax receipt for their establishment~~ to maintain approval by the City of Riviera Beach Planning and Zoning Division.

c. Current inspection results must be conspicuously posted on the mobile ~~vending unit~~ food truck.

d. In accordance with the Florida Department of Business and Professional Regulation guidelines, all necessary control measures shall be used to effectively minimize, or eliminate when possible, the presence of rodents, roaches, and other vermin and insects on the premises of all mobile food trucks. Each mobile food vendor shall maintain a log containing a written record of the control measures performed by exterminators or other pest control businesses on the mobile food truck. This log shall be open to inspection by the city.

(2) Mobile food vendors engaged in the selling of prepackaged ice cream, popcorn, raw produce, or smoothies defined as a Mobile Food Establishment (MFE), must be licensed by the Florida Department of Agriculture and Consumer Services.

a. Obtaining licensing from the Florida Department of Agriculture and Consumer Services does not guarantee approval by the City of Riviera Beach Planning and Zoning Division.

b. Mobile food vendors must pass all inspections conducted by Florida Department of Agriculture and Consumer Services to maintain ~~the business tax receipt for their establishment~~ approval by the City of Riviera Beach Planning and Zoning Division.

c. Current inspection results must be conspicuously posted on the mobile ~~vending unit~~ food truck.

(3) ~~Mobile food vendors must pass an inspection by the City of Riviera Beach Fire Department~~. Mobile food vendors shall make the mobile food truck available for inspection by the City of Riviera Beach Fire Rescue Department at a location determined by the fire department. The fire department shall ensure compliance with all applicable federal, state, and local fire safety statutes, regulations, ordinances, and codes. MFDVs shall undergo an annual fire safety inspection by the City of Riviera Beach Fire Rescue Department.

a. Obtaining a passing inspection does not guarantee approval by the City of Riviera Beach Planning and Zoning Division.

b. Mobile food vendors must pass all inspections conducted by the City of Riviera Beach Fire Department to maintain the ~~business tax receipt for their establishment~~ approval by the City of Riviera Beach Planning and Zoning Division.

(b) Mobile automobile detailers.

(1) Mobile automobile detailers engaged in professional cleaning services of automobiles are required to maintain a City of Riviera Beach Business Tax Receipt.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4246- Mobile Food Vending Regulations

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4257: An Ordinance of he City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 31 - Zoning (The Land Development Code) of the City of Riviera Beach at Article V. Division 7 – RM-15 Zoning District (Multiple Family Dwelling District) Section 31-197 (b) Special Exception Uses; approving a text amendment application to permit townhouse reviews as a special exception in the RM-15 Zoning District (Multiple Family Dwelling District); providing for conflicts, severability, an effective date and other purposes.**

Date: January 17, 2024

CC: General Public

Background:

The applicant, CB2020 LLC, owner of the property located at 1118 and 1154 Cabana Rd., respectfully requests a Zoning Text Amendment to permit Townhouses, as a Special Exception use, in the RM-15 Zoning District in the City of Riviera Beach. Specifically, this application proposes to amend DIVISION 7 - RM-15 MULTIFAMILY DWELLING DISTRICT, Section 31-197(b) to add Townhouses as a Special Exception use. The applicant understands this request requires careful consideration and identification of Zoning District wide implications, resulting from approving this application.

The request to permit Townhouses in RM-15 as a Special Exception use, rather than proposing it as “a permitted by right use”, was a decision made by the applicant. It is most important to note, by limiting this Amendment proposal to a Special Exception use addition of

"Townhouses" to Section 31-197(b), there is no change to the RM-15 district's code functionality or subsequent implication, without another City approval of a separate, individual Special Exception use application for a specific property.

City Staff has reviewed this request and finds it a suitable amendment to the Land Development Code. The Planning & Zoning Board has also reviewed this item and voted to recommend that City Council approve this request.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:

There is no fiscal impact from this item.

Recommendation:

Staff recommends a Motion to approve Ordinance Number 4257.

Attachments:

1. Ordinance 4257 RM-15 Text Amendemnt.docx
2. RM-15 ZoningText Amendment Staff Report to City Council.docx
3. Combined Submittal Materials- RM-15 text Amendment
4. Riviera Beach business-impact-estimate-Ordinance 4257 - TOWNHOMES AS SPECIAL EXCEPTION IN RM-15.docx
5. Proof of Advertisement RM 15 TA Advertisement.pdf

ORDINANCE NO. 4257

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 - ZONING (THE LAND DEVELOPMENT CODE) OF THE CITY OF RIVIERA BEACH AT ARTICLE V. DIVISION 7 – RM-15 ZONING DISTRICT (MULTIPLE FAMILY DWELLING DISTRICT) SECTION 31-197 (B) SPECIAL EXCEPTION USES; APPROVING A TEXT AMENDMENT APPLICATION TO PERMIT TOWNHOUSE REVIEWS AS A SPECIAL EXCEPTION IN THE RM-15 ZONING DISTRICT (MULTIPLE FAMILY DWELLING DISTRICT); PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND OTHER PURPOSES.

WHEREAS, CB2020 LLC (Applicant), proposed an amendment to the Code of Ordinances Chapter 31 Article V. Section 31-197 (B) Special Exception Uses. The applicant would also like to amend Section 31-197, to permit Townhouse reviews as a Special Exception in the RM-15 Zoning District (Multiple Family Dwelling District) that will complement and enhance multi-family uses within the district. Finally, Section 31-197(b) Special Exception uses is proposed for amendment to allow townhouse uses within the zoning district via the special exception approval process; and

WHEREAS, The proposed Zoning Code Text Amendments are designed to allow for an expansion of the RM-15 (Multiple Family Dwelling District) Zoning District by increasing the viability of residential uses in this district; and

WHEREAS, Section 31 (The Zoning Code) of the City Code of Ordinances includes support for the RM-15 (Multiple Family Dwelling District) Zoning District Uses as a consideration for Future Land Use review.

WHEREAS, The Planning & Zoning Board heard this item on November 9, 2023 and voted to recommend that City Council approve this item with the provision to remove cafes as an identified use.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby adopted as true and correct and are incorporated herein. It is the purpose and intent of this Ordinance to promote the health, safety and general welfare of the residents, businesses, and stakeholders of the City.

SECTION 2. The City Council of the City of Riviera Beach hereby approves a request for Text Amendment to the Code of Ordinances, Chapter 31, Article 31-197(B), Special Exception to allow townhouse use reviews as a special exception.

SECTION 3. Section 31-197 is amended as follows:

Section 31-197 (b) – Special Exception.

Section 31-197(b) - Special Exception.
The following uses are permitted by special exception in the RM-15 multifamily dwelling district:

(1) Residential planned unit developments (R-PUD).
(2) Day care centers.
(3) Mobile home parks.
(4) Boardinghouses or lodging houses.
(5) Guest houses or tourist homes.
(6) Nursing or convalescent homes.
(7) Adult congregate living facilities (ACLF).
(8) Group homes.
(9) Churches and their educational buildings.
(10) Townhouses

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. The effective date of these Text Amendments, if these Text Amendments are not timely challenged, shall be the date of adoption.

PASSED AND APPROVED on first reading this ____ day of _____, 2024

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2024.

The remainder of this page is intentionally left blank.

APPROVED:

RONNIE L. FELDER
MAYOR

DOUGLAS LAWSON
CHAIRPERSON

ATTEST:

SHIRLEY D. LANIER
CHAIR PRO TEM

DEBRAH HALL-MCCULON
CERTIFIED MUNICPAL CLERK
ACTING CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

DR. JULIA BOTEL
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

DAWN S. WYNN, CITY ATTORNEY

1st READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

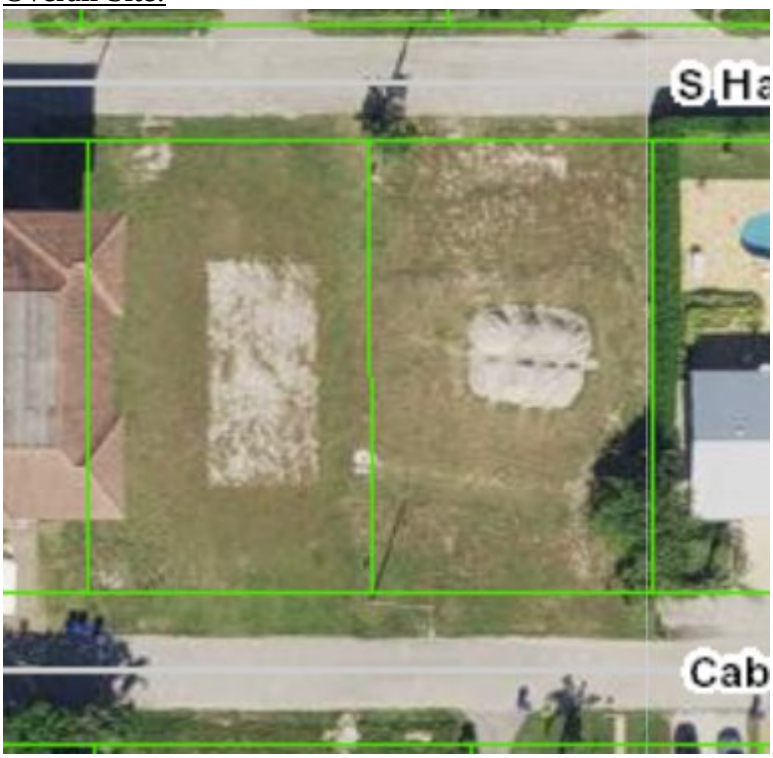
CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBER:
ZA-23-0006;
A REQUEST FROM CB2020 LLC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 31 (ZA-23-0006), ON BEHALF OF CB2020 LLC (APPLICANT), APPROVING A TEXT AMENDMENT APPLICATION TO PERMIT TOWNHOUSE REVIEWS AS A SPECIAL EXCEPTION IN THE RM-15 ZONING DISTRICT (MULTIPLE FAMILY DWELLING DISTRICT); PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Applicant:

CB2020 LLC (Applicant)
6201 SW 70TH ST STE 200
Miami, Florida 33143 4718

Overall Site:



Request:

The applicant, CB2020 LLC, owner of the property located at 1118 and 1154 Cabana Rd., respectfully requests a Zoning Text Amendment to permit Townhouses, as a Special Exception use, in the RM-15 Zoning District in the City of Riviera Beach. Specifically, this application proposes to amend DIVISION 7 - RM-15 MULTIFAMILY DWELLING DISTRICT, Section 31-197(b) to add Townhouses as a Special Exception use. The applicant understands this request requires careful consideration and identification of Zoning District wide implications, resulting from approving this application.

Property Location

The vacant subject property is located at 1118 and 1154 Cabana Road, and is situated within the RM-15: Multiple Family Dwelling District.

Text Amendment Description:

The request to permit Townhouses in RM-15 as a Special Exception use, rather than proposing it as "a permitted by right use", was a decision made by the applicant. It is most important to note, by limiting this Amendment proposal to a Special Exception use addition of "Townhouses" to Section 31-197(b), there is no change to the RM-15 district's code functionality or subsequent implication, without another City approval of a separate, individual Special Exception use application for a specific property.

As a result, this application request enables reasonable consideration of compatible, mixed housing types, in a district that already permits attached, multi-family uses. It is important to note, this request does not seek to increase development potential or density, as development thresholds and allowances in the RM-15 zoning district, and would remain unaffected by this proposal. To enable compatible and comparable implementation of a Townhouse use in RM-15, this application proposes the applicable Town home use development standards listed in Division 23, Section 31-495(3), would be adopted to regulate said Townhouse use in RM-15, should a Special Exception use be approved by the City. The parking requirements would be consistent with Townhouse uses in Table 31-539(a) in the City's Zoning Code. Additionally, landscape requirements for Townhouse uses in RM-15 are proposed to be subject to applicable multi-family requirements set forth in Sec. 31-609

Per the City's zoning code Definitions in Chapter 31, Division 7, Sec. 31-1., "Special exception means a use, structure or PUD (Planned Unit Development) that generally, would not be appropriate or without restriction throughout a particular zoning district, but would, if controlled as to number, area, location, or relocation to neighborhood, be appropriate." As such, to provide reassurance of the proposed compatibility and appropriateness of allowing Townhouses to be permitted on a case by case basis via a Special Exception use in RM-15, this application outlines

the minimal differences between the use of Townhouses compared to multi-family use regarding form, height, and density.

According to the applicant, the proposal illustrates the compatible and complementary similarities of the two uses when strategically placed in close proximity to one another, creating a mixture of neighborhood housing types that seek to encourage a diverse architectural form.

Lastly, due to the efficient and less costly nature of constructing the smaller scale attached form of Townhouse development through shared walls of multiple units, the cost of homeownership and affordability is less expensive, thereby more attainable for various household incomes, compared to the average single-family homeownership costs. The application, applicant's narrative responses to criteria and plans are included as **Exhibit 1**.

Adjacent Property Description & Uses:

North: 1130 and 1140 South Harbor Drive - RS-5 - Single Family Dwelling

South: OP - Office Professional

East: RM-15 - Multiple Family Dwelling

West: RM-15 - Multiple Family Dwelling

Staff Analysis:

Since the proposed text amendment involves land use and zoning issues, the following land use and rezoning criteria below shall be use to review and analyze the applicant's text amendment request. Staff's response is indicated in **bold**.

Land Use and Rezoning Analysis:

1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan;

Staff's Response: This request is compatible with the purpose of the Housing Element of the Comprehensive Plan; **PURPOSE The purpose of the Housing Element is to: 1) identify existing and projected deficits or surpluses in the supply of housing to meet the needs of the City's population, particularly the very-low and low-income families; 2) analyze housing trends and nature of any housing problems; 3) develop appropriate plans, programs and policies to bring about the accomplishment of the necessary housing, whether through private-sector efforts, non-profit, public/private partnerships or the public sector; and 4) to guide and coordinate all housing activities to increase efficiency of the housing delivery system.**

In addition, this text amendment complies with the overall goal of the Housing Element:

GOAL To assure the availability of safe, sanitary, decent and affordable housing for all residents of Riviera Beach with special attention paid to diversifying the housing stock through increasing the supply of workforce housing, single–family and homeownership opportunities, while continuing to address the needs of the City's existing very low-, low- and moderate-income households.

Lastly, the proposed text amendment complies with the purpose of the RM-15 Zoning District by encouraging medium density multi-family uses:

Sec. 31-196. - Purpose.

The RM-15 multifamily dwelling district is intended to provide for development of multifamily dwellings, and allows a medium density of population. The district is basically residential in character, although customary accessory uses and amenities are permitted as a subordinate use to the main structure.

2) Whether there exist changed conditions which require an amendment;

Staff's Response: The applicant is proposing a text amendment that could positively impact vacant, underutilized land in need of revitalization by allowing the development of affordable town home development.

3) Whether the proposed amendment is in conformance with all applicable portions of the city development code;

Staff's Response: The proposed amendment is in-compliance with all applicable land use and zoning portions of the City's Code of Ordinances.

4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;

Staff's Response: The proposed text amendment change shall be consistent with the proposed land uses in that there is no change in land use or density. In fact, the proposed text amendment will allow a public review by the Planning and Zoning Board and City Council.

5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;

Staff's Response: The proposed amendment will not exceed existing capacity for public facilities, including stormwater, water/sewer utility services or solid waste.

In fact, any proposed project will be reviewed by the City's Development Review Committee (DRC) to ensure all city services will be available.

6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;

Staff's Response: The proposed amendment will not adversely impact the natural environment. A majority of the parcels included within the RM-15 zoning district are located within a developed urban environment.

7) Whether and the extent to which the proposed amendment would adversely affect property values in the area;

Staff's Response: To the contrary, the proposed amendment will improve the property values in the area. It is staff's professional opinion that encouraging affordable multi-family townhomes shall improve property values.

8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

Staff's Response: The amendment will encourage a logical land use development pattern that follows the policies of the City's Comprehensive Plan and the purpose of the RM-15 Medium Density Zoning District.

Recommendation:

The Planning & Zoning Board recommended that City Council approve this item on November 9 2023. Staff recommends that City Council to approve the proposed Text amendment.

General Site Location – N.T.S.

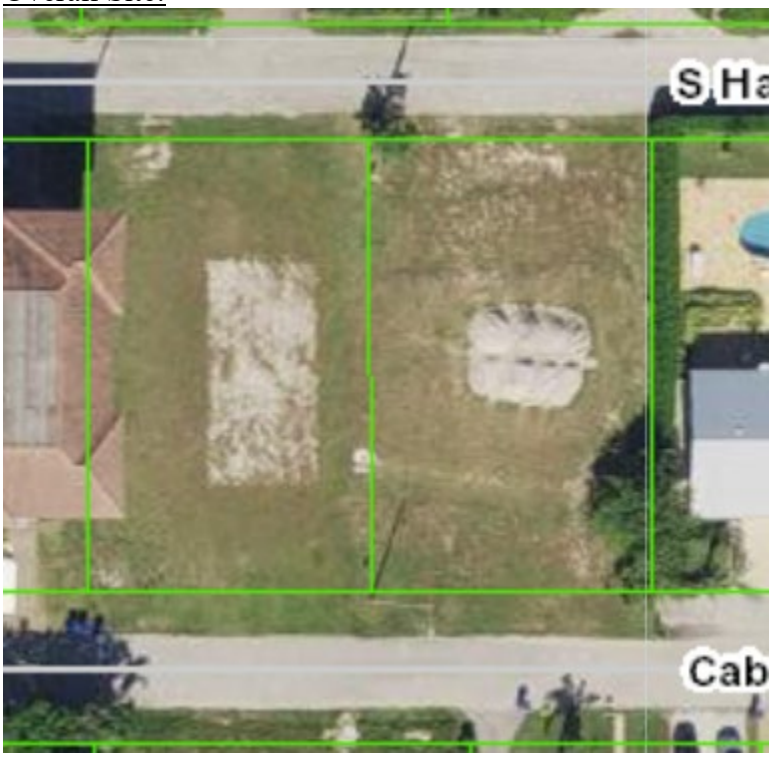
CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBER:
ZA-23-0006;
A REQUEST FROM CB2020 LLC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHAPTER 31 (ZA-23-0006), ON BEHALF OF CB2020 LLC (APPLICANT), APPROVING A TEXT AMENDMENT APPLICATION TO PERMIT TOWNHOUSE REVIEWS AS A SPECIAL EXCEPTION IN THE RM-15 ZONING DISTRICT (MULTIPLE FAMILY DWELLING DISTRICT); PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Applicant:

CB2020 LLC (Applicant)
6201 SW 70TH ST STE 200
Miami, Florida 33143 4718

Overall Site:



Request:

The applicant, CB2020 LLC, owner of the property located at 1118 and 1154 Cabana Rd., respectfully requests a Zoning Text Amendment to permit Townhouses, as a Special Exception use, in the RM-15 Zoning District in the City of Riviera Beach. Specifically, this application proposes to amend DIVISION 7 - RM-15 MULTIFAMILY DWELLING DISTRICT, Section 31-197(b) to add Townhouses as a Special Exception use. The applicant understands this request requires careful consideration and identification of Zoning District wide implications, resulting from approving this application.

Property Location

The vacant subject property is located at 1118 and 1154 Cabana Road, and is situated within the RM-15: Multiple Family Dwelling District.

Text Amendment Description:

The request to permit Townhouses in RM-15 as a Special Exception use, rather than proposing it as "a permitted by right use", was a decision made by the applicant. It is most important to note, by limiting this Amendment proposal to a Special Exception use addition of "Townhouses" to Section 31-197(b), there is no change to the RM-15 district's code functionality or subsequent implication, without another City approval of a separate, individual Special Exception use application for a specific property.

As a result, this application request enables reasonable consideration of compatible, mixed housing types, in a district that already permits attached, multi-family uses. It is important to note, this request does not seek to increase development potential or density, as development thresholds and allowances in the RM-15 zoning district, and would remain unaffected by this proposal. To enable compatible and comparable implementation of a Townhouse use in RM-15, this application proposes the applicable Town home use development standards listed in Division 23, Section 31-495(3), would be adopted to regulate said Townhouse use in RM-15, should a Special Exception use be approved by the City. The parking requirements would be consistent with Townhouse uses in Table 31-539(a) in the City's Zoning Code. Additionally, landscape requirements for Townhouse uses in RM-15 are proposed to be subject to applicable multi-family requirements set forth in Sec. 31-609

Per the City's zoning code Definitions in Chapter 31, Division 7, Sec. 31-1., "Special exception means a use, structure or PUD (Planned Unit Development) that generally, would not be appropriate or without restriction throughout a particular zoning district, but would, if controlled as to number, area, location, or relocation to neighborhood, be appropriate." As such, to provide reassurance of the proposed compatibility and appropriateness of allowing Townhouses to be permitted on a case by case basis via a Special Exception use in RM-15, this application outlines

the minimal differences between the use of Townhouses compared to multi-family use regarding form, height, and density.

According to the applicant, the proposal illustrates the compatible and complementary similarities of the two uses when strategically placed in close proximity to one another, creating a mixture of neighborhood housing types that seek to encourage a diverse architectural form.

Lastly, due to the efficient and less costly nature of constructing the smaller scale attached form of Townhouse development through shared walls of multiple units, the cost of homeownership and affordability is less expensive, thereby more attainable for various household incomes, compared to the average single-family homeownership costs. The application, applicant's narrative responses to criteria and plans are included as **Exhibit 1**.

Adjacent Property Description & Uses:

North: 1130 and 1140 South Harbor Drive - RS-5 - Single Family Dwelling

South: OP - Office Professional

East: RM-15 - Multiple Family Dwelling

West: RM-15 - Multiple Family Dwelling

Staff Analysis:

Since the proposed text amendment involves land use and zoning issues, the following land use and rezoning criteria below shall be use to review and analyze the applicant's text amendment request. Staff's response is indicated in **bold**.

Land Use and Rezoning Analysis:

1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan;

Staff's Response: This request is compatible with the purpose of the Housing Element of the Comprehensive Plan; PURPOSE The purpose of the Housing Element is to: 1) identify existing and projected deficits or surpluses in the supply of housing to meet the needs of the City's population, particularly the very-low and low-income families; 2) analyze housing trends and nature of any housing problems; 3) develop appropriate plans, programs and policies to bring about the accomplishment of the necessary housing, whether through private-sector efforts, non-profit, public/private partnerships or the public sector; and 4) to guide and coordinate all housing activities to increase efficiency of the housing delivery system.

In addition, this text amendment complies with the overall goal of the Housing Element:

GOAL To assure the availability of safe, sanitary, decent and affordable housing for all residents of Riviera Beach with special attention paid to diversifying the housing stock through increasing the supply of workforce housing, single–family and homeownership opportunities, while continuing to address the needs of the City's existing very low-, low- and moderate-income households.

Lastly, the proposed text amendment complies with the purpose of the RM-15 Zoning District by encouraging medium density multi-family uses:

Sec. 31-196. - Purpose.

The RM-15 multifamily dwelling district is intended to provide for development of multifamily dwellings, and allows a medium density of population. The district is basically residential in character, although customary accessory uses and amenities are permitted as a subordinate use to the main structure.

2) Whether there exist changed conditions which require an amendment;

Staff's Response: The applicant is proposing a text amendment that could positively impact vacant, underutilized land in need of revitalization by allowing the development of affordable town home development.

3) Whether the proposed amendment is in conformance with all applicable portions of the city development code;

Staff's Response: The proposed amendment is in-compliance with all applicable land use and zoning portions of the City's Code of Ordinances.

4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;

Staff's Response: The proposed text amendment change shall be consistent with the proposed land uses in that there is no change in land use or density. In fact, the proposed text amendment will allow a public review by the Planning and Zoning Board and City Council.

5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;

Staff's Response: The proposed amendment will not exceed existing capacity for public facilities, including stormwater, water/sewer utility services or solid waste.

In fact, any proposed project will be reviewed by the City's Development Review Committee (DRC) to ensure all city services will be available.

6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;

Staff's Response: The proposed amendment will not adversely impact the natural environment. A majority of the parcels included within the RM-15 zoning district are located within a developed urban environment.

7) Whether and the extent to which the proposed amendment would adversely affect property values in the area;

Staff's Response: To the contrary, the proposed amendment will improve the property values in the area. It is staff's professional opinion that encouraging affordable multi-family townhomes shall improve property values.

8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

Staff's Response: The amendment will encourage a logical land use development pattern that follows the policies of the City's Comprehensive Plan and the purpose of the RM-15 Medium Density Zoning District.

Recommendation:

Staff recommends that the Planning and Zoning Board review and recommend to the City Council to approve the proposed Text amendment.

General Site Location – N.T.S.

For Staff Use Only

City of Riviera Beach Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404 Phone: (561) 845-4060 Fax : (561) 845-4038	**Date:** **Case Number:** **Project Title:** **Fee Paid:** **Notices Mailed:** **1st Hearing:** **2nd Hearing:** **Publication Dates (if required)**

UNIFORM LAND USE APPLICATION

(Please attach separate sheet of paper for required additional information)
Complete appropriate sections of Application and sign.

APPLICANT

Name of Property Owner(s): CB2020 LLC
Mailing Address: 1281 N OCEAN DR STE 8 RIVIERA BEACH, FL 33404
Property Address: 1118 & 1154 CABANA ROAD
Name of Applicant (if other than owner): CRAIG WASHINGTON (OWNER OF CB2020 LLC)
Home: (561) 644-1182 Work: ( ) Fax: ( )
E-mail Address: tbayln3@icloud.com

PLEASE ATTACH LEGAL DESCRIPTION

PROPERTY

Future Land Use Map Designation: MF-15 Current Zoning Classification: RM-15
Square footage of site: .42 Property Control Number (PCN): 56434227020050082 & 56434227020050091
Type and gross area of any existing non residential uses on site: Vacant
Gross area of any proposed structure: N/A
Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [✓] No
If yes, please describe: N/A
Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [✓] No
If yes, indicate date, nature and applicant's name:
Briefly describe use of adjoining property: North: SF RESIDENTIAL
South: VACANT & SF RESIDENTIAL
East: SF RESIDENTIAL
West: CONDOMINIUM MULTI-FAM

REZONE

Requested Zoning Classification:
Is the requested zoning classification contiguous with existing?
Is a Special Exception necessary for your intended use? [ ] Yes [ ] No
Is a Variance necessary for your intended use? [ ] Yes [ ] No

FUTURE LAND USE	
	Existing Use: Proposed Use:
	Land Use Designation: Requested Land Use:
	Adjacent Land Uses: North: South: East: West:
	Size of Property Requesting Land Use Change:

SPECIAL EXCEPTION	
	Describe the intended use requiring a Special Exception:
	Provide specific LDR ordinance section number and page number:
	How does intended use meet the standards in the Land Development Code?
	Demonstrate that proposed location and site is appropriate for requested use:
	Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods:
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:
	Demonstrate how utilities and other service requirements of the use can be met:
	Demonstrate how the impact of traffic generated will be handled: On-site:
	Off-Site:
	Other:

VARIANCE	
	Describe the Variance sought:
	Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:
	Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:
	Other:

SITE PLAN	
	Describe proposed development:
	Demonstrate that proposed use is appropriate to site:
	Demonstrate how drainage and paving requirement will be met:
	Demonstrate any landscaping techniques to visually screen use from adjacent uses:
	Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:
	Demonstrate how utilities and other service requirements of the use can be met:
	Demonstrate how the impact of traffic generated will be handled: On-site: Off-site:

OTHER	
	COMMUNICATION TOWER CO-LOCATION REQUIREMENTS: • Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit. • Antenna manufacture cut sheets including antenna size and shape. • Zoning map of area with site clearly marked. • Photos of existing building or tower and surrounding uses. • Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional. • Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop. • Letter of structural capacity and building code compliance. • Notes on plan or letter demonstrating floor area coverage not in excess of restrictions • Provide Photo Enhancements of proposal. • Statement that proposal is in compliance with Environmental Regulations prior to permit issue.

Confirmation of Information Accuracy

I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars ($500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.

Signature

5/9/2023

Date

AGENT AUTHORIZATION FORM

Owner(s) of Record: CB2020 LLC

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared Craig Washington

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

REPL OF YACHT HARBOR W 48 FT OF LT 9 & E 27 FT OF LT 10 BLK 5

REPL OF YACHT HARBOR W 8 FT OF LT 8 & E 67 FT OF LT 9 BLK 5

the street address of which is: 1118 & 1154 Cabana Road

and that we hereby appoint:

Name: Christen Hutton
Address: 305 2nd St
Jupiter, FL 33458
Telephone: 561-801-6803

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

_____ (Seal)

_____ (Seal)

_____ (Seal)

Sworn to and subscribed before me this _____day of _____, _____.

_____
Notary Public

SITE PLAN APPROVAL PROCEDURE

Application Information Sheet

STEP 1. PRELIMINARY REVIEW OF SUBMISSION

SIX (6) SETS OF A STAPLED AND FOLDED PACKAGE CONTAINING DRAWINGS TO SCALE AND DIMENSIONED

1. SITE PLAN

a. Special site plan drawing with information block showing zoning, parking calculations, site area, building coverage, pervious/impervious areas, location map.
b. Dimensions should include – lot, landscape strips, setbacks, roads, internal circulation areas, building(s), typical parking spaces, dumpster pads/enclosures, sign locations. It should be noted that sign approval requires separate building permit submission.
c. Provide a digital copy of the site plan drawing with State Plan Coordinates in AutoCAD 2000 (.DWG) or Shapefile (.shp) format.

2. LANDSCAPE PLAN and ENVIRONMENTAL ASSESSMENT

a. Show compliance with the City of Riviera Beach Land Development Code
b. Drawings and/or narrative sufficient to describe the relevant flora and fauna which may be on the site. Tree survey may be required.

3. ARTERIAL ROAD DESIGN AND STANDARD

a. Design standards for all non-residential properties fronting the following roads are required:
   - Dr. Martin Luther King, Jr. Boulevard
   - Old Dixie Highway
   - Blue Heron Boulevard
   - 13th Street
   - Military Trail
   - Congress Avenue
b. Drawings indicating the appearance standards are required and addressed under Ordinance 2833.
c. Only one monument sign is permitted per site with maximum square footage of 42 square feet.

4. UTILITY and DRAINAGE PLAN

a. Conceptual plan, indicating location of lines and tie-ins, proposed hydrants, if applicable
b. Conceptual plan to include existing and proposed major elevations.
c. Show easement, existing and proposed.
d. Show conceptually how retention area will provide treatment for one-hour storm.

5. TRAFFIC ASSESSMENT

a. If traffic trip generation is under 500 T.P.D. then a properly formulated traffic statement is adequate. Traffic generation above this level will require a traffic engineer prepared traffic study. Provide total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table 1 in Sec. 23.AA – 28.3 of Code].

b. Palm Beach County Traffic Assessment Requirements: Applicant must submit a Traffic Impact Study for Palm Beach County to receive concurrency approval in accordance with Sec. 23-131 of the Palm Beach County Traffic Performance Code.

6. BUILDING ELEVATIONS

a. Front, rear, and both sides.
b. Show finishes (color, materials).
c. Elevators are required to be in color showing building finishes, lighting, canopies, etc. Plans shall have a minimum sheet size of 8 ½ "x 14". Plans larger than 8 ½ "x 14" shall be folded individually. Reduced copies of the site plan on 11" x 17" sheets are required for the City Council. (Note: Plans for submittal to the Planning and Zoning Board and City Council shall be provided after all comments and requirements by staff have been satisfied.

7. FLOOR PLAN

a. Conceptual (construction details are not necessary).

8. NARRATIVE OR COVER LETTER

a. Describe project purpose and details of intended use, including phasing and relationship to surrounding area.
b. Include estimate of employment and student population generated by project, if applicable.

9. CONCURRENCE COMPLIANCE

a. Traffic Generation: Total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table I in Sec. 31-715 of Code]
b. Sanitary Sewer: Total gallons per day produced by project - [from calculations or Table III in Section 31-717 of Code]
c. Potable Water: Total gallons per day required by project [from calculation or based on Table II in Section 31-716 of Code]
d. Drainage: Does project detain on-site the first inch of run-off or run-off from a one-hour storm (3 year)? Note: All developments of one acre or more are required to obtain an NPDES permit prior to obtaining a City Building permit, and provide PPP and BMP plans.
e. Solid Waste: Total pounds of waste generated per day by project [from calculations or based on Table IV in Section 31-718 of Code]
f. Recreation: If a residential project, list proposed public recreational or park elements of project (in acres)
g. School Concurrency: The School Concurrency Application and Service Provider Form must be completed and submitted with this application. Please refer to the attached School Concurrency Application and Service Provider Form for related fees.

STEP 2: DEPARTMENTAL REVIEW, COMMENTS TO APPLICANT AND REVISIONS TO PROJECT

After departmental review (approximately four weeks), the applicant will receive a letter from Community Development outlining department concerns and comments. The departmental review process repeats until staff is satisfied with revisions. Applicant will then provide six (6) full size packages of accordion folded, revised plans. These

must be provided to Staff a minimum of fourteen (14) days prior to the next Planning and Zoning Board Meeting in order to be included on the Agenda. The Board meets the second Thursday of each month. Staff comments to the Board are available for pickup the Monday prior to the Thursday Planning and Zoning Board meeting.

STEP 3: PLANNING AND ZONING BOARD MEETING

Applicant, or agent, **must** be in attendance to present their project and to address concerns of the Planning and Zoning Board. The City will provide a laptop, projector and video screen to be used in the presentation. Applicants intending to use these devices must inform Staff at least three business days in advance of the Planning and Zoning Board meeting. The Board may recommend the City Council approve, approve with conditions, deny, or table the project.

STEP 4: SUBMITTAL FOR COUNCIL MEETING

Any revisions required as a result of the Planning and Zoning Board's conditions, shall be incorporated (by applicant) into the package for submission to the City Council. Six (6) **reduced size copies** on 11" x 17" sheets of the final site plan must then be provided for the City Council agenda along with the other package items a minimum of twenty-one (21) days prior to meeting. The City Council meets the first and third Wednesday of each month.

A complete package for submission to the City Council includes the following items:

1. Uniform Land Use Application
2. Project Narrative
3. Response(s) to Departmental Comments
4. Site Plan
5. Landscape Plan
6. Elevations

Applicants seeking to expedite the approval process should submit revised packages as soon after the Planning and Zoning Board meeting as possible in order to have the project placed on the City Council Agenda.

STEP 5: COUNCIL MEETING

The project then goes before the City Council for decision. Applicant must be in attendance. Applicant will be allowed to make a brief presentation about the project. The City will provide a laptop, projector and video screen to be used in the presentation. Applicants intending to use these devices must inform Staff at least three business days in advance of the City Council meeting. The City Council may approve, approve with conditions, deny, or table the project.

STEP 6: UPON APPROVAL APPLICANT MAY APPLY FOR BUILDING PERMIT

Applicant will be formally notified of decision and any conditions which may be attached. Two (2) folded sets of the approved site plan complying with conditions shall be submitted to the Community Development Department within fifteen (15) days of the Council hearing. Plans must be submitted and approved by the Planning Division before building permits can be issued.

AGENT AUTHORIZATION FORM

Owner(s) of Record: CB2020 LLC

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared Craig Washington

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

REPL OF YACHT HARBOR W 48 FT OF LT 9 & E 27 FT OF LT 10 BLK 5

REPL OF YACHT HARBOR W 8 FT OF LT 8 & E 67 FT OF LT 9 BLK 5

the street address of which is: 1118 & 1154 Cabana Road

and that we hereby appoint:

Name: Christen Hutton
Address: 305 2nd St
Jupiter, FL 33458
Telephone: 561-801-6803

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

_____ (Seal)

_____ (Seal)

_____ (Seal)

TONI WASHINGTON
Notary Public-State of Florida
Commission # HH 171437
My Commission Expires
August 30, 2025

Sworn to and subscribed before me this 10 day of MAY, 2023.

Notary Public

Zoning Text Amendment Application

City Of Riviera Beach
Submitted: May 15, 2023

Request

On behalf of CB2020 LLC, owner of the property located at 1118 Cabana Rd., this application respectfully requests a Zoning Text Amendment to permit Townhouses, as a conditional Special Exception use, in the RM-15 Zoning District in the City of Riviera Beach. Specifically, this application respectfully proposes to amend DIVISION 7. - RM-15 MULTIFAMILY DWELLING DISTRICT, Section 31-197(b) to add Townhouses as a Special Exception use. The applicant understands this request requires careful consideration and identification, of Zoning District wide implications, resulting from approving this application. As such, to provide City officials and staff with a deep, comprehensive lens into this specific request; this justification includes uniquely custom maps and an according professional urban planning analysis, that help clearly identify the requested Amendment's potential outcomes from a data-driven, empirical perspective. The Applicant would like to thank City officials and staff in advance, for your objective consideration of the following application.

The request to permit Townhouses in RM-15 as a Special Exception use, rather than proposing it as "a permitted by right use", was a careful and conscious decision by the Applicant. **It is most important to note, by limiting this Amendment proposal to a *Special Exception* use addition of "Townhouses" to Section 31-197(b), essentially, there is no change to the RM-15 district's code functionality or subsequent implication, without another City approval of a separate, individual Special Exception use application for a specific property.** As a result, this application request enables reasonable consideration of compatible, mixed housing types, in a district that already permits attached, multi-family uses. It is additionally important to note, this request does not seek to increase development potential or density, as development thresholds and allowances in the subject RM-15 zoning district would remain unaffected by this proposal. To enable compatible and comparable implementation of a Townhouse use in RM-15, this application proposes the applicable Townhome use development standards listed in Division 23, Section 31-495(3), would be adopted to regulate said Townhouse use in RM-15, should a Special Exception use be approved by the City. The parking requirements would be consistent with Townhouse uses in Table 31-539(a) in the City's Zoning Code. Additionally, landscape requirements for Townhouse uses in RM-15 are proposed to be subject to applicable multi-family requirements set forth in Sec. 31-609.

Per the City's code Definitions in Chapter 31, Division 7, Sec. 31-1., *"Special exception means a use, structure or PUD that would not be appropriate generally or without restriction throughout a*

particular zoning *district, but would, if controlled as to number, area, location, or relocation to neighborhood, be appropriate."* As such, to provide reassurance of the proposed compatibility and appropriateness of allowing Townhouses to be permitted on a case by case basis via a Special Exception use in RM-15, this application outlines the minimal differences between the use of Townhouses compared to multi-family use regarding form, height, and density. Moreover, the proposal illustrates the compatible and complementary similarities of the two uses when strategically placed in close proximity to one another, creating a harmonious mixture of neighborhood housing types that not only foster visual interest appeal through diverse architectural form and hierarchy--but additionally, enable the private sector market to provide local community micro economic development opportunities, to build smaller scale for sale development product, available for home ownership. Notably, generally speaking, due to the efficient and less costly nature of constructing the smaller scale attached form of Townhouse development through shared walls of multiple units, the cost of homeownership and affordability is less expensive, thereby significantly more attainable for variable household incomes, compared to average single family housing homeownership costs.

Riviera Beach Multi-Family Zoning Districts

Exhibit A on page 10, illustrates the citywide locations of single family zoning districts grouped into one color, compared to all locations of the nine individual zoning districts that permit multi-family use, including DG, DC, DR, RM-12, RM-15, RMH-15, RM-20, RMH-20, and RH districts. A more simplified view of all the multi-family zoning districts is shown on Exhibit B, on page 11. As shown on both aforementioned Exhibits, multi-family districts are in concentrated in multiple "sub areas" in the City, and flank some major roadway corridors. All of these multi-family districts permit multi-family uses, which the City code defines as, "Dwelling*, multiple family means a building designed for three or more families".*

Nonetheless, according to City staff, and indirectly implied with the appearance of "Townhouse" as a permitted use in three of the nine multi-family districts, multi-family uses include apartments and rental units, as staff maintain Townhouses are not permitted unless expressly stated in the permitted use list for the individual multi-family zoning districts. However, the City's code definition of a Town house, as "*a dwelling unit, attached by party walls on one or both sides to one or two other dwelling units, which has its own ground level entrance and front and rear yards",* technically meets and complies with the aforementioned City's code definition of a multi-family dwelling unit, as long as a Town house development was three or more units, in a reasonable interpretation of the subject words and language used to describe the two uses therein. **In simplified terms, at face value, the City's code definition of *Multi-Family* use, which is already permitted by right in the RM-15 zoning district, essentially encompasses the function of *Townhouse* in building size, massing, and shared building walls.**

Moreover, the City code's consistent description and definition of a multi-family and Town house uses are logical, as they are visually compatible, and most importantly, function consistently for their shared purpose

of providing attached wall housing. Arguably, in terms of massing and development intensity, distinguishing the differences between Townhouses and multi-family apartment uses only becomes apparent when zoning districts permit a higher density and more intense building height allowances--as Townhouses own the land under the individual land area associated with the unit. **Otherwise, if the same density restrictions and height allowances are applied to both Townhomes and multi-family rental unit uses, the primary distinguishing factor is Townhomes are owner-occupied individual units--allowed to be bought and sold, whereas multi-family uses are apartments, and require the property owner to be a landlord of rental units, as individual homeownership is prohibited.** The remaining distinguishable factor is Townhouses have front and rear yards, and often have garages, enabling them to be even more compatible than multi-family development, when adjacent single family uses.

Figure 1 &2. Photos of Multi-Family use buildings in the City of Riviera Beach.

The sole multi-family zoning district subject to this application, RM-15, is located in various pockets of the City, as shown on the map in Exhibit B on page 11, comprised of nine groups of contiguous parcels or parcel, which have a consistent FLU designation of MF-15. Examples of existing multi-family structures, that are most similar to Townhouses in density, are shown in Figures 1 and 2 above.

Additionally, throughout the City's zoning code, Multi-family and Townhouse uses are collocated in the same regulatory sentence language when referring to desired transitional uses between single family and more intense uses along corridors and thoroughfares, as outlined below in various code sections describing Townhouses and Multi-family uses in same sentence. This is important to note, as in principle, they are compatible uses, and equally important to note, as also outlined in code language below, Townhouses are even more compatible with adjacent single family uses, in comparison with traditional multi-family uses.

- *"New residential uses will enhance and respect the existing neighborhood fabric and accommodate diverse housing options including apartments and townhouses in a manner that is compatible with single-family houses".* (Section 31-536 (c))

- *"Multiple family dwellings, provided the dwelling is provided in the form of a townhouse, apartment house, or courtyard building…"* (Section 31-536 (c).a.2.)
- *"Townhouses and low-rise multi-family buildings provide a transition between the single-family houses…"* Section 31-540b.(1)(d)
- *"Multi-family buildings such as low-rise apartments and townhouses provide a transition between residential uses along Avenue A and the more intense uses along Broadway Avenue."* Section 31-540b.(2)(c)

As defined in the "Purpose" portion of the RM-15 district, it is "*..is intended to provide for development of multifamily dwellings, and allows a medium density of population. The district is basically residential in character, although customary accessory uses and amenities are permitted as a subordinate use to the main structure* ", per Sec.31-196. An important portion of that "Purpose" language to note, is the emphasis on "*basically residential in character",* as permitting the requested Special Exception use of Townhouses in RM-15 district would be consistent, and comply with the aforementioned purpose's language intent. Moreover, Townhomes additionally comply with the "Purpose" language describing allowance of "*medium density of population".*

Townhouse Use in Multi-Family Districts

As previously identified, the City of Riviera Beach municipal code defines Townhouses as, *"a dwelling unit, attached by party walls on one or both sides to one or two other dwelling units, which has its own ground level entrance and front and rear yards*". As illustrated on Exhibit C, on page 12, Townhomes are permitted in the Multi-family residential districts including: DG (Downtown General), DR (Downtown Residential), and RM-20. Interestingly, although Townhouses are often considered a less intense use than typical traditional single-family uses, Townhouses are not permitted in the subject RM-15 zoning district (up to 15 units per acre), however, are permitted by right in the RM-20 zoning district (up to 20 units per acre) as shown on the Zoning map info Exhibits C and D, on pages 12 and 13.

Interestingly, the low development intensity Townhouse use is permitted by right in the RM-20 district, despite the higher development density and intensity nature of the district's "Purpose" language stating it's, *"….intended to provide for development of multifamily dwellings and allows a high density of population with a proportional increase in amenities as the density rises"*, per Section 31-241. It is unclear why Townhouses are permitted in the higher density district of RM-20, and not permitted in medium density district of RM-15; however, there is a strong logical argument that if mid-density Townhouses are appropriate in high density RM-20 district, then low development intensity Townhouse uses are also, if not even more, appropriate for the medium density RM-15 district.

To enable compatible and comparable implementation of a Townhouse use in RM-15, this application proposes the applicable Townhome use development standards listed in Division 23, Section 31-495(3), would be adopted to regulate said Townhouse use in RM-15, should a Special Exception use be approved by the City. Moreover, to enable compatible and comparable implementation of a Townhouse use in RM-15, this application proposes the applicable Townhome use development standards listed in Division 23, Section 31-495(3), would be adopted to regulate said Townhouse use in RM-15, should a Special Exception use be approved by the City. The parking requirements would be consistent with Townhouse uses in Table 31-539(a) in the City's Zoning Code. Additionally, landscape requirements for Townhouse uses in RM-15 are proposed to be subject to applicable multi-family requirements set forth in Sec. 31-609 for landscaping standards. Townhouse buildings shall have no less than three attached units, and no more than eight units, per building. Regarding access, Townhouse uses permitted via Special Exception uses in a case by-case basis only, would be permitted to have direct driveway access from Secondary, residential oriented street, as approved and developed in the image below, which depicts Riviera Cove Townhouse project in Riviera Beach.

Figure 3 .Photo of Riviera Cove Townhouses in Riviera Beach

Figure 4. Photo of Riviera Cove Townhouses in Riviera Beach

Approving Townhouse uses as a Special Exception in RM-15 enables property owners to provide a wider variety of housing and homeownership opportunities to the City of Riviera Beach. It would foster neighborhood character revitalization with new high quality construction activity, as Riviera Cove demonstrates in Figure 4.

Consistency with Comprehensive Plan

Approving Townhouse use as a Special Exception, in RM-15, provides a new housing type that fosters compatible land use patterns, providing consistency with multiple Comprehensive Plan Policies and Objectives as outlined in the following narrative justification statement section.

Page 5 of the Future Land Use (FLU) Element outlines the transitional nature of a Townhouse use employed in the Transect Urban Form diagram found in the City's Comprehensive Plan below in Figure 5. As described in the FLU element, "*Use a transect based strategy, which organizes building scale and uses to ensure harmonious transitions in intensity by locating buildings of similar height and massing containing compatible uses facing one another on a given street, with changes in scale and intensity occur in a back-to-back configuration or a long alleys as described in Figure FLU-A.".* It is important to note that while the City requires Townhouses in Downtown zoning districts to be accessible from Alleys, this amendment proposal for Townhome uses in RM-15 is requesting to be accessible from Secondary residential streets, consistent with FLU Element objectives of connecting tapered, less intense development activity.

Specifically, FLU Element language on page six states, "*Building scale and intensity gradually decrease moving from the center toward the edge of downtown, ultimately becoming predominantly single-family neighborhoods. In order to properly transition among the various building types and uses, the following general guidelines shall be followed:….3). Parking and service functions are accommodated by alleys or along secondary streets…".* As such, this amendment proposal includes permitting access from Secondary Streets as illustrated in the Transect graphic in Figure 5, which contains access for uses such as Townhouses and Single Family uses.

Figure FLU-A: Transect

Figure 5. Transect Diagram, found on Page 5 of City's Future Land Use Element

Additionally, similar to aforementioned excerpts of the Zoning Code that frequently comingle Townhouse and Multi-Family uses as compatible and comparable uses herein, the FLU Element also contains language that couples the uses, emphasizing their consistency.

Policy1.2.21: "*The downtown area is composed of diverse areas with unique characteristics. The Land Development Regulations will reinforce these distinctions in scale, character, and intensity. As a general guide to future regulations, eleven sub-areas are shown on Figure FLU-B and are described below: Near-Downtown Neighborhoods:* ***These neighborhoods can accommodate infill development which is compatible in scale with the existing residential fabric, such as new single-family houses and multi-family buildings including townhouses, courtyard apartment buildings, and apartment houses."*** This is also consistent from the TCRPC's 2011 Citizen's Master Plan Report, as it states "*Within neighborhoods, ideally there are a diversity of uses and housing affordability, and residential densities may average between six to ten units per acre across the entire neighborhood with some houses occurring on large lots and some units clustered in the form of multifamily apartments or* ***townhouses****."*

Additionally, approving this amendment would provide City residents with additional homeownership opportunities, as Townhouses can be individually owned, whereas, as previously outlined in this justification, multi-family units cannot. Accordingly, this amendment is consistent with the intent of the Comprehensive Plan's Housing Element language on page one below:

"Goal: To assure the availability of safe, sanitary, decent and affordable housing for all residents of Riviera Beach with special attention paid to ***diversifying the housing stock*** *through increasing the supply of workforce housing, single–family and* ***homeownership opportunities,*** *while continuing to address the needs of the City's existing very low-, low- and moderate income households."*

This Housing Element Goal is elaborated and further emphasized in Objective 1.2 Diversified Housing: Home Ownership Opportunities: *"The City shall encourage and assist the private sector to increase home ownership opportunities, and increase the percentage of home ownership of single-family units citywide, particularly for those unabsorbed, vacant units in existing developments."* Housing Element Policy 1.2.1 additionally emphasizes the importance of home ownership opportunities in the City, as it states. *"The City shall work to achieve a goal of at least 65% of new units constructed by 2010 shall be owner-occupied..* Finally, this amendment proposal would enable a housing diversification topology not currently offered in RM-15 zoning, which complies with the Housing Element, Policy 1.5.6**,** as it states**,** "*The City shall consider its CRA as the last, largest and best opportunity for new construction sites to address the City's multi-income housing needs by piloting mixed-income developments in order to achieve a healthy cross section of household income categories".*

Concluding Remarks

As City Staff and Elected Officials consider this application request, and subsequent positive neighborhood revitalization implications that could result from private sector market investment in diversified housing stock options; **the applicant's Amendment proposal does not enable any change to the RM-15 district's code function or operational development standards, without another City approval of a separate, individual Special Exception use application for a specific property where onus of compliance and appropriateness is required for individual project approval.** As such, the applicant respectfully requests approval of the subject application, proposed for your careful review. Thank you to City Staff and City Officials in advance for objective consideration of this thoughtfully and carefully prepared Amendment proposal.

.

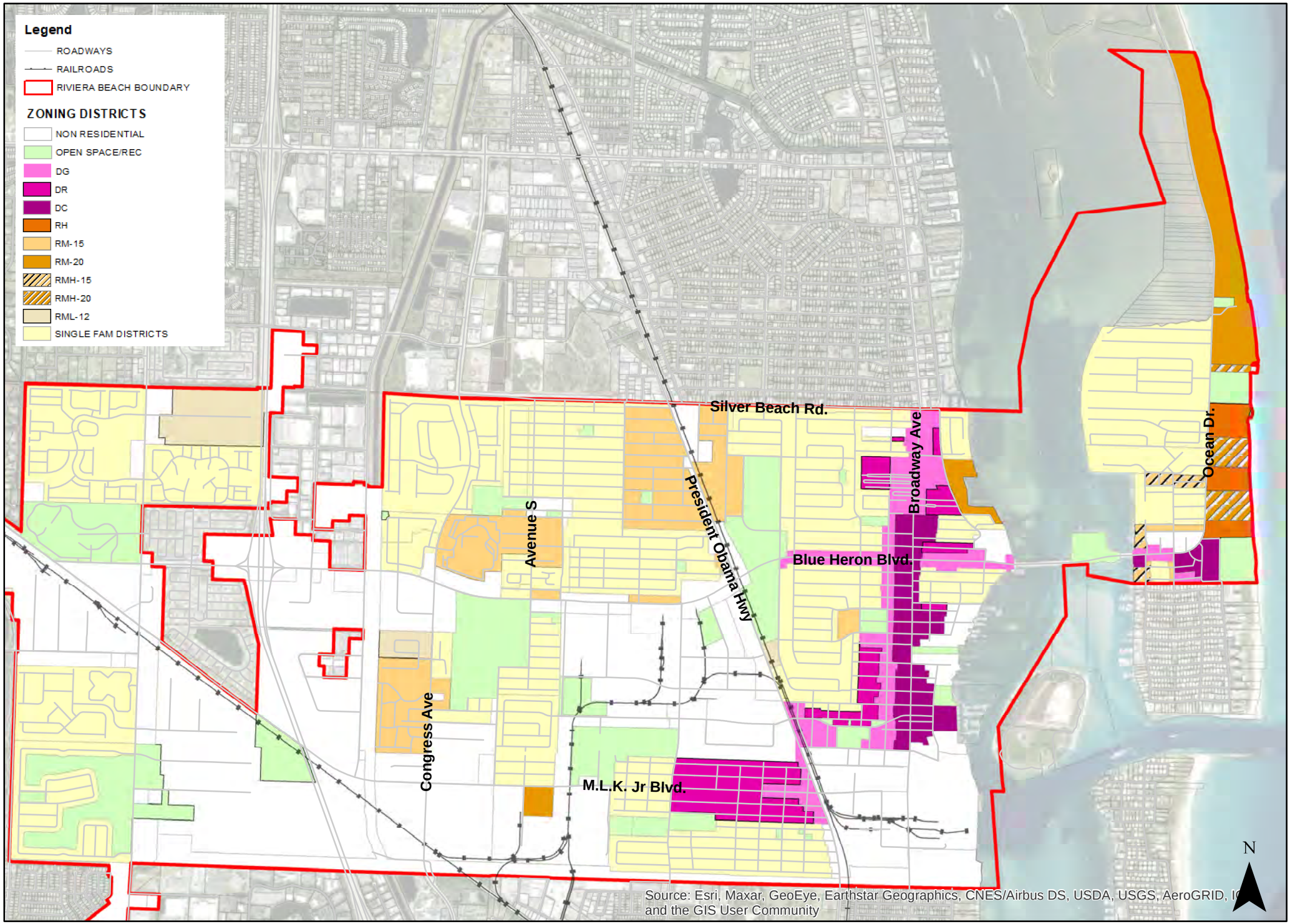

Legend
ROADWAYS
RAILROADS
RIVIERA BEACH BOUNDARY
ZONING DISTRICTS
NON RESIDENTIAL
OPEN SPACE/REC
DG
DR
DC
RH
RM-15
RM-20
RMH-15
RMH-20
RML-12
SINGLE FAM DISTRICTS
Silver Beach Rd.
Broadway Ave
Ocean Dr.
President Obama Hwy
Avenue S
Blue Heron Blvd.
Congress Ave
M.L.K. Jr Blvd.
N
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, I
and the GIS User Community
0
0.25
0.5
1
1.5
2
Miles

Exhibit A

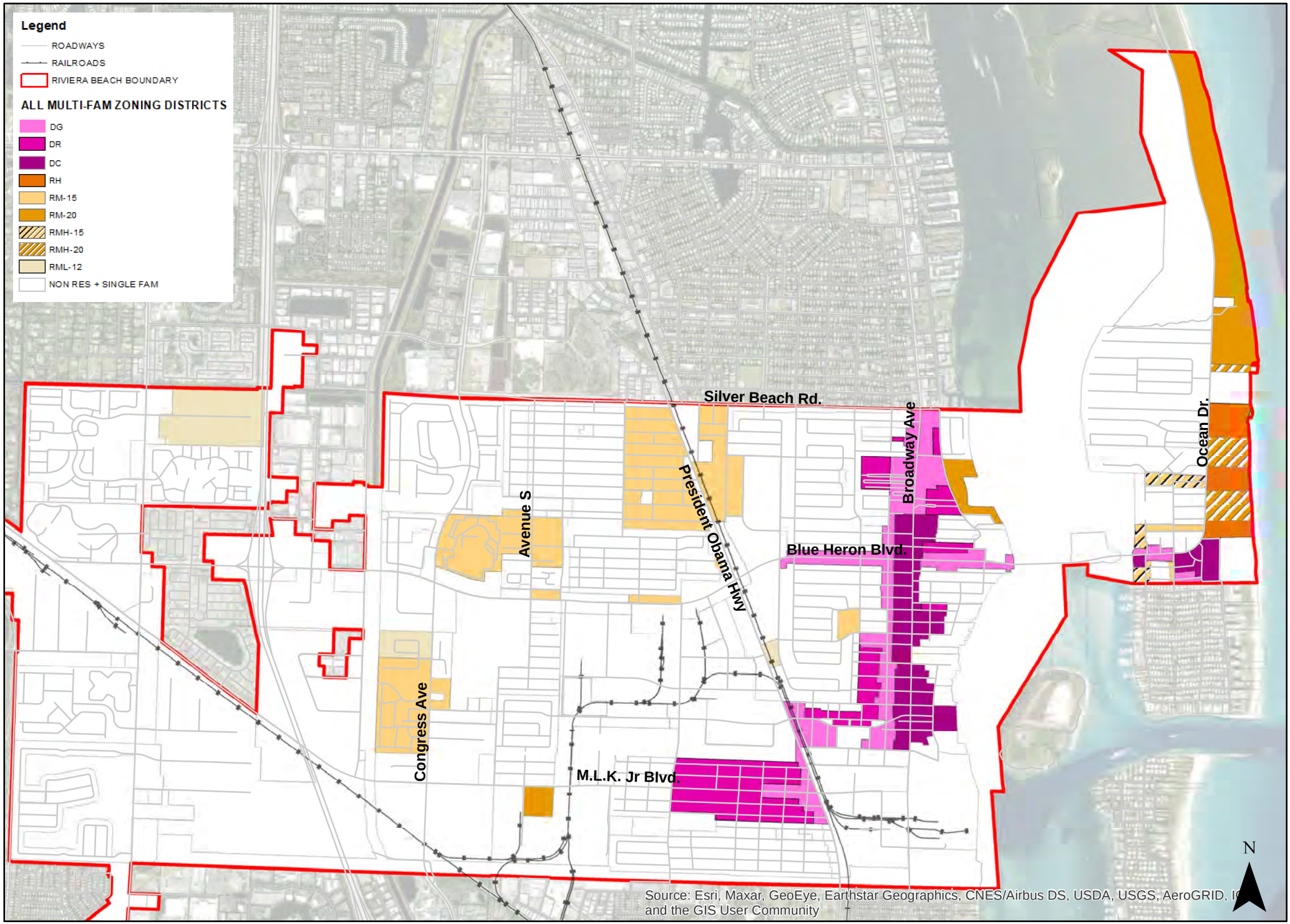

Legend
ROADWAYS
RAILROADS
RIVIERA BEACH BOUNDARY
ALL MULTI-FAM ZONING DISTRICTS
DG
DR
DC
RH
RM-15
RM-20
RMH-15
RMH-20
RML-12
NON RES + SINGLE FAM
Silver Beach Rd.
Broadway Ave
Ocean Dr.
Avenue S
President Obama Hwy
Blue Heron Blvd.
Congress Ave
M.L.K. Jr Blvd.
N
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, I
and the GIS User Community
0
0.25
0.5
1
1.5
2
Miles

Exhibit B

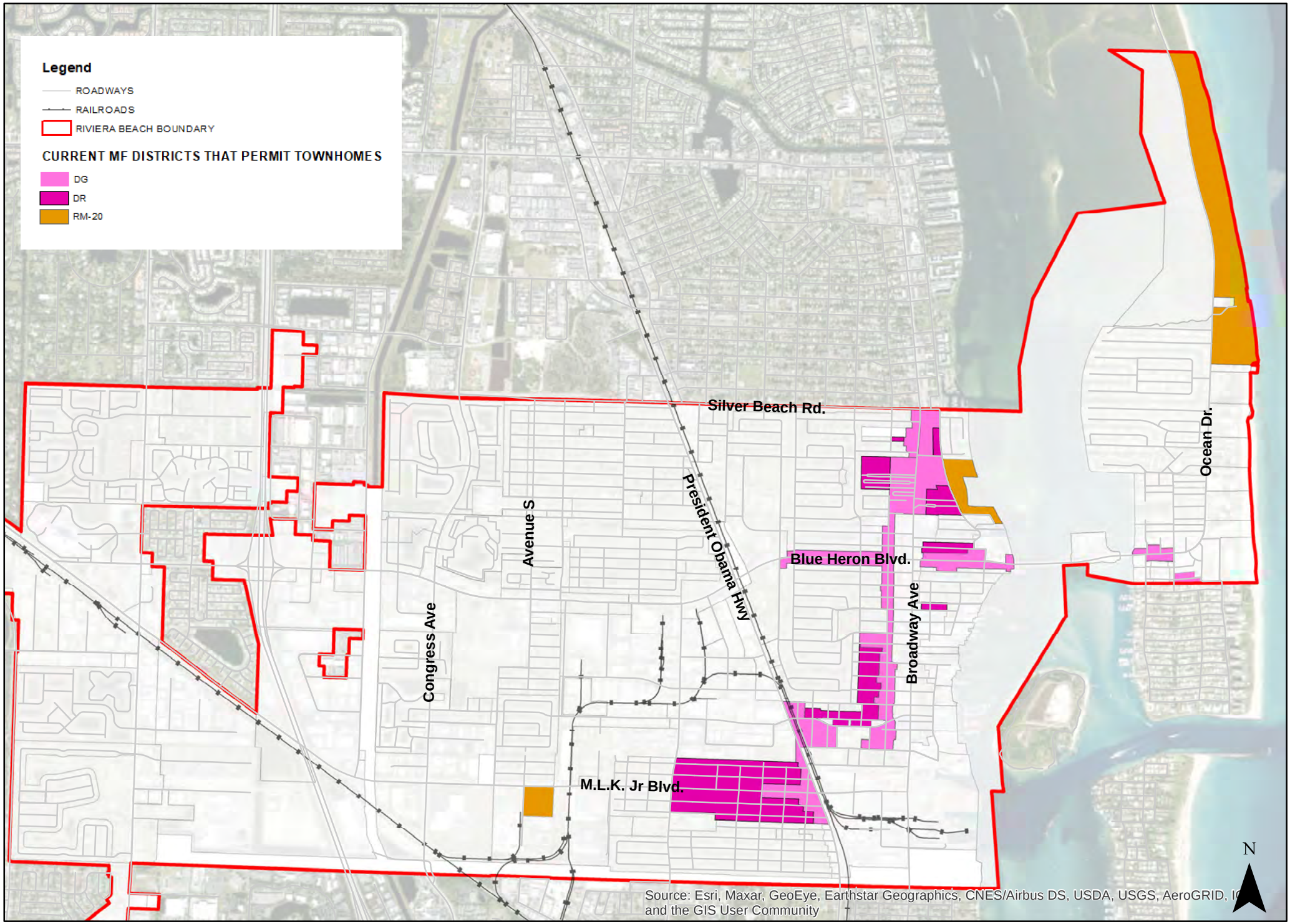

Legend
ROADWAYS
RAILROADS
RIVIERA BEACH BOUNDARY
CURRENT MF DISTRICTS THAT PERMIT TOWNHOMES
DG
DR
RM-20
Silver Beach Rd.
Avenue S
President Obama Hwy
Ocean Dr.
Blue Heron Blvd.
Broadway Ave
Congress Ave
M.L.K. Jr Blvd.
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, I
and the GIS User Community
N
0
0.25
0.5
1
1.5
2
Miles

Exhibit C

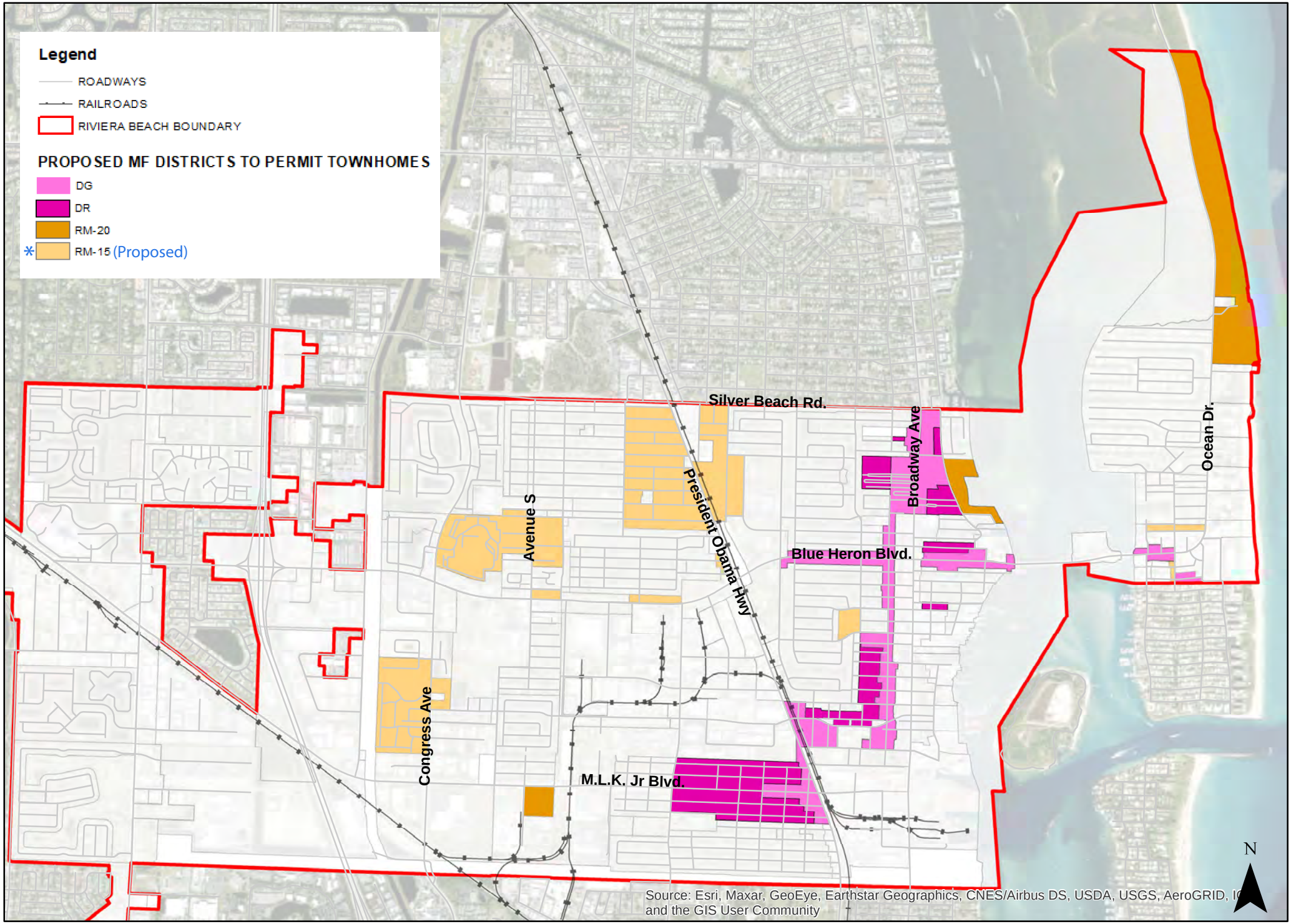

Legend
ROADWAYS
RAILROADS
RIVIERA BEACH BOUNDARY
PROPOSED MF DISTRICTS TO PERMIT TOWNHOMES
DG
DR
RM-20
* RM-15 (Proposed)
Silver Beach Rd.
Broadway Ave
Ocean Dr.
Avenue S
President Obama Hwy
Blue Heron Blvd.
Congress Ave
M.L.K. Jr Blvd.
N
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, I
and the GIS User Community
0 0.25 0.5 1 1.5 2
Miles

Exhibit D

Sec. 31-197. Use regulations.

(a) *Uses permitted.* The following uses are permitted in the RM-15 multifamily dwelling district:

(1) Any use permitted in the RS-8 single-family dwelling district.

(2) Multifamily dwelling units.

(b) *Special exception.* The following uses are permitted by special exception in the RM-15 multifamily dwelling district:

(1) Residential planned unit developments (R-PUD).

(2) Day care centers.

(3) Mobile home parks.

(4) Boardinghouses or lodging houses.

(5) Guest houses or tourist homes.

(6) Nursing or convalescent homes.

(7) Adult congregate living facilities (ACLF).

(8) Group homes.

(9) Churches and their educational buildings.

(10) Townhouses

(Ord. No. 2152, § 3(B)(23.AA-9.II), 3-17-82; Ord. No. 2386, § 1, 9-7-88; Ord. No. 2624, § 2, 2-16-94; Ord. No. 2657, § 3, 3-15-95)

Sec. 31-198. Property development standards.

The property development standards in the RM-15 multifamily dwelling district are as follows:

(1) Minimum property size/density:

a. Single-family dwelling: 5,000 square feet.

b. Two-family dwelling: 5,500 square feet.

c. Three-family dwelling: 7,000 square feet.

d. Four-family dwelling: 8,500 square feet.

e. Five or more units shall be density based, and shall be expressed in terms of maximum number of residential dwelling units permitted per acre of land. Maximum permitted density shall be 15 dwelling units per acre.

f. Townhouses: 1,800 square feet

(2) Minimum property width:

a. One-family and two-family: 50 feet at the building line.

b. Three-family and four-family dwellings: 60 feet at the building line.

c. Five-family units and greater: 70 feet at the building line.

d. Townhouse: 24 feet at the building line

(3) Maximum building height: 35 feet or three stories.

(4) Minimum building setbacks:

a. Front: 20 feet.

b. Side: seven feet; 12½ feet on street side.

c. Rear: 15 percent of the length of the lot or 20 feet, whichever is less.

d. Townhouse setbacks in RM-15 shall be subject to Townhouse development standards set forth in Section 31-495(3).

(5) Minimum floor area:

a. Efficiencies: 400 square feet.

b. One-bedroom apartments: 650 square feet.

c. Two-bedroom apartments: 750 square feet. For each additional bedroom, total square footage shall increase by 100.

d. Single family homes: 800 square feet.

e. Townhouses: 800 square feet

(Ord. No. 2152, § 3(B)(23.AA-9.III), 3-17-82; Ord. No. 2213, § 1, 9-21-83; Ord. No. 3021, § 2, 11-15-06)

Sec. 31-199. Parking.

The parking regulations in the RM-15 multifamily dwelling district shall be as stated in section 31-566 et seq. Parking regulations for Townhouses in RM-15 shall be subject to requirements in Table 31-539(a).

(Ord. No. 2152, § 3(B)(23.AA-9.IV), 3-17-82)

Sec. 31-200. Landscaping.

The landscaping requirements in the RM-15 multifamily dwelling district shall be as stated in section 31-596 et seq. Landscape regulations for Townhouses in RM-15 shall be subject to requirements in 31-609.

(Ord. No. 2152, § 3(B)(23.AA-9.V), 3-17-82)

This application is a proposed zoning text amendment and does not require a plan set yet, as that will be submitted if the Text Amendment is approved, per a required Special Exception request for Townhouses on RM-15 zoning parcels.

Please see attached email chain, which Clarence Sirmons authorizes a Text Amendment application without plans, sent November 6, 2022. Thank you.

From: Christen Hutton
To: Sirmons, Clarence
Cc: jshaw@rivierabeach.org; lmfranco@rivierabeach.org
Subject: RE: 1118 Cabana Rd application
Date: Tuesday, March 21, 2023 3:47:00 PM
Attachments: image001.png

Hi Clarence,

Per our previous discussions, my client is now ready to submit an application for that text amendment request we discussed last year. I just spoke to Mr. Shaw requesting the City's GIS zoning and Future land use shapefile so we can do a bit of in-depth analysis and custom mapping for the application. However, he politely and helpfully, let me know that this type of request needs to be approved my management beforehand.

Therefore, is it ok to obtain the aforementioned GIS shapefile data for zoning and future land use for Riviera Beach? I just want to be sure to submit a very thorough application, and this data will help me visually communicate the narrative in a much more legible way. Thanks so much.

Best,
Christen

Christen Hutton, AICP, ASLA
HD Studio
Design + Planning Professionals

From: Sirmons, Clarence <CSirmons@rivierabeach.org>
Sent: Sunday, November 6, 2022 3:16 PM
To: Christen Hutton <christen@thehdstudio.com>
Cc: Savage-Dunham, Mary <MSavageDunham@rivierabeach.org>
Subject: Re: 1118 Cabana Rd application

You can submit just the text change to see what council decides. If approved, then you can submit your site plan and landscaping plan conditional use application, etc.

Thank you,

Clarence

Get Outlook for iOS

From: Christen Hutton <christen@thehdstudio.com>
Sent: Monday, October 31, 2022 12:40:02 PM

To: Sirmons, Clarence <CSirmons@rivierabeach.org>
Cc: Savage-Dunham, Mary <MSavageDunham@rivierabeach.org>
Subject: RE: 1118 Cabana Rd application

Ok, thank you! Can you just answer a few questions then? For the text amendment to allow Townhomes in MF-15 zoning district, via a Conditional Use allowance, do you need a site and landscape plan to be submitted concurrently? Or, can we just submit the text amendment beforehand so my client does not spend unnecessary money on plans that may not even be allowed to be submitted if the text amendment is not approved….

Christen Hutton, AICP, ASLA
HD Studio
Design + Planning Professionals

From: Sirmons, Clarence <CSirmons@rivierabeach.org>
Sent: Thursday, October 20, 2022 10:59 PM
To: Christen Hutton <christen@thehdstudio.com>
Cc: Savage-Dunham, Mary <MSavageDunham@rivierabeach.org>
Subject: RE: 1118 Cabana Rd application

Hi Christen,

Mrs. Savage is no longer with the City. Unfortunately at the moment, due to staff shortages, we are unable to offer additional pre-application meetings. Please email me any questions you may have. Otherwise, an application for a text amendment can be submitted through our online portal. Please let me know if you have any issues utilizing the software. https://rivierabeachfl-energovweb.tylerhost.net/apps/SelfService#/applicationAssistant?sectionName=All&showTemplates=false

Clarence

Clarence Sirmons, AICP
Director of Development Services
City of Riviera Beach
600 W. Blue Heron Blvd
Riviera Beach, FL 33404
Office: (561) 845-4062

From: Christen Hutton <christen@thehdstudio.com>
Sent: Tuesday, October 18, 2022 7:38 AM
To: Sirmons, Clarence <CSirmons@rivierabeach.org>
Cc: Savage-Dunham, Mary <MSavageDunham@rivierabeach.org>
Subject: Re: 1118 Cabana Rd application

Hi there, just following up. Can we please get this scheduled this week?

Regards,

Christen Hutton, AICP, ASLA

> On Oct 12, 2022, at 1:14 PM, Christen Hutton <christen@thehdstudio.com> wrote:
>
> Hi Clarence,
>
> I hope this email finds you well. So it turns out, after a lot of back and forth trying to get educated on the fire code, the building dept will still require sprinklers in Condos per fire code, as apparently, owner-occupied units are not exempt.
>
> As such, my client would like to love forward with proposing a text amendment to permitting Townhomes in the MF-15 zoning district, via a Conditional Use allowance. Mary, may I please schedule a pre-application mtg with you to see what exactly your dept will require for this type of application?
>
> **Christen Hutton,** AICP, ASLA
> HD Studio
> Design + Planning Professionals
>
> ---
>
> **From:** Christen Hutton
> **Sent:** Thursday, March 3, 2022 10:13 AM
> **To:** Sirmons, Clarence <CSirmons@rivierabeach.org>
> **Cc:** Savage-Dunham, Mary <MSavageDunham@rivierabeach.org>
> **Subject:** RE: 1118 Cabana Rd application
>
> Hi Clarence,
>
> After long discussions with my client, and an attempt to avoid drafting a proposed Text Amendment, he is going to seek Condominiums with his current zoning, as an alternative to Townhomes, and submit directly for a building permit.
>
> Since we have already had a pre-app about multi-family with Mary, I just want to confirm we are good to go on submitting directly for building permit for Condominiums?

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4257- TOWNHOMES AS SPECIAL EXCEPTION IN RM-15

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667040 MF 15 TA Advertisement
Date: Friday, December 22, 2023 12:48:39 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $210.12, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE CITY COUNCIL MEETING CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17,2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CITY CODE OF ORDINANCES CHARTER 31 (ZA 23 0006) ON

CHAPTER 31 (ZA-23-0008), ON BEHALF OF CB2020 LLC (APPLICANT), APPROVING A TEXT AMENDMENT APPLICATION TO PERMIT TOWNHOUSE REVIEWS AS A SPECIAL EXCEPTION IN THE RM-15 ZONING DISTRICT (MULTIPLE FAMILY DWELLING DISTRICT); PROVIDING FOR APPLICABILITY, CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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 (F.S. 286.015).
In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.
Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:36 AM
To: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>; Legals-Pbpost

<legals@pbpost.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667040 MF 15 TA Advertisement

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | Staff Assistant
City of Riviera Beach | Development Services Department
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4256: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving a Small-Scale Future Land Use (FLU) Map Amendment to the City of Riviera Beach's Comprehensive Plan, approving Application (LU-23-0004) from Foundcare Inc. (Applicant) located at 3501 Broadway (Property Control Numbers 56-43-42-28-30-001-0010 and 56-43-42-28-00-001-0160); on approximately +/- 2.52 acres (+/- 109,967 square feet) requesting a Land Use Plan Amendment to change a future land use designation from the Single-Family Residential: up to 6 dwelling units per acre (sf) to a land use designation of Downtown Mixed Use (DMU); and providing for an effective date and for other purposes**

Date: January 17, 2024

CC: General Public

Background:

The Applicant represents Foundcare Inc. ("applicant"), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the "Property." The applicant is seeking approval for a new Foundcare Clinic ("Project") in the Downtown General ("DG") Zoning District. The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately +/- 2.5245 acres or +/- 109,964 square feet and is divided into two parcels of land: Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District ("DG").

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms. The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area.

The Planning and Zoning Staff recommend that the Planning and Zoning Board and City Council vote to approve these items. The approval of these items does not conflict with any existing ordinances or resolutions.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:

There is no fiscal impact from this item.

Recommendation:

Staff recommends a Motion to approve Ordinance Number 4256.

Attachments:

1. Ordinance 4256 - Foundcare Land Use Change.docx
2. Foundcare Staff Report to City Council.docx
3. D. Uniform land use application. Foundcare.pdf
4. D2. Consent.Foundcare.PDF
5. E. Project Narrative. Foundcare.pdf
6. F. Warranty Deed. Foundcare.pdf
7. G. LEGAL DESCRIPTION. FOUNDCARE.pdf
8. I. Survey. Foundcare.pdf
9. J. Plat. Foundcare.pdf
10. K. Site Plan. Foundcare.pdf
11. Riviera Beach business-impact-estimate-Ordinance 4256 - FOUNDCARE FLU MAP AMENDMENT.docx
12. Proof of Advertisement
13. Affidavit of Sign Posting and Mailer Notice

ORDINANCE NO. 4256

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, Foundcare Inc., seeks approval of a request for a Land Use Map Amendment from a "Single-Family Residential: Up to 6 Dwelling Units Per Acre (SF)" Land Use designation to a "DMU" Downtown Mixed-Use Land Use designation as depicted in Attachment A; and

WHEREAS, The subject property is located at 3501 Broadway, identified by parcel control numbers in Attachment B;

WHEREAS, The proposed Land Use is designed to allow for a complete and whole expansion of the Foundcare Inc., Clinic; and

WHEREAS, The Planning & Zoning Board heard this item on January 11, 2024 and voted to recommend that City Council approve this item.

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

SECTION 1. The foregoing recitals are ratified as true and correct and are incorporated herein. It is the purpose and intent of this Ordinance to promote the health, safety and general welfare of the residents, businesses, and stakeholders of the City.

SECTION 2. The City Council of the City of Riviera Beach hereby approves a request for a Land Use Map amendment as proposed in Attachment A.

SECTION 3. This proposed Land Use Map Amendment is to allow for a complete and whole expansion of Foundcare Inc., located at 3501 Broadway.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. The effective date of this Ordinance, if this ordinance is not timely challenged, shall be the date of recordation.

PASSED AND APPROVED on first reading this ____ day of _____, 2024

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2024.

The remainder of this page is intentionally left blank.

APPROVED:

RONNIE L. FELDER
MAYOR

DOUGLAS LAWSON
CHAIRPERSON

ATTEST:

SHIRLEY D. LANIER
CHAIR PRO TEM

DEBRAH HALL-MCCULLON

CERTIFIED MUNICPAL CLERK
ACTING CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

DR. JULIA BOTEL
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

DAWN S. WYNN, CITY ATTORNEY

1st READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

Attachment A

Land Use Map Delineation- Downtown Mixed-Use (DMU)

Attachment B

PROPERTY CONTROL NUMBERS – PCNs:

56-43-42-28-30-001-0010
56-43-42-28-00-001-0160

CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBERS:
AB-23-0002; PA-23-0002; ZA-22-0007;
LU-23-0004; SP-23-0024
A REQUEST FROM FOUNDCARE TO CREATE A HEALTH CENTER

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHEMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING SITE PLAN APPLICATION NUMBER (SP-23-0024) TO ALLOW A +/- 20,000 SQUARE FOOT, TWO-STORY BUILDING WHICH INCLUDES A +/- 15,000 SQUARE FOOT HEALTH CENTER, +/- 2,500 SQUARE FOOT RESTAURANT WITH OUTDOOR SEATING AND A +/- 2,500 SQUARE

FOOT OFFICE SPACE. THE SUBJECT PROPERTY IS LOCATED AT 3501 BROADWAY, ALONG THE BROADWAY CORRIDOR, SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0008) FROM FOUNDCARE INC. (APPLICANT); FOR A REQUEST TO REPLAT +/- 2.52 ACRES OF CONTIGUOUS LOTS OF RECORD INTO A SINGLE PARCEL OF PROPERTY TOTALING APPROXIMATELY +/-2.52 ACRE (+/- 109,967 SQUARE FEET) OF LAND AREA LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160). THE SUBJECT PROPERTY IS LOCATED ALONG THE BROADWAY CORRIDOR (3501 BROADWAY), SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Applicant:

Foundcare, Inc.,
2330 South Congress Avenue
West Palm Beach, Florida 33406

Request & Background:

The Applicant represents Foundcare Inc. (“applicant”), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the “Property.” The applicant is seeking approval for a new Foundcare Clinic (“Project”) in the Downtown General (“DG”) Zoning District. The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately +/- 2.5245 acres or +/- 109,964 square feet and is divided into two parcels of land: Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District (“DG”).

Parcel 2: Lots 1 to 8, inclusive of Block 1, White Caps Subdivision, according to the plat on file in the office of the clerk of the circuit court in and for Palm Beach County, Florida, as recorded in Plat Book 24, Page 19. This parcel is a portion of the plat of White Caps, recorded in Plat Book 24, Page 39 of the public records of Palm Beach County, Florida, and is currently zoned for Downtown Residential (DR) and Single-Family Dwelling District (RS-6). Downtown General District (“DG”) permits various uses within the zoning district, including residential, professional office (provided), retail establishments (provided), daycare, nursing or convalescent homes and adult living facilities (ALF), churches and their educational buildings, civic open spaces (provided), and community gardens. Thus, the applicant is requesting a Land Use amendment from

Single Family Residential: Up to 6 dwelling units per acre (SF) to a Downtown Mixed Use (DMU) and Rezoning amendment from Downtown Residential (DR) and Single-Family Dwelling District (RS-6) to a zoning designation of Downtown General (DG).

The Property has an existing 30' North 35th Street Right of Way which is being abandoned under AB- 23-0002, and this site plan application (SP-23-0024) is also being processed alongside a re-plat submission under PA-23-0008. Foundcare, Inc. will establish a federally qualified health center to enhance healthcare accessibility for Riviera Beach city residents and underserved populations. The facility will consist of two stories with a total area of approximately +/- 20,000 square feet. This includes a +/- 15,000 square foot health center and a +/-5,000 square feet of shell space for two accessory spaces serving as business incubators.

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms. The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area.

The project will include parking facilities, landscaping, and hardscaping that exceed local code requirements. The Project proposes to comply with all of the City's requirements, including a ground story height between 10'-18' (provided at 14'-0"), no mezzanines or parking garages (none provided), and a flat roof with 42" parapets (minimum parapet height provided is 42"). All roof equipment is properly screened from view by the parapets.

The Project incorporates a modified bracketed balcony frontage. Instead of traditional balconies with railings, the second-level overhang over the ground-level entrance is enclosed. The two entrances for the incubation spaces at the ground level are 52'-1" apart, where the maximum allowed distance is 75'. Civic space is provided by a combination of green space with a meandering sidewalk along the dry retention area for afternoon walks, and small plaza spaces at all ground-level building entrances, complete with benches, bike racks, and trash receptacles.

Location Map:

Provided by the applicant

Adjacent Property Description & Uses:

North: McDonald's Restaurant – Downtown General (DG)

South: Auto Sales Dealership - Downtown General (DG)

East: Broadway Right of Way & Commercial Shopping Center – Downtown General (DG)

West: Avenue E Right of Way & Single-Family Residences – Single Family (RS-6)

Staff Analysis:

The following below is a review and analysis of the applicant's compliance with staff's land use and rezoning criteria and a review and analysis of compliance with the criteria for abandonment according to Section 29-66 of the City Code of Ordinances. In addition, a site plan and re-plat/subdivision review and analysis for the site is also included for Board and Council review. Staff's response is indicated in **bold**.

Land Use and Rezoning Analysis:

1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan;

Staff Response: The suggested project aligns with the city's comprehensive plan. The proposed development conforms to the prescribed Future Land Use Category of Downtown Mixed Use – (DMU), with a density below the permissible limit of 2.0. The envisaged project also adheres to the permissible uses outlined for Downtown Mixed Use, specifically encompassing commercial and retail activities in accordance with the plan.

2) Whether there exist changed conditions which require an amendment;

Staff's Response: Currently, the western portion of the subject site lies within a Downtown Residential (DR) and a Single-Family Dwelling District (RS-6). Due to the commercial nature of the applicant's request, the existing land use and zoning classifications for the western portion of the subject site would not allow the proposed uses, therefore a land use and rezoning amendment will be necessary.

3) Whether the proposed amendment is in conformance with all applicable portions of the city development code;

Staff's Response: Due to the commercial nature of the proposed use (Professional Office and Retail) the proposed land use and rezoning request will comply and be compatible with the Downtown Mixed-Use Land Use Category and the Downtown General zoning district.

4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;

Staff's Response: The proposed Land Use and Rezoning Amendments shall be consistent and compatible with the existing Land Use and Zoning classification in the surrounding area along the Broadway corridor.

5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;

Staff's Response: The project adequately addresses the necessary public facility capacities to support the envisioned construction.

6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;

Staff's Response: The proposed amendment will not adversely impact the natural environment. The existing site is located within an active and busy urban environment where there is substantial urban development.

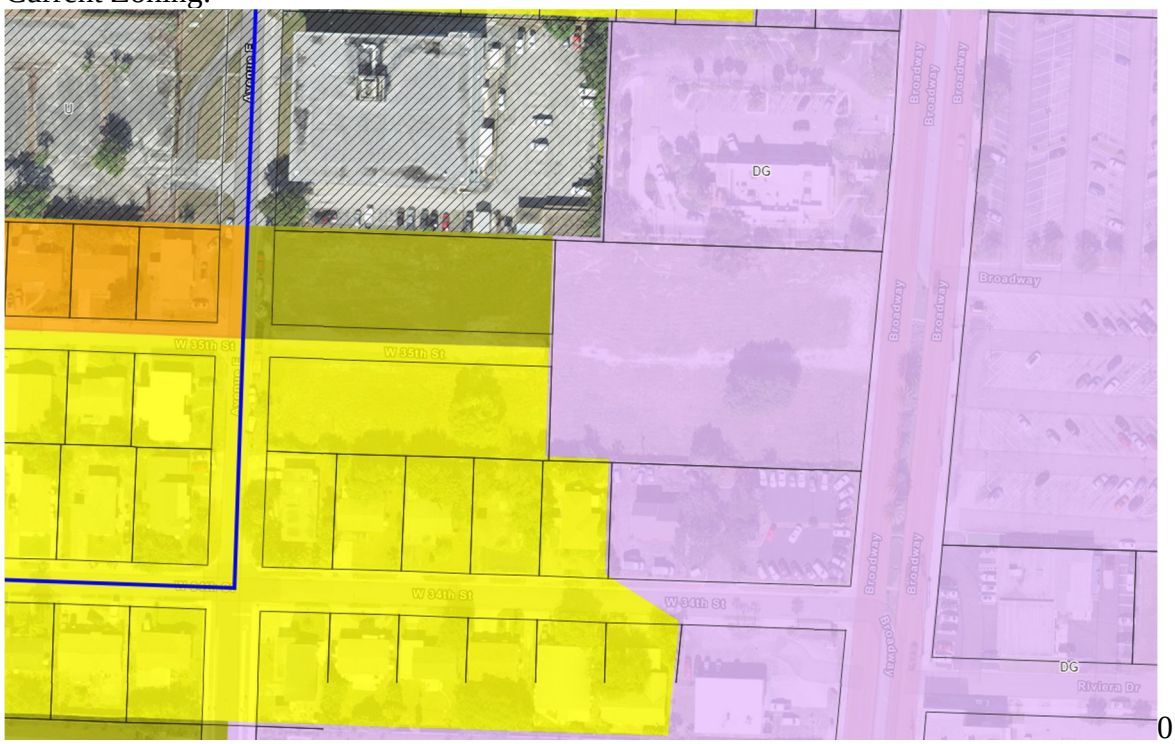
7) Whether and the extent to which the proposed amendment would adversely affect property values in the area;

Staff's Response: Since the subject parcel is vacant, the proposed land use and rezoning amendments will allow for the development of a medical clinic that shall be designed to serve to residents of the City of Riviera Beach and will benefit adjacent property values.

8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

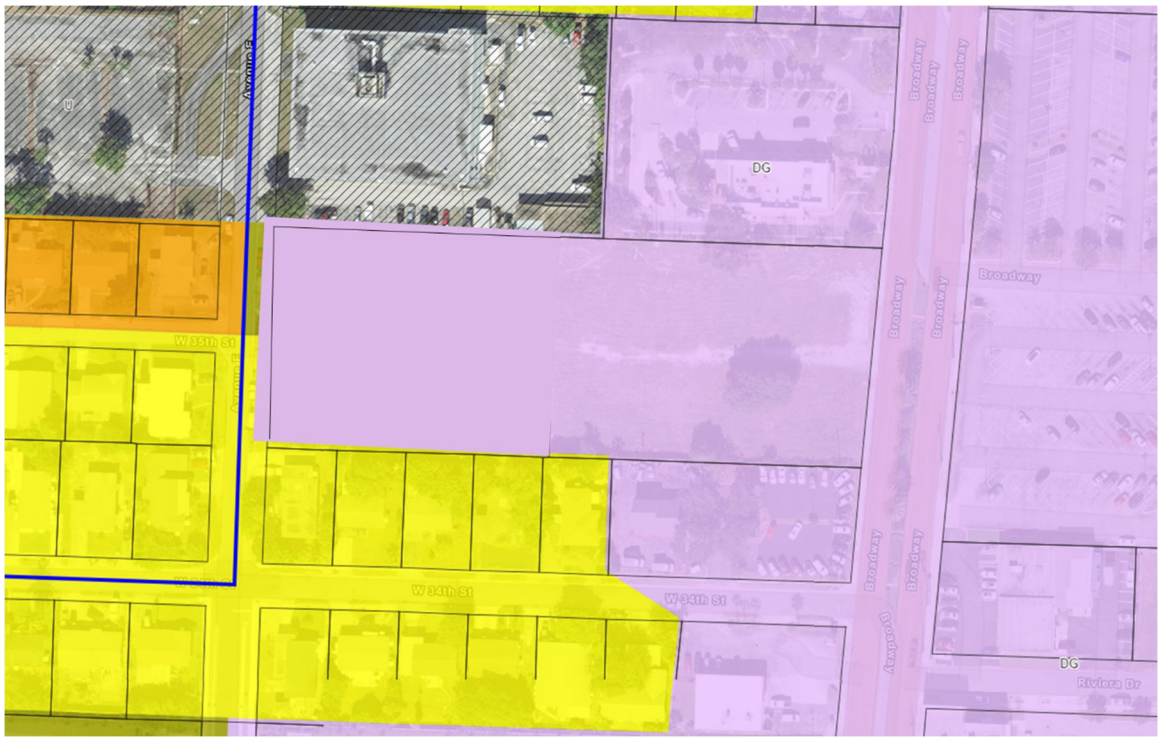
Staff's Response: Due to the mixed-use commercial aspects of the proposed project, the proposed land use and rezoning amendments will allow for an orderly and logical development pattern that will be in sync with the existing commercial surrounding uses.

Current Zoning:



0

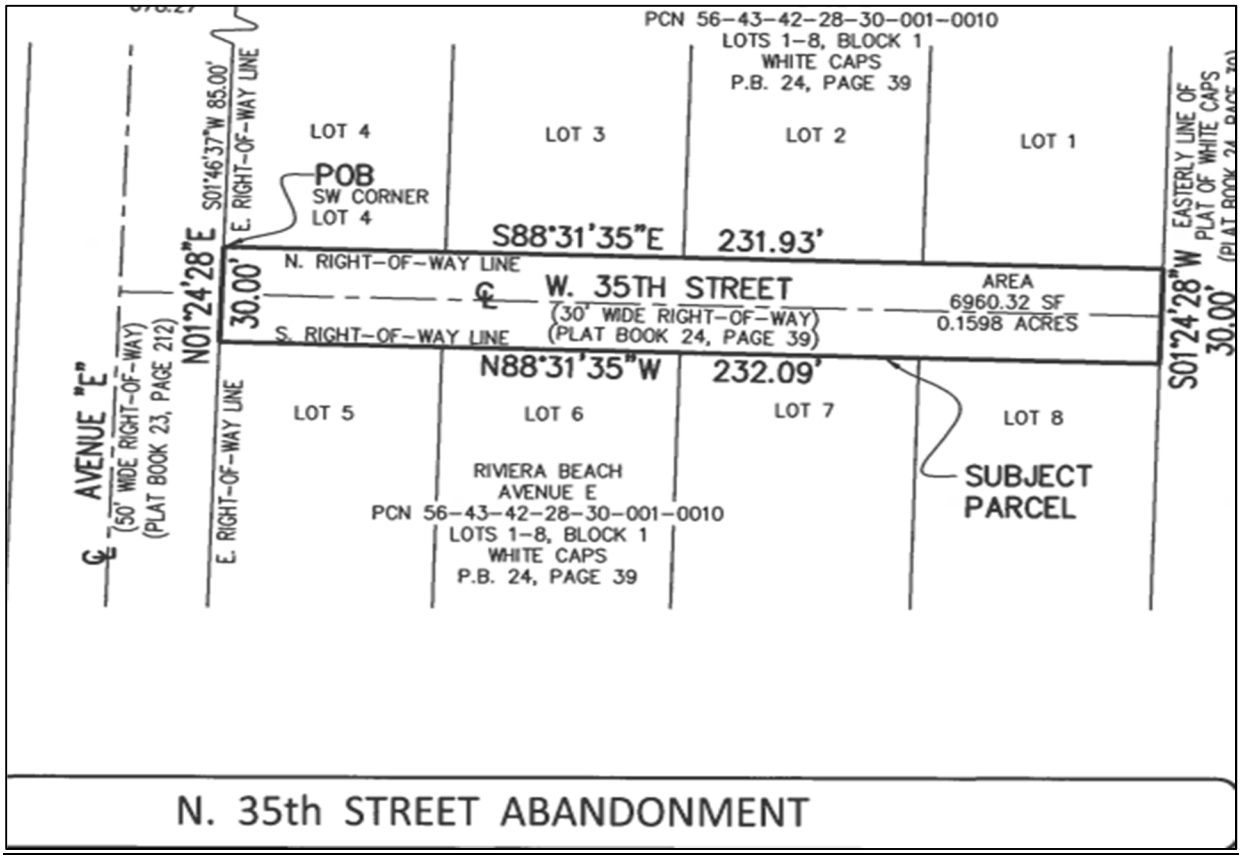
Proposed Zoning:



Abandonment Analysis:

In addition, to the above analysis of the applicant's rezoning request, the proposed abandonment has been analysed by the following criteria located within Code Section 29-66:

ATTACHMENT A



1. The proposed relocation resolves existing incompatibilities such as conditions where the fronts of some parcels face the backs of other parcels due to shifts in the block structure and street grid.

Staff's Response: The proposed abandonment resolves the incompatibilities of the site allowing for the full implementation of the proposed site plan. The elimination of the 35th street right of way (R.O.W) resolves incompatibility with the development of the site at western portion of the lot.

2. The subject right-of-way is an alley or designated as a secondary street. Primary streets are not eligible for relocation or re-orientation unless a new primary street is provided.

Staff's Response: The portions of the Rights-of-Way being abandoned are not functionally considered a primary street. Said portions are no longer part of an interconnected system nor is this ROW operational.

3. The applicant provides a new route within the project that is parallel to the subject right-of-way, establishes a potential (future) street connection on the zoning map, or creates greater connectivity within the city's street network.

Staff's Response: The applicant is not proposing a new route within the project.

4. The proposed relocation maintains or increases public access to the waterfront.

Staff's Response: Due to the distant location of this property, there is no current public access to the waterfront for this property or for the section of road being abandoned.

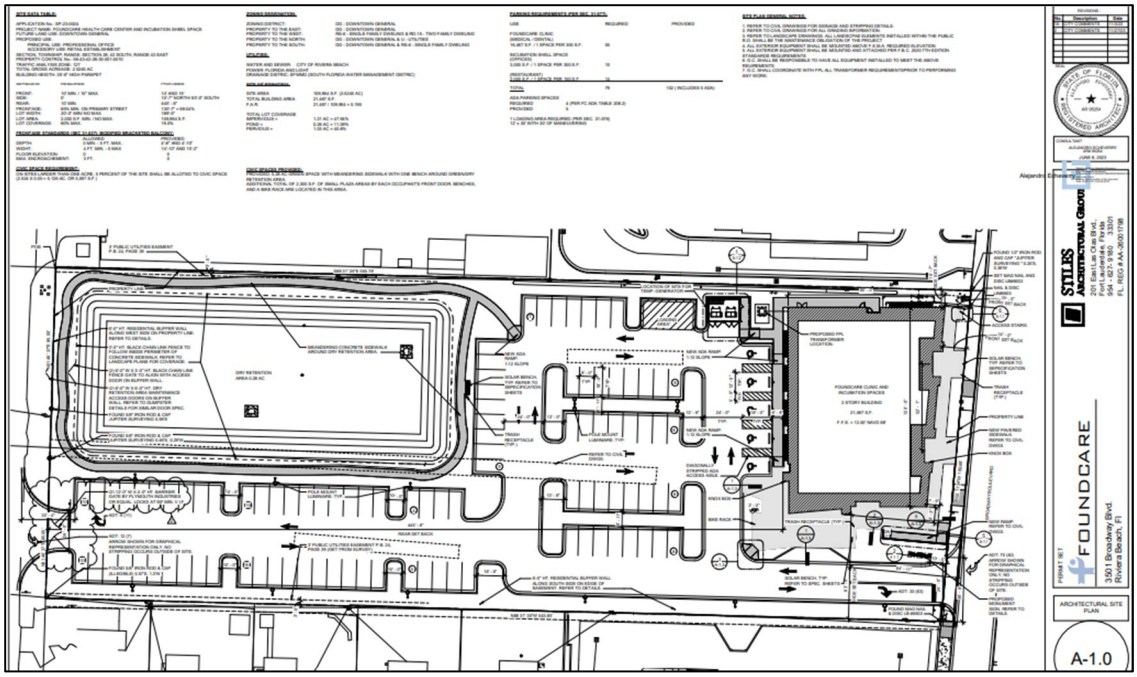
5. The relocation will not create a block with a perimeter measuring more than 2,000 feet.

Staff's Response: The proposed abandonment does not create a block with a perimeter measuring larger than 2,000 feet.

6. The proposed relocation supports a marine industry, whereby vessel size necessitates increased dimensions of the parcel. Approval of the use of public rights-of-way for marine industry is conditional upon maintaining the industry as the primary use; permits shall stipulate that right-of-way revert to the city upon the redevelopment of parcels for primarily residential or commercial uses

Staff's Response: Due to the location of the subject property, the proposed abandonment is not designed specifically to support the marine industry.

Site Plan Analysis:



1. Demonstrate that proposed use is appropriate to site.

Staff Response: **The applicant is proposing professional office and retail uses which are permitted within the Downtown General Zoning District**.

2. Demonstrate how drainage and paving requirement will be met:

Staff Response: According to the applicant the proposed Stormwater system conforms to the requirements in both the City of Riviera Beach Stormwater Master Plan & the FDOT drainage manual. The City Engineer has reviewed the submittal documents and found them compliant with minimum requirements. The proposed Paving conforms to the requirements listed in the City of Riviera Beach code, Sec. 29-92-97. If approved, the City's staff will use the building permit review process to ensure compliance with all municipal regulations.

3. Demonstrate any landscaping techniques to visually screen use from adjacent uses:

Staff Response: The applicant is proposing along the south and west buffers a 6' Site Wall has been proposed adjacent to the landscape buffer. The landscape buffer contains one to two layers of shrubs and a row of trees. The north buffer consists of a similar landscape palette without the wall. Shrub heights vary from 36-inch height to 18-inch height at maturity. Proposed tree species in the buffer are smaller due to overhead power constraints along the buffers. Larger trees have been proposed on the site where it is possible to provide more shade and screening. Also, staff recommends that the portion of the proposed wall facing Avenue E contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall.

4. Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use

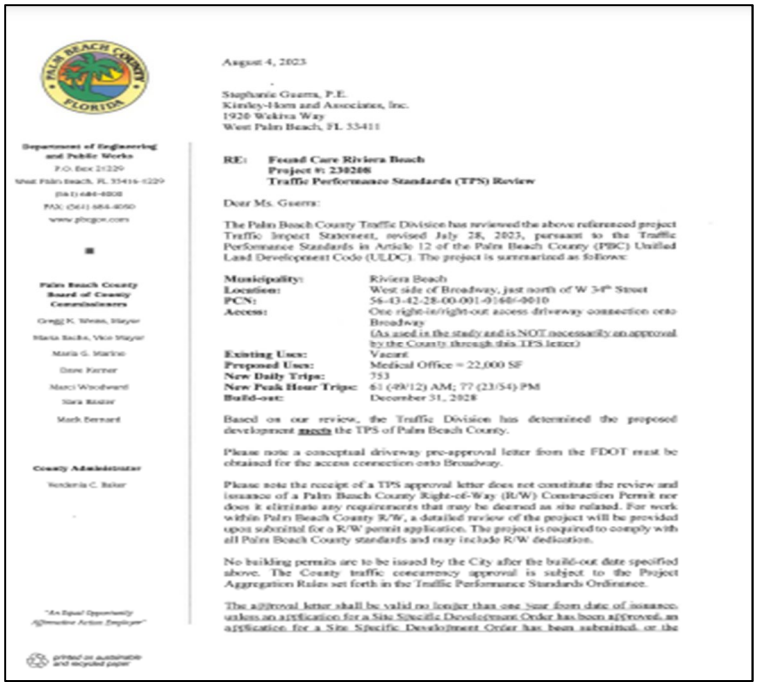
Staff Response: **A proposed 6' Site Wall Buffer will be placed on the South & West property limits, shielding the proposed use from residential units. The proposed wall accompanied by an existing fence along a portion of the north buffer will also help limit access to the site and help prevent potential problems on site. Landscape materials have been proposed with lines of sight in mind, allowing for vehicles and pedestrians to move throughout the site. As mentioned above, staff recommends that the portion of the proposed wall facing Avenue E contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall.**

5. Demonstrate how utilities and other service requirements of the use can be met:

Staff Response: All Utility infrastructure has been coordinated with the City of Riviera Beach staff to ensure compliance to all City of Riviera Beach Utility District design standards. A 33' x 18' loading area, sufficient parking & applicable sidewalk connections will be provided to meet the service requirements of the use as stated in the City of Riviera Beach Municode.

6. Demonstrate how the impact of traffic generated will be handled.

Staff Response: The revised plan of development and traffic study are in compliance with the Palm Beach County Traffic Performance Standards Ordinance with no mitigation required.



August 4, 2023

Stephanie Guerra, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, FL 33411

Department of Engineering and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners
Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Dave Kerner
Marci Woodward
Sara Baxter
Mark Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

RE: Found Care Riviera Beach
Project #: 230208
Traffic Performance Standards (TPS) Review

Dear Ms. Guerra:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, revised July 28, 2023, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Riviera Beach
Location:	West side of Broadway, just north of W 34th Street
PCN:	56-43-42-28-00-001-0160/-0010
Access:	One right-in/right-out access driveway connection onto Broadway (As used in the study and is NOT necessarily an approval by the County through this TPS letter)
Existing Use:	Vacant
Proposed Use:	Medical Office = 22,000 SF
New Daily Trips:	753
New Peak Hour Trips:	61 (49/12) AM; 77 (23/54) PM
Build-out:	December 31, 2028

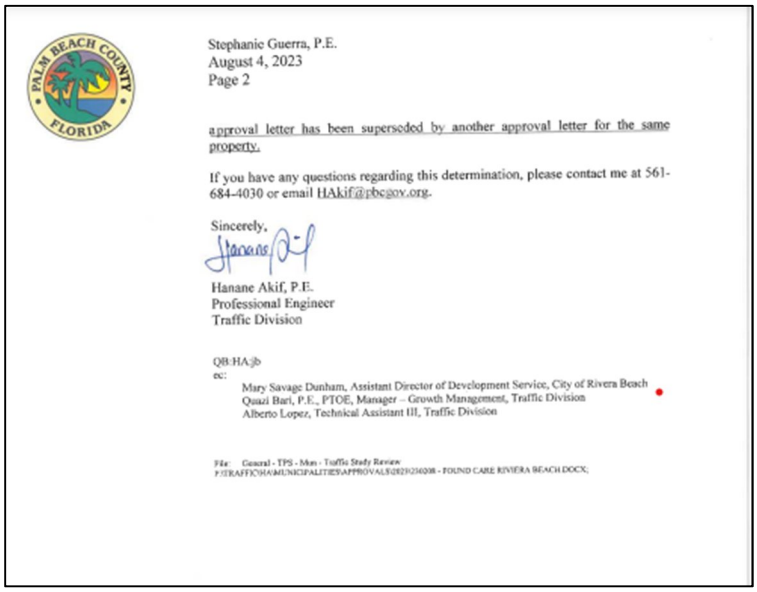
Based on our review, the Traffic Division has determined the proposed development meets the TPS of Palm Beach County.

Please note a conceptual driveway pre-approval letter from the FDOT must be obtained for the access connection onto Broadway.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the



approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email HAkif@pbc@gov.org.

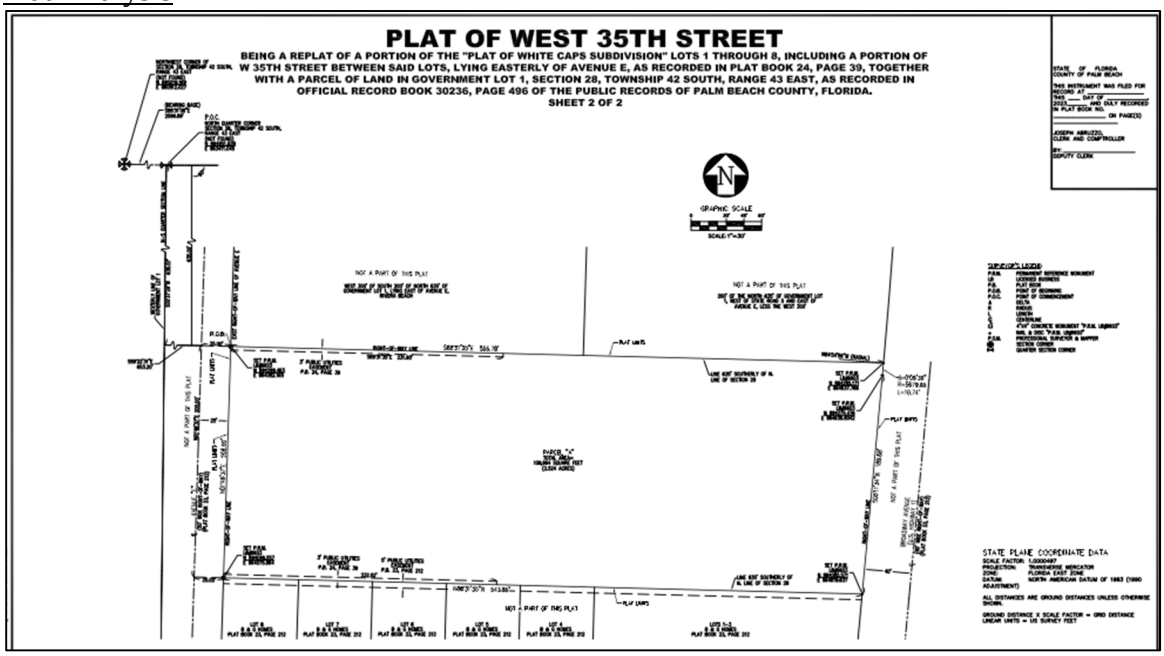
Sincerely,

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:jb
ec:
Mary Savage Dunham, Assistant Director of Development Service, City of Rivera Beach
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
P:\TRAFFIC\HA\MUNICIPALITIES\APPROVALS\2023\230208 - FOUND CARE RIVIERA BEACH.DOCX;

Plat Analysis



Proposed Use:

Staff's Response: The proposed use shall be in compliance with the Future Land Use Map and the Zoning District Map

Zoning Regulations:

Staff's Response: The proposed plat shall be consistent with the City's Land Development Regulations.

Comprehensive Plan:

Staff's Response: The proposed plat shall be consistent with the City's Comprehensive Plan.

Uses:

Staff's Response: The site is currently vacant.

Compatibility:

Staff's Response: This plat is required in order to implement the proposed site plan.

Levels of Service:

Staff's Response: Customary services such as water, sewer, roads and garbage collection are available to the site.

In addition, in accordance with Chapter 30 (Subdivision Regulations) Section 30-4:

The Planning and Zoning staff has determined that the proposed plat will:

(1) Protect the public health, safety and welfare.

(2) The proposed plat will not be in violation of the comfort and convenience of the public in general nor of the residents within the adjacent neighborhood; and

(3) Shall be consistent with the immediate surrounding area.

Recommendation:

The Planning and Zoning Staff recommend that the Planning and Zoning Board and City Council review and approve these applications subject to the following conditions:

Plat Conditions:

1. Any outstanding plat comments must be resolved prior to the application being heard before City Council.

Site Plan Conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a Certificate of Occupancy or Certificate of Completion is issued.

2. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.

3. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.

4. This development must receive final Certificate of Occupancy from the City for all buildings approved within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit

application for site plan and special exception approval and re-initiate the site plan approval process.

5. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.

6. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.

7. The portion of the proposed wall facing Avenue E (facing the residential area) contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall and the neighboring community.

8. The concurrent ordinances; **AB-23-0002**; **LU-23-0004**; **ZA-23-0007**) must be adopted, approved and become effective prior to this site plan approval becoming effective.

For Staff Use Only

City of Riviera Beach Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404 Phone: (561) 845-4060 Fax : (561) 845-4038	**Date:** **Case Number:**
	Project Title:
	Fee Paid: **Notices Mailed:**
	1st Hearing: **2nd Hearing:**
	Publication Dates (if required)

UNIFORM LAND USE APPLICATION

(Please attach separate sheet of paper for required additional information)
Complete appropriate sections of Application and sign.

APPLICANT

Name of Property Owner(s): City of Riviera Beach

Mailing Address: 600 West Blue Heron Blvd.

Property Address: 3501 Broadway

Name of Applicant (if other than owner): Thomas J. Baird, Esq. as Agent for Foundcare

Home: ( ) Work: (561) 650-8232 Fax: ( )

E-mail Address:

PLEASE ATTACH LEGAL DESCRIPTION

PROPERTY

Future Land Use Map Designation: C/R Current Zoning Classification: Downtown / General / RS-8

Square footage of site: 1.3425 acres Property Control Number (PCN): 56-43-42-28-00-001-0160

Type and gross area of any existing non residential uses on site: None

Gross area of any proposed structure: 20,000 sf - 2-story

Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [✓] No

If yes, please describe:

Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [✓] No

If yes, indicate date, nature and applicant's name: N/A

Briefly describe use of adjoining property: North: Commercial

South: Residential

East: Broadway ROW

West: Vacant Residential

REZONE

Requested Zoning Classification: CG General Commercial

Is the requested zoning classification contiguous with existing? to the North / East - Yes

Is a Special Exception necessary for your intended use? [ ] Yes [✓] No

Is a Variance necessary for your intended use? [ ] Yes [✓] No

FUTURE LAND USE

Existing Use: Vacant land

Proposed Use: Incubator space/Pharmacy /Medical/Clinical & Dental

Land Use Designation: Commercial/Residential

Requested Land Use: Commercial

Adjacent Land Uses: North: Commercial South: Residential

East: Commercial West: Residential

Size of Property Requesting Land Use Change:

SPECIAL EXCEPTION

Describe the intended use requiring a Special Exception: N/A

Provide specific LDR ordinance section number and page number: -

How does intended use meet the standards in the Land Development Code?

By developing the Property in accordance with Art III of Chapter 31 (Site Plan) and rezoning the residential portion of the Property to Commercial.

Demonstrate that proposed location and site is appropriate for requested use:

The Property is located in the Downtown General / RS-t residential zoning district. As such, the development of a 2-store building with a medical/dental clinic, pharmacy and incubator space is consistent with the zoning.

Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: The proposed building will be sited and buffered to minimize conflicts with adjacent uses, particularly the adjacent residential uses.

Demonstrate any landscaping techniques to visually screen use from adjacent uses:

The building site will be developed in accordance with, or exceeding code.

Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:

There are no known or potential hazards, problems or nuisances.

Demonstrate how utilities and other service requirements of the use can be met:

The site is an urbanized area and all public/private utility providers will be contacted and approvals obtained.

Demonstrate how the impact of traffic generated will be handled:

On-site: See Site Plan for internal circulation and parking

Off-Site: Traffic will be handled in accordance with the approved traffic study by PBC.

Other:

VARIANCE

Describe the Variance sought: N/A

Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:

Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:

Other:

SITE PLAN

Describe proposed development:

The property will be developed with a two-story building with uses including 2,500 s.f. of incubator spae, a 5,000 s.f. pharmacy on the ground floor and a dental clinic on the 2nd floor.

Demonstrate that proposed use is appropriate to site:

This is a highly urbanized "downtown" area of the City. Incubator space will be available for business development. The health center will serve the greater Riviera Beach Area.

Demonstrate how drainage and paving requirement will be met:

The drainage will meet the requirements of the City and other reviewing agencies

Demonstrate any landscaping techniques to visually screen use from adjacent uses:

The landscaping plan will meet or exceed code.

Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:

There are non known or potential hazards, problems or nuisances.

Demonstrate how utilities and other service requirements of the use can be met:

The site is in a highly urbanized area and all utility providers will be contacted and permits obtained.

Demonstrate how the impact of traffic generated will be handled:

On-site: See Site Plan for internal circulation and parking.

Off-site: Traffic will be handled in accordance with the approved traffic study.

OTHER

COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:

- Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.
- Antenna manufacture cut sheets including antenna size and shape.
- Zoning map of area with site clearly marked.
- Photos of existing building or tower and surrounding uses.
- Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.
- Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.
- Letter of structural capacity and building code compliance.
- Notes on plan or letter demonstrating floor area coverage not in excess of restrictions
- Provide Photo Enhancements of proposal.
- Statement that proposal is in compliance with Environmental Regulations prior to permit issue.

Confirmation of Information Accuracy

I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars ($500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.

Signature

February 7, 2023

Date

AGENT AUTHORIZATION FORM

Owner(s) of Record: City of Riviera Beach / See attached letter

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared _____

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

the street address of which is: _____

and that we hereby appoint:

Name: _____

Address: _____

_____

Telephone: _____

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

_____ (Seal)

_____ (Seal)

_____ (Seal)

Sworn to and subscribed before me this _____day of _____, _____.

_____
Notary Public

OWNER/APPLICANT SIGNATURE AUTHORIZATION

PROJECT NAME: **FoundCare, Inc. (Federally Qualified Health Center)**

The City of Riviera Beach (City), the owner of real property located at 3501 Broadway, Riviera Beach, Florida (Property) hereby designates and authorizes the agent(s) listed below to act on behalf of the City, as its agent(s) in the processing of any required application(s) for the permitting, platting, zoning or rezoning, site planning of the Property, and the vacation and abandonment of W. 35th Street and Avenue E. Pursuant to City Resolution No. 076-22 (adopted on September 21, 2022) approving a Ground Lease between the City and FoundCare, Inc., the below-listed agent(s) may perform any requirements which may be necessary to procure the permit(s), platting, zoning or rezoning, site plan and vacation and abandonment of W. 35th Street and Avenue E.

Printed Name(s) and Signature(s) of Authorized Agent(s)

Print Name: Thomas J. Baird

Signature: _____

Print Name: FoundCare, Inc.

Signature: _____ (RIK PAVLESCAK), its Chief Administrative Officer

Printed Name of Owner: ~~City of Riviera Beach, Florida~~

Signature of Owner: _____

Title: City Manager

Date: 1/18/23

SITE PLAN APPROVAL PROCEDURE

Application Information Sheet

STEP 1. PRELIMINARY REVIEW OF SUBMISSION

SIX (6) SETS OF A STAPLED AND FOLDED PACKAGE CONTAINING DRAWINGS TO SCALE AND DIMENSIONED

1. **SITE PLAN**
   a. Special site plan drawing with information block showing zoning, parking calculations, site area, building coverage, pervious/impervious areas, location map.
   b. Dimensions should include – lot, landscape strips, setbacks, roads, internal circulation areas, building(s), typical parking spaces, dumpster pads/enclosures, sign locations. It should be noted that sign approval requires separate building permit submission.
   c. Provide a digital copy of the site plan drawing with State Plan Coordinates in AutoCAD 2000 (.DWG) or Shapefile (.shp) format.

2. **LANDSCAPE PLAN and ENVIRONMENTAL ASSESSMENT**
   a. Show compliance with the City of Riviera Beach Land Development Code
   b. Drawings and/or narrative sufficient to describe the relevant flora and fauna which may be on the site. Tree survey may be required.

3. **ARTERIAL ROAD DESIGN AND STANDARD**
   a. Design standards for all non-residential properties fronting the following roads are required:
      - Dr. Martin Luther King, Jr. Boulevard
      - Old Dixie Highway
      - Blue Heron Boulevard
      - 13th Street
      - Military Trail
      - Congress Avenue
   b. Drawings indicating the appearance standards are required and addressed under Ordinance 2833.
   c. Only one monument sign is permitted per site with maximum square footage of 42 square feet.

4. **UTILITY and DRAINAGE PLAN**
   a. Conceptual plan, indicating location of lines and tie-ins, proposed hydrants, if applicable
   b. Conceptual plan to include existing and proposed major elevations.
   c. Show easement, existing and proposed.
   d. Show conceptually how retention area will provide treatment for one-hour storm.

5. **TRAFFIC ASSESSMENT**
   a. If traffic trip generation is under 500 T.P.D. then a properly formulated traffic statement is adequate. Traffic generation above this level will require a traffic engineer prepared traffic study. Provide total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table 1 in Sec. 23.AA – 28.3 of Code].

b. Palm Beach County Traffic Assessment Requirements: Applicant must submit a Traffic Impact Study for Palm Beach County to receive concurrency approval in accordance with Sec. 23-131 of the Palm Beach County Traffic Performance Code.

6. BUILDING ELEVATIONS

a. Front, rear, and both sides.
b. Show finishes (color, materials).
c. Elevators are required to be in color showing building finishes, lighting, canopies, etc. Plans shall have a minimum sheet size of 8 ½ "x 14". Plans larger than 8 ½ "x 14" shall be folded individually. Reduced copies of the site plan on 11" x 17" sheets are required for the City Council. (Note: Plans for submittal to the Planning and Zoning Board and City Council shall be provided after all comments and requirements by staff have been satisfied.

7. FLOOR PLAN

a. Conceptual (construction details are not necessary).

8. NARRATIVE OR COVER LETTER

a. Describe project purpose and details of intended use, including phasing and relationship to surrounding area.
b. Include estimate of employment and student population generated by project, if applicable.

9. CONCURRENCE COMPLIANCE

a. Traffic Generation: Total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table I in Sec. 31-715 of Code]
b. Sanitary Sewer: Total gallons per day produced by project - [from calculations or Table III in Section 31-717 of Code]
c. Potable Water: Total gallons per day required by project [from calculation or based on Table II in Section 31-716 of Code]
d. Drainage: Does project detain on-site the first inch of run-off or run-off from a one-hour storm (3 year)? Note: All developments of one acre or more are required to obtain an NPDES permit prior to obtaining a City Building permit, and provide PPP and BMP plans.
e. Solid Waste: Total pounds of waste generated per day by project [from calculations or based on Table IV in Section 31-718 of Code]
f. Recreation: If a residential project, list proposed public recreational or park elements of project (in acres)
g. School Concurrency: The School Concurrency Application and Service Provider Form must be completed and submitted with this application. Please refer to the attached School Concurrency Application and Service Provider Form for related fees.

STEP 2: DEPARTMENTAL REVIEW, COMMENTS TO APPLICANT AND REVISIONS TO PROJECT

After departmental review (approximately four weeks), the applicant will receive a letter from Community Development outlining department concerns and comments. The departmental review process repeats until staff is satisfied with revisions. Applicant will then provide six (6) full size packages of accordion folded, revised plans. These

OWNER/APPLICANT SIGNATURE AUTHORIZATION

PROJECT NAME: **FoundCare, Inc. (Federally Qualified Health Center)**

The City of Riviera Beach (City), the owner of real property located at 3501 Broadway, Riviera Beach, Florida (Property) hereby designates and authorizes the agent(s) listed below to act on behalf of the City, as its agent(s) in the processing of any required application(s) for the permitting, platting, zoning or rezoning, site planning of the Property, and the vacation and abandonment of W. 35th Street and Avenue E. Pursuant to City Resolution No. 076-22 (adopted on September 21, 2022) approving a Ground Lease between the City and FoundCare, Inc., the below-listed agent(s) may perform any requirements which may be necessary to procure the permit(s), platting, zoning or rezoning, site plan and vacation and abandonment of W. 35th Street and Avenue E.

Printed Name(s) and Signature(s) of Authorized Agent(s)

Print Name: Thomas J. Baird

Signature: _____

Print Name: FoundCare, Inc.

Signature: _____ (RIK PAVLESCAK), its Chief Administrative Officer

Printed Name of Owner: ~~City of Riviera Beach, Florida~~

Signature of Owner: _____

Title: City Manager

Date: 1/18/23

STILES
ARCHITECTURAL GROUP
Invest·Build·Manage

FL REG. # AA26001798

November 2, 2023

VIA PROJECT PORTAL
City of Riviera Beach
Planning and Zoning Division

Re: Foundcare Inc.
Project Narrative

This firm represents Foundcare Inc. (“applicant”), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the “Property.” The applicant is seeking approval for a new Foundcare Clinic (“Project”) in the Downtown General (“DG”) zoning District. Here, we provide a narrative outlining the project's compliance with the City of Riviera Beach (“City”) Land Development Code (“LDC”) and a description of the project.

The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately 2.5245 acres or 109,964 square feet and is divided into two parcels of land:

Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District (“DG”).

Parcel 2: Lots 1 to 8, inclusive of Block 1, White Caps Subdivision, according to the plat on file in the office of the clerk of the circuit court in and for Palm Beach County, Florida, as recorded in Plat Book 24, Page 19. This parcel is a portion of the plat of White Caps, recorded in Plat Book 24, Page 39 of the public records of Palm Beach County, Florida, and is currently zoned for Two Family Dwelling District (RD-15).

Downtown General District (“DG”) permits various uses within the zoning district, including residential, professional office (provided), retail establishments (provided), daycare, nursing or convalescent homes and adult living facilities (ALF), churches and their educational buildings, civic open spaces (provided), and community gardens.

The Property has an existing 30’ N. 35th Street Right of Way which is being abandoned under AB- 23-0002, and this site plan application is also being processed alongside a re-plat submission under PA-23-0008.

Foundcare, Inc. will establish a federally qualified health center to enhance healthcare accessibility for Riviera Beach city residents and underserved populations. The facility will consist of two stories with a total area of approximately 20,000 square feet. This includes a 15,000 square feet health center and 5,000 square feet of shell space for two accessory spaces serving as business incubators.

tel: (954) 627-9180
fax: (954) 627-9189

201 East Las Olas Boulevard
Fort Lauderdale, FL 33301

www.stiles.com

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms.
The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area. The project will include parking facilities, landscaping, and hardscaping that exceed local code requirements.

The Project meets all City's requirements, including a ground story height between 10'-18' (provided at 14'-0"), no mezzanines or parking garages (none provided), and a flat roof with 42" parapets (minimum parapet height provided is 42"). All roof equipment is properly screened from view by the parapets.

The Project incorporates a modified bracketed balcony frontage. Instead of traditional balconies with railings, the second-level overhang over the ground-level entrance is enclosed. The two entrances for the incubation spaces at the ground level are 52'-1" apart, where the maximum allowed distance is 75'. Civic space provided is a combination of green space with a meandering sidewalk along the dry retention area for afternoon walks, and small plaza spaces at all ground-level building entrances, complete with benches, bike racks, and trash receptacles.

We are exited for Foundcare Inc. to be introduced to the City of Riviera Beach/ Please let us know if you have any questions or need additional information.

Respectfully,

Adriana Murillo

Adriana Murillo
Sr. Project Manager
Stiles Architectural Group

CFN 20180424092
OR BK 30236 PG 494
RECORDED 11/08/2018 08:57:15
Palm Beach County, Florida
AMT 500,000.00
DEED DOC 3,500.00
Sharon R. Bock
CLERK & COMPTROLLER
Pgs 0494-0496; (3Pgs)

This Document Prepared By
Steven M. Singer, Esq.
Law Offices of Steven M. Singer, P. A.
7901 SW 6th Court, Suite 305
Plantation, FL 33324

And Upon Recording Return to:
Steven M. Singer, Esq.
Law Offices of Steven M. Singer, P. A.
7901 SW 6th Court, Suite 305
Plantation, FL 33324

Parcel ID Number: 56-43-42-28-00-001-0160
Parcel ID Number: 56-43-42-28-30-001-0010

NOT A CERTIFIED COPY

CORPORATE DEED

THIS CORPORATE DEED, made this 26 day of October, 2018 A.D., between J & B Motel Corp., a Florida corporation, whose address is 7901 SW 6th Court, Suite 305, Plantation, FL 33324 ("Grantor"), and City of Riviera Beach with an address of 600 W. Blue Heron Blvd., Riviera Beach, FL 33404 ("Grantee").

(Wherever used herein the terms Grantor and Grantee shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires)

WITNESSETH, that the GRANTOR, for and in consideration of the sum of TEN DOLLARS ($10) DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Palm Beach, State of Florida to wit·

See Exhibit "A" Attached hereto

A/K/A 3501 Broadway, Riviera Beach, FL 33407

TOGETHER WITH (i) any and all structures and improvements on the Property; and (ii) all easements, rights of way, privileges, licenses, appurtenances and other rights and benefits belonging to, running with the owner of, or in any way related to the Property.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, Grantor covenants with said Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Property; the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the GRANTOR has hereunto set his hand(s) and seal(s), the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witness Maigen Bell

Witness

J & B Motel Corp.

By: Alan Sorota
Alan Sorota, President

STATE OF COLORADO
COUNTY OF BOULDER

The foregoing instrument was acknowledged before me this 26 day of October, 2018, by Alan Sorota, President of J & B Motel Corp., a Florida corporation, ( ) who is personally known to me or ( ) who has produced Colorado Driver License as identification.

Print Name: Maigen Bell
Notary Public, State of Colorado

My Commission Expires: August 12, 2022

MAIGEN BELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144031558
MY COMMISSION EXPIRES AUGUST 12, 2022

NOT A CERTIFIED COPY

EXHIBIT "A"

A parcel of land in Government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the intersection of the West line of Government Lot 1 of said Section 28, with a line parallel to and 635 feet Southerly from (measured at right angles), the North line of said Section 28; thence Easterly along said parallel line 909.75 feet to the Point of Beginning and the NW corner of the herein described parcel; thence Southerly at right angles to said parallel line 200 feet; thence Easterly parallel to and 835 feet Southerly from (measured at right angles), the North line of said Section 28, 311.28 feet, more or less, to the Westerly right-of-way line of State Road No. 5, according to the Plat of said right-of-way filed in County Road Plat Book 1, Page(s) 52, Palm Beach County Records; thence Northerly along said Westerly right-of-way line, 200.4 feet, more or less, to a point in said line parallel to and 635 feet South of the North line of said Section 28; thence Westerly along said last mentioned parallel line, 324.4 feet, more or less, to the Point of Beginning.

AND

Lots 1 to 8, inclusive, Block 1, Whitecaps Subdivision, according to the plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, as recorded in Plat Book 24, page 39.

NOT A CERTIFIED COPY

(OFFICIAL RECORD BOOK 30236, PAGE 496)

A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH

COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 28, WITH A LINE PARALLEL TO AND 635 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28; THENCE EASTERLY ALONG SAID PARALLEL LINE 909.75 FEET TO THE POINT OF BEGINNING AND THE NW CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE 200 FEET; THENCE EASTERLY PARALLEL TO AND 835 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28, 311.28 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, ACCORDING TO THE PLAT OF SAID RIGHT-OF-WAY FILED IN COUNTY ROAD PLAT BOOK 1, PAGE(S) 52, PALM BEACH COUNTY RECORDS; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAYLINE, 200.4 FEET, MORE OR LESS, TO A POINT IN SAID LINE PARALLEL TO AND 635 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE, 324.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

LOTS 1 TO 8, INCLUSIVE OF BLOCK 1, WHITE CAPS SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 19.

(METES AND BOUNDS)

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAYMAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO

A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 35TH AVENUE (30 FOOT WIDE RIGHT-OF-WAY) (PLAT BOOK 24, PAGE 39); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S88°31'35"E A DISTANCE OF 232.09 FEET TO THE EASTERLY LINE OF SAID PLAT OF WHITE CAPS; THENCE, N01°24'28"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST 35TH STREET; THENCE ALONG SAID NORTHERLY LINE, N88°31'35"W A DISTANCE OF 213.93 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 2.365 ACRES MORE OR LESS.

LEGAL DESCRIPTION
(OFFICIAL RECORD BOOK 30236, PAGE 496)
A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 28, WITH A LINE PARALLEL TO AND 635 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28; THENCE EASTERLY ALONG SAID PARALLEL LINE 909.75 FEET TO THE POINT OF BEGINNING AND THE NW CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE 200 FEET; THENCE EASTERLY PARALLEL TO AND 835 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28, 311.28 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, ACCORDING TO THE PLAT OF SAID RIGHT-OF-WAY FILED IN COUNTY ROAD PLAT BOOK 1, PAGE(S) 52, PALM BEACH COUNTY RECORDS; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 200.4 FEET, MORE OR LESS, TO A POINT IN SAID LINE PARALLEL TO AND 635 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE, 324.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

LOTS 1 TO 8, INCLUSIVE OF BLOCK 1, WHITE CAPS SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 19

LEGAL DESCRIPTION
(METES AND BOUNDS)

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAY MAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 35TH AVENUE (30 FOOT WIDE RIGHT-OF-WAY) (PLAT BOOK 24, PAGE 39); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S88°31'35"E A DISTANCE OF 232.09 FEET TO THE EASTERLY LINE OF SAID PLAT OF WHITE CAPS; THENCE, N01°24'28"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST 35TH STREET; THENCE ALONG SAID NORTHERLY LINE, N88°31'35"W A DISTANCE OF 213.93 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 2.365 ACRES MORE OR LESS.

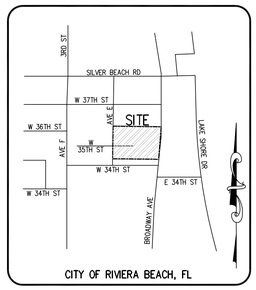
SECTION 6. BASE TITLE INFORMATION AND OTHER ENCUMBRANCES:

1. WHITE CAPS SUBDIVISION, AS RECORDED IN PLAT BOOK 24, PAGE 39, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **SHOWN HEREON.**

2. EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY, RECORDED IN DEED BOOK 402, PAGE 527, TOGETHER WITH CONFIRMATION OF EASEMENT, RECORDED IN DEED BOOK 510, PAGE 279, AS AFFECTED BY THAT PARTIAL RELEASE OF EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 868, PAGE 1125, AND THAT PARTIAL RELEASE OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1630, PAGE 124, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **DOES NOT AFFECT THE SUBJECT PROPERTY, NOT PLOTTABLE.**

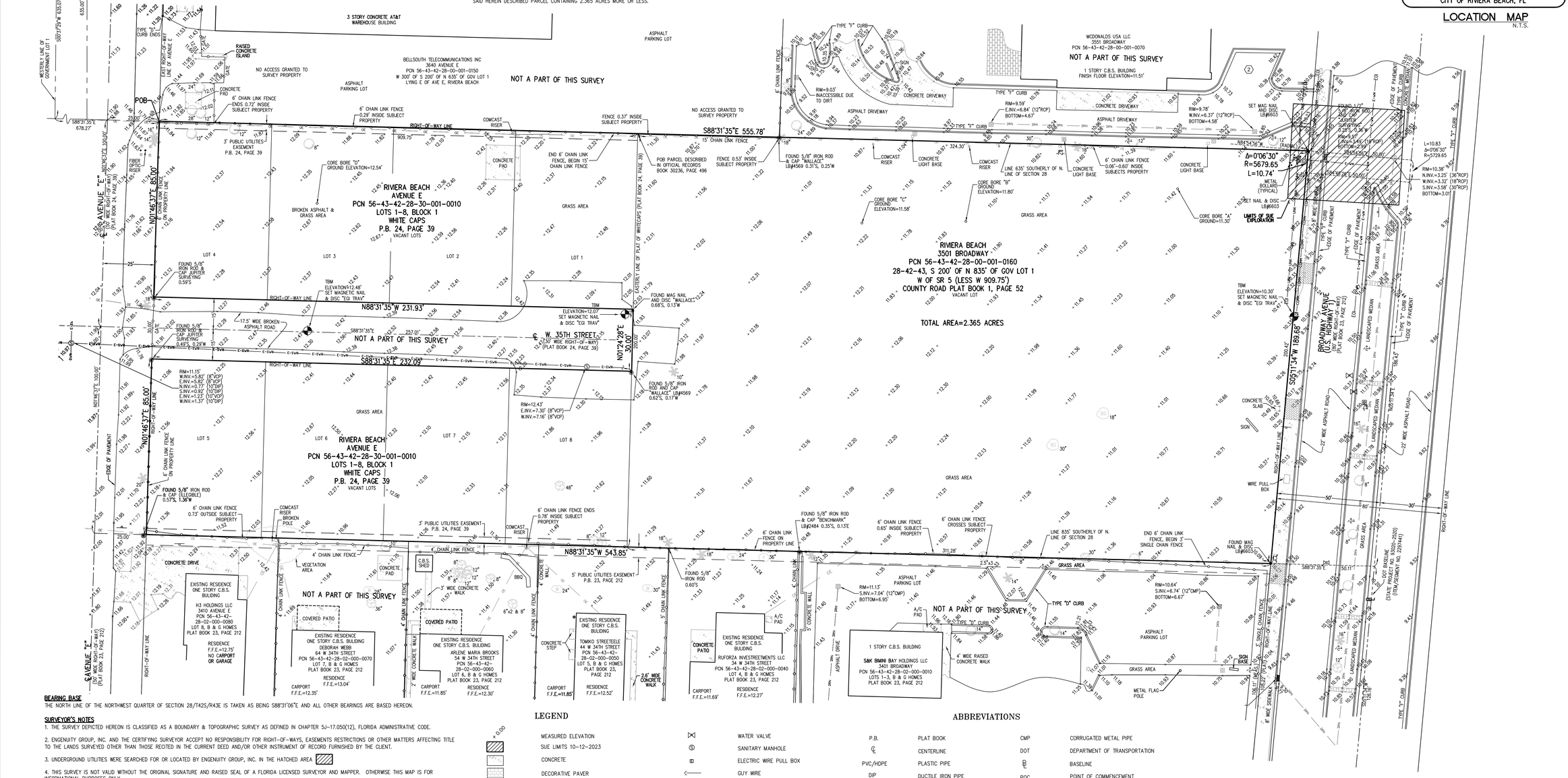
NOTE: ROAD BOOK 1, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

GRAPHIC SCALE
0 20' 30' 40'
SCALE: 1"=20'



CITY OF RIVIERA BEACH, FL

LOCATION MAP
N.T.S.



BEARING BASE
THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 28/T42S/R43E IS TAKEN AS BEING S88°31'06"E AND ALL OTHER BEARINGS ARE BASED HERETO.

SURVEYOR'S NOTES
1. THE SURVEY DEPICTED HEREON IS CLASSIFIED AS A BOUNDARY & TOPOGRAPHIC SURVEY AS DEFINED IN CHAPTER 5J-17.050(12), FLORIDA ADMINISTRATIVE CODE.

2. ENGENUITY GROUP, INC. AND THE CERTIFYING SURVEYOR ACCEPT NO RESPONSIBILITY FOR RIGHT-OF-WAYS, EASEMENTS RESTRICTIONS OR OTHER MATTERS AFFECTING TITLE TO THE LANDS SURVEYED OTHER THAN THOSE RECITED IN THE CURRENT DEED AND/OR OTHER INSTRUMENT OF RECORD FURNISHED BY THE CLIENT.

3. UNDERGROUND UTILITIES WERE SEARCHED FOR OR LOCATED BY ENGENUITY GROUP, INC. IN THE HATCHED AREA

4. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. OTHERWISE THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.

5. LAST DATE OF FIELD SURVEY: OCTOBER 11, 2023.

6. ALL DISTANCES SHOWN HEREON ARE IN U.S. FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.

7. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

8. ACCURACY STATEMENT: A FIELD SURVEY WAS PERFORMED IN ACCORDANCE WITH CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES FOR TOPOGRAPHIC SURVEYS. THE ACCURACY OF CONTROL DATA WAS VERIFIED BY REDUNDANT MEASUREMENTS OF TRAVERSE CLOSURES AND EXCEEDS COMMERCIAL/HIGH RISK: LINEAR: 1 FOOT IN 10,000 FEET.

9. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/240 OR SMALLER.

10. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE SEARCH REPORT PREPARED BY STATEWIDE LAND TITLE INC., UNDER SLTI FILE NUMBER 19-16387, WITH AN EFFECTIVE DATE OF APRIL 28, 2019 AT 8:00 AM.

11. THE SYMBOLS ARE NOT AT THE SAME SCALE AS THE DRAWING IN ORDER TO SHOW GREATER DETAIL.

12. THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION X (BASE FLOOD ELEVATION IS NOT AVAILABLE) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 12099C0391F, WITH A DATE OF IDENTIFICATION OF OCTOBER 5 2017, FOR COMMUNITY NO. 125142, IN PALM BEACH COUNTY, STATE OF FLORIDA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. THE FLOOD ZONE IS NOT SHOWN GRAPHICALLY.

13. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 1988) AND REFERENCE THE FOLLOWING BENCHMARK:

SOURCE BENCHMARK:
NAME: U 402
STAMPED: U 402 1991 ELEVATION= 22.247' NGVD 1929

IN RIVIERA BEACH, AT THE INTERSECTION OF THE FLORIDA EAST COAST RAILROAD AND SILVER BEACH ROAD, 10.0 M (32.8 FT) SOUTHEAST OF AND LEVEL WITH THE ROAD CENTERLINE, 8.1 M (26.6 FT) NORTHEAST OF THE NEAR RAIL. NOTE: ACCESS TO THE DATUM POINT IS THROUGH A 5-INCH LOGO CAP. A STAINLESS STEEL ROD SET TO A DEPTH OF 17.6 METERS ENCASED IN A PIPE FLUSH WITH THE GROUND. THE STATION IS A NATIONAL GEODETIC SURVEY VERTICAL CONTROL FLANGE-ENCASED STAINLESS STEEL ROD IN A SLEEVE WITH THE FLANGE STAMPED "U 402 1991". THE STATION IS LOCATED 18.50 FEET SOUTH OF THE SOUTH EDGE OF PAVEMENT OF SILVER BEACH ROAD, 31.70 FEET NORTH-NORTHWEST OF THE NORTHWEST CORNER OF A METAL D.O.T. SHED MARKED SILVER BEACH DOT #272389V389.

LEGEND

× 0.00	MEASURED ELEVATION
	SUE LIMITS 10-12-2023
	CONCRETE
	DECORATIVE PAVER
	BRICK PAVERS
	CONCRETE LIGHT POLE
	INFORMATION SIGN (SINGLE POST)
	INFORMATION SIGN (DOUBLE SIDED)
— o —	CHAIN LINK FENCE
	IRRIGATION CONTROL VALVE
T.B.M.	TEMPORARY BENCHMARK
	GAS VALVE
	LIGHT POLE
	CATCH BASIN
—OE—	OVERHEAD ELECTRIC WIRES
—DRN—	EXISTING UNDERGROUND DRAINAGE
—E-SWR—	EXISTING UNDERGROUND SEWER
—UE—	UNDERGROUND ELECTRIC
—COMM—	UNDERGROUND COMMUNICATION
—E-WM—	UNDERGROUND WATER
—UNK—	UNDERGROUND UNKNOWN LINE
	WATER VALVE
	SANITARY MANHOLE
	ELECTRIC WIRE PULL BOX
	GUY WIRE
	CATCH BASIN INLET
	UTILITY POLE
	BACK FLOW PREVENTOR
	CLEAN OUT
	FIRE HYDRANT
	NUMBER OF PARKING SPACES
	DRAINAGE MANHOLE
	WATER METER
	VEGETATION

TREE LEGEND

12"	ORNAMENTAL TREE AND DIAMETER
12"	PALM TREE AND DIAMETER
12"	MANGO TREE AND DIAMETER
12"	OAK AND DIAMETER
12"	FIG TREE AND DIAMETER
12"	BLACK OLIVE TREE AND DIAMETER

ABBREVIATIONS

P.B.	PLAT BOOK	CMP	CORRUGATED METAL PIPE
℄	CENTERLINE	DOT	DEPARTMENT OF TRANSPORTATION
PVC/HDPE	PLASTIC PIPE	℄	BASELINE
DIP	DUCTILE IRON PIPE	POC	POINT OF COMMENCEMENT
RCP	REINFORCED CONCRETE PIPE	POB	POINT OF BEGINNING
VCP	VITRIFIED CLAY PIPE	C.B.S.	CONCRETE BLOCK STRUCTURE
F.F.E.	FINISH FLOOR ELEVATION	MEAS.	MEASURED
INV.	INVERT	L	LENGTH
PCN	PARCEL CONTROL NUMBER	R	RADIUS
A/C	AIR-CONDITIONING	Δ	DELTA
LB	LICENSED BUSINESS		

ALL ELEVATIONS ARE BASED ON NGVD 1929

NO.	DATE	REVISIONS	BY
1	10/12/23	ADDED SUE AND FEMA INFORMATION	MW

©COPYRIGHT 2023 BY ENGENUITY GROUP, INC. THIS DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. UNLESS SIGNED AND SEALED BY A REGISTERED PROFESSIONAL SURVEYOR AND MAPPER REPRESENTING ENGENUITY GROUP, INC.

FOUNDCARE, INC
3501 BROADWAY AVE, RIVIERA BEACH

BOUNDARY, TOPOGRAPHIC AND TREE SURVEY FOR:

engenuity group inc.
A Higher Standard of Excellence
Engineers • Surveyors • GIS Mappers
1280 CONGRESS AVE #101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390
WWW.ENGENUITYGROUP.COM

Y:\Land Projects RX\22059.01 3501 Broadway-Foundcare\Dwg\22059.01-13 foundcare SUE addition.dwg 10/12/2023 10:52:58 AM EDT

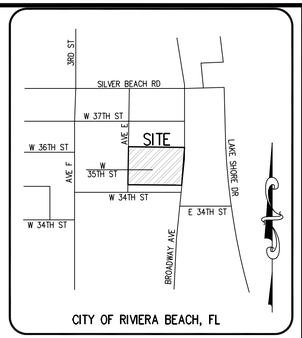
DATE	08-03-2022
SCALE	1"=20'
CAD FILE	22059.01
SSK PROJECT	22059.01
DRAWN	EGI STAFF
CHECKED	J. MALIN
SHEET NO.	1 of 1
JOB NO.	22059.01

Andre Rayman
Digitally signed by Andre Rayman
Date: 2023.10.12 11:27:47 -04'00'
C. ANDRE RAYMAN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 4938
STATE OF FLORIDA LB#6603

PLAT OF WEST 35TH STREET

BEING A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" LOTS 1 THROUGH 8, INCLUDING A PORTION OF W 35TH STREET BETWEEN SAID LOTS, LYING EASTERLY OF AVENUE E, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SHEET 1 OF 2



LOCATION MAP
N.T.S.

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS INSTRUMENT WAS FILED FOR RECORD AT _____
THIS ___ DAY OF _____, 202_____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE(S) _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK

CLERK

DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF RIVIERA BEACH PURSUANT TO CHAPTER 189, FLORIDA STATUTES, OWNER OF THE LAND SHOWN HEREON _____, A SUBDIVISION IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING, IN PART, A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION", LOTS 1 THROUGH 8, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1 AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAY MAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 200.00' TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 109,964 SQUARE FEET (2.524 ACRES) MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DO HEREBY DEDICATE AS FOLLOWS:

1. DEVELOPMENT PARCEL DEDICATION:

PARCEL A, AS SHOWN HEREON IS HEREBY RESERVED FOR _____, THEIR SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE CITY OF RIVIERA BEACH, FLORIDA AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID _____, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF RIVIERA BEACH.

IN WITNESS WHEREOF, CITY OF RIVIERA BEACH HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS UNDERSIGNED OFFICER, THIS _____ DAY OF _____, 202_.

CITY OF RIVIERA BEACH

BY: _____
(NAME)
(TITLE)

_____
WITNESS

_____
PRINT NAME

_____
WITNESS

_____
PRINT NAME

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED _____ WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS _____ AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2023.

MY COMMISSION EXPIRES: _____
(DATE)

BY: _____
NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

NOTARY STAMP

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, _____, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN THE CITY OF RIVIERA BEACH; THAT CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE NO ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

BY: _____ DATE: _____

_____
PRINT NAME

CITY OF RIVIERA BEACH APPROVALS

STATE OF FLORIDA
COUNTY OF PALM BEACH, FLORIDA

THIS PLAT IS HEREBY APPROVED FOR RECORD BY THE CITY OF RIVIERA BEACH, FLORIDA

THIS _____ DAY OF _____, 202_.

BY: _____
RONNIE L. FELDER, MAYOR

BY: _____
TAWANNA KING, CMC, FCRM, CITY CLERK

BY: _____
TERRENCE N. BAILEY, PE, CITY ENGINEER

REVIEWING SURVEYOR

ON BEHALF OF THE CITY OF RIVIERA BEACH, IN ACCORDANCE WITH CHAPTER 177.081(1) OF THE FLORIDA STATUTES, THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, PART 1, PLATTING, FLORIDA STATUTES AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA, OR THE FIELD VERIFICATION OF THE PERMANENT CONTROL POINTS (P.C.P.'S) AND MONUMENTS AT LOT/TRACT CORNERS.

DATED THIS _____ DAY OF _____, 202_.

BY: _____ DATE: _____
(SURVEYOR NAME), PSM
LICENSE NUMBER: _____

AS APPROVED ON _____, 2023 VIA CITY OF RIVIERA BEACH RESOLUTION NO. _____-23

SURVEYOR'S NOTES

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 83/90 AND THE NORTH LINE OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, HAVING A BEARING OF S88°31'06"E, ALL OTHER BEARINGS ARE RELATIVE THERETO. CONTROL MEASUREMENTS MEET OR EXCEED CLOSURE FOR COMMERCIAL: LINEAR: 1 FOOT IN 10,000 FEET HORIZONTALLY AND WERE VERIFIED THROUGH A REDUNDANCY OF MEASUREMENTS. ALL DISTANCES ARE GRID DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
SCALE FACTOR= 1.0000497
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

2. NOTICE: THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

3. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT ORDINANCES OF THE CITY OF RIVIERA BEACH.

4. ALL COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) IN U.S. SURVEY FEET.

5. NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.

6. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") HAVE BEEN PLACED AS REQUIRED BY LAW, ACCORDING TO SECTION 177.091(9), FLORIDA STATUTES, WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF RIVIERA BEACH, FLORIDA FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA.

THIS __ DAY OF _____, 202_.

_____
C. ANDRE RAYMAN P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 4938
STATE OF FLORIDA LB# 6603

SEAL
RIVIERA BEACH MANAGEMENT, LLC

SEAL
CITY OF RIVIERA BEACH

SEAL
MORTGAGEE

SEAL
CITY ENGINEER
TERRENCE BAILEY
PE #60706
DATE: _____

SEAL
REVIEWING SURVEYOR P.S.M.
NAME: _____
PLS #_____
DATE: _____

SEAL
C. ANDRE RAYMAN, P.S.M.
C. ANDRE RAYMAN
PLS #4938
DATE: _____

THIS INSTRUMENT PREPARED BY C. ANDRE RAYMAN, P.S.M. LS#4938 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS
1280 N. CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409.
CERTIFICATE OF AUTHORIZATION NO. LB0006603

PLAT OF WEST 35TH STREET

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390 •
WWW.ENGENUITYGROUP.COM

DATE	10/12/2023
SCALE	N/A
CAD FILE	14151.14.04 Plat.dwg
SDSK PROJECT	14151.14.04
DRAWN	J.T.S.
CHECKED	J.C.M.

SHEET NO. 1 / 2

JOB NO. 14151.14.04

Y:\Land Projects R2\2025\01 3501 Broadway-Foundcare\Dwg\14151.14.04 Plat.dwg 10/12/2023 10:43:46 AM EDT

PLAT OF WEST 35TH STREET

BEING A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" LOTS 1 THROUGH 8, INCLUDING A PORTION OF W 35TH STREET BETWEEN SAID LOTS, LYING EASTERLY OF AVENUE E, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

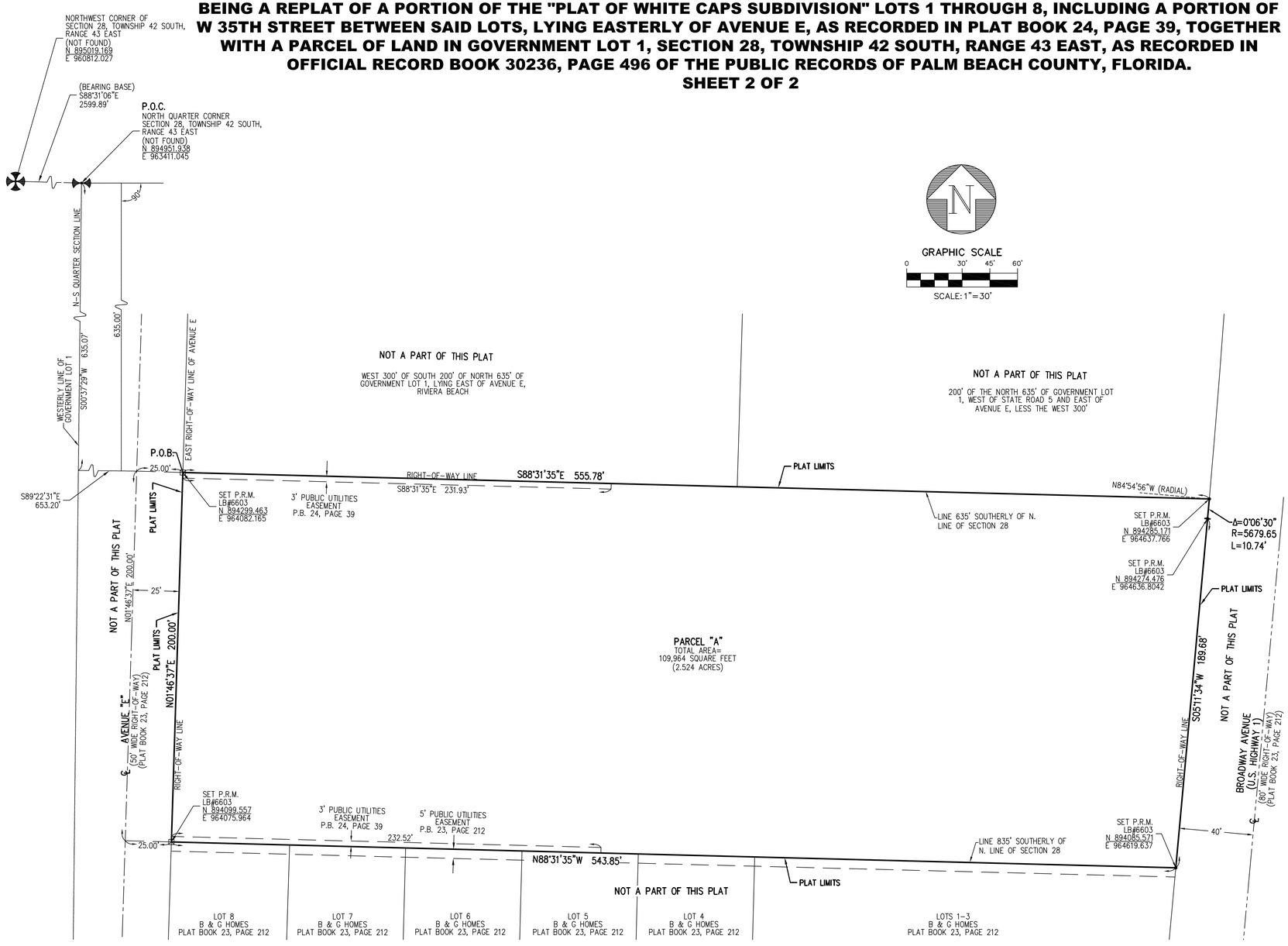
SHEET 2 OF 2

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS INSTRUMENT WAS FILED FOR RECORD AT _____
THIS ___ DAY OF _____, 2023_____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE(S) _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY:_____
DEPUTY CLERK



GRAPHIC SCALE
0 30' 45' 60'
SCALE: 1"=30'

SURVEYOR'S LEGEND

P.R.M.	PERMANENT REFERENCE MONUMENT
LB	LICENSED BUSINESS
P.B.	PLAT BOOK
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
Δ	DELTA
R	RADIUS
L	LENGTH
℄	CENTERLINE
⊡	4"X4" CONCRETE MONUMENT "P.R.M. LB#6603"
•	NAIL & DISC "P.R.M. LB#6603"
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
✠	SECTION CORNER
✠	QUARTER SECTION CORNER

STATE PLANE COORDINATE DATA

SCALE FACTOR: 1.0000497
PROJECTION: TRANSVERSE MERCATOR
ZONE: FLORIDA EAST ZONE
DATUM: NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT)

ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE SHOWN.

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
LINEAR UNITS = US SURVEY FEET

THIS INSTRUMENT PREPARED BY C. ANDRE RAYMAN, P.S.M. LS#4938 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS
1280 N. CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409.
CERTIFICATE OF AUTHORIZATION NO. LB0006603

PLAT OF WEST 35TH STREET

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390 •
WWW.ENGENUITYGROUP.COM

DATE	10/12/2023
SCALE	1"=30'
CAD FILE	14151.14.04 Plat.dwg
SDSK PROJECT	14151.14.04
DRAWN	J.T.S.
CHECKED	J.C.M.

SHEET 2 / 2

JOB NO. 14151.14.04

Y:\Land Projects R2\2205901 3501 Broadway-Foundcare\Dwg\14151.14.04 Plat.dwg 10/12/2023 10:43:46 AM EDT

SITE DATA TABLE:

APPLICATION No.: SP-23-0024
PROJECT NAME: FOUNDCARE HEALTH CARE CENTER AND INCUBATION SHEEL SPACE
FUTURE LAND USE: DOWNTOWN GENERAL
PROPOSED USE:
PRINCIPAL USE: PROFESSIONAL OFFICE
ACCESSORY USE: RETAIL ESTABLISHMENT
SECTION, TOWNSHIP, RANGE: SECTION 28, 42 SOUTH, RANGE 43 EAST
PROPERTY CONTROL No.: 56-43-42-28-30-001-0010
TRAFFIC ANALYSIS ZONE: 127
TOTAL GROSS ACREAGE: 2.5245 AC
BUILDING HEIGTH: 35'-6" HIGH PARAPET

SETBACKS	REQUIRED:	PROVIDED:
FRONT:	10' MIN. / 15" MAX.	14' AND 15'
SIDE:	0'	10'-7" NORTH/ 63'-0" SOUTH
REAR:	10' MIN.	445' - 8"
FRONTAGE:	65% MIN. ON PRIMARY STREET	130'-7" = 69.04%
LOT WIDTH:	20'-0" MIN/ NO MAX.	189'-0"
LOT AREA:	2,000 S.F. MIN. / NO MAX.	109,964 S.F.
LOT COVERAGE:	80% MAX.	19.5%

FRONTAGE STANDARDS (SEC 31-537): MODIFIED BRACKETED BALCONY:

	ALLOWED	PROVIDED:
DEPTH:	0 MIN. - 5 FT. MAX..	4'-8" AND 4'-10"
WIDHT:	4 FT. MIN. - 0 MAX	14'-10" AND 15'-2"
FLOOR ELEVATION:	0	0
MAX. ENCROACHEMENT:	3 FT.	0

CIVIC SPACE REQUIREMENT:
ON SITES LARGER THAN ONE ACRE, 5 PERCENT OF THE SITE SHALL BE ALLOTED TO CIVIC SPACE (2.524 X 0.05 = 0.126 AC. OR 5,597 S.F.)

ZONING DESIGNATION:

ZONING DISTRICT:	DG - DOWNTOWN GENERAL
PROPERTY TO THE EAST:	DG - DOWNTOWN GENERAL
PROPERTY TO THE WEST:	RS-6 - SINGLE FAMILY DWELING & RD-15 - TWO FAMILY DWELING
PROPERTY TO THE NORTH:	DG - DOWNTOWN GENERAL & U - UTILITIES
PROPERTY TO THE SOUTH:	DG - DOWNTOWN GENERAL & RS-6 - SINGLE FAMILY DWELING

UTILITIES:

WATER AND SEWER: CITY OF RIVIERA BEACH
POWER: FLORIDA AND LIGHT
DRAINAGE DISTRIC: SFWMD (SOUTH FLORIDA WATER MANAGEMENT DISTRIC)

SITE INFORMATION:

SITE AREA	109,964 S.F. (2.5245 AC)
TOTAL BUILDING AREA	21,467 S.F.
F.A.R.	21,467 / 109,964 = 0.195
TOTAL LOT COVERAGE	
IMPERVIOUS =	1.21 AC = 47.94%
POND =	0.28 AC = 11.09%
PERVIOUS =	1.03 AC = 40.8%

CIVIC SPACES PROVIDED:
PROVIDED: 0.28 AC GREEN SPACE WITH MEANDERING SIDEWALK WITH ONE BENCH AROUND GREEN/DRY RETENTION AREA.
ADDITIONAL TOTAL OF 2,300 S.F. OF SMALL PLAZA AREAS BY EACH OCCUPANT'S FRONT DOOR. BENCHES, AND A BIKE RACK ARE LOCATED IN THIS AREA.

PARKING REQUIREMENTS (PER SEC. 31-577):

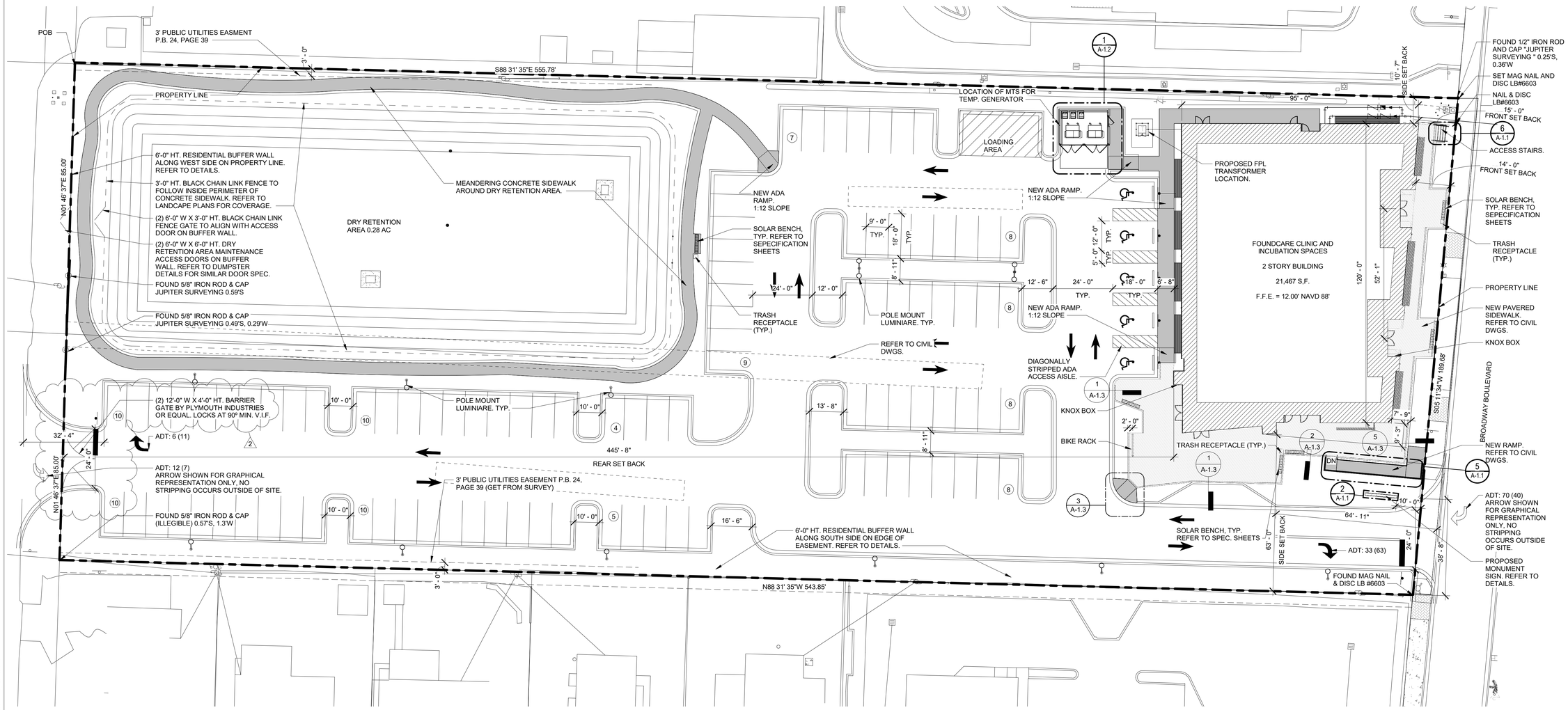
USE	REQUIRED	PROVIDED
FOUNDCARE CLINIC (MEDICAL / DENTAL) 16,467 S.F. / 1 SPACE PER 300 S.F.	55	
INCUBATION SHELL SPACE (OFFICES) 3,000 S.F. / 1 SPACE PER 300 S.F.	10	
(RESTAURANT) 2,000 S.F. / 1 SPACE PER 150 S.F.	14	
TOTAL	79	102 (INCLUDES 5 ADA)

ADA PARKING SPACES
REQUIRED 4 (PER FC ADA TABLE 208.2)
PROVIDED 5

1 LOADING AREA REQUIRED (PER SEC. 31-576)
12' x 30' WITH 30' OF MANEUVERING

SITE PLAN GENERAL NOTES:

1. REFER TO CIVIL DRAWINGS FOR SIGNAGE AND STRIPPING DETAILS.
2. REFER TO CIVIL DRAWINGS FOR ALL GRADING INFORMATION.
3. REFER TO LANDSCAPE DRAWINGS. ALL LANDSCPAE ELEMENTS INSTALLED WITHIN THE PUBLIC R.O. SHALL BE THE MANTENANCE OBLIGATION OF THE PROJECT
4. ALL EXTERIOR EQUIPMENT SHALL BE MOUNTED ABOVE F.E.M.A. REQUIRED ELEVATION
5. ALL EXTERIOR EQUIPMENT SHALL BE MOUNTED AND ATTACHED PER F.B.C. 2020 7TH EDITION STANDARDS REQUIREMENTS
6. G.C. SHALL BE RESPONSIBLE TO HAVE ALL EQUIPMENT INSTALLED TO MEET THE ABOVE REUIREMENTS
7. G.C. SHALL COORDINATE WITH FPL ALL TRANSFORMER REQUIREMENTSPRIOR TO PERFORMING ANY WORK.



1 SITE PLAN
1" = 20'-0"

COMPLETE SHEET HAS BEEN REVISED. 1A.

NORTH

REVISIONS :		
No.	Description	Date
1A	CITY COMMENTS	11/3/23
2	CITY COMMENTS	11/27/23

SEAL

STATE OF FLORIDA
ALEJANDRO ECHEVERRY
AR 95254
REGISTERED ARCHITECT

CONSULTANT
ALEJANDRO ECHEVERRY
AR# 95254
JUNE 8, 2023

Alejandro Echeverry
Digitally signed by Alejandro Echeverry
DN: CN=Alejandro Echeverry, OU=AAR#95254, O=CN=Alejandro Echeverry, C=US
Reason: I am the author of this document
Date: 2023.11.28 10:28:39-05'00'

STILES ARCHITECTURAL GROUP
201 East Las Olas Blvd,
Fort Lauderdale, Florida 33301
954 - 627- 9180
FL. REG # AA-26001798

PERMIT SET

FOUNDCARE

3501 Broadway Blvd.
Riviera Beach, Fl

ARCHITECTURAL SITE PLAN

A-1.0

PROJECT NO.
74115
DRAWN BY :
SAG
CHECKED BY :
AM
DATE :
JUNE 8, 2023

Autodesk Docs://Foundcare @ Riviera Beach/74115_Foundcare.rvt

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4256- FOUNDCARE – FLU MAP AMENDMENT

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667028 Foundcare Advertisements
Date: Friday, December 22, 2023 12:47:10 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $299.73, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17, 2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN APPROVING AN APPLICATION (LU-23-0004) FROM SINGLE FAMILY RESIDENCES TO A LAND USE DESIGNATION OF DOWNTOWN MIXED-USE (DMU); AND PROVIDING FOR AN

EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. REQUESTING A ZONING MAP AMENDMENT FROM A "DR" DOWNTOWN RESIDENTIAL DISTRICT DESIGNATION TO A "DG" DOWNTOWN GENERAL DESIGNATION"; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A REQUEST FROM FOUNDCARE (APPLICANT); REQUESTING AN ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT PUBLIC RIGHT OF WAYS, UTILITY EASEMENTS AND REQUIRED RIGHT OF WAY DEDICATIONS ALONG W 35th STREET; IN RIVIERA BEACH, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:33 AM

To: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>; Legals-Pbpost <legals@pbpost.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667028 Foundcare Advertisements

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Riviera Beach Planning and Zoning Division
600 W. Blue Heron Blvd.
Riviera Beach, FL 33404
Phone: (561) 845-4060
Email: POC@rivierabeach.org

AFFIDAVIT OF MAILED NOTICE

INSTRUCTIONS: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

Application Number and Name: ZONING AMENDMENT (ZA-23-007), SITE PLAN (SP-23-0024), PLAT (PA-232-0008), ABANDONMENT (AB-23-0002), LAND USE (LU-23-0004)

Date(s) of Public Hearing(s): WEDNESDAY JANUARY 17TH, 2024 AT 6:30 P.M.

STATEMENT OF COMPLETENESS AND ACCURACY

In accordance with the requirements of Section 31-4 Public Notification Signs, of the Code of Ordinances of Riviera Beach, ___Ryan Smith_____, hereby certify that Public Notifications, for the above Application Number and Name have been mailed to the property owners within a 300 foot radius of the subject property PCN: _56-43-42-28-00-001-0160 & 56-43-42-28-30-001-0010 as obtained from the Palm Beach County Property Appraiser's Office on, ___12.10.23__. The Public Notifications were mailed on, ___1.2.24_____, which is at least fifteen (15) days prior to the meeting date.

Supportive Documents: Attached hereto is the 300 foot radius map and property ownership list.

Check (X) one: I am the [ ] property owner [x] agent [ ] other _____.

Ryan Smith
(Name - type, stamp or print clearly)

(Signature)

Black Diamond General Contracting
(Name of Firm)

1930 Commerce Lane, Suite 210, Jupiter, FL 33458
(Address, City, State, Zip)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 2 day of JANUARY, 2024 by Ryan Smith. He/she is personally known to me or has produced _____ as identification and did/did not take an oath (circle correct response).
(Name of person acknowledging) (Type of identification)

BARBARA TERESA FROST
(Name - type, stamp or print clearly)

Barbara Teresa Frost
(Signature)

My Commission Expires on: 1/26/2024

Notary Public State of Florida
Barbara Teresa Frost
My Commission GG 945762
Expires 01/26/2024

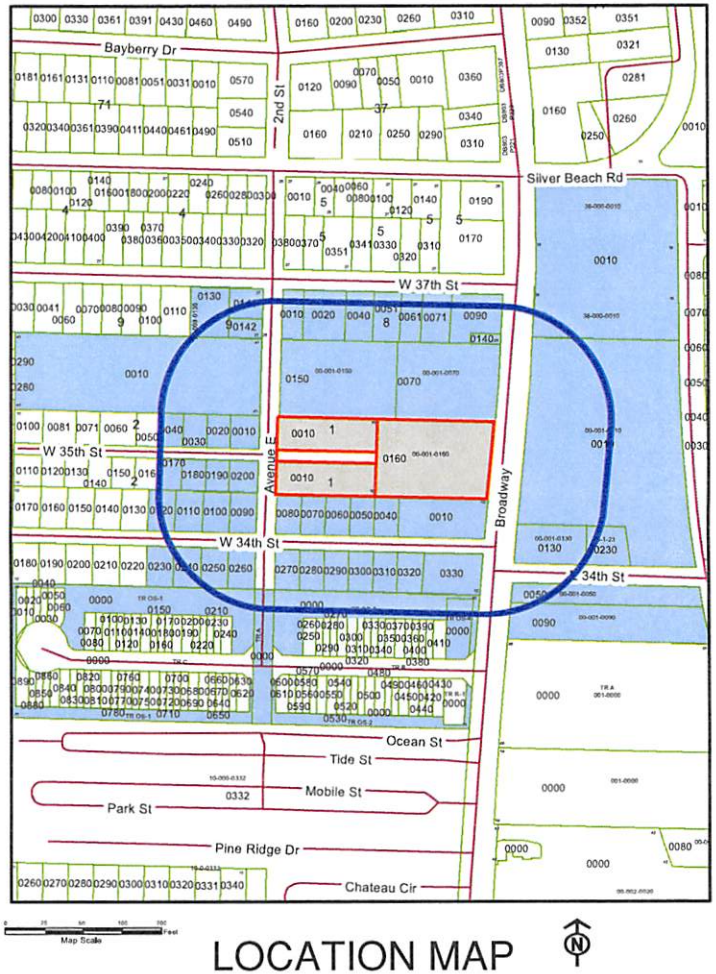
NOTARY'S SEAL OR STAMP

ATTACHMENT A: Photographs of Signs

All posted signs along the subject property are required to be photographed and attached here.

CITY OF RIVIERA BEACH
PUBLIC HEARING NOTICE
FOR ADDITIONAL INFORMATION,
CONTACT THE PLANNING AND ZONING DIVISION AT
(561) 845-4060

PUBLIC HEARING NOTICE
CITY OF RIVIERA BEACH, FLORIDA



Dorothy Jacks, CFA
Palm Beach County
Property Appraiser

LOCATION MAP

SUBJECT PROPERTY CONTROL NUMBERS (2)

56-43-42-28-00-001-0160
56-43-42-28-30-001-0010

ZONING AMENDMENT (ZA-23-0007)
SITE PLAN (SP-23-0024)
PLAT (PA-232-0008)
ABANDONMENT (AB-23-0002)
LAND USE (LU-23-0004)

LEGEND

- PROPOSED PARCELS (2)
- PARCELS IN BUFFER (53)
- 300 FT. BUFFER (1)

The data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden of determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use resets solely on the requester. Palm Beach County makes no warranties, expressed or implied as to the use of the Data. There are no implies warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the imitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.

CITY OF RIVIERA BEACH
Development Services Department
600 W. Blue Heron Boulevard
Riviera Beach, FL 33404

The Planning and Zoning Board of Riviera Beach, Palm Beach County, Florida will conduct a City Council Meeting on Wednesday January 17th, 2024 at 6:30 P.M. or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Marina Event Center located at 190 E. 13th Street, Riviera Beach, FL 33404, to consider and make recommendation(s) to the Riviera Beach City Council regarding the following:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Please scan to provide your feedback:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING SITE PLAN APPLICATION NUMBER (SP-23-0024) TO ALLOW A +/- 20,000 SQUARE FOOT, TWO-STORY BUILDING WHICH INCLUDES A 15,000 SQUARE FOOT HEALTH CENTER, 2,500 SQUARE FOOT RESTAURANT WITH OUTDOOR SEATING AND A 2,500 SQUARE FOOT OFFICE SPACE. THE SUBJECT PROPERTY IS LOCATED AT 3501 BROADWAY, ALONG THE BROADWAY CORRIDOR, SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0008) FROM FOUNDCARE INC. (APPLICANT); FOR A REQUEST TO REPLAT +/- 2.52 ACRES OF CONTIGUOUS LOTS OF RECORD INTO A SINGLE PARCEL OF PROPERTY TOTALING APPROXIMATELY +/-2.52 ACRE (+/- 109,967 SQUARE FEET) OF LAND AREA LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160). THE SUBJECT PROPERTY IS LOCATED ALONG THE BROADWAY CORRIDOR (3501 BROADWAY), SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHEMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

The aforementioned meeting location is subject to change. Background material is available for review in its entirety in the Development Services Department between the hours of 8:30 A.M. and 5:00 P.M., except holidays; (561) 845-4060.

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 hearing, 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, with record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the City Manager's Office at 561-845-4010 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4255: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving an Application (ZA-23-0007) from Foundcare Inc. (Applicant); requesting a Zoning Map Amendment from a Downtown Residential District Zoning Designation (DR) and a Single-Family Dwelling Zoning District RS-6 to rezone the western portion of the subject property to a Downtown General (DG) zoning designation located at 3501 Broadway (Property Control Numbers 56-43-42-28-30-001-0010 and 56-43-42-28-00-001-0160); and providing for an effective date and for other purposes.**

Date: January 17, 2024

CC: General Public

Background:

The Applicant represents Foundcare Inc. ("applicant"), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the "Property." The applicant is seeking approval for a new Foundcare Clinic ("Project") in the Downtown General ("DG") Zoning District. The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately +/- 2.5245 acres or +/- 109,964 square feet and is divided into two parcels of land: Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District ("DG").

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms. The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area.

The Planning and Zoning Staff recommend that the Planning and Zoning Board and City Council vote to approve these items. The approval of these items does not conflict with any existing ordinances or resolutions.

City Goals:
The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:
There is no fiscal impact from this item.

Recommendation:
Staff recommends a Motion to approve Ordinance Number 4255.

Attachments:
1. Ordinance 4255 Foundcare Zoning Map Amendment.docx
2. Foundcare Staff Report to City Council.docx
3. D. Uniform land use application. Foundcare.pdf
4. G. LEGAL DESCRIPTION. FOUNDCARE.pdf
5. I. Survey. Foundcare.pdf
6. J. Plat. Foundcare.pdf
7. K. Site Plan. Foundcare.pdf
8. D2. Consent.Foundcare.PDF
9. E. Project Narrative. Foundcare.pdf
10. F. Warranty Deed. Foundcare.pdf
11. Riviera Beach business-impact-estimate-Ordinance 4255 - FOUNDCARE ZONING MAP AMENDMENT.docx
12. Proof of Newspaper Advertisements- Foundcare
13. Affidavit of Sign Posting & Mailer Notice

ORDINANCE NO. 4255

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Foundcare Inc., seeks approval of a request for a Zoning Map Amendment to rezone the western portion of the subject property from a "Downtown Residential (DR)" zoning designation and a Single-Family Dwelling Zoning District (RS-6) to a "DG" Downtown General Zoning District designation as depicted in Attachment A; and

WHEREAS, The subject property is located at 3501 Broadway, identified by parcel control numbers in Attachment B;

WHEREAS, The proposed Land Use is designed to allow for a complete and whole expansion of the Foundcare Inc., Clinic; and

WHEREAS, The Planning & Zoning Board heard this item on January 11, 2024 and voted to recommend that City Council approve this item.

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

SECTION 1. The City Council of the City of Riviera Beach hereby approves a request for a Zoning District Map amendment as proposed in Attachment A.

SECTION 2. This proposed Zoning District Map Amendment is to allow for a complete and whole expansion of Foundcare Inc., located at 3501 Broadway.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. The effective date of this Ordinance, if this ordinance is not timely challenged, shall be the date of recordation.

PASSED AND APPROVED on first reading this ____ day of _____, 2024

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2024.

The remainder of this page is intentionally left blank.

APPROVED:

RONNIE L. FELDER
MAYOR

DOUGLAS LAWSON
CHAIRPERSON

ATTEST:

SHIRLEY D. LANIER
CHAIR PRO TEM

DEBRAH HALL-MCCULLON

CERTIFIED MUNICPAL CLERK
ACTING CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

DR. JULIA BOTEL
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

DAWN S. WYNN, CITY ATTORNEY

1st READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

2ND & FINAL READING

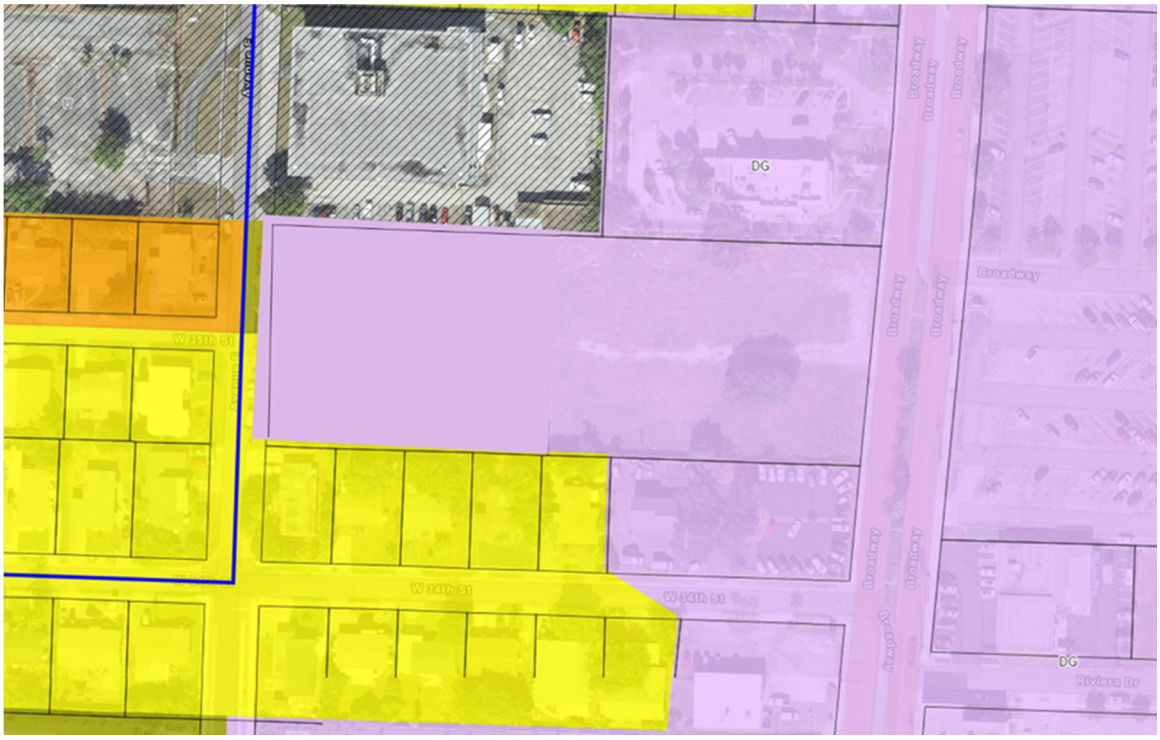
MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

Attachment A

Zoning District Map Delineation



Attachment B

PROPERTY CONTROL NUMBERS – PCNs:

56-43-42-28-30-001-0010
56-43-42-28-00-001-0160

CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBERS:
AB-23-0002; PA-23-0002; ZA-22-0007;
LU-23-0004; SP-23-0024
A REQUEST FROM FOUNDCARE TO CREATE A HEALTH CENTER

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHEMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING SITE PLAN APPLICATION NUMBER (SP-23-0024) TO ALLOW A +/- 20,000 SQUARE FOOT, TWO-STORY BUILDING WHICH INCLUDES A +/- 15,000 SQUARE FOOT HEALTH CENTER, +/- 2,500 SQUARE FOOT RESTAURANT WITH OUTDOOR SEATING AND A +/- 2,500 SQUARE

FOOT OFFICE SPACE. THE SUBJECT PROPERTY IS LOCATED AT 3501 BROADWAY, ALONG THE BROADWAY CORRIDOR, SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0008) FROM FOUNDCARE INC. (APPLICANT); FOR A REQUEST TO REPLAT +/- 2.52 ACRES OF CONTIGUOUS LOTS OF RECORD INTO A SINGLE PARCEL OF PROPERTY TOTALING APPROXIMATELY +/-2.52 ACRE (+/- 109,967 SQUARE FEET) OF LAND AREA LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160). THE SUBJECT PROPERTY IS LOCATED ALONG THE BROADWAY CORRIDOR (3501 BROADWAY), SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Applicant:

Foundcare, Inc.,
2330 South Congress Avenue
West Palm Beach, Florida 33406

Request & Background:

The Applicant represents Foundcare Inc. (“applicant”), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the “Property.” The applicant is seeking approval for a new Foundcare Clinic (“Project”) in the Downtown General (“DG”) Zoning District. The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately +/- 2.5245 acres or +/- 109,964 square feet and is divided into two parcels of land: Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District (“DG”).

Parcel 2: Lots 1 to 8, inclusive of Block 1, White Caps Subdivision, according to the plat on file in the office of the clerk of the circuit court in and for Palm Beach County, Florida, as recorded in Plat Book 24, Page 19. This parcel is a portion of the plat of White Caps, recorded in Plat Book 24, Page 39 of the public records of Palm Beach County, Florida, and is currently zoned for Downtown Residential (DR) and Single-Family Dwelling District (RS-6). Downtown General District (“DG”) permits various uses within the zoning district, including residential, professional office (provided), retail establishments (provided), daycare, nursing or convalescent homes and adult living facilities (ALF), churches and their educational buildings, civic open spaces (provided), and community gardens. Thus, the applicant is requesting a Land Use amendment from

Single Family Residential: Up to 6 dwelling units per acre (SF) to a Downtown Mixed Use (DMU) and Rezoning amendment from Downtown Residential (DR) and Single-Family Dwelling District (RS-6) to a zoning designation of Downtown General (DG).

The Property has an existing 30' North 35th Street Right of Way which is being abandoned under AB- 23-0002, and this site plan application (SP-23-0024) is also being processed alongside a re-plat submission under PA-23-0008. Foundcare, Inc. will establish a federally qualified health center to enhance healthcare accessibility for Riviera Beach city residents and underserved populations. The facility will consist of two stories with a total area of approximately +/- 20,000 square feet. This includes a +/- 15,000 square foot health center and a +/-5,000 square feet of shell space for two accessory spaces serving as business incubators.

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms. The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area.

The project will include parking facilities, landscaping, and hardscaping that exceed local code requirements. The Project proposes to comply with all of the City's requirements, including a ground story height between 10'-18' (provided at 14'-0"), no mezzanines or parking garages (none provided), and a flat roof with 42" parapets (minimum parapet height provided is 42"). All roof equipment is properly screened from view by the parapets.

The Project incorporates a modified bracketed balcony frontage. Instead of traditional balconies with railings, the second-level overhang over the ground-level entrance is enclosed. The two entrances for the incubation spaces at the ground level are 52'-1" apart, where the maximum allowed distance is 75'. Civic space is provided by a combination of green space with a meandering sidewalk along the dry retention area for afternoon walks, and small plaza spaces at all ground-level building entrances, complete with benches, bike racks, and trash receptacles.

Location Map:

Provided by the applicant

Adjacent Property Description & Uses:

North: McDonald's Restaurant – Downtown General (DG)

South: Auto Sales Dealership - Downtown General (DG)

East: Broadway Right of Way & Commercial Shopping Center – Downtown General (DG)

West: Avenue E Right of Way & Single-Family Residences – Single Family (RS-6)

Staff Analysis:

The following below is a review and analysis of the applicant's compliance with staff's land use and rezoning criteria and a review and analysis of compliance with the criteria for abandonment according to Section 29-66 of the City Code of Ordinances. In addition, a site plan and re-plat/subdivision review and analysis for the site is also included for Board and Council review. Staff's response is indicated in **bold**.

Land Use and Rezoning Analysis:

1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan;

Staff Response: The suggested project aligns with the city's comprehensive plan. The proposed development conforms to the prescribed Future Land Use Category of Downtown Mixed Use – (DMU), with a density below the permissible limit of 2.0. The envisaged project also adheres to the permissible uses outlined for Downtown Mixed Use, specifically encompassing commercial and retail activities in accordance with the plan.

2) Whether there exist changed conditions which require an amendment;

Staff's Response: Currently, the western portion of the subject site lies within a Downtown Residential (DR) and a Single-Family Dwelling District (RS-6). Due to the commercial nature of the applicant's request, the existing land use and zoning classifications for the western portion of the subject site would not allow the proposed uses, therefore a land use and rezoning amendment will be necessary.

3) Whether the proposed amendment is in conformance with all applicable portions of the city development code;

Staff's Response: Due to the commercial nature of the proposed use (Professional Office and Retail) the proposed land use and rezoning request will comply and be compatible with the Downtown Mixed-Use Land Use Category and the Downtown General zoning district.

4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;

Staff's Response: The proposed Land Use and Rezoning Amendments shall be consistent and compatible with the existing Land Use and Zoning classification in the surrounding area along the Broadway corridor.

5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;

Staff's Response: The project adequately addresses the necessary public facility capacities to support the envisioned construction.

6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;

Staff's Response: The proposed amendment will not adversely impact the natural environment. The existing site is located within an active and busy urban environment where there is substantial urban development.

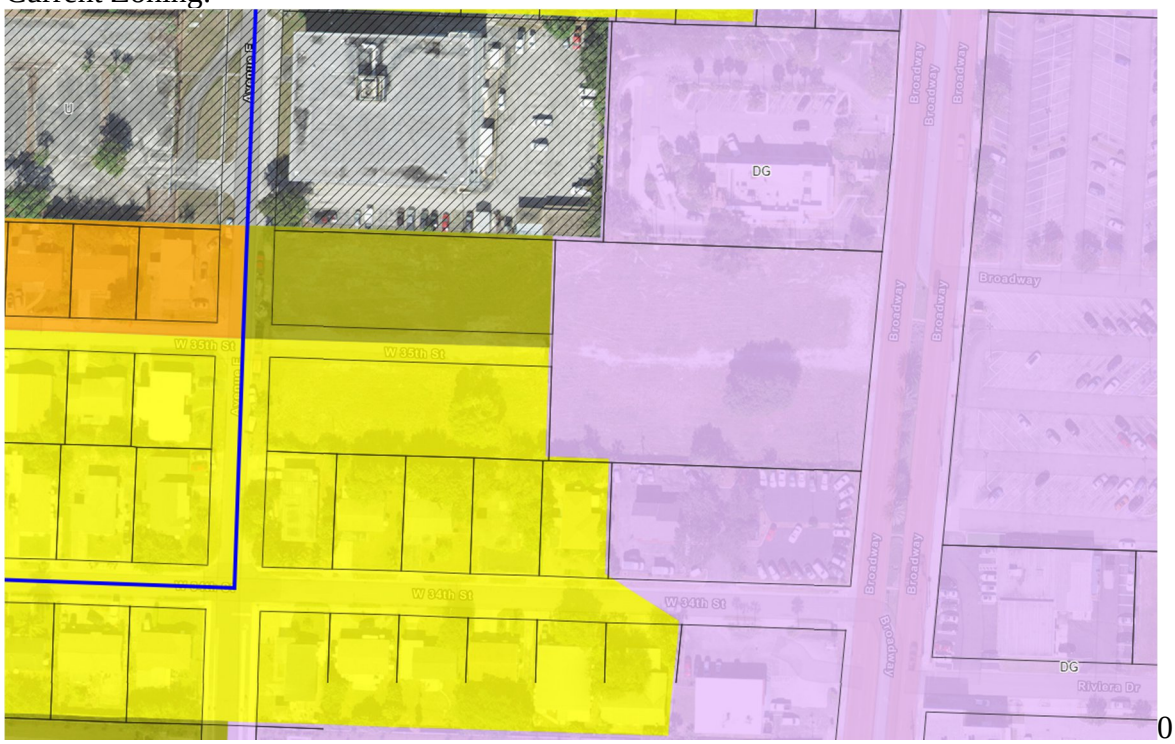
7) Whether and the extent to which the proposed amendment would adversely affect property values in the area;

Staff's Response: Since the subject parcel is vacant, the proposed land use and rezoning amendments will allow for the development of a medical clinic that shall be designed to serve to residents of the City of Riviera Beach and will benefit adjacent property values.

8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

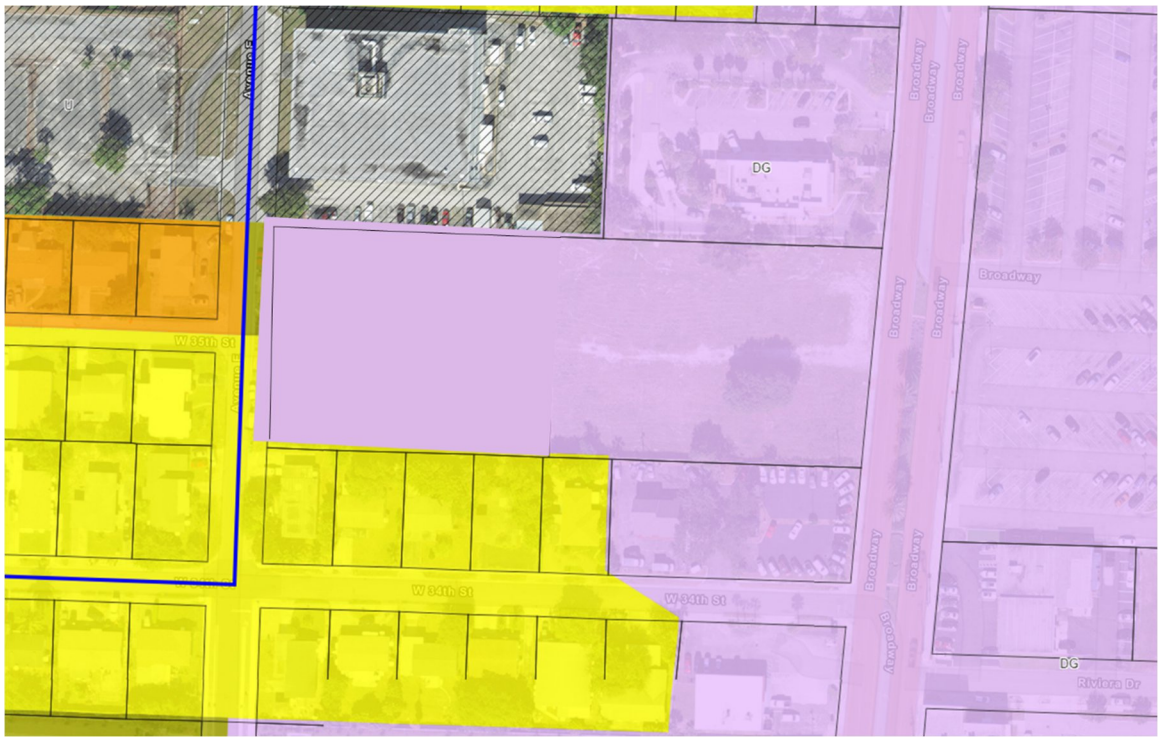
Staff's Response: Due to the mixed-use commercial aspects of the proposed project, the proposed land use and rezoning amendments will allow for an orderly and logical development pattern that will be in sync with the existing commercial surrounding uses.

Current Zoning:



0

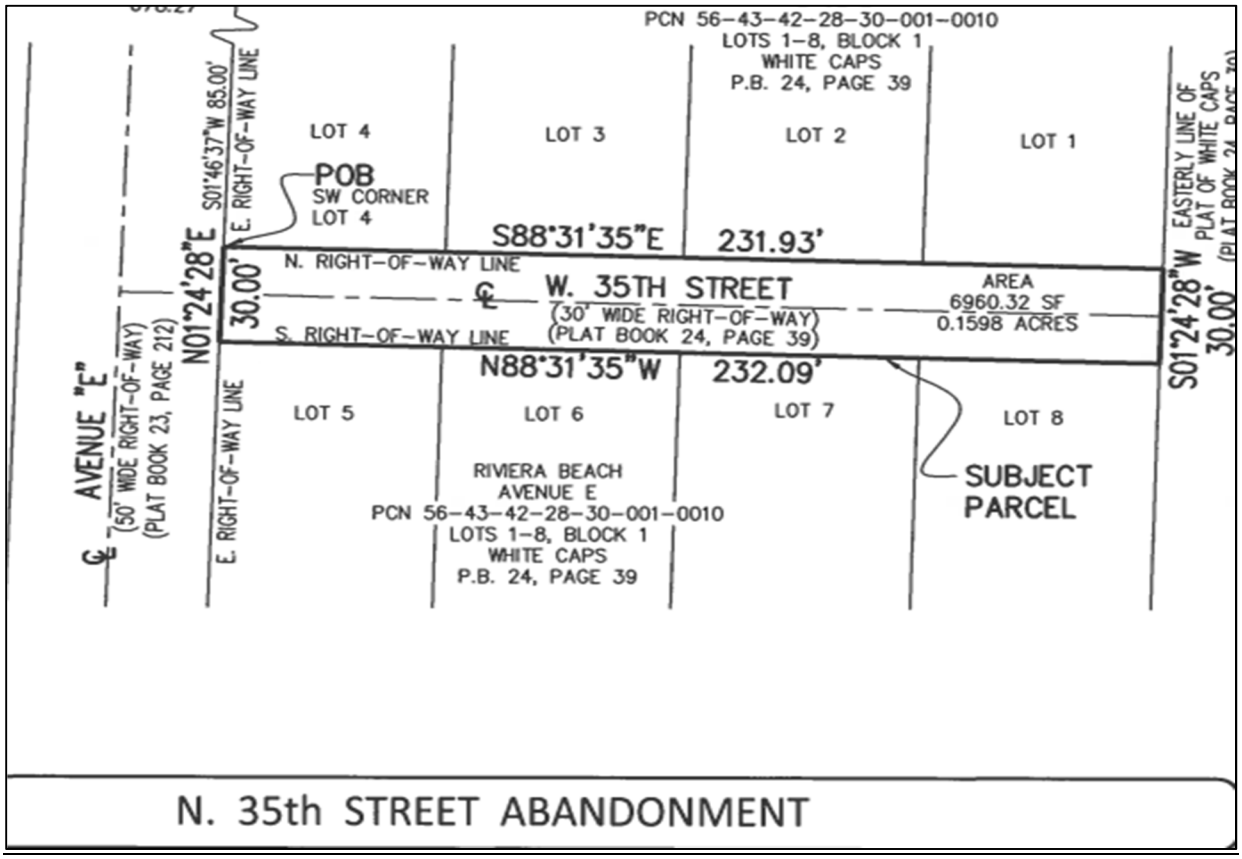
Proposed Zoning:



Abandonment Analysis:

In addition, to the above analysis of the applicant's rezoning request, the proposed abandonment has been analysed by the following criteria located within Code Section 29-66:

ATTACHMENT A



1. The proposed relocation resolves existing incompatibilities such as conditions where the fronts of some parcels face the backs of other parcels due to shifts in the block structure and street grid.

Staff's Response: The proposed abandonment resolves the incompatibilities of the site allowing for the full implementation of the proposed site plan. The elimination of the 35th street right of way (R.O.W) resolves incompatibility with the development of the site at western portion of the lot.

2. The subject right-of-way is an alley or designated as a secondary street. Primary streets are not eligible for relocation or re-orientation unless a new primary street is provided.

Staff's Response: The portions of the Rights-of-Way being abandoned are not functionally considered a primary street. Said portions are no longer part of an interconnected system nor is this ROW operational.

3. The applicant provides a new route within the project that is parallel to the subject right-of-way, establishes a potential (future) street connection on the zoning map, or creates greater connectivity within the city's street network.

Staff's Response: The applicant is not proposing a new route within the project.

4. The proposed relocation maintains or increases public access to the waterfront.

Staff's Response: Due to the distant location of this property, there is no current public access to the waterfront for this property or for the section of road being abandoned.

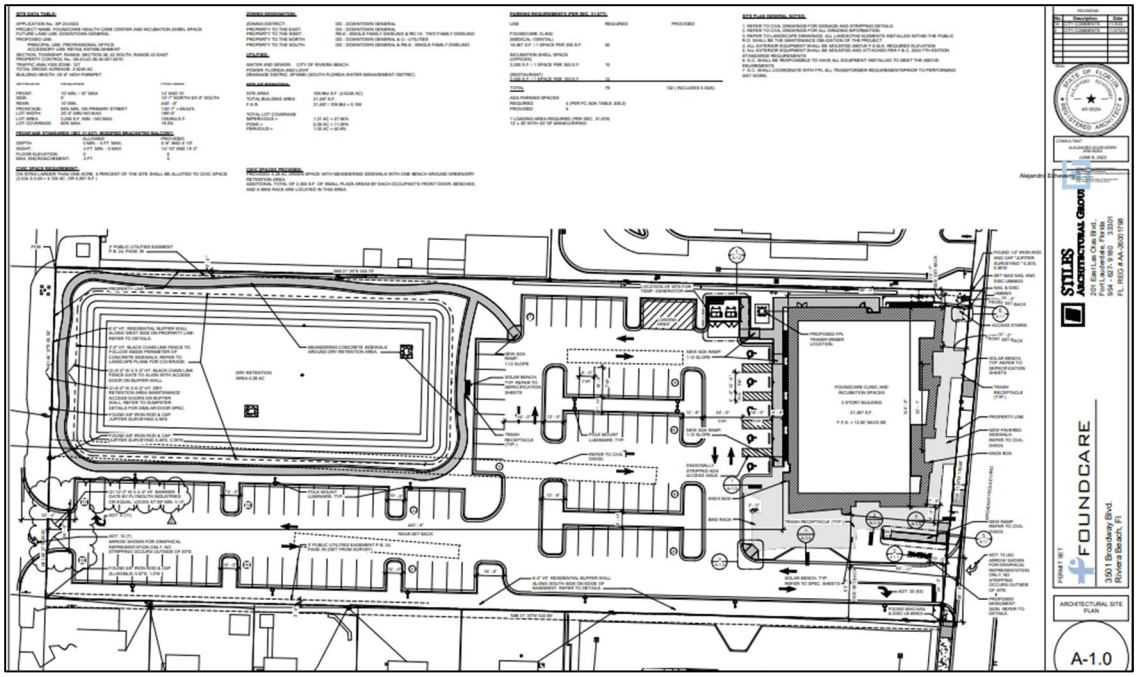
5. The relocation will not create a block with a perimeter measuring more than 2,000 feet.

Staff's Response: The proposed abandonment does not create a block with a perimeter measuring larger than 2,000 feet.

6. The proposed relocation supports a marine industry, whereby vessel size necessitates increased dimensions of the parcel. Approval of the use of public rights-of-way for marine industry is conditional upon maintaining the industry as the primary use; permits shall stipulate that right-of-way revert to the city upon the redevelopment of parcels for primarily residential or commercial uses

Staff's Response: Due to the location of the subject property, the proposed abandonment is not designed specifically to support the marine industry.

Site Plan Analysis:



1. Demonstrate that proposed use is appropriate to site.

Staff Response: **The applicant is proposing professional office and retail uses which are permitted within the Downtown General Zoning District**.

2. Demonstrate how drainage and paving requirement will be met:

Staff Response: According to the applicant the proposed Stormwater system conforms to the requirements in both the City of Riviera Beach Stormwater Master Plan & the FDOT drainage manual. The City Engineer has reviewed the submittal documents and found them compliant with minimum requirements. The proposed Paving conforms to the requirements listed in the City of Riviera Beach code, Sec. 29-92-97. If approved, the City's staff will use the building permit review process to ensure compliance with all municipal regulations.

3. Demonstrate any landscaping techniques to visually screen use from adjacent uses:

Staff Response: The applicant is proposing along the south and west buffers a 6' Site Wall has been proposed adjacent to the landscape buffer. The landscape buffer contains one to two layers of shrubs and a row of trees. The north buffer consists of a similar landscape palette without the wall. Shrub heights vary from 36-inch height to 18-inch height at maturity. Proposed tree species in the buffer are smaller due to overhead power constraints along the buffers. Larger trees have been proposed on the site where it is possible to provide more shade and screening. Also, staff recommends that the portion of the proposed wall facing Avenue E contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall.

4. Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use

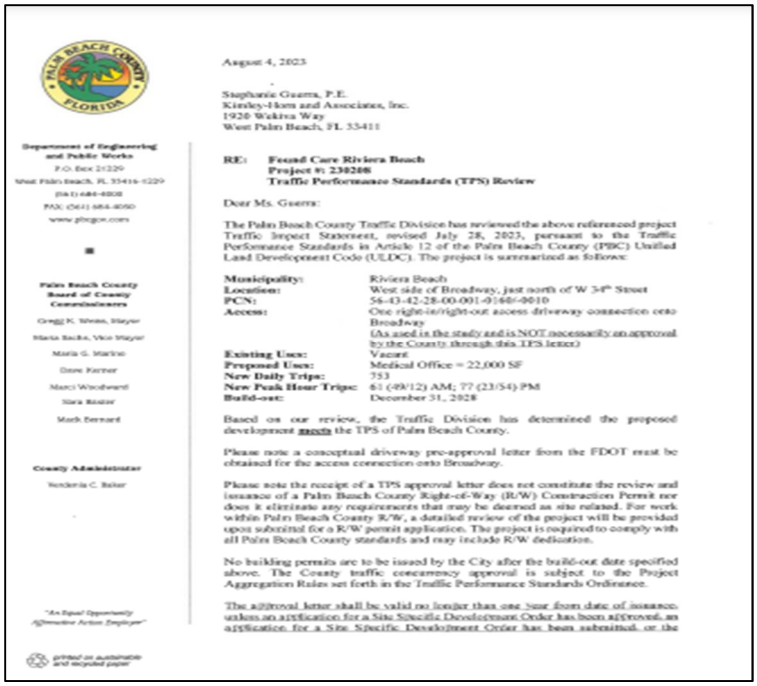
Staff Response: **A proposed 6' Site Wall Buffer will be placed on the South & West property limits, shielding the proposed use from residential units. The proposed wall accompanied by an existing fence along a portion of the north buffer will also help limit access to the site and help prevent potential problems on site. Landscape materials have been proposed with lines of sight in mind, allowing for vehicles and pedestrians to move throughout the site. As mentioned above, staff recommends that the portion of the proposed wall facing Avenue E contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall.**

5. Demonstrate how utilities and other service requirements of the use can be met:

Staff Response: All Utility infrastructure has been coordinated with the City of Riviera Beach staff to ensure compliance to all City of Riviera Beach Utility District design standards. A 33' x 18' loading area, sufficient parking & applicable sidewalk connections will be provided to meet the service requirements of the use as stated in the City of Riviera Beach Municode.

6. Demonstrate how the impact of traffic generated will be handled.

Staff Response: The revised plan of development and traffic study are in compliance with the Palm Beach County Traffic Performance Standards Ordinance with no mitigation required.



August 4, 2023

Stephanie Guerra, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, FL 33411

Department of Engineering and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners
Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Dave Kerner
Marci Woodward
Sara Baxter
Mark Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

RE: Found Care Riviera Beach
Project #: 230208
Traffic Performance Standards (TPS) Review

Dear Ms. Guerra:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, revised July 28, 2023, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Riviera Beach
Location:	West side of Broadway, just north of W 34th Street
PCN:	56-43-42-28-00-001-0160/-0010
Access:	One right-in/right-out access driveway connection onto Broadway (As used in the study and is NOT necessarily an approval by the County through this TPS letter)
Existing Use:	Vacant
Proposed Use:	Medical Office = 22,000 SF
New Daily Trips:	753
New Peak Hour Trips:	61 (49/12) AM; 77 (23/54) PM
Build-out:	December 31, 2028

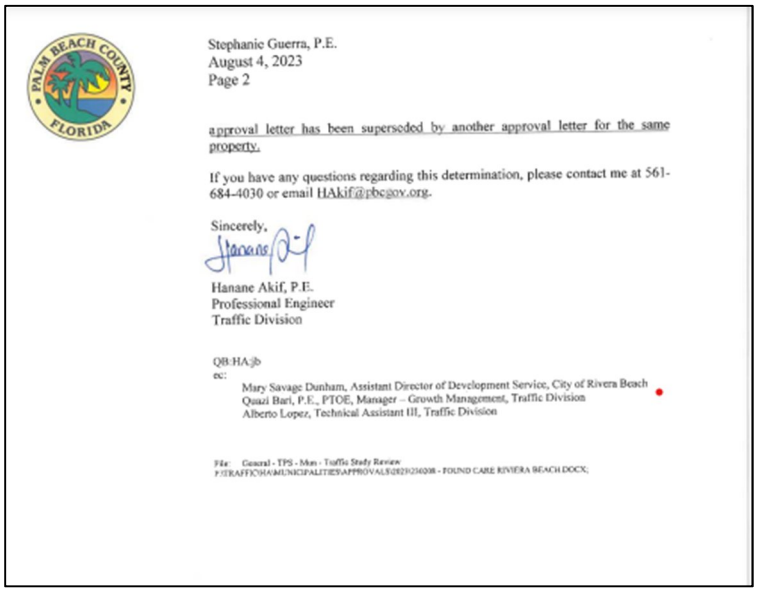
Based on our review, the Traffic Division has determined the proposed development meets the TPS of Palm Beach County.

Please note a conceptual driveway pre-approval letter from the FDOT must be obtained for the access connection onto Broadway.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the



approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email HAkif@pbc@gov.org.

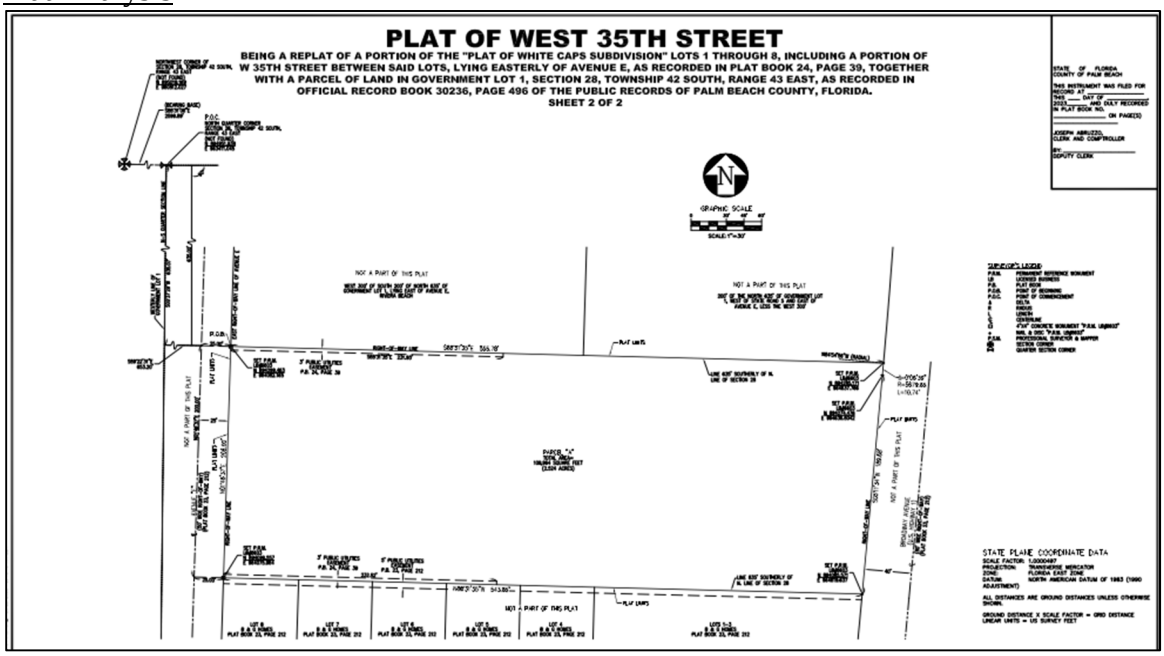
Sincerely,

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:jb
ec:
Mary Savage Dunham, Assistant Director of Development Service, City of Rivera Beach
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
P:\TRAFFIC\HA\MUNICIPALITIES\APPROVALS\2023\230208 - FOUND CARE RIVIERA BEACH.DOCX;

Plat Analysis



Proposed Use:

Staff's Response: The proposed use shall be in compliance with the Future Land Use Map and the Zoning District Map

Zoning Regulations:

Staff's Response: The proposed plat shall be consistent with the City's Land Development Regulations.

Comprehensive Plan:

Staff's Response: The proposed plat shall be consistent with the City's Comprehensive Plan.

Uses:

Staff's Response: The site is currently vacant.

Compatibility:

Staff's Response: This plat is required in order to implement the proposed site plan.

Levels of Service:

Staff's Response: Customary services such as water, sewer, roads and garbage collection are available to the site.

In addition, in accordance with Chapter 30 (Subdivision Regulations) Section 30-4:

The Planning and Zoning staff has determined that the proposed plat will:

(1) Protect the public health, safety and welfare.

(2) The proposed plat will not be in violation of the comfort and convenience of the public in general nor of the residents within the adjacent neighborhood; and

(3) Shall be consistent with the immediate surrounding area.

Recommendation:

The Planning and Zoning Staff recommend that the Planning and Zoning Board and City Council review and approve these applications subject to the following conditions:

Plat Conditions:

1. Any outstanding plat comments must be resolved prior to the application being heard before City Council.

Site Plan Conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a Certificate of Occupancy or Certificate of Completion is issued.

2. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.

3. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.

4. This development must receive final Certificate of Occupancy from the City for all buildings approved within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit

application for site plan and special exception approval and re-initiate the site plan approval process.

5. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.

6. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.

7. The portion of the proposed wall facing Avenue E (facing the residential area) contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall and the neighboring community.

8. The concurrent ordinances; **AB-23-0002**; **LU-23-0004**; **ZA-23-0007**) must be adopted, approved and become effective prior to this site plan approval becoming effective.

For Staff Use Only

City of Riviera Beach Community Development Department 600 W. Blue Heron Boulevard Riviera Beach, Florida 33404 Phone: (561) 845-4060 Fax : (561) 845-4038	**Date:** **Case Number:**
	Project Title:
	Fee Paid: **Notices Mailed:**
	1st Hearing: **2nd Hearing:**
	Publication Dates (if required)

UNIFORM LAND USE APPLICATION

(Please attach separate sheet of paper for required additional information)
Complete appropriate sections of Application and sign.

APPLICANT

Name of Property Owner(s): City of Riviera Beach

Mailing Address: 600 West Blue Heron Blvd.

Property Address: 3501 Broadway

Name of Applicant (if other than owner): Thomas J. Baird, Esq. as Agent for Foundcare

Home: ( ) Work: (561) 650-8232 Fax: ( )

E-mail Address:

PLEASE ATTACH LEGAL DESCRIPTION

PROPERTY

Future Land Use Map Designation: C/R Current Zoning Classification: Downtown / General / RS-8

Square footage of site: 1.3425 acres Property Control Number (PCN): 56-43-42-28-00-001-0160

Type and gross area of any existing non residential uses on site: None

Gross area of any proposed structure: 20,000 sf - 2-story

Is there a current or recent use of the property that is/was in violation of City Ordinance? [ ] Yes [✓] No

If yes, please describe:

Have there been any land use applications concerning all or part of this property in the last 18 months? [ ] Yes [✓] No

If yes, indicate date, nature and applicant's name: N/A

Briefly describe use of adjoining property: North: Commercial

South: Residential

East: Broadway ROW

West: Vacant Residential

REZONE

Requested Zoning Classification: CG General Commercial

Is the requested zoning classification contiguous with existing? to the North / East - Yes

Is a Special Exception necessary for your intended use? [ ] Yes [✓] No

Is a Variance necessary for your intended use? [ ] Yes [✓] No

FUTURE LAND USE

Existing Use: Vacant land

Proposed Use: Incubator space/Pharmacy /Medical/Clinical & Dental

Land Use Designation: Commercial/Residential

Requested Land Use: Commercial

Adjacent Land Uses: North: Commercial South: Residential

East: Commercial West: Residential

Size of Property Requesting Land Use Change:

SPECIAL EXCEPTION

Describe the intended use requiring a Special Exception: N/A

Provide specific LDR ordinance section number and page number: -

How does intended use meet the standards in the Land Development Code?

By developing the Property in accordance with Art III of Chapter 31 (Site Plan) and rezoning the residential portion of the Property to Commercial.

Demonstrate that proposed location and site is appropriate for requested use:

The Property is located in the Downtown General / RS-t residential zoning district. As such, the development of a 2-store building with a medical/dental clinic, pharmacy and incubator space is consistent with the zoning.

Demonstrate how site and proposed building(s) have been designed so they are compatible with adjacent uses and neighborhoods: The proposed building will be sited and buffered to minimize conflicts with adjacent uses, particularly the adjacent residential uses.

Demonstrate any landscaping techniques to visually screen use from adjacent uses:

The building site will be developed in accordance with, or exceeding code.

Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:

There are no known or potential hazards, problems or nuisances.

Demonstrate how utilities and other service requirements of the use can be met:

The site is an urbanized area and all public/private utility providers will be contacted and approvals obtained.

Demonstrate how the impact of traffic generated will be handled:

On-site: See Site Plan for internal circulation and parking

Off-Site: Traffic will be handled in accordance with the approved traffic study by PBC.

Other:

VARIANCE

Describe the Variance sought: N/A

Demonstrate that the Variance is needed to overcome a hardship caused by the unique physical conditions of the site:

Specify the minimum Variance requirements including: height, lot area, size of structure, size of yard, setback, buffer or open space:

Other:

SITE PLAN

Describe proposed development:

The property will be developed with a two-story building with uses including 2,500 s.f. of incubator spae, a 5,000 s.f. pharmacy on the ground floor and a dental clinic on the 2nd floor.

Demonstrate that proposed use is appropriate to site:

This is a highly urbanized "downtown" area of the City. Incubator space will be available for business development. The health center will serve the greater Riviera Beach Area.

Demonstrate how drainage and paving requirement will be met:

The drainage will meet the requirements of the City and other reviewing agencies

Demonstrate any landscaping techniques to visually screen use from adjacent uses:

The landscaping plan will meet or exceed code.

Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use:

There are non known or potential hazards, problems or nuisances.

Demonstrate how utilities and other service requirements of the use can be met:

The site is in a highly urbanized area and all utility providers will be contacted and permits obtained.

Demonstrate how the impact of traffic generated will be handled:

On-site: See Site Plan for internal circulation and parking.

Off-site: Traffic will be handled in accordance with the approved traffic study.

OTHER

COMMUNICATION TOWER CO-LOCATION REQUIREMENTS:

- Three sets of signed and sealed Construction documents, elevations and all equipment shelters, cabinets, Coax, telephone and power conduits identified. These plans will then be used to obtain the Building Permit.
- Antenna manufacture cut sheets including antenna size and shape.
- Zoning map of area with site clearly marked.
- Photos of existing building or tower and surrounding uses.
- Letter of non-interference and FCC compliance from applicant's Radio Frequency Professional.
- Map of surrounding carrier existing locations in all directions with type i.e. Guyed, Self-Support, Monopole, Rooftop.
- Letter of structural capacity and building code compliance.
- Notes on plan or letter demonstrating floor area coverage not in excess of restrictions
- Provide Photo Enhancements of proposal.
- Statement that proposal is in compliance with Environmental Regulations prior to permit issue.

Confirmation of Information Accuracy

I hereby certify that the information on this application is correct. The information included in this application is for use by the City of Riviera Beach in processing my request. False or misleading information may be punishable by a fine of up to five hundred dollars ($500.00) and imprisonment of up to thirty (30) days and may result in the summary denial of this application.

Signature

February 7, 2023

Date

AGENT AUTHORIZATION FORM

Owner(s) of Record: City of Riviera Beach / See attached letter

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared _____

who, being first duly sworn upon oath and personal knowledge say(s) that they are the owner(s) of record of the following described real property:

the street address of which is: _____

and that we hereby appoint:

Name: _____

Address: _____

_____

Telephone: _____

as our authorized agent, to file applications and papers with the City of Riviera Beach, and to represent me (us) at any Hearing regarding my (our) interest.

_____ (Seal)

_____ (Seal)

_____ (Seal)

Sworn to and subscribed before me this _____day of _____, _____.

_____
Notary Public

OWNER/APPLICANT SIGNATURE AUTHORIZATION

PROJECT NAME: **FoundCare, Inc. (Federally Qualified Health Center)**

The City of Riviera Beach (City), the owner of real property located at 3501 Broadway, Riviera Beach, Florida (Property) hereby designates and authorizes the agent(s) listed below to act on behalf of the City, as its agent(s) in the processing of any required application(s) for the permitting, platting, zoning or rezoning, site planning of the Property, and the vacation and abandonment of W. 35th Street and Avenue E. Pursuant to City Resolution No. 076-22 (adopted on September 21, 2022) approving a Ground Lease between the City and FoundCare, Inc., the below-listed agent(s) may perform any requirements which may be necessary to procure the permit(s), platting, zoning or rezoning, site plan and vacation and abandonment of W. 35th Street and Avenue E.

Printed Name(s) and Signature(s) of Authorized Agent(s)

Print Name: Thomas J. Baird

Signature: _____

Print Name: FoundCare, Inc.

Signature: _____ (RIK PAVLESCAK), its Chief Administrative Officer

Printed Name of Owner: ~~City of Riviera Beach, Florida~~

Signature of Owner: _____

Title: City Manager

Date: 1/18/23

SITE PLAN APPROVAL PROCEDURE

Application Information Sheet

STEP 1. PRELIMINARY REVIEW OF SUBMISSION

SIX (6) SETS OF A STAPLED AND FOLDED PACKAGE CONTAINING DRAWINGS TO SCALE AND DIMENSIONED

1. **SITE PLAN**
   a. Special site plan drawing with information block showing zoning, parking calculations, site area, building coverage, pervious/impervious areas, location map.
   b. Dimensions should include – lot, landscape strips, setbacks, roads, internal circulation areas, building(s), typical parking spaces, dumpster pads/enclosures, sign locations. It should be noted that sign approval requires separate building permit submission.
   c. Provide a digital copy of the site plan drawing with State Plan Coordinates in AutoCAD 2000 (.DWG) or Shapefile (.shp) format.

2. **LANDSCAPE PLAN and ENVIRONMENTAL ASSESSMENT**
   a. Show compliance with the City of Riviera Beach Land Development Code
   b. Drawings and/or narrative sufficient to describe the relevant flora and fauna which may be on the site. Tree survey may be required.

3. **ARTERIAL ROAD DESIGN AND STANDARD**
   a. Design standards for all non-residential properties fronting the following roads are required:
      - Dr. Martin Luther King, Jr. Boulevard
      - Old Dixie Highway
      - Blue Heron Boulevard
      - 13th Street
      - Military Trail
      - Congress Avenue
   b. Drawings indicating the appearance standards are required and addressed under Ordinance 2833.
   c. Only one monument sign is permitted per site with maximum square footage of 42 square feet.

4. **UTILITY and DRAINAGE PLAN**
   a. Conceptual plan, indicating location of lines and tie-ins, proposed hydrants, if applicable
   b. Conceptual plan to include existing and proposed major elevations.
   c. Show easement, existing and proposed.
   d. Show conceptually how retention area will provide treatment for one-hour storm.

5. **TRAFFIC ASSESSMENT**
   a. If traffic trip generation is under 500 T.P.D. then a properly formulated traffic statement is adequate. Traffic generation above this level will require a traffic engineer prepared traffic study. Provide total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table 1 in Sec. 23.AA – 28.3 of Code].

b. Palm Beach County Traffic Assessment Requirements: Applicant must submit a Traffic Impact Study for Palm Beach County to receive concurrency approval in accordance with Sec. 23-131 of the Palm Beach County Traffic Performance Code.

6. BUILDING ELEVATIONS

a. Front, rear, and both sides.
b. Show finishes (color, materials).
c. Elevators are required to be in color showing building finishes, lighting, canopies, etc. Plans shall have a minimum sheet size of 8 ½ "x 14". Plans larger than 8 ½ "x 14" shall be folded individually. Reduced copies of the site plan on 11" x 17" sheets are required for the City Council. (Note: Plans for submittal to the Planning and Zoning Board and City Council shall be provided after all comments and requirements by staff have been satisfied.

7. FLOOR PLAN

a. Conceptual (construction details are not necessary).

8. NARRATIVE OR COVER LETTER

a. Describe project purpose and details of intended use, including phasing and relationship to surrounding area.
b. Include estimate of employment and student population generated by project, if applicable.

9. CONCURRENCE COMPLIANCE

a. Traffic Generation: Total ADT (Average Daily Trips) for project [from Traffic Statement, Traffic Study or Table I in Sec. 31-715 of Code]
b. Sanitary Sewer: Total gallons per day produced by project - [from calculations or Table III in Section 31-717 of Code]
c. Potable Water: Total gallons per day required by project [from calculation or based on Table II in Section 31-716 of Code]
d. Drainage: Does project detain on-site the first inch of run-off or run-off from a one-hour storm (3 year)? Note: All developments of one acre or more are required to obtain an NPDES permit prior to obtaining a City Building permit, and provide PPP and BMP plans.
e. Solid Waste: Total pounds of waste generated per day by project [from calculations or based on Table IV in Section 31-718 of Code]
f. Recreation: If a residential project, list proposed public recreational or park elements of project (in acres)
g. School Concurrency: The School Concurrency Application and Service Provider Form must be completed and submitted with this application. Please refer to the attached School Concurrency Application and Service Provider Form for related fees.

STEP 2: DEPARTMENTAL REVIEW, COMMENTS TO APPLICANT AND REVISIONS TO PROJECT

After departmental review (approximately four weeks), the applicant will receive a letter from Community Development outlining department concerns and comments. The departmental review process repeats until staff is satisfied with revisions. Applicant will then provide six (6) full size packages of accordion folded, revised plans. These

(OFFICIAL RECORD BOOK 30236, PAGE 496)

A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH

COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 28, WITH A LINE PARALLEL TO AND 635 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28; THENCE EASTERLY ALONG SAID PARALLEL LINE 909.75 FEET TO THE POINT OF BEGINNING AND THE NW CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE 200 FEET; THENCE EASTERLY PARALLEL TO AND 835 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28, 311.28 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, ACCORDING TO THE PLAT OF SAID RIGHT-OF-WAY FILED IN COUNTY ROAD PLAT BOOK 1, PAGE(S) 52, PALM BEACH COUNTY RECORDS; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAYLINE, 200.4 FEET, MORE OR LESS, TO A POINT IN SAID LINE PARALLEL TO AND 635 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE, 324.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

LOTS 1 TO 8, INCLUSIVE OF BLOCK 1, WHITE CAPS SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 19.

(METES AND BOUNDS)

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAYMAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO

A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 35TH AVENUE (30 FOOT WIDE RIGHT-OF-WAY) (PLAT BOOK 24, PAGE 39); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S88°31'35"E A DISTANCE OF 232.09 FEET TO THE EASTERLY LINE OF SAID PLAT OF WHITE CAPS; THENCE, N01°24'28"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST 35TH STREET; THENCE ALONG SAID NORTHERLY LINE, N88°31'35"W A DISTANCE OF 213.93 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 2.365 ACRES MORE OR LESS.

LEGAL DESCRIPTION
(OFFICIAL RECORD BOOK 30236, PAGE 496)
A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 28, WITH A LINE PARALLEL TO AND 635 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28; THENCE EASTERLY ALONG SAID PARALLEL LINE 909.75 FEET TO THE POINT OF BEGINNING AND THE NW CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE 200 FEET; THENCE EASTERLY PARALLEL TO AND 835 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28, 311.28 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, ACCORDING TO THE PLAT OF SAID RIGHT-OF-WAY FILED IN COUNTY ROAD PLAT BOOK 1, PAGE(S) 52, PALM BEACH COUNTY RECORDS; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 200.4 FEET, MORE OR LESS, TO A POINT IN SAID LINE PARALLEL TO AND 635 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE, 324.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

LOTS 1 TO 8, INCLUSIVE OF BLOCK 1, WHITE CAPS SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 19

LEGAL DESCRIPTION
(METES AND BOUNDS)

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAY MAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 35TH AVENUE (30 FOOT WIDE RIGHT-OF-WAY) (PLAT BOOK 24, PAGE 39); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S88°31'35"E A DISTANCE OF 232.09 FEET TO THE EASTERLY LINE OF SAID PLAT OF WHITE CAPS; THENCE, N01°24'28"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST 35TH STREET; THENCE ALONG SAID NORTHERLY LINE, N88°31'35"W A DISTANCE OF 213.93 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 2.365 ACRES MORE OR LESS.

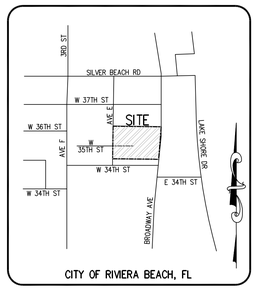
SECTION 6. BASE TITLE INFORMATION AND OTHER ENCUMBRANCES:

1. WHITE CAPS SUBDIVISION, AS RECORDED IN PLAT BOOK 24, PAGE 39, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **SHOWN HEREON.**

2. EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY, RECORDED IN DEED BOOK 402, PAGE 527, TOGETHER WITH CONFIRMATION OF EASEMENT, RECORDED IN DEED BOOK 510, PAGE 279, AS AFFECTED BY THAT PARTIAL RELEASE OF EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 868, PAGE 1125, AND THAT PARTIAL RELEASE OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1630, PAGE 124, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **DOES NOT AFFECT THE SUBJECT PROPERTY, NOT PLOTTABLE.**

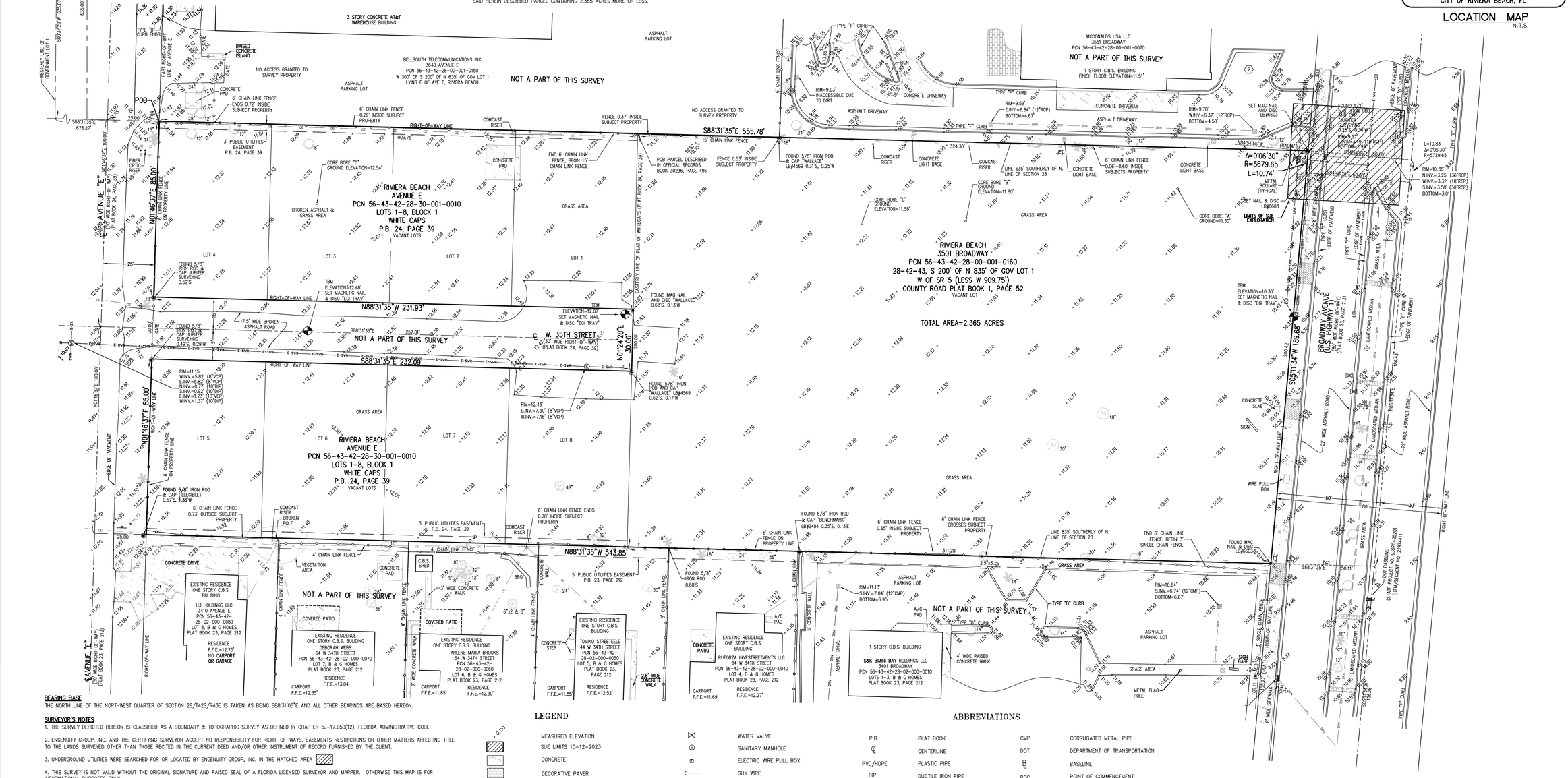
NOTE: ROAD BOOK 1, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

GRAPHIC SCALE
0 20' 30' 40'
SCALE: 1"=20'



CITY OF RIVIERA BEACH, FL

LOCATION MAP
N.T.S.



BEARING BASE
THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 28/T42S/R43E IS TAKEN AS BEING S88°31'06"E AND ALL OTHER BEARINGS ARE BASED HERETO.

SURVEYOR'S NOTES
1. THE SURVEY DEPICTED HEREON IS CLASSIFIED AS A BOUNDARY & TOPOGRAPHIC SURVEY AS DEFINED IN CHAPTER 5J-17.050(12), FLORIDA ADMINISTRATIVE CODE.

2. ENGENUITY GROUP, INC. AND THE CERTIFYING SURVEYOR ACCEPT NO RESPONSIBILITY FOR RIGHT-OF-WAYS, EASEMENTS RESTRICTIONS OR OTHER MATTERS AFFECTING TITLE TO THE LANDS SURVEYED OTHER THAN THOSE RECITED IN THE CURRENT DEED AND/OR OTHER INSTRUMENT OF RECORD FURNISHED BY THE CLIENT.

3. UNDERGROUND UTILITIES WERE SEARCHED FOR OR LOCATED BY ENGENUITY GROUP, INC. IN THE HATCHED AREA

4. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. OTHERWISE THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.

5. LAST DATE OF FIELD SURVEY: OCTOBER 11, 2023.

6. ALL DISTANCES SHOWN HEREON ARE IN U.S. FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.

7. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

8. ACCURACY STATEMENT: A FIELD SURVEY WAS PERFORMED IN ACCORDANCE WITH CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES FOR TOPOGRAPHIC SURVEYS. THE ACCURACY OF CONTROL DATA WAS VERIFIED BY REDUNDANT MEASUREMENTS OF TRAVERSE CLOSURES AND EXCEEDS COMMERCIAL/HIGH RISK: LINEAR: 1 FOOT IN 10,000 FEET.

9. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/240 OR SMALLER.

10. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE SEARCH REPORT PREPARED BY STATEWIDE LAND TITLE INC., UNDER SLTI FILE NUMBER 19-16387, WITH AN EFFECTIVE DATE OF APRIL 28, 2019 AT 8:00 AM.

11. THE SYMBOLS ARE NOT AT THE SAME SCALE AS THE DRAWING IN ORDER TO SHOW GREATER DETAIL.

12. THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION X (BASE FLOOD ELEVATION IS NOT AVAILABLE) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 12099C0391F, WITH A DATE OF IDENTIFICATION OF OCTOBER 5 2017, FOR COMMUNITY NO. 125142, IN PALM BEACH COUNTY, STATE OF FLORIDA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. THE FLOOD ZONE IS NOT SHOWN GRAPHICALLY.

13. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 1988) AND REFERENCE THE FOLLOWING BENCHMARK:

SOURCE BENCHMARK:
NAME: U 402
STAMPED: U 402 1991 ELEVATION= 22.247' NGVD 1929

IN RIVIERA BEACH, AT THE INTERSECTION OF THE FLORIDA EAST COAST RAILROAD AND SILVER BEACH ROAD, 10.0 M (32.8 FT) SOUTHEAST OF AND LEVEL WITH THE ROAD CENTERLINE, 8.1 M (26.6 FT) NORTHEAST OF THE NEAR RAIL. NOTE: ACCESS TO THE DATUM POINT IS THROUGH A 5-INCH LOGO CAP. A STAINLESS STEEL ROD SET TO A DEPTH OF 17.6 METERS ENCASED IN A PIPE FLUSH WITH THE GROUND. THE STATION IS A NATIONAL GEODETIC SURVEY VERTICAL CONTROL FLANGE-ENCASED STAINLESS STEEL ROD IN A SLEEVE WITH THE FLANGE STAMPED "U 402 1991". THE STATION IS LOCATED 18.50 FEET SOUTH OF THE SOUTH EDGE OF PAVEMENT OF SILVER BEACH ROAD, 31.70 FEET NORTH-NORTHWEST OF THE NORTHWEST CORNER OF A METAL D.O.T. SHED MARKED SILVER BEACH DOT #272389V389.

LEGEND

× 0.00	MEASURED ELEVATION
	SUE LIMITS 10-12-2023
	CONCRETE
	DECORATIVE PAVER
	BRICK PAVERS
	CONCRETE LIGHT POLE
	INFORMATION SIGN (SINGLE POST)
	INFORMATION SIGN (DOUBLE SIDED)
— o —	CHAIN LINK FENCE
	IRRIGATION CONTROL VALVE
T.B.M.	TEMPORARY BENCHMARK
	GAS VALVE
	LIGHT POLE
	CATCH BASIN
—OE—	OVERHEAD ELECTRIC WIRES
—DRN—	EXISTING UNDERGROUND DRAINAGE
—E-SWR—	EXISTING UNDERGROUND SEWER
—UE—	UNDERGROUND ELECTRIC
—COMM—	UNDERGROUND COMMUNICATION
—E-WM—	UNDERGROUND WATER
—UNK—	UNDERGROUND UNKNOWN LINE
	WATER VALVE
	SANITARY MANHOLE
	ELECTRIC WIRE PULL BOX
	GUY WIRE
	CATCH BASIN INLET
	UTILITY POLE
	BACK FLOW PREVENTOR
	CLEAN OUT
	FIRE HYDRANT
	NUMBER OF PARKING SPACES
	DRAINAGE MANHOLE
	WATER METER
	VEGETATION

TREE LEGEND

12"	ORNAMENTAL TREE AND DIAMETER
12"	PALM TREE AND DIAMETER
12"	MANGO TREE AND DIAMETER
12"	OAK AND DIAMETER
12"	FIG TREE AND DIAMETER
12"	BLACK OLIVE TREE AND DIAMETER

ABBREVIATIONS

P.B.	PLAT BOOK	CMP	CORRUGATED METAL PIPE
℄	CENTERLINE	DOT	DEPARTMENT OF TRANSPORTATION
PVC/HDPE	PLASTIC PIPE	℄	BASELINE
DIP	DUCTILE IRON PIPE	POC	POINT OF COMMENCEMENT
RCP	REINFORCED CONCRETE PIPE	POB	POINT OF BEGINNING
VCP	VITRIFIED CLAY PIPE	C.B.S.	CONCRETE BLOCK STRUCTURE
F.F.E.	FINISH FLOOR ELEVATION	MEAS.	MEASURED
INV.	INVERT	L	LENGTH
PCN	PARCEL CONTROL NUMBER	R	RADIUS
A/C	AIR-CONDITIONING	Δ	DELTA
LB	LICENSED BUSINESS		

ALL ELEVATIONS ARE BASED ON NGVD 1929

NO.	DATE	REVISIONS	BY
1	10/12/23	ADDED SUE AND FEMA INFORMATION	MW

©COPYRIGHT 2023 BY ENGENUITY GROUP, INC. THIS DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. UNLESS SIGNED AND SEALED BY A REGISTERED PROFESSIONAL SURVEYOR AND MAPPER REPRESENTING ENGENUITY GROUP, INC.

FOUNDCARE, INC
3501 BROADWAY AVE, RIVIERA BEACH

BOUNDARY, TOPOGRAPHIC AND TREE SURVEY FOR:

engenuity group inc.
A Higher Standard of Excellence
Engineers • Surveyors • GIS Mappers
1280 CONGRESS AVE #101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390
WWW.ENGENUITYGROUP.COM

Y:\Land Projects RX\22059.01 3501 Broadway-Foundcare\Dwg\22059.01-13 foundcare SUE addition.dwg 10/12/2023 10:52:58 AM EDT

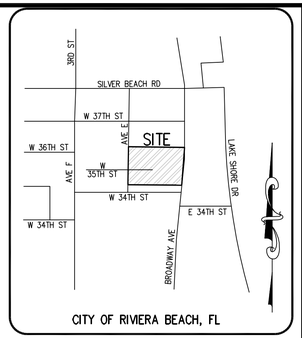
DATE	08-03-2022
SCALE	1"=20'
CAD FILE	22059.01
SSK PROJECT	22059.01
DRAWN	EGI STAFF
CHECKED	J. MALIN
SHEET NO.	1 of 1
JOB NO.	22059.01

Andre Rayman
Digitally signed by Andre Rayman
Date: 2023.10.12 11:27:47 -04'00'
C. ANDRE RAYMAN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 4938
STATE OF FLORIDA LB#6603

PLAT OF WEST 35TH STREET

BEING A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" LOTS 1 THROUGH 8, INCLUDING A PORTION OF W 35TH STREET BETWEEN SAID LOTS, LYING EASTERLY OF AVENUE E, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SHEET 1 OF 2



LOCATION MAP
N.T.S.

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS INSTRUMENT WAS FILED FOR RECORD AT _____
THIS ___ DAY OF _____, 202_____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE(S) _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK

CLERK

DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF RIVIERA BEACH PURSUANT TO CHAPTER 189, FLORIDA STATUTES, OWNER OF THE LAND SHOWN HEREON _____, A SUBDIVISION IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING, IN PART, A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION", LOTS 1 THROUGH 8, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1 AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAY MAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 200.00' TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 109,964 SQUARE FEET (2.524 ACRES) MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DO HEREBY DEDICATE AS FOLLOWS:

1. DEVELOPMENT PARCEL DEDICATION:

PARCEL A, AS SHOWN HEREON IS HEREBY RESERVED FOR _____, THEIR SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE CITY OF RIVIERA BEACH, FLORIDA AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID _____, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF RIVIERA BEACH.

IN WITNESS WHEREOF, CITY OF RIVIERA BEACH HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS UNDERSIGNED OFFICER, THIS _____ DAY OF _____, 202_.

CITY OF RIVIERA BEACH

BY: _____
(NAME)
(TITLE)

_____
WITNESS

_____
PRINT NAME

_____
WITNESS

_____
PRINT NAME

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED _____ WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS _____ AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2023.

MY COMMISSION EXPIRES: _____
(DATE)

BY: _____
NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

NOTARY STAMP

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, _____, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN THE CITY OF RIVIERA BEACH; THAT CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE NO ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

BY: _____ DATE: _____

_____
PRINT NAME

CITY OF RIVIERA BEACH APPROVALS

STATE OF FLORIDA
COUNTY OF PALM BEACH, FLORIDA

THIS PLAT IS HEREBY APPROVED FOR RECORD BY THE CITY OF RIVIERA BEACH, FLORIDA

THIS _____ DAY OF _____, 202_.

BY: _____
RONNIE L. FELDER, MAYOR

BY: _____
TAWANNA KING, CMC, FCRM, CITY CLERK

BY: _____
TERRENCE N. BAILEY, PE, CITY ENGINEER

REVIEWING SURVEYOR

ON BEHALF OF THE CITY OF RIVIERA BEACH, IN ACCORDANCE WITH CHAPTER 177.081(1) OF THE FLORIDA STATUTES, THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, PART 1, PLATTING, FLORIDA STATUTES AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA, OR THE FIELD VERIFICATION OF THE PERMANENT CONTROL POINTS (P.C.P.'S) AND MONUMENTS AT LOT/TRACT CORNERS.

DATED THIS _____ DAY OF _____, 202_.

BY: _____ DATE: _____
(SURVEYOR NAME), PSM
LICENSE NUMBER: _____

AS APPROVED ON _____, 2023 VIA CITY OF RIVIERA BEACH RESOLUTION NO. _____-23

SURVEYOR'S NOTES

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 83/90 AND THE NORTH LINE OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, HAVING A BEARING OF S88°31'06"E, ALL OTHER BEARINGS ARE RELATIVE THERETO. CONTROL MEASUREMENTS MEET OR EXCEED CLOSURE FOR COMMERCIAL: LINEAR: 1 FOOT IN 10,000 FEET HORIZONTALLY AND WERE VERIFIED THROUGH A REDUNDANCY OF MEASUREMENTS. ALL DISTANCES ARE GRID DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
SCALE FACTOR= 1.0000497
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

2. NOTICE: THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

3. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT ORDINANCES OF THE CITY OF RIVIERA BEACH.

4. ALL COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) IN U.S. SURVEY FEET.

5. NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.

6. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") HAVE BEEN PLACED AS REQUIRED BY LAW, ACCORDING TO SECTION 177.091(9), FLORIDA STATUTES, WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF RIVIERA BEACH, FLORIDA FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA.

THIS __ DAY OF _____, 202_.

_____
C. ANDRE RAYMAN P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 4938
STATE OF FLORIDA LB# 6603

SEAL
RIVIERA BEACH MANAGEMENT, LLC

SEAL
CITY OF RIVIERA BEACH

SEAL
MORTGAGEE

SEAL
CITY ENGINEER
TERRENCE BAILEY
PE #60706
DATE: _____

SEAL
REVIEWING SURVEYOR P.S.M.
NAME: _____
PLS #_____
DATE: _____

SEAL
C. ANDRE RAYMAN, P.S.M.
C. ANDRE RAYMAN
PLS #4938
DATE: _____

THIS INSTRUMENT PREPARED BY C. ANDRE RAYMAN, P.S.M. LS#4938 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS
1280 N. CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409.
CERTIFICATE OF AUTHORIZATION NO. LB0006603

PLAT OF WEST 35TH STREET

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390 •
WWW.ENGENUITYGROUP.COM

DATE	10/12/2023
SCALE	N/A
CAD FILE	14151.14.04 Plat.dwg
SDSK PROJECT	14151.14.04
DRAWN	J.T.S.
CHECKED	J.C.M.

SHEET NO. 1 / 2

JOB NO. 14151.14.04

Y:\Land Projects R2\2025\01 3501 Broadway-Foundcare\Dwg\14151.14.04 Plat.dwg 10/12/2023 10:43:46 AM EDT

PLAT OF WEST 35TH STREET

BEING A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" LOTS 1 THROUGH 8, INCLUDING A PORTION OF W 35TH STREET BETWEEN SAID LOTS, LYING EASTERLY OF AVENUE E, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

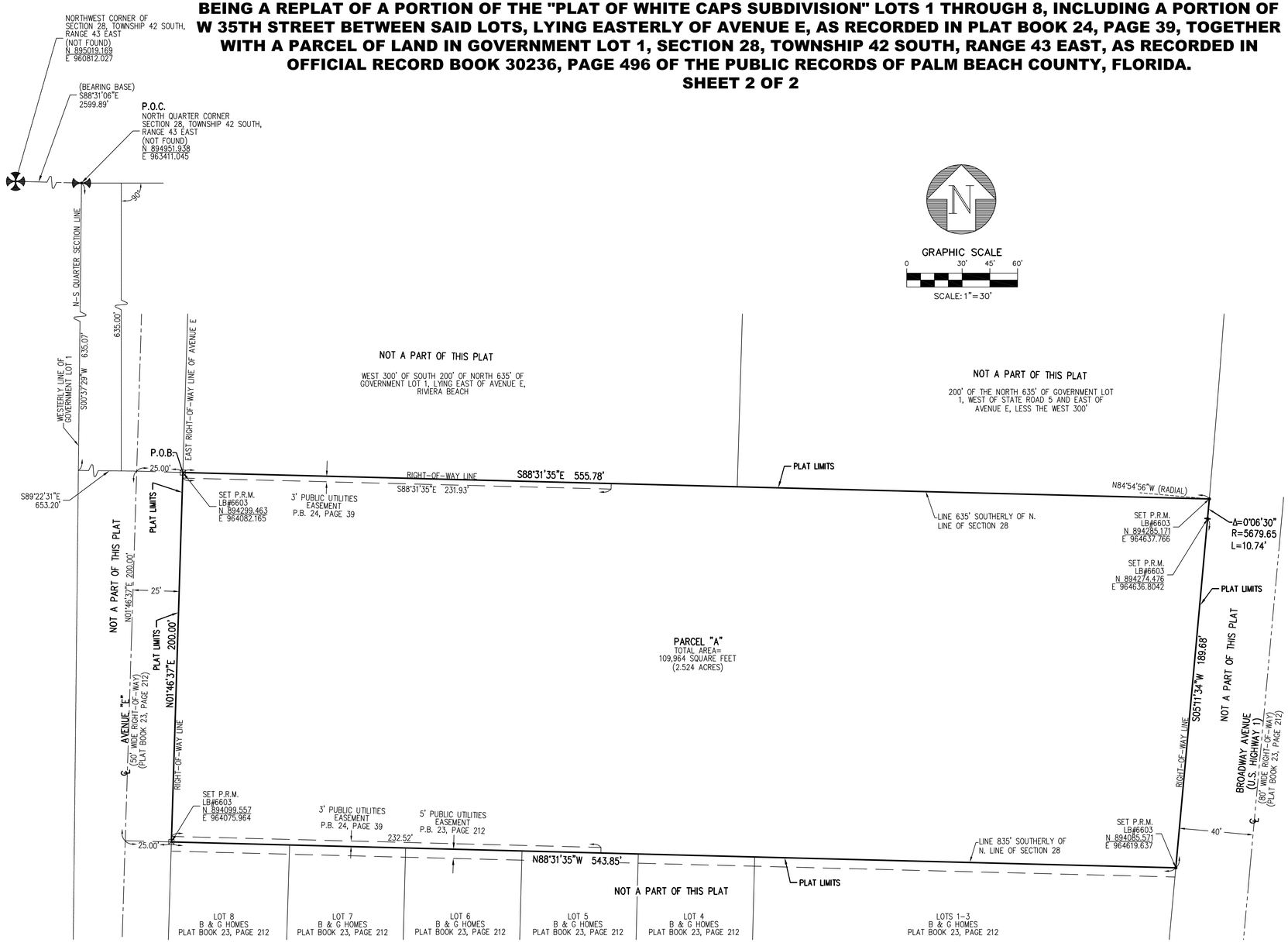
SHEET 2 OF 2

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS INSTRUMENT WAS FILED FOR RECORD AT _____
THIS ___ DAY OF _____, 2023_____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE(S) _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY:_____
DEPUTY CLERK



GRAPHIC SCALE
0 30' 45' 60'
SCALE: 1"=30'

SURVEYOR'S LEGEND

P.R.M.	PERMANENT REFERENCE MONUMENT
LB	LICENSED BUSINESS
P.B.	PLAT BOOK
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
Δ	DELTA
R	RADIUS
L	LENGTH
℄	CENTERLINE
⊡	4"X4" CONCRETE MONUMENT "P.R.M. LB#6603"
•	NAIL & DISC "P.R.M. LB#6603"
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
✠	SECTION CORNER
✠	QUARTER SECTION CORNER

STATE PLANE COORDINATE DATA

SCALE FACTOR: 1.0000497
PROJECTION: TRANSVERSE MERCATOR
ZONE: FLORIDA EAST ZONE
DATUM: NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT)

ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE SHOWN.

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
LINEAR UNITS = US SURVEY FEET

THIS INSTRUMENT PREPARED BY C. ANDRE RAYMAN, P.S.M. LS#4938 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS
1280 N. CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409.
CERTIFICATE OF AUTHORIZATION NO. LB0006603

PLAT OF WEST 35TH STREET

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390 •
WWW.ENGENUITYGROUP.COM

DATE	10/12/2023
SCALE	1"=30'
CAD FILE	14151.14.04 Plat.dwg
SDSK PROJECT	14151.14.04
DRAWN	J.T.S.
CHECKED	J.C.M.

SHEET 2 / 2

JOB NO. 14151.14.04

Y:\Land Projects R2\2205901 3501 Broadway-Foundcare\Dwg\14151.14.04 Plat.dwg 10/12/2023 10:43:46 AM EDT

SITE DATA TABLE:

APPLICATION No.: SP-23-0024
PROJECT NAME: FOUNDCARE HEALTH CARE CENTER AND INCUBATION SHEEL SPACE
FUTURE LAND USE: DOWNTOWN GENERAL
PROPOSED USE:
PRINCIPAL USE: PROFESSIONAL OFFICE
ACCESSORY USE: RETAIL ESTABLISHMENT
SECTION, TOWNSHIP, RANGE: SECTION 28, 42 SOUTH, RANGE 43 EAST
PROPERTY CONTROL No.: 56-43-42-28-30-001-0010
TRAFFIC ANALYSIS ZONE: 127
TOTAL GROSS ACREAGE: 2.5245 AC
BUILDING HEIGTH: 35'-6" HIGH PARAPET

SETBACKS	REQUIRED:	PROVIDED:
FRONT:	10' MIN. / 15" MAX.	14' AND 15'
SIDE:	0'	10'-7" NORTH/ 63'-0" SOUTH
REAR:	10' MIN.	445' - 8"
FRONTAGE:	65% MIN. ON PRIMARY STREET	130'-7" = 69.04%
LOT WIDTH:	20'-0" MIN/ NO MAX.	189'-0"
LOT AREA:	2,000 S.F. MIN. / NO MAX.	109,964 S.F.
LOT COVERAGE:	80% MAX.	19.5%

FRONTAGE STANDARDS (SEC 31-537): MODIFIED BRACKETED BALCONY:

	ALLOWED	PROVIDED:
DEPTH:	0 MIN. - 5 FT. MAX..	4'-8" AND 4'-10"
WIDHT:	4 FT. MIN. - 0 MAX	14'-10" AND 15'-2"
FLOOR ELEVATION:	0	0
MAX. ENCROACHEMENT:	3 FT.	0

CIVIC SPACE REQUIREMENT:
ON SITES LARGER THAN ONE ACRE, 5 PERCENT OF THE SITE SHALL BE ALLOTED TO CIVIC SPACE (2.524 X 0.05 = 0.126 AC. OR 5,597 S.F.)

ZONING DESIGNATION:

ZONING DISTRICT:	DG - DOWNTOWN GENERAL
PROPERTY TO THE EAST:	DG - DOWNTOWN GENERAL
PROPERTY TO THE WEST:	RS-6 - SINGLE FAMILY DWELING & RD-15 - TWO FAMILY DWELING
PROPERTY TO THE NORTH:	DG - DOWNTOWN GENERAL & U - UTILITIES
PROPERTY TO THE SOUTH:	DG - DOWNTOWN GENERAL & RS-6 - SINGLE FAMILY DWELING

UTILITIES:

WATER AND SEWER: CITY OF RIVIERA BEACH
POWER: FLORIDA AND LIGHT
DRAINAGE DISTRIC: SFWMD (SOUTH FLORIDA WATER MANAGEMENT DISTRIC)

SITE INFORMATION:

SITE AREA	109,964 S.F. (2.5245 AC)
TOTAL BUILDING AREA	21,467 S.F.
F.A.R.	21,467 / 109,964 = 0.195
TOTAL LOT COVERAGE	
IMPERVIOUS =	1.21 AC = 47.94%
POND =	0.28 AC = 11.09%
PERVIOUS =	1.03 AC = 40.8%

CIVIC SPACES PROVIDED:
PROVIDED: 0.28 AC GREEN SPACE WITH MEANDERING SIDEWALK WITH ONE BENCH AROUND GREEN/DRY RETENTION AREA.
ADDITIONAL TOTAL OF 2,300 S.F. OF SMALL PLAZA AREAS BY EACH OCCUPANT'S FRONT DOOR. BENCHES, AND A BIKE RACK ARE LOCATED IN THIS AREA.

PARKING REQUIREMENTS (PER SEC. 31-577):

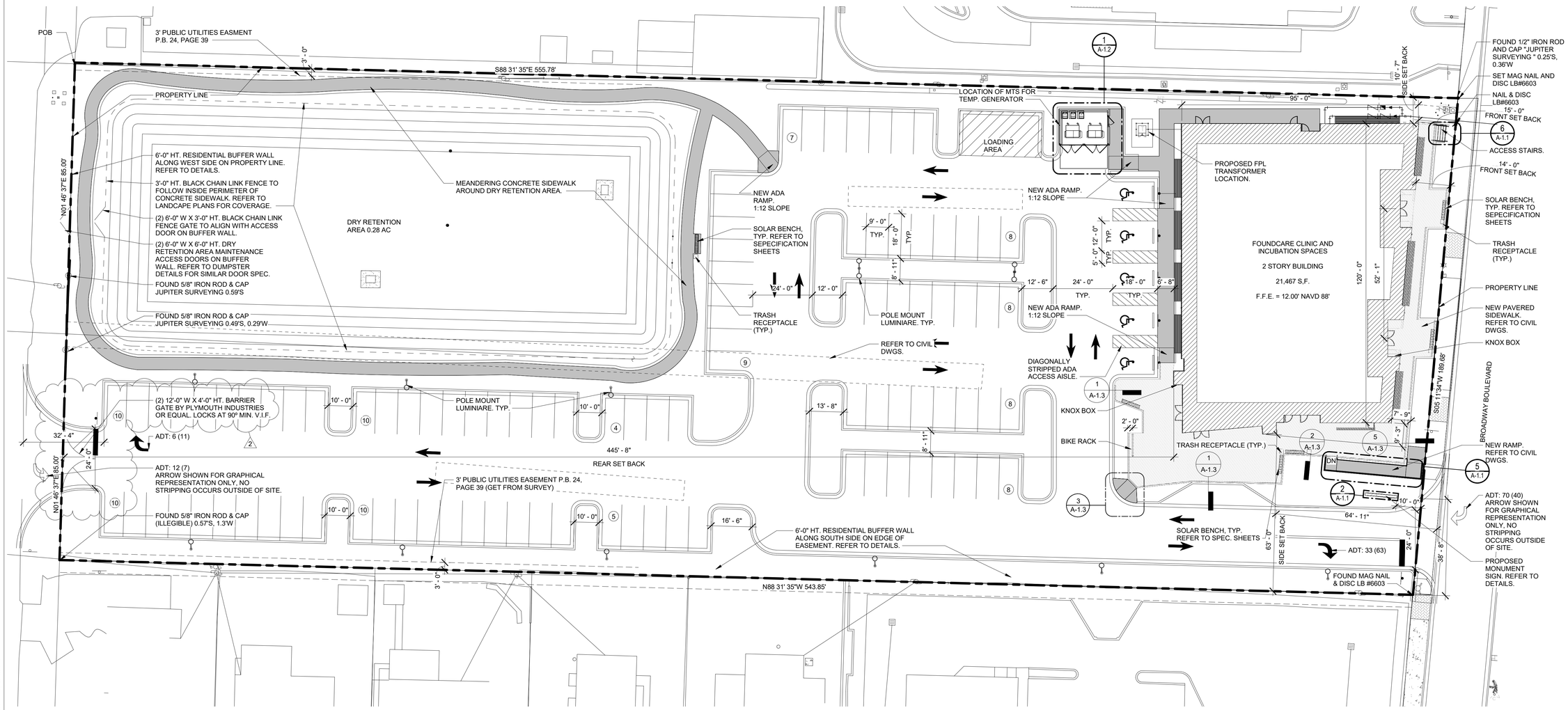
USE	REQUIRED	PROVIDED
FOUNDCARE CLINIC (MEDICAL / DENTAL) 16,467 S.F. / 1 SPACE PER 300 S.F.	55	
INCUBATION SHELL SPACE (OFFICES) 3,000 S.F. / 1 SPACE PER 300 S.F.	10	
(RESTAURANT) 2,000 S.F. / 1 SPACE PER 150 S.F.	14	
TOTAL	79	102 (INCLUDES 5 ADA)

ADA PARKING SPACES
REQUIRED 4 (PER FC ADA TABLE 208.2)
PROVIDED 5

1 LOADING AREA REQUIRED (PER SEC. 31-576)
12' x 30' WITH 30' OF MANEUVERING

SITE PLAN GENERAL NOTES:

1. REFER TO CIVIL DRAWINGS FOR SIGNAGE AND STRIPPING DETAILS.
2. REFER TO CIVIL DRAWINGS FOR ALL GRADING INFORMATION.
3. REFER TO LANDSCAPE DRAWINGS. ALL LANDSCPAE ELEMENTS INSTALLED WITHIN THE PUBLIC R.O. SHALL BE THE MANTENANCE OBLIGATION OF THE PROJECT
4. ALL EXTERIOR EQUIPMENT SHALL BE MOUNTED ABOVE F.E.M.A. REQUIRED ELEVATION
5. ALL EXTERIOR EQUIPMENT SHALL BE MOUNTED AND ATTACHED PER F.B.C. 2020 7TH EDITION STANDARDS REQUIREMENTS
6. G.C. SHALL BE RESPONSIBLE TO HAVE ALL EQUIPMENT INSTALLED TO MEET THE ABOVE REUIREMENTS
7. G.C. SHALL COORDINATE WITH FPL ALL TRANSFORMER REQUIREMENTSPRIOR TO PERFORMING ANY WORK.



1 SITE PLAN
1" = 20'-0"

COMPLETE SHEET HAS BEEN REVISED. 1A

NORTH

REVISIONS :		
No.	Description	Date
1A	CITY COMMENTS	11/3/23
2	CITY COMMENTS	11/27/23

SEAL

STATE OF FLORIDA
ALEJANDRO ECHEVERRY
AR 95254
REGISTERED ARCHITECT

CONSULTANT
ALEJANDRO ECHEVERRY
AR# 95254
JUNE 8, 2023

Alejandro Echeverry
Digitally signed by Alejandro Echeverry
DN: CN=Alejandro Echeverry, OU=AAR#95254, O=Florida, C=US
Reason: I am the author of this document
Date: 2023.11.28 10:28:39-05'00'

STILES ARCHITECTURAL GROUP
201 East Las Olas Blvd,
Fort Lauderdale, Florida 33301
954 - 627- 9180
FL. REG # AA-26001798

PERMIT SET

FOUNDCARE
3501 Broadway Blvd.
Riviera Beach, Fl

ARCHITECTURAL SITE PLAN

A-1.0

PROJECT NO.
74115
DRAWN BY :
SAG
CHECKED BY :
AM
DATE :
JUNE 8, 2023

Autodesk Docs://Foundcare @ Riviera Beach/74115_Foundcare.rvt

OWNER/APPLICANT SIGNATURE AUTHORIZATION

PROJECT NAME: **FoundCare, Inc. (Federally Qualified Health Center)**

The City of Riviera Beach (City), the owner of real property located at 3501 Broadway, Riviera Beach, Florida (Property) hereby designates and authorizes the agent(s) listed below to act on behalf of the City, as its agent(s) in the processing of any required application(s) for the permitting, platting, zoning or rezoning, site planning of the Property, and the vacation and abandonment of W. 35th Street and Avenue E. Pursuant to City Resolution No. 076-22 (adopted on September 21, 2022) approving a Ground Lease between the City and FoundCare, Inc., the below-listed agent(s) may perform any requirements which may be necessary to procure the permit(s), platting, zoning or rezoning, site plan and vacation and abandonment of W. 35th Street and Avenue E.

Printed Name(s) and Signature(s) of Authorized Agent(s)

Print Name: Thomas J. Baird

Signature: _____

Print Name: FoundCare, Inc.

Signature: _____ (RIK PAVLESCAK), its Chief Administrative Officer

Printed Name of Owner: ~~City of Riviera Beach, Florida~~

Signature of Owner: _____

Title: City Manager

Date: 1/18/23

STILES
ARCHITECTURAL GROUP
Invest·Build·Manage

FL REG. # AA26001798

November 2, 2023

VIA PROJECT PORTAL
City of Riviera Beach
Planning and Zoning Division

Re: Foundcare Inc.
Project Narrative

This firm represents Foundcare Inc. (“applicant”), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the “Property.” The applicant is seeking approval for a new Foundcare Clinic (“Project”) in the Downtown General (“DG”) zoning District. Here, we provide a narrative outlining the project's compliance with the City of Riviera Beach (“City”) Land Development Code (“LDC”) and a description of the project.

The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately 2.5245 acres or 109,964 square feet and is divided into two parcels of land:

Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District (“DG”).

Parcel 2: Lots 1 to 8, inclusive of Block 1, White Caps Subdivision, according to the plat on file in the office of the clerk of the circuit court in and for Palm Beach County, Florida, as recorded in Plat Book 24, Page 19. This parcel is a portion of the plat of White Caps, recorded in Plat Book 24, Page 39 of the public records of Palm Beach County, Florida, and is currently zoned for Two Family Dwelling District (RD-15).

Downtown General District (“DG”) permits various uses within the zoning district, including residential, professional office (provided), retail establishments (provided), daycare, nursing or convalescent homes and adult living facilities (ALF), churches and their educational buildings, civic open spaces (provided), and community gardens.

The Property has an existing 30’ N. 35th Street Right of Way which is being abandoned under AB- 23-0002, and this site plan application is also being processed alongside a re-plat submission under PA-23-0008.

Foundcare, Inc. will establish a federally qualified health center to enhance healthcare accessibility for Riviera Beach city residents and underserved populations. The facility will consist of two stories with a total area of approximately 20,000 square feet. This includes a 15,000 square feet health center and 5,000 square feet of shell space for two accessory spaces serving as business incubators.

tel: (954) 627-9180
fax: (954) 627-9189

201 East Las Olas Boulevard
Fort Lauderdale, FL 33301

www.stiles.com

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms.
The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area. The project will include parking facilities, landscaping, and hardscaping that exceed local code requirements.

The Project meets all City's requirements, including a ground story height between 10'-18' (provided at 14'-0"), no mezzanines or parking garages (none provided), and a flat roof with 42" parapets (minimum parapet height provided is 42"). All roof equipment is properly screened from view by the parapets.

The Project incorporates a modified bracketed balcony frontage. Instead of traditional balconies with railings, the second-level overhang over the ground-level entrance is enclosed. The two entrances for the incubation spaces at the ground level are 52'-1" apart, where the maximum allowed distance is 75'. Civic space provided is a combination of green space with a meandering sidewalk along the dry retention area for afternoon walks, and small plaza spaces at all ground-level building entrances, complete with benches, bike racks, and trash receptacles.

We are exited for Foundcare Inc. to be introduced to the City of Riviera Beach/ Please let us know if you have any questions or need additional information.

Respectfully,

Adriana Murillo

Adriana Murillo
Sr. Project Manager
Stiles Architectural Group

CFN 20180424092
OR BK 30236 PG 494
RECORDED 11/08/2018 08:57:15
Palm Beach County, Florida
AMT 500,000.00
DEED DOC 3,500.00
Sharon R. Bock
CLERK & COMPTROLLER
Pgs 0494-0496; (3Pgs)

This Document Prepared By
Steven M. Singer, Esq.
Law Offices of Steven M. Singer, P. A.
7901 SW 6th Court, Suite 305
Plantation, FL 33324

And Upon Recording Return to:
Steven M. Singer, Esq.
Law Offices of Steven M. Singer, P. A.
7901 SW 6th Court, Suite 305
Plantation, FL 33324

Parcel ID Number: 56-43-42-28-00-001-0160
Parcel ID Number: 56-43-42-28-30-001-0010

NOT A CERTIFIED COPY

CORPORATE DEED

THIS CORPORATE DEED, made this 26 day of October, 2018 A.D., between J & B Motel Corp., a Florida corporation, whose address is 7901 SW 6th Court, Suite 305, Plantation, FL 33324 ("Grantor"), and City of Riviera Beach with an address of 600 W. Blue Heron Blvd., Riviera Beach, FL 33404 ("Grantee").

(Wherever used herein the terms Grantor and Grantee shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires)

WITNESSETH, that the GRANTOR, for and in consideration of the sum of TEN DOLLARS ($10) DOLLARS, and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Palm Beach, State of Florida to wit·

See Exhibit "A" Attached hereto

A/K/A 3501 Broadway, Riviera Beach, FL 33407

TOGETHER WITH (i) any and all structures and improvements on the Property; and (ii) all easements, rights of way, privileges, licenses, appurtenances and other rights and benefits belonging to, running with the owner of, or in any way related to the Property.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, Grantor covenants with said Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Property; the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the GRANTOR has hereunto set his hand(s) and seal(s), the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witness Maigen Bell

Witness

J & B Motel Corp.

By: Alan Sorota
Alan Sorota, President

STATE OF COLORADO
COUNTY OF BOULDER

The foregoing instrument was acknowledged before me this 26 day of October, 2018, by Alan Sorota, President of J & B Motel Corp., a Florida corporation, ( ) who is personally known to me or ( ) who has produced Colorado Driver License as identification.

Print Name: Maigen Bell
Notary Public, State of Colorado

My Commission Expires: August 12, 2022

MAIGEN BELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144031558
MY COMMISSION EXPIRES AUGUST 12, 2022

NOT A CERTIFIED COPY

EXHIBIT "A"

A parcel of land in Government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the intersection of the West line of Government Lot 1 of said Section 28, with a line parallel to and 635 feet Southerly from (measured at right angles), the North line of said Section 28; thence Easterly along said parallel line 909.75 feet to the Point of Beginning and the NW corner of the herein described parcel; thence Southerly at right angles to said parallel line 200 feet; thence Easterly parallel to and 835 feet Southerly from (measured at right angles), the North line of said Section 28, 311.28 feet, more or less, to the Westerly right-of-way line of State Road No. 5, according to the Plat of said right-of-way filed in County Road Plat Book 1, Page(s) 52, Palm Beach County Records; thence Northerly along said Westerly right-of-way line, 200.4 feet, more or less, to a point in said line parallel to and 635 feet South of the North line of said Section 28; thence Westerly along said last mentioned parallel line, 324.4 feet, more or less, to the Point of Beginning.

AND

Lots 1 to 8, inclusive, Block 1, Whitecaps Subdivision, according to the plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, as recorded in Plat Book 24, page 39.

NOT A CERTIFIED COPY

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4255- FOUNDCARE – ZONING MAP AMENDMENT

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

DRAFT

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667028 Foundcare Advertisements
Date: Friday, December 22, 2023 12:47:10 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $299.73, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17, 2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN APPROVING AN APPLICATION (LU-23-0004) FROM SINGLE FAMILY RESIDENCES TO A LAND USE DESIGNATION OF DOWNTOWN MIXED-USE (DMU); AND PROVIDING FOR AN

EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. REQUESTING A ZONING MAP AMENDMENT FROM A "DR" DOWNTOWN RESIDENTIAL DISTRICT DESIGNATION TO A "DG" DOWNTOWN GENERAL DESIGNATION"; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A REQUEST FROM FOUNDCARE (APPLICANT); REQUESTING AN ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT PUBLIC RIGHT OF WAYS, UTILITY EASEMENTS AND REQUIRED RIGHT OF WAY DEDICATIONS ALONG W 35th STREET; IN RIVIERA BEACH, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:33 AM

To: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>; Legals-Pbpost <legals@pbpost.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667028 Foundcare Advertisements

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Riviera Beach Planning and Zoning Division
600 W. Blue Heron Blvd.
Riviera Beach, FL 33404
Phone: (561) 845-4060
Email: POC@rivierabeach.org

AFFIDAVIT OF MAILED NOTICE

INSTRUCTIONS: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

Application Number and Name: ZONING AMENDMENT (ZA-23-007), SITE PLAN (SP-23-0024), PLAT (PA-232-0008), ABANDONMENT (AB-23-0002), LAND USE (LU-23-0004)

Date(s) of Public Hearing(s): WEDNESDAY JANUARY 17TH, 2024 AT 6:30 P.M.

STATEMENT OF COMPLETENESS AND ACCURACY

In accordance with the requirements of Section 31-4 Public Notification Signs, of the Code of Ordinances of Riviera Beach, ___Ryan Smith_____, hereby certify that Public Notifications, for the above Application Number and Name have been mailed to the property owners within a 300 foot radius of the subject property PCN: _56-43-42-28-00-001-0160 & 56-43-42-28-30-001-0010 as obtained from the Palm Beach County Property Appraiser's Office on, ___12.10.23__. The Public Notifications were mailed on, ___1.2.24_____, which is at least fifteen (15) days prior to the meeting date.

Supportive Documents: Attached hereto is the 300 foot radius map and property ownership list.

Check (X) one: I am the [ ] property owner [x] agent [ ] other _____.

Ryan Smith
(Name - type, stamp or print clearly)

(Signature)

Black Diamond General Contracting
(Name of Firm)

1930 Commerce Lane, Suite 210, Jupiter, FL 33458
(Address, City, State, Zip)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 2 day of JANUARY, 2024 by Ryan Smith. He/she is personally known to me or has produced _____ as identification and did/did not take an oath (circle correct response).
(Name of person acknowledging) (Type of identification)

BARBARA TERESA FROST
(Name - type, stamp or print clearly)

Barbara Teresa Frost
(Signature)

My Commission Expires on: 1/26/2024

Notary Public State of Florida
Barbara Teresa Frost
My Commission GG 945762
Expires 01/26/2024

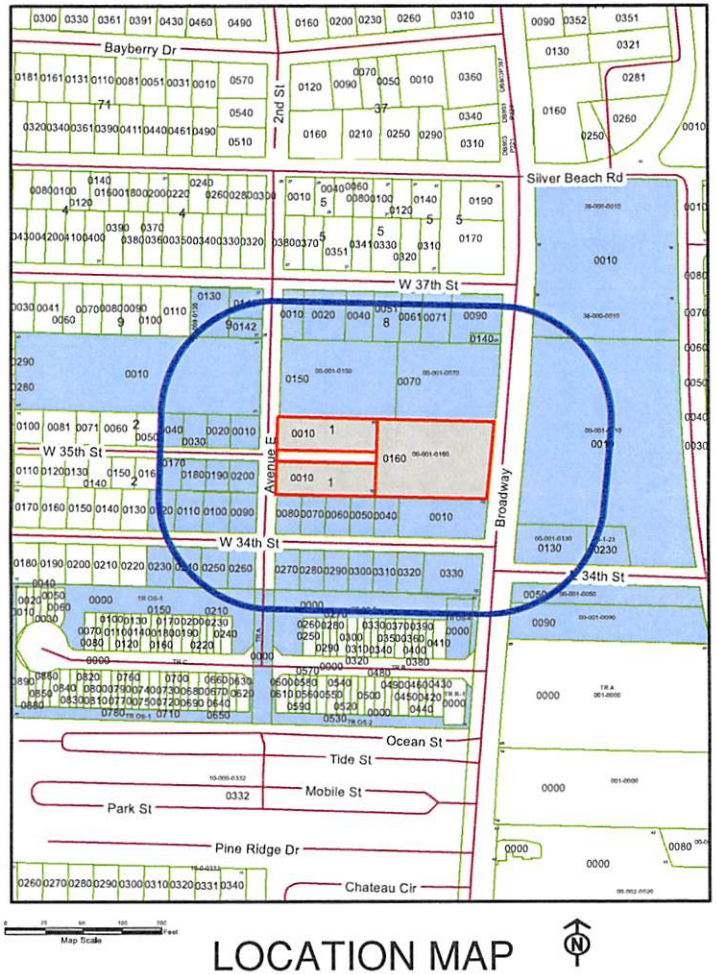
NOTARY'S SEAL OR STAMP

ATTACHMENT A: Photographs of Signs

All posted signs along the subject property are required to be photographed and attached here.

CITY OF RIVIERA BEACH
PUBLIC HEARING NOTICE
FOR ADDITIONAL INFORMATION,
CONTACT THE PLANNING AND ZONING DIVISION AT
(561) 845-4060

PUBLIC HEARING NOTICE
CITY OF RIVIERA BEACH, FLORIDA



Dorothy Jacks, CFA
Palm Beach County
Property Appraiser

LOCATION MAP

SUBJECT PROPERTY CONTROL NUMBERS (2)

56-43-42-28-00-001-0160
56-43-42-28-30-001-0010

ZONING AMENDMENT (ZA-23-0007)
SITE PLAN (SP-23-0024)
PLAT (PA-232-0008)
ABANDONMENT (AB-23-0002)
LAND USE (LU-23-0004)

LEGEND

- PROPOSED PARCELS (2)
- PARCELS IN BUFFER (53)
- 300 FT. BUFFER (1)

The data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden of determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use resets solely on the requester. Palm Beach County makes no warranties, expressed or implied as to the use of the Data. There are no implies warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the imitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.

CITY OF RIVIERA BEACH
Development Services Department
600 W. Blue Heron Boulevard
Riviera Beach, FL 33404

The Planning and Zoning Board of Riviera Beach, Palm Beach County, Florida will conduct a City Council Meeting on Wednesday January 17th, 2024 at 6:30 P.M. or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Marina Event Center located at 190 E. 13th Street, Riviera Beach, FL 33404, to consider and make recommendation(s) to the Riviera Beach City Council regarding the following:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Please scan to provide your feedback:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING SITE PLAN APPLICATION NUMBER (SP-23-0024) TO ALLOW A +/- 20,000 SQUARE FOOT, TWO-STORY BUILDING WHICH INCLUDES A 15,000 SQUARE FOOT HEALTH CENTER, 2,500 SQUARE FOOT RESTAURANT WITH OUTDOOR SEATING AND A 2,500 SQUARE FOOT OFFICE SPACE. THE SUBJECT PROPERTY IS LOCATED AT 3501 BROADWAY, ALONG THE BROADWAY CORRIDOR, SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0008) FROM FOUNDCARE INC. (APPLICANT); FOR A REQUEST TO REPLAT +/- 2.52 ACRES OF CONTIGUOUS LOTS OF RECORD INTO A SINGLE PARCEL OF PROPERTY TOTALING APPROXIMATELY +/-2.52 ACRE (+/- 109,967 SQUARE FEET) OF LAND AREA LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160). THE SUBJECT PROPERTY IS LOCATED ALONG THE BROADWAY CORRIDOR (3501 BROADWAY), SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHEMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

The aforementioned meeting location is subject to change. Background material is available for review in its entirety in the Development Services Department between the hours of 8:30 A.M. and 5:00 P.M., except holidays; (561) 845-4060.

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 hearing, 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, with record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the City Manager's Office at 561-845-4010 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4254: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida approving a request from Foundcare Inc. (Applicant); requesting Abandonment (AB-23-0002) of the following right-of-way segment: the +/- 30 foot by +/- 232.09 foot street right of way (35th Street) approximately +/- 6960.32 square feet in area that bisects the property located at 3501 Broadway in Riviera Beach (right of way dedication of 35th Street and along Avenue E); in Riviera Beach Florida ("Attachment A"); providing for an effective date and for other purposes.**

Date: January 17, 2024

CC: General Public

Background:

The Applicant represents Foundcare Inc. ("applicant"), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the "Property." The applicant is seeking approval for a new Foundcare Clinic ("Project") in the Downtown General ("DG") Zoning District. The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately +/- 2.5245 acres or +/- 109,964 square feet and is divided into two parcels of land: Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District ("DG").

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms. The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area.

The Planning and Zoning Staff recommend that the Planning and Zoning Board and City Council vote to approve these items. The approval of these items does not conflict with any existing ordinances or resolutions.

City Goals:

The City-wide Goal is to Build Great Neighborhoods.

Fiscal/Budget Impact:

There is no fiscal impact from this item.

Recommendation:

Staff recommends a Motion to approve Ordinance Number 4254.

Attachments:

1. Ordinance 4254- Foundcare Abandonment Amendment.docx
2. Foundcare Staff Report to City Council.docx
3. I. Survey. Foundcare.pdf
4. J. Plat. Foundcare.pdf
5. K. Site Plan. Foundcare.pdf
6. K. Sketch Legal N 35th Street Abandonment_v1 (3).pdf
7. U. Traffic Concurrency Letter. Foundcare.pdf
8. U. Traffic Study.pdf
9. D. Agent Authorization.pdf
10. E. Affidavit re Abandonment w 35th street row.pdf
11. G. LEGAL DESCRIPTION. FOUNDCARE.pdf
12. Riviera Beach business-impact-estimate-Ordinance 4254 - FOUNDCARE ABANDONMENT.docx
13. Proof of Advertisement- Foundcare .pdf
14. Affidavit of Sign Posting & Mailer Notice

ORDINANCE NO. 4254

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Foundcare Inc., seeks approval of a request for an Abandonment of the following Right-of-Way (ROW) segment the +/- 30 foot by +/- 232.09-foot street right of way (35th street) approximately +/- 6960.32 square feet in area that bisects the property located at 3501 Broadway in Riviera Beach (right of way dedication of 35th street and along Avenue E); in Riviera Beach Florida as depicted in Attachment A; and

WHEREAS, The subject property is located at 3501 Broadway, identified by parcel control numbers in Attachment B;

WHEREAS, The proposed Abandonment is designed to allow for a complete and whole expansion of the Foundcare Inc., Clinic; and

WHEREAS, The Planning & Zoning Board heard this item on January 11, 2024 and voted to recommend that City Council approve this item.

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

SECTION 1. The foregoing recitals are ratified as true and correct and are incorporated herein. It is the purpose and intent of this Ordinance to promote the health, safety and general welfare of the residents, businesses, and stakeholders of the City.

SECTION 2. The City Council of the City of Riviera Beach hereby approves a request for an Abandonment amendment as proposed in Attachment A.

SECTION 3. This proposed Abandonment request is to allow for a complete and whole expansion of Foundcare Inc., located at 3501 Broadway.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. The effective date of this Ordinance, if this ordinance is not timely challenged, shall be the date of recordation.

PASSED AND APPROVED on first reading this ____ day of _____, 2024

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2024.

The remainder of this page is intentionally left blank.

APPROVED:

RONNIE L. FELDER
MAYOR

DOUGLAS LAWSON
CHAIRPERSON

ATTEST:

SHIRLEY D. LANIER
CHAIR PRO TEM

DEBRAH HALL-MCCULLON

CERTIFIED MUNICPAL CLERK
ACTING CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

DR. JULIA BOTEL
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

DAWN S. WYNN, CITY ATTORNEY

1st READING

MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

2ND & FINAL READING

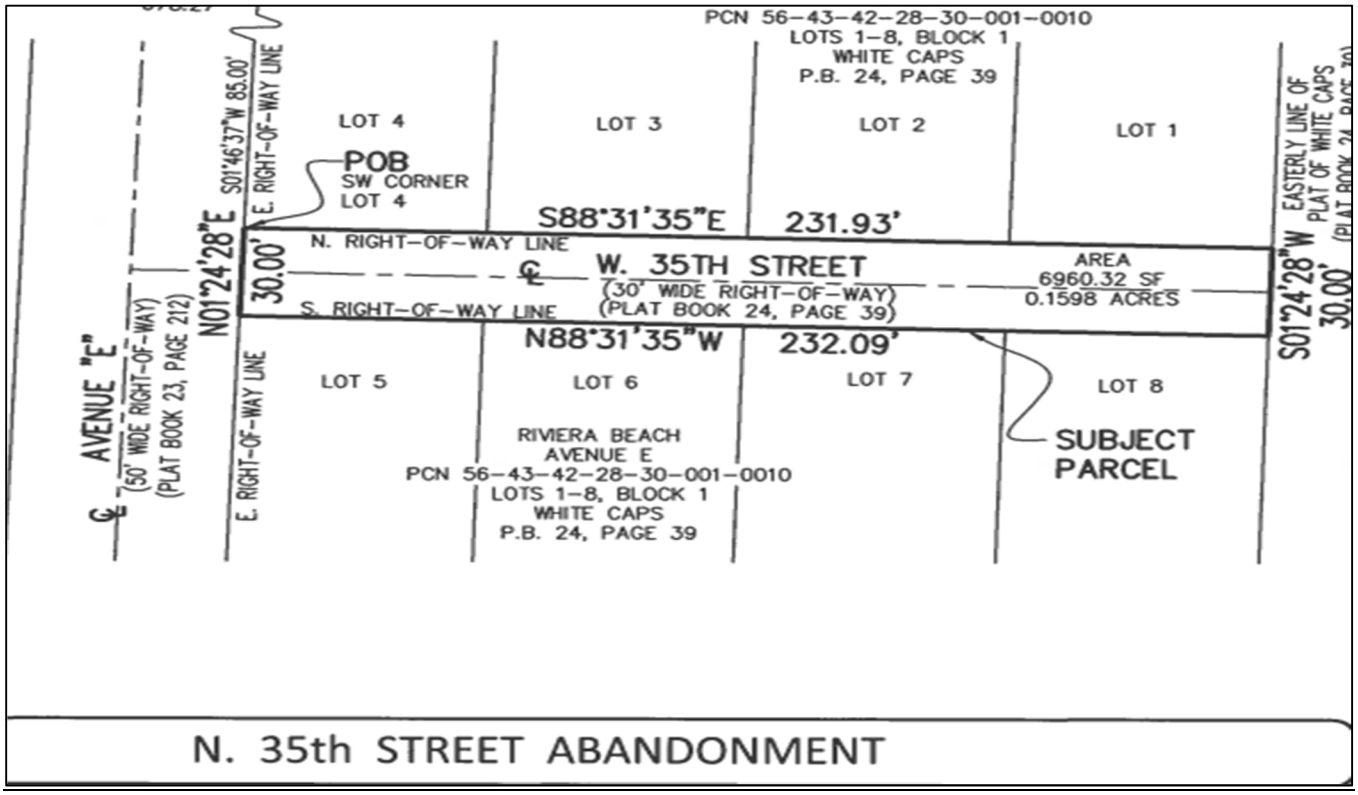
MOTIONED BY: _____

SECONDED BY: _____

S. LANIER	_____
K. MILLER-ANDERSON	_____
T. MCCOY	_____
J. BOTEL	_____
D. LAWSON	_____

Attachment A

Abandonment Map Delineation



Attachment B

PROPERTY CONTROL NUMBERS – PCNs:

56-43-42-28-30-001-0010
56-43-42-28-00-001-0160

CITY OF RIVIERA BEACH STAFF REPORT
CASE NUMBERS:
AB-23-0002; PA-23-0002; ZA-22-0007;
LU-23-0004; SP-23-0024
A REQUEST FROM FOUNDCARE TO CREATE A HEALTH CENTER

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHEMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING SITE PLAN APPLICATION NUMBER (SP-23-0024) TO ALLOW A +/- 20,000 SQUARE FOOT, TWO-STORY BUILDING WHICH INCLUDES A +/- 15,000 SQUARE FOOT HEALTH CENTER, +/- 2,500 SQUARE FOOT RESTAURANT WITH OUTDOOR SEATING AND A +/- 2,500 SQUARE

FOOT OFFICE SPACE. THE SUBJECT PROPERTY IS LOCATED AT 3501 BROADWAY, ALONG THE BROADWAY CORRIDOR, SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0008) FROM FOUNDCARE INC. (APPLICANT); FOR A REQUEST TO REPLAT +/- 2.52 ACRES OF CONTIGUOUS LOTS OF RECORD INTO A SINGLE PARCEL OF PROPERTY TOTALING APPROXIMATELY +/-2.52 ACRE (+/- 109,967 SQUARE FEET) OF LAND AREA LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160). THE SUBJECT PROPERTY IS LOCATED ALONG THE BROADWAY CORRIDOR (3501 BROADWAY), SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Applicant:

Foundcare, Inc.,
2330 South Congress Avenue
West Palm Beach, Florida 33406

Request & Background:

The Applicant represents Foundcare Inc. (“applicant”), the lessee of 3501 Broadway, Riviera Beach, FL 33404, collectively referred to as the “Property.” The applicant is seeking approval for a new Foundcare Clinic (“Project”) in the Downtown General (“DG”) Zoning District. The project is situated within the City of Riviera Beach along Broadway, spanning between west 37th street and west 34th street. The Property comprises approximately +/- 2.5245 acres or +/- 109,964 square feet and is divided into two parcels of land: Parcel 1: A parcel of land in government Lot 1, Section 28, Township 42 South, Range 43 East, Palm Beach County, Florida, currently zoned for Downtown General District (“DG”).

Parcel 2: Lots 1 to 8, inclusive of Block 1, White Caps Subdivision, according to the plat on file in the office of the clerk of the circuit court in and for Palm Beach County, Florida, as recorded in Plat Book 24, Page 19. This parcel is a portion of the plat of White Caps, recorded in Plat Book 24, Page 39 of the public records of Palm Beach County, Florida, and is currently zoned for Downtown Residential (DR) and Single-Family Dwelling District (RS-6). Downtown General District (“DG”) permits various uses within the zoning district, including residential, professional office (provided), retail establishments (provided), daycare, nursing or convalescent homes and adult living facilities (ALF), churches and their educational buildings, civic open spaces (provided), and community gardens. Thus, the applicant is requesting a Land Use amendment from

Single Family Residential: Up to 6 dwelling units per acre (SF) to a Downtown Mixed Use (DMU) and Rezoning amendment from Downtown Residential (DR) and Single-Family Dwelling District (RS-6) to a zoning designation of Downtown General (DG).

The Property has an existing 30' North 35th Street Right of Way which is being abandoned under AB- 23-0002, and this site plan application (SP-23-0024) is also being processed alongside a re-plat submission under PA-23-0008. Foundcare, Inc. will establish a federally qualified health center to enhance healthcare accessibility for Riviera Beach city residents and underserved populations. The facility will consist of two stories with a total area of approximately +/- 20,000 square feet. This includes a +/- 15,000 square foot health center and a +/-5,000 square feet of shell space for two accessory spaces serving as business incubators.

The ground floor will house the shell space for two accessory incubation spaces with access and storefronts facing Broadway. The health center will feature a reception area, dental rooms, pharmacy, conference room, laboratory and testing rooms, and electrical/IT rooms. The second level will have medical exam rooms, sterilization facilities, an additional lab room, offices, and a large waiting area.

The project will include parking facilities, landscaping, and hardscaping that exceed local code requirements. The Project proposes to comply with all of the City's requirements, including a ground story height between 10'-18' (provided at 14'-0"), no mezzanines or parking garages (none provided), and a flat roof with 42" parapets (minimum parapet height provided is 42"). All roof equipment is properly screened from view by the parapets.

The Project incorporates a modified bracketed balcony frontage. Instead of traditional balconies with railings, the second-level overhang over the ground-level entrance is enclosed. The two entrances for the incubation spaces at the ground level are 52'-1" apart, where the maximum allowed distance is 75'. Civic space is provided by a combination of green space with a meandering sidewalk along the dry retention area for afternoon walks, and small plaza spaces at all ground-level building entrances, complete with benches, bike racks, and trash receptacles.

Location Map:

Provided by the applicant

Adjacent Property Description & Uses:

North: McDonald's Restaurant – Downtown General (DG)

South: Auto Sales Dealership - Downtown General (DG)

East: Broadway Right of Way & Commercial Shopping Center – Downtown General (DG)

West: Avenue E Right of Way & Single-Family Residences – Single Family (RS-6)

Staff Analysis:

The following below is a review and analysis of the applicant's compliance with staff's land use and rezoning criteria and a review and analysis of compliance with the criteria for abandonment according to Section 29-66 of the City Code of Ordinances. In addition, a site plan and re-plat/subdivision review and analysis for the site is also included for Board and Council review. Staff's response is indicated in **bold**.

Land Use and Rezoning Analysis:

1) Whether the proposed amendment is consistent with all elements of the city comprehensive plan;

Staff Response: The suggested project aligns with the city's comprehensive plan. The proposed development conforms to the prescribed Future Land Use Category of Downtown Mixed Use – (DMU), with a density below the permissible limit of 2.0. The envisaged project also adheres to the permissible uses outlined for Downtown Mixed Use, specifically encompassing commercial and retail activities in accordance with the plan.

2) Whether there exist changed conditions which require an amendment;

Staff's Response: Currently, the western portion of the subject site lies within a Downtown Residential (DR) and a Single-Family Dwelling District (RS-6). Due to the commercial nature of the applicant's request, the existing land use and zoning classifications for the western portion of the subject site would not allow the proposed uses, therefore a land use and rezoning amendment will be necessary.

3) Whether the proposed amendment is in conformance with all applicable portions of the city development code;

Staff's Response: Due to the commercial nature of the proposed use (Professional Office and Retail) the proposed land use and rezoning request will comply and be compatible with the Downtown Mixed-Use Land Use Category and the Downtown General zoning district.

4) Whether and the extent to which the proposed amendment is inconsistent with existing and proposed land uses;

Staff's Response: The proposed Land Use and Rezoning Amendments shall be consistent and compatible with the existing Land Use and Zoning classification in the surrounding area along the Broadway corridor.

5) Whether and the extent to which the proposed amendment would exceed the capacity of public facilities, including but not limited to transportation, sewerage, water supply, parks, fire, police, drainage, schools, and emergency medical facilities;

Staff's Response: The project adequately addresses the necessary public facility capacities to support the envisioned construction.

6) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment;

Staff's Response: The proposed amendment will not adversely impact the natural environment. The existing site is located within an active and busy urban environment where there is substantial urban development.

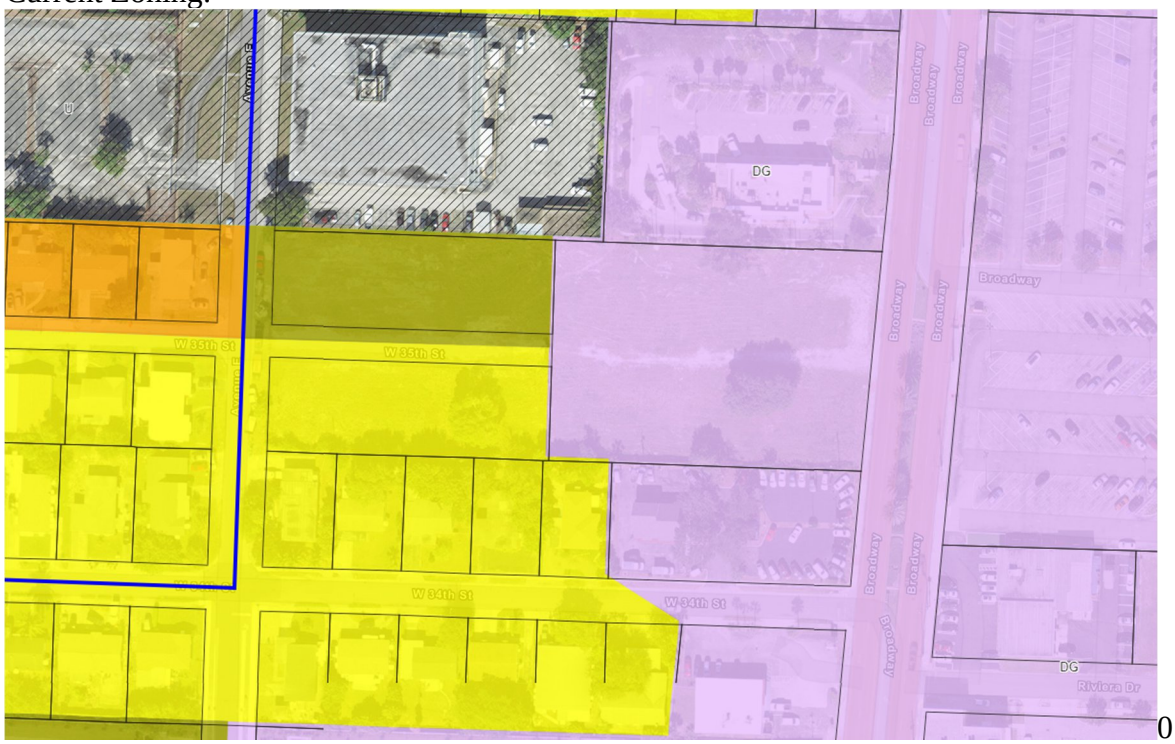
7) Whether and the extent to which the proposed amendment would adversely affect property values in the area;

Staff's Response: Since the subject parcel is vacant, the proposed land use and rezoning amendments will allow for the development of a medical clinic that shall be designed to serve to residents of the City of Riviera Beach and will benefit adjacent property values.

8) Whether and the extent to which the proposed amendment would result in an orderly and logical development pattern, and the specific identification of any negative effects on such pattern.

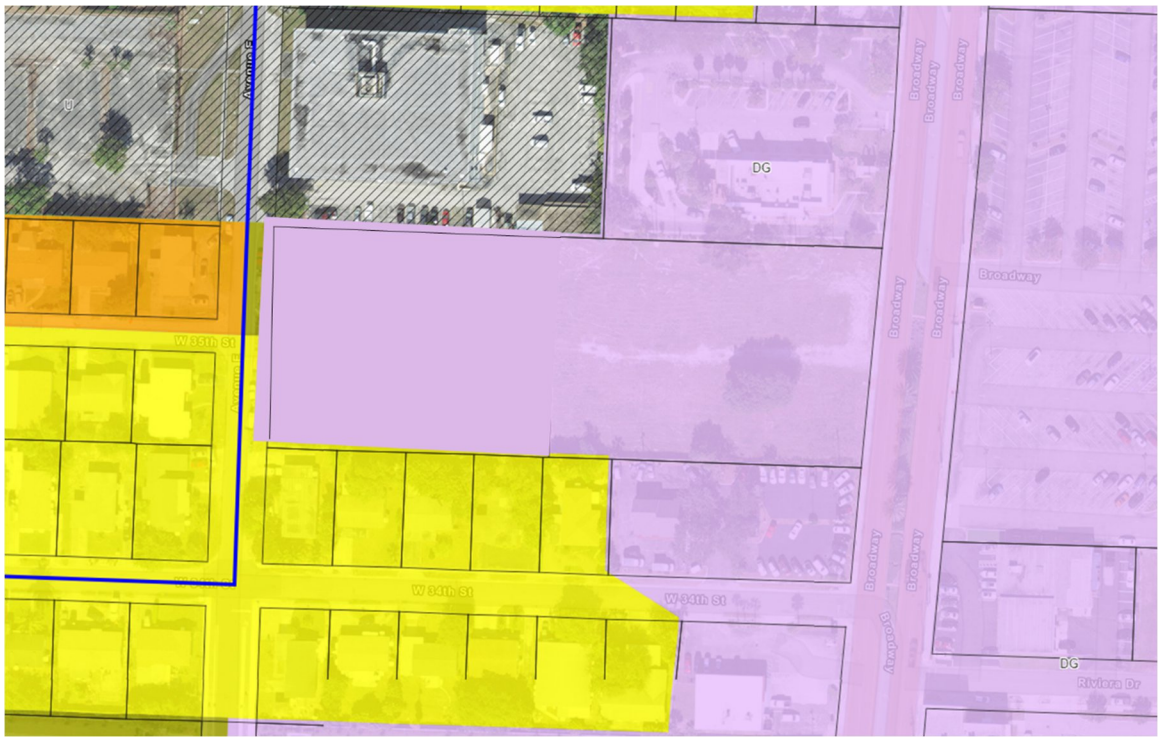
Staff's Response: Due to the mixed-use commercial aspects of the proposed project, the proposed land use and rezoning amendments will allow for an orderly and logical development pattern that will be in sync with the existing commercial surrounding uses.

Current Zoning:



0

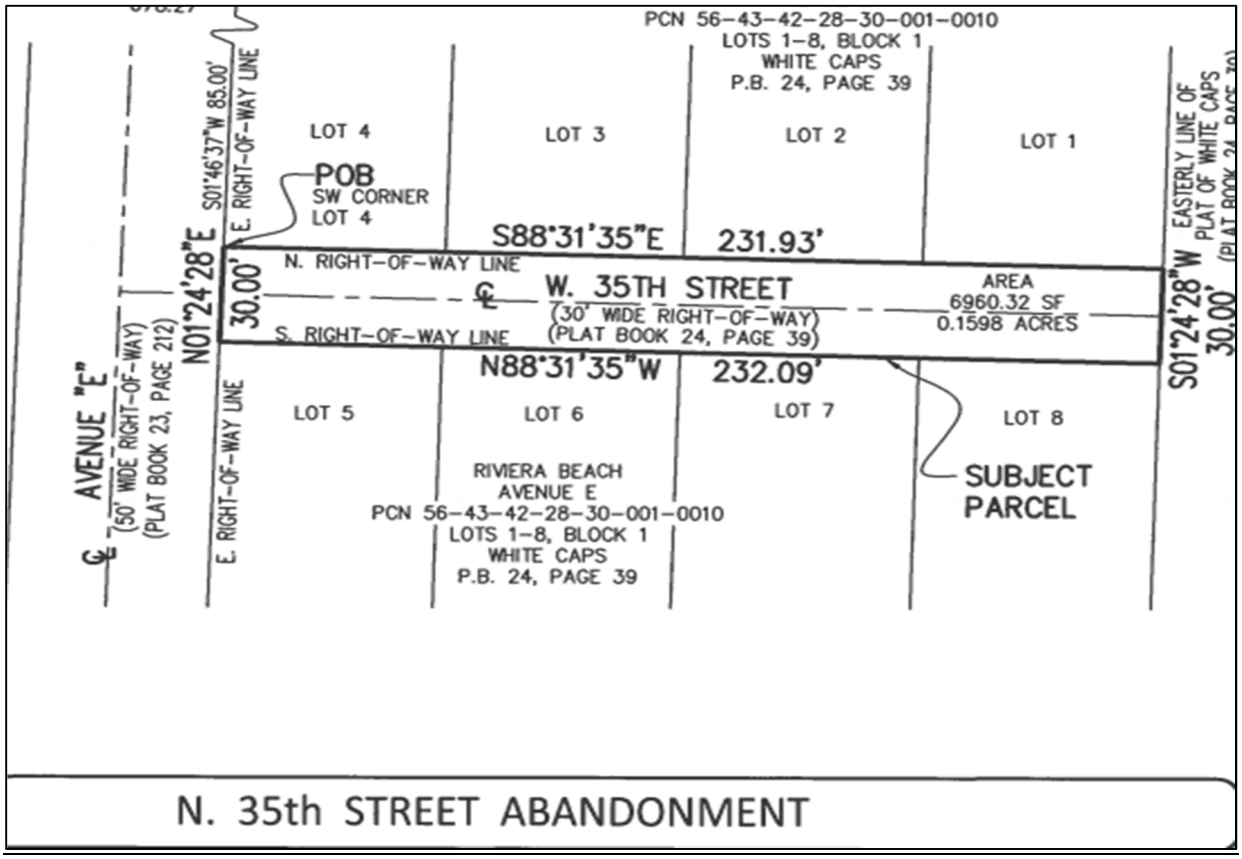
Proposed Zoning:



Abandonment Analysis:

In addition, to the above analysis of the applicant's rezoning request, the proposed abandonment has been analysed by the following criteria located within Code Section 29-66:

ATTACHMENT A



1. The proposed relocation resolves existing incompatibilities such as conditions where the fronts of some parcels face the backs of other parcels due to shifts in the block structure and street grid.

Staff's Response: The proposed abandonment resolves the incompatibilities of the site allowing for the full implementation of the proposed site plan. The elimination of the 35th street right of way (R.O.W) resolves incompatibility with the development of the site at western portion of the lot.

2. The subject right-of-way is an alley or designated as a secondary street. Primary streets are not eligible for relocation or re-orientation unless a new primary street is provided.

Staff's Response: The portions of the Rights-of-Way being abandoned are not functionally considered a primary street. Said portions are no longer part of an interconnected system nor is this ROW operational.

3. The applicant provides a new route within the project that is parallel to the subject right-of-way, establishes a potential (future) street connection on the zoning map, or creates greater connectivity within the city's street network.

Staff's Response: The applicant is not proposing a new route within the project.

4. The proposed relocation maintains or increases public access to the waterfront.

Staff's Response: Due to the distant location of this property, there is no current public access to the waterfront for this property or for the section of road being abandoned.

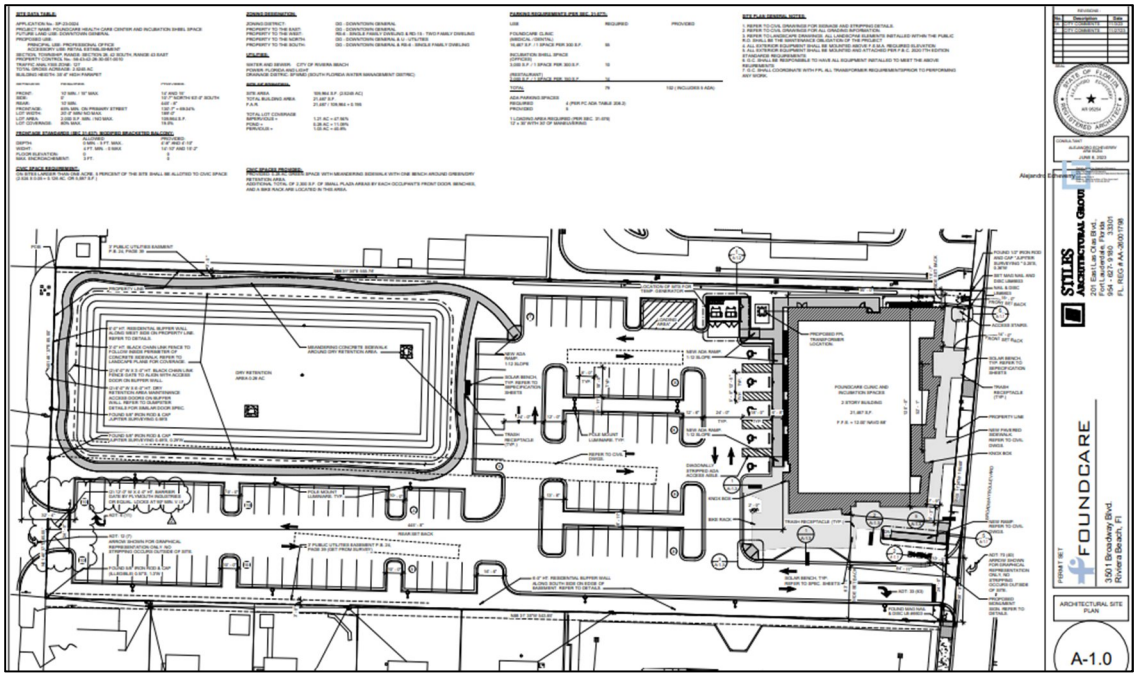
5. The relocation will not create a block with a perimeter measuring more than 2,000 feet.

Staff's Response: The proposed abandonment does not create a block with a perimeter measuring larger than 2,000 feet.

6. The proposed relocation supports a marine industry, whereby vessel size necessitates increased dimensions of the parcel. Approval of the use of public rights-of-way for marine industry is conditional upon maintaining the industry as the primary use; permits shall stipulate that right-of-way revert to the city upon the redevelopment of parcels for primarily residential or commercial uses

Staff's Response: Due to the location of the subject property, the proposed abandonment is not designed specifically to support the marine industry.

Site Plan Analysis:



1. Demonstrate that proposed use is appropriate to site.

Staff Response: **The applicant is proposing professional office and retail uses which are permitted within the Downtown General Zoning District**.

2. Demonstrate how drainage and paving requirement will be met:

Staff Response: According to the applicant the proposed Stormwater system conforms to the requirements in both the City of Riviera Beach Stormwater Master Plan & the FDOT drainage manual. The City Engineer has reviewed the submittal documents and found them compliant with minimum requirements. The proposed Paving conforms to the requirements listed in the City of Riviera Beach code, Sec. 29-92-97. If approved, the City's staff will use the building permit review process to ensure compliance with all municipal regulations.

3. Demonstrate any landscaping techniques to visually screen use from adjacent uses:

Staff Response: The applicant is proposing along the south and west buffers a 6' Site Wall has been proposed adjacent to the landscape buffer. The landscape buffer contains one to two layers of shrubs and a row of trees. The north buffer consists of a similar landscape palette without the wall. Shrub heights vary from 36-inch height to 18-inch height at maturity. Proposed tree species in the buffer are smaller due to overhead power constraints along the buffers. Larger trees have been proposed on the site where it is possible to provide more shade and screening. Also, staff recommends that the portion of the proposed wall facing Avenue E contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall.

4. Demonstrate what is proposed to reduce the impact of any potential hazards, problems, public nuisances generated by use

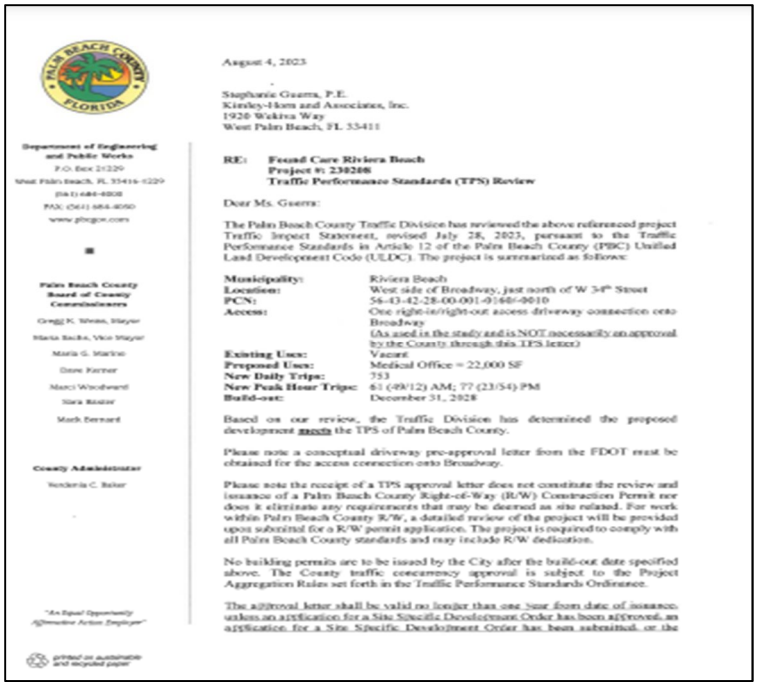
Staff Response: **A proposed 6' Site Wall Buffer will be placed on the South & West property limits, shielding the proposed use from residential units. The proposed wall accompanied by an existing fence along a portion of the north buffer will also help limit access to the site and help prevent potential problems on site. Landscape materials have been proposed with lines of sight in mind, allowing for vehicles and pedestrians to move throughout the site. As mentioned above, staff recommends that the portion of the proposed wall facing Avenue E contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall.**

5. Demonstrate how utilities and other service requirements of the use can be met:

Staff Response: All Utility infrastructure has been coordinated with the City of Riviera Beach staff to ensure compliance to all City of Riviera Beach Utility District design standards. A 33' x 18' loading area, sufficient parking & applicable sidewalk connections will be provided to meet the service requirements of the use as stated in the City of Riviera Beach Municode.

6. Demonstrate how the impact of traffic generated will be handled.

Staff Response: The revised plan of development and traffic study are in compliance with the Palm Beach County Traffic Performance Standards Ordinance with no mitigation required.



August 4, 2023

Stephanie Guerra, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, FL 33411

Department of Engineering and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners
Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Dave Kerner
Marci Woodward
Sara Baxter
Mark Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

RE: Found Care Riviera Beach
Project #: 230208
Traffic Performance Standards (TPS) Review

Dear Ms. Guerra:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, revised July 28, 2023, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Riviera Beach
Location:	West side of Broadway, just north of W 34th Street
PCN:	56-43-42-28-00-001-0160/-0010
Access:	One right-in/right-out access driveway connection onto Broadway (As used in the study and is NOT necessarily an approval by the County through this TPS letter)
Existing Use:	Vacant
Proposed Use:	Medical Office = 22,000 SF
New Daily Trips:	753
New Peak Hour Trips:	61 (49/12) AM; 77 (23/54) PM
Build-out:	December 31, 2028

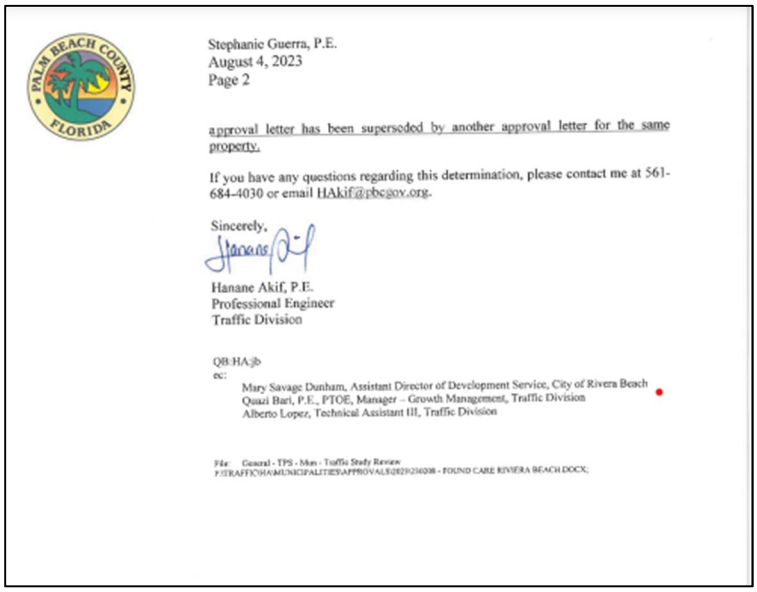
Based on our review, the Traffic Division has determined the proposed development meets the TPS of Palm Beach County.

Please note a conceptual driveway pre-approval letter from the FDOT must be obtained for the access connection onto Broadway.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the



approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email HAkif@pbc@gov.org.

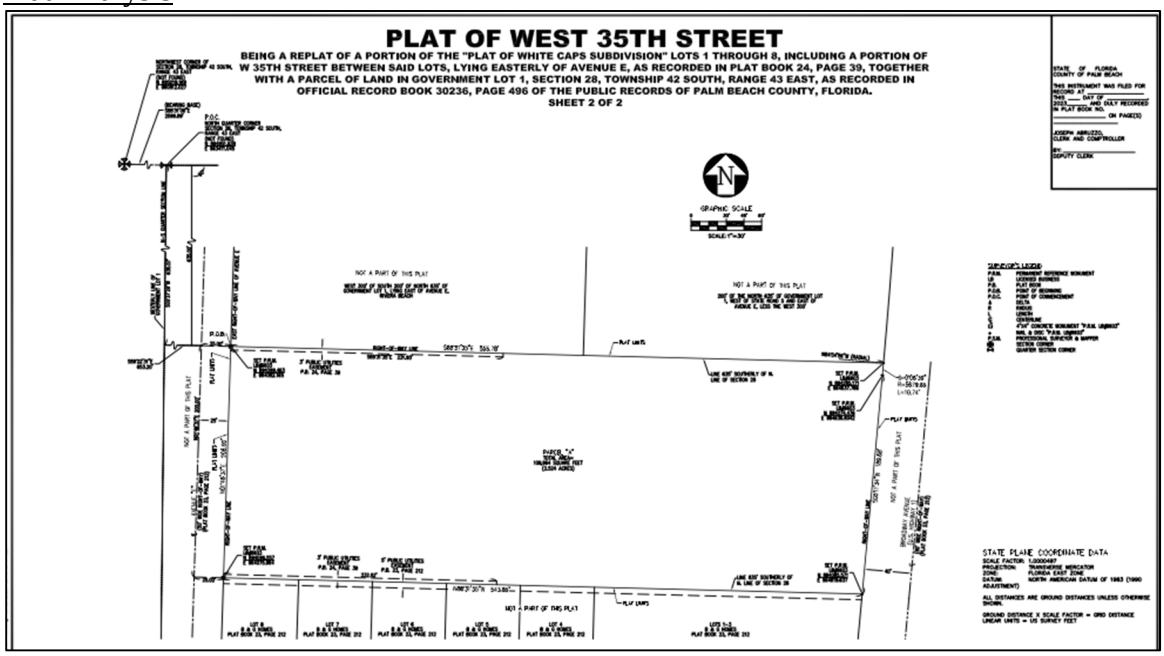
Sincerely,

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:jb
ec:
Mary Savage Dunham, Assistant Director of Development Service, City of Rivera Beach
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
P:\TRAFFIC\HA\MUNICIPALITIES\APPROVALS\2023\230208 - FOUND CARE RIVIERA BEACH.DOCX;

Plat Analysis



Proposed Use:

Staff's Response: The proposed use shall be in compliance with the Future Land Use Map and the Zoning District Map

Zoning Regulations:

Staff's Response: The proposed plat shall be consistent with the City's Land Development Regulations.

Comprehensive Plan:

Staff's Response: The proposed plat shall be consistent with the City's Comprehensive Plan.

Uses:

Staff's Response: The site is currently vacant.

Compatibility:

Staff's Response: This plat is required in order to implement the proposed site plan.

Levels of Service:

Staff's Response: Customary services such as water, sewer, roads and garbage collection are available to the site.

In addition, in accordance with Chapter 30 (Subdivision Regulations) Section 30-4:

The Planning and Zoning staff has determined that the proposed plat will:

(1) Protect the public health, safety and welfare.

(2) The proposed plat will not be in violation of the comfort and convenience of the public in general nor of the residents within the adjacent neighborhood; and

(3) Shall be consistent with the immediate surrounding area.

Recommendation:

The Planning and Zoning Staff recommend that the Planning and Zoning Board and City Council review and approve these applications subject to the following conditions:

Plat Conditions:

1. Any outstanding plat comments must be resolved prior to the application being heard before City Council.

Site Plan Conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before a Certificate of Occupancy or Certificate of Completion is issued.

2. Construction and landscaping improvements must be initiated within 18 months of the effective date of this Resolution in accordance with Section 31-60(b), of the City Code of Ordinances. Demolition, site preparation and/or land clearing shall not be considered construction. Building permit application and associated plans and documents shall be submitted in its entirety and shall not be accepted by City staff in a partial or incomplete manner.

3. City council authorizes City staff to approve future amendments to this site plan administratively so long as the site plan does not deviate greater than 5% from the originally approved site plan.

4. This development must receive final Certificate of Occupancy from the City for all buildings approved within five years of the approval of the adopting resolution or the adopting resolution shall be considered null and void, requiring the applicant to resubmit

application for site plan and special exception approval and re-initiate the site plan approval process.

5. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.

6. Once approved, this resolution shall supersede any previous site plan approval resolutions associated with this property, causing previous site plan approval resolutions to be null and void.

7. The portion of the proposed wall facing Avenue E (facing the residential area) contain an Art in Public Places (AIPP) mural(s) to enhance the look of the proposed wall and the neighboring community.

8. The concurrent ordinances; **AB-23-0002**; **LU-23-0004**; **ZA-23-0007**) must be adopted, approved and become effective prior to this site plan approval becoming effective.

LEGAL DESCRIPTION
(OFFICIAL RECORD BOOK 30236, PAGE 496)
A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 28, WITH A LINE PARALLEL TO AND 635 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28; THENCE EASTERLY ALONG SAID PARALLEL LINE 909.75 FEET TO THE POINT OF BEGINNING AND THE NW CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE 200 FEET; THENCE EASTERLY PARALLEL TO AND 835 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28, 311.28 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, ACCORDING TO THE PLAT OF SAID RIGHT-OF-WAY FILED IN COUNTY ROAD PLAT BOOK 1, PAGE(S) 52, PALM BEACH COUNTY RECORDS; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 200.4 FEET, MORE OR LESS, TO A POINT IN SAID LINE PARALLEL TO AND 635 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE, 324.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

LOTS 1 TO 8, INCLUSIVE OF BLOCK 1, WHITE CAPS SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 19

LEGAL DESCRIPTION
(METES AND BOUNDS)

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAY MAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 35TH AVENUE (30 FOOT WIDE RIGHT-OF-WAY) (PLAT BOOK 24, PAGE 39); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S88°31'35"E A DISTANCE OF 232.09 FEET TO THE EASTERLY LINE OF SAID PLAT OF WHITE CAPS; THENCE, N01°24'28"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST 35TH STREET; THENCE ALONG SAID NORTHERLY LINE, N88°31'35"W A DISTANCE OF 213.93 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 2.365 ACRES MORE OR LESS.

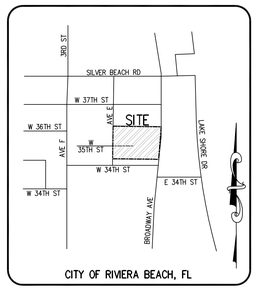
SECTION 6. BASE TITLE INFORMATION AND OTHER ENCUMBRANCES:

1. WHITE CAPS SUBDIVISION, AS RECORDED IN PLAT BOOK 24, PAGE 39, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **SHOWN HEREON.**

2. EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY, RECORDED IN DEED BOOK 402, PAGE 527, TOGETHER WITH CONFIRMATION OF EASEMENT, RECORDED IN DEED BOOK 510, PAGE 279, AS AFFECTED BY THAT PARTIAL RELEASE OF EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 868, PAGE 1125, AND THAT PARTIAL RELEASE OF EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 1630, PAGE 124, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. **DOES NOT AFFECT THE SUBJECT PROPERTY, NOT PLOTTABLE.**

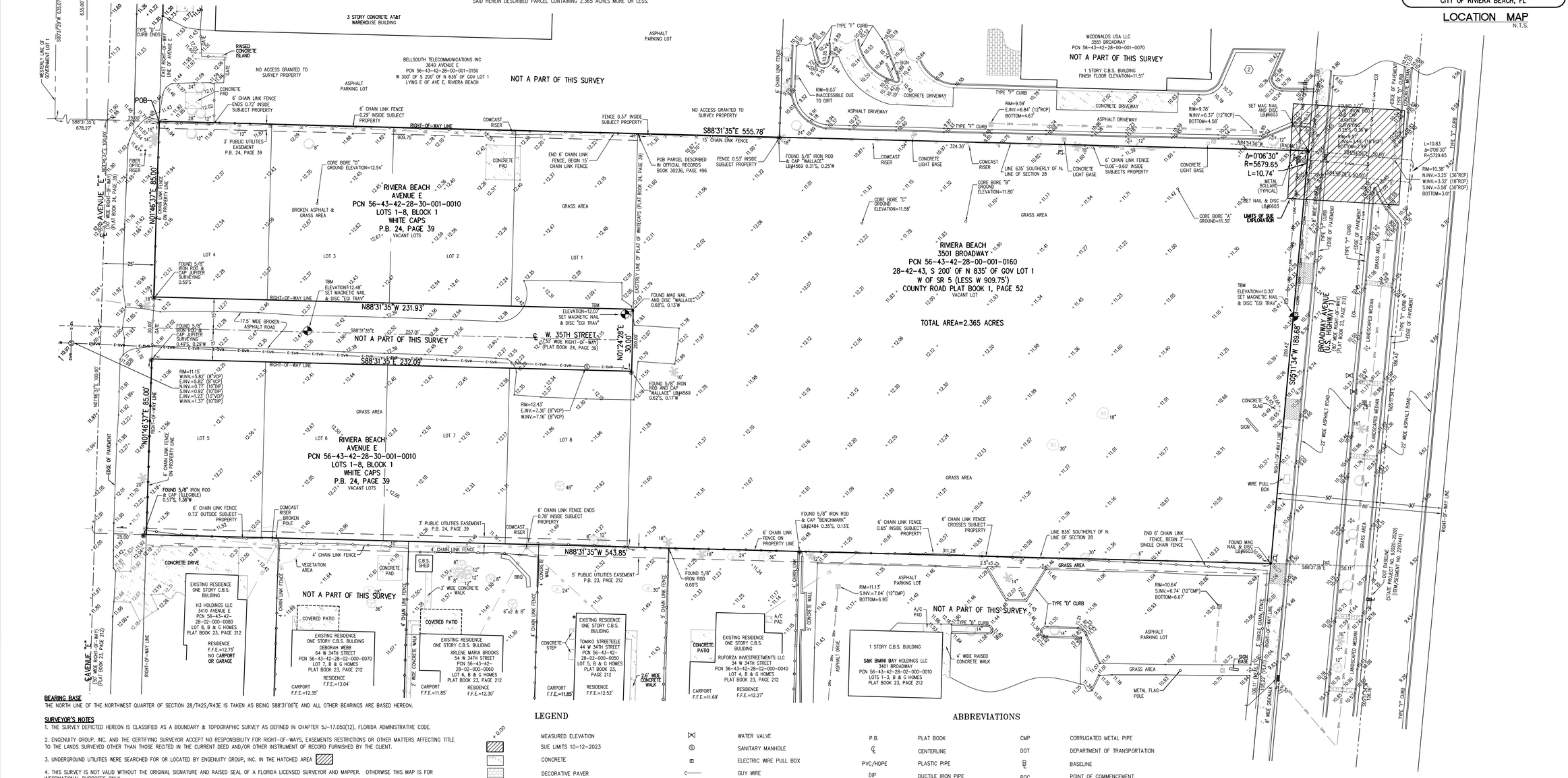
NOTE: ROAD BOOK 1, PAGE 50, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

GRAPHIC SCALE
0 20' 30' 40'
SCALE: 1"=20'



CITY OF RIVIERA BEACH, FL

LOCATION MAP
N.T.S.



BEARING BASE
THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 28/T42S/R43E IS TAKEN AS BEING S88°31'06"E AND ALL OTHER BEARINGS ARE BASED HERETO.

SURVEYOR'S NOTES
1. THE SURVEY DEPICTED HEREON IS CLASSIFIED AS A BOUNDARY & TOPOGRAPHIC SURVEY AS DEFINED IN CHAPTER 5J-17.050(12), FLORIDA ADMINISTRATIVE CODE.

2. ENGENUITY GROUP, INC. AND THE CERTIFYING SURVEYOR ACCEPT NO RESPONSIBILITY FOR RIGHT-OF-WAYS, EASEMENTS RESTRICTIONS OR OTHER MATTERS AFFECTING TITLE TO THE LANDS SURVEYED OTHER THAN THOSE RECITED IN THE CURRENT DEED AND/OR OTHER INSTRUMENT OF RECORD FURNISHED BY THE CLIENT.

3. UNDERGROUND UTILITIES WERE SEARCHED FOR OR LOCATED BY ENGENUITY GROUP, INC. IN THE HATCHED AREA

4. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. OTHERWISE THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.

5. LAST DATE OF FIELD SURVEY: OCTOBER 11, 2023.

6. ALL DISTANCES SHOWN HEREON ARE IN U.S. FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED.

7. ADDITIONS OR DELETIONS TO THIS SURVEY MAP BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

8. ACCURACY STATEMENT: A FIELD SURVEY WAS PERFORMED IN ACCORDANCE WITH CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES FOR TOPOGRAPHIC SURVEYS. THE ACCURACY OF CONTROL DATA WAS VERIFIED BY REDUNDANT MEASUREMENTS OF TRAVERSE CLOSURES AND EXCEEDS COMMERCIAL/HIGH RISK: LINEAR: 1 FOOT IN 10,000 FEET.

9. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/240 OR SMALLER.

10. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE SEARCH REPORT PREPARED BY STATEWIDE LAND TITLE INC., UNDER SLTI FILE NUMBER 19-16387, WITH AN EFFECTIVE DATE OF APRIL 28, 2019 AT 8:00 AM.

11. THE SYMBOLS ARE NOT AT THE SAME SCALE AS THE DRAWING IN ORDER TO SHOW GREATER DETAIL.

12. THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION X (BASE FLOOD ELEVATION IS NOT AVAILABLE) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 12099C0391F, WITH A DATE OF IDENTIFICATION OF OCTOBER 5 2017, FOR COMMUNITY NO. 125142, IN PALM BEACH COUNTY, STATE OF FLORIDA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. THE FLOOD ZONE IS NOT SHOWN GRAPHICALLY.

13. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 1988) AND REFERENCE THE FOLLOWING BENCHMARK:

SOURCE BENCHMARK:
NAME: U 402
STAMPED: U 402 1991 ELEVATION= 22.247' NGVD 1929

IN RIVIERA BEACH, AT THE INTERSECTION OF THE FLORIDA EAST COAST RAILROAD AND SILVER BEACH ROAD, 10.0 M (32.8 FT) SOUTHEAST OF AND LEVEL WITH THE ROAD CENTERLINE, 8.1 M (26.6 FT) NORTHEAST OF THE NEAR RAIL. NOTE: ACCESS TO THE DATUM POINT IS THROUGH A 5-INCH LOGO CAP. A STAINLESS STEEL ROD SET TO A DEPTH OF 17.6 METERS ENCASED IN A PIPE FLUSH WITH THE GROUND. THE STATION IS A NATIONAL GEODETIC SURVEY VERTICAL CONTROL FLANGE-ENCASED STAINLESS STEEL ROD IN A SLEEVE WITH THE FLANGE STAMPED "U 402 1991". THE STATION IS LOCATED 18.50 FEET SOUTH OF THE SOUTH EDGE OF PAVEMENT OF SILVER BEACH ROAD, 31.70 FEET NORTH-NORTHWEST OF THE NORTHWEST CORNER OF A METAL D.O.T. SHED MARKED SILVER BEACH DOT #272389V389.

LEGEND

× 0.00	MEASURED ELEVATION
	SUE LIMITS 10-12-2023
	CONCRETE
	DECORATIVE PAVER
	BRICK PAVERS
	CONCRETE LIGHT POLE
	INFORMATION SIGN (SINGLE POST)
	INFORMATION SIGN (DOUBLE SIDED)
— o —	CHAIN LINK FENCE
	IRRIGATION CONTROL VALVE
T.B.M.	TEMPORARY BENCHMARK
	GAS VALVE
	LIGHT POLE
	CATCH BASIN
—OE—	OVERHEAD ELECTRIC WIRES
—DRN—	EXISTING UNDERGROUND DRAINAGE
—E-SWR—	EXISTING UNDERGROUND SEWER
—UE—	UNDERGROUND ELECTRIC
—COMM—	UNDERGROUND COMMUNICATION
—E-WM—	UNDERGROUND WATER
—UNK—	UNDERGROUND UNKNOWN LINE
	WATER VALVE
	SANITARY MANHOLE
	ELECTRIC WIRE PULL BOX
	GUY WIRE
	CATCH BASIN INLET
	UTILITY POLE
	BACK FLOW PREVENTOR
	CLEAN OUT
	FIRE HYDRANT
	NUMBER OF PARKING SPACES
	DRAINAGE MANHOLE
	WATER METER
	VEGETATION

TREE LEGEND

12"	ORNAMENTAL TREE AND DIAMETER
12"	PALM TREE AND DIAMETER
12"	MANGO TREE AND DIAMETER
12"	OAK AND DIAMETER
12"	FIG TREE AND DIAMETER
12"	BLACK OLIVE TREE AND DIAMETER

ABBREVIATIONS

P.B.	PLAT BOOK	CMP	CORRUGATED METAL PIPE
℄	CENTERLINE	DOT	DEPARTMENT OF TRANSPORTATION
PVC/HDPE	PLASTIC PIPE	℄	BASELINE
DIP	DUCTILE IRON PIPE	POC	POINT OF COMMENCEMENT
RCP	REINFORCED CONCRETE PIPE	POB	POINT OF BEGINNING
VCP	VITRIFIED CLAY PIPE	C.B.S.	CONCRETE BLOCK STRUCTURE
F.F.E.	FINISH FLOOR ELEVATION	MEAS.	MEASURED
INV.	INVERT	L	LENGTH
PCN	PARCEL CONTROL NUMBER	R	RADIUS
A/C	AIR-CONDITIONING	Δ	DELTA
LB	LICENSED BUSINESS		

ALL ELEVATIONS ARE BASED ON NGVD 1929

NO.	DATE	REVISIONS	BY
1	10/12/23	ADDED SUE AND FEMA INFORMATION	MW

©COPYRIGHT 2023 BY ENGENUITY GROUP, INC. THIS DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. UNLESS SIGNED AND SEALED BY A REGISTERED PROFESSIONAL SURVEYOR AND MAPPER REPRESENTING ENGENUITY GROUP, INC.

FOUNDCARE, INC
3501 BROADWAY AVE, RIVIERA BEACH

BOUNDARY, TOPOGRAPHIC AND TREE SURVEY FOR:

engenuity group inc.
A Higher Standard of Excellence
Engineers • Surveyors • GIS Mappers
1280 CONGRESS AVE #101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390
WWW.ENGENUITYGROUP.COM

Y:\Land Projects RX\22059.01 3501 Broadway-Foundcare\Dwg\22059.01-13 foundcare SUE addition.dwg 10/12/2023 10:52:58 AM EDT

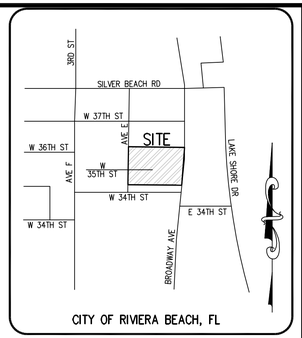
DATE	08-03-2022
SCALE	1"=20'
CAD FILE	22059.01
SSK PROJECT	22059.01
DRAWN	EGI STAFF
CHECKED	J. MALIN
SHEET NO.	1 of 1
JOB NO.	22059.01

Andre Rayman
Digitally signed by Andre Rayman
Date: 2023.10.12 11:27:47 -04'00'
C. ANDRE RAYMAN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 4938
STATE OF FLORIDA LB#6603

PLAT OF WEST 35TH STREET

BEING A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" LOTS 1 THROUGH 8, INCLUDING A PORTION OF W 35TH STREET BETWEEN SAID LOTS, LYING EASTERLY OF AVENUE E, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SHEET 1 OF 2



LOCATION MAP
N.T.S.

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS INSTRUMENT WAS FILED FOR RECORD AT _____
THIS ___ DAY OF _____, 202_____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE(S) _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY: _____
DEPUTY CLERK

CLERK

DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF RIVIERA BEACH PURSUANT TO CHAPTER 189, FLORIDA STATUTES, OWNER OF THE LAND SHOWN HEREON _____, A SUBDIVISION IN SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, BEING, IN PART, A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION", LOTS 1 THROUGH 8, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1 AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAY MAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 200.00' TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 109,964 SQUARE FEET (2.524 ACRES) MORE OR LESS.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DO HEREBY DEDICATE AS FOLLOWS:

1. DEVELOPMENT PARCEL DEDICATION:

PARCEL A, AS SHOWN HEREON IS HEREBY RESERVED FOR _____, THEIR SUCCESSORS AND ASSIGNS, FOR PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF THE CITY OF RIVIERA BEACH, FLORIDA AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID _____, THEIR SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF RIVIERA BEACH.

IN WITNESS WHEREOF, CITY OF RIVIERA BEACH HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS UNDERSIGNED OFFICER, THIS _____ DAY OF _____, 202_.

CITY OF RIVIERA BEACH

BY: _____
(NAME)
(TITLE)

_____
WITNESS

_____
PRINT NAME

_____
WITNESS

_____
PRINT NAME

ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED _____ WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS _____ AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID CORPORATION, AND THAT THE SEAL AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2023.

MY COMMISSION EXPIRES: _____
(DATE)

BY: _____
NOTARY PUBLIC

PRINT NAME: _____

COMMISSION NUMBER: _____

NOTARY STAMP

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, _____, A DULY LICENSED ATTORNEY IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO THE PROPERTY IS VESTED IN THE CITY OF RIVIERA BEACH; THAT CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE NO ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

BY: _____ DATE: _____

_____
PRINT NAME

CITY OF RIVIERA BEACH APPROVALS

STATE OF FLORIDA
COUNTY OF PALM BEACH, FLORIDA

THIS PLAT IS HEREBY APPROVED FOR RECORD BY THE CITY OF RIVIERA BEACH, FLORIDA

THIS _____ DAY OF _____, 202_.

BY: _____
RONNIE L. FELDER, MAYOR

BY: _____
TAWANNA KING, CMC, FCRM, CITY CLERK

BY: _____
TERRENCE N. BAILEY, PE, CITY ENGINEER

REVIEWING SURVEYOR

ON BEHALF OF THE CITY OF RIVIERA BEACH, IN ACCORDANCE WITH CHAPTER 177.081(1) OF THE FLORIDA STATUTES, THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, PART 1, PLATTING, FLORIDA STATUTES AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF THE GEOMETRIC DATA, OR THE FIELD VERIFICATION OF THE PERMANENT CONTROL POINTS (P.C.P.'S) AND MONUMENTS AT LOT/TRACT CORNERS.

DATED THIS _____ DAY OF _____, 202_.

BY: _____ DATE: _____
(SURVEYOR NAME), PSM
LICENSE NUMBER: _____

AS APPROVED ON _____, 2023 VIA CITY OF RIVIERA BEACH RESOLUTION NO. _____-23

SURVEYOR'S NOTES

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NAD 83/90 AND THE NORTH LINE OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, HAVING A BEARING OF S88°31'06"E, ALL OTHER BEARINGS ARE RELATIVE THERETO. CONTROL MEASUREMENTS MEET OR EXCEED CLOSURE FOR COMMERCIAL: LINEAR: 1 FOOT IN 10,000 FEET HORIZONTALLY AND WERE VERIFIED THROUGH A REDUNDANCY OF MEASUREMENTS. ALL DISTANCES ARE GRID DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
SCALE FACTOR= 1.0000497
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

2. NOTICE: THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

3. BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT ORDINANCES OF THE CITY OF RIVIERA BEACH.

4. ALL COORDINATES SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) IN U.S. SURVEY FEET.

5. NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.

6. IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.'S") HAVE BEEN PLACED AS REQUIRED BY LAW, ACCORDING TO SECTION 177.091(9), FLORIDA STATUTES, WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF RIVIERA BEACH, FLORIDA FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA.

THIS __ DAY OF _____, 202_.

_____
C. ANDRE RAYMAN P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 4938
STATE OF FLORIDA LB# 6603

SEAL
RIVIERA BEACH MANAGEMENT, LLC

SEAL
CITY OF RIVIERA BEACH

SEAL
MORTGAGEE

SEAL
CITY ENGINEER
TERRENCE BAILEY
PE #60706
DATE: _____

SEAL
REVIEWING SURVEYOR P.S.M.
NAME: _____
PLS #_____
DATE: _____

SEAL
C. ANDRE RAYMAN, P.S.M.
C. ANDRE RAYMAN
PLS #4938
DATE: _____

THIS INSTRUMENT PREPARED BY C. ANDRE RAYMAN, P.S.M. LS#4938 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS
1280 N. CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409.
CERTIFICATE OF AUTHORIZATION NO. LB0006603

PLAT OF WEST 35TH STREET

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390 •
WWW.ENGENUITYGROUP.COM

DATE	10/12/2023
SCALE	N/A
CAD FILE	14151.14.04 Plat.dwg
SDSK PROJECT	14151.14.04
DRAWN	J.T.S.
CHECKED	J.C.M.

SHEET NO. 1 / 2

JOB NO. 14151.14.04

Y:\Land Projects R2\2025\01 3501 Broadway-Foundcare\Dwg\14151.14.04 Plat.dwg 10/12/2023 10:43:46 AM EDT

PLAT OF WEST 35TH STREET

BEING A REPLAT OF A PORTION OF THE "PLAT OF WHITE CAPS SUBDIVISION" LOTS 1 THROUGH 8, INCLUDING A PORTION OF W 35TH STREET BETWEEN SAID LOTS, LYING EASTERLY OF AVENUE E, AS RECORDED IN PLAT BOOK 24, PAGE 39, TOGETHER WITH A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AS RECORDED IN OFFICIAL RECORD BOOK 30236, PAGE 496 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

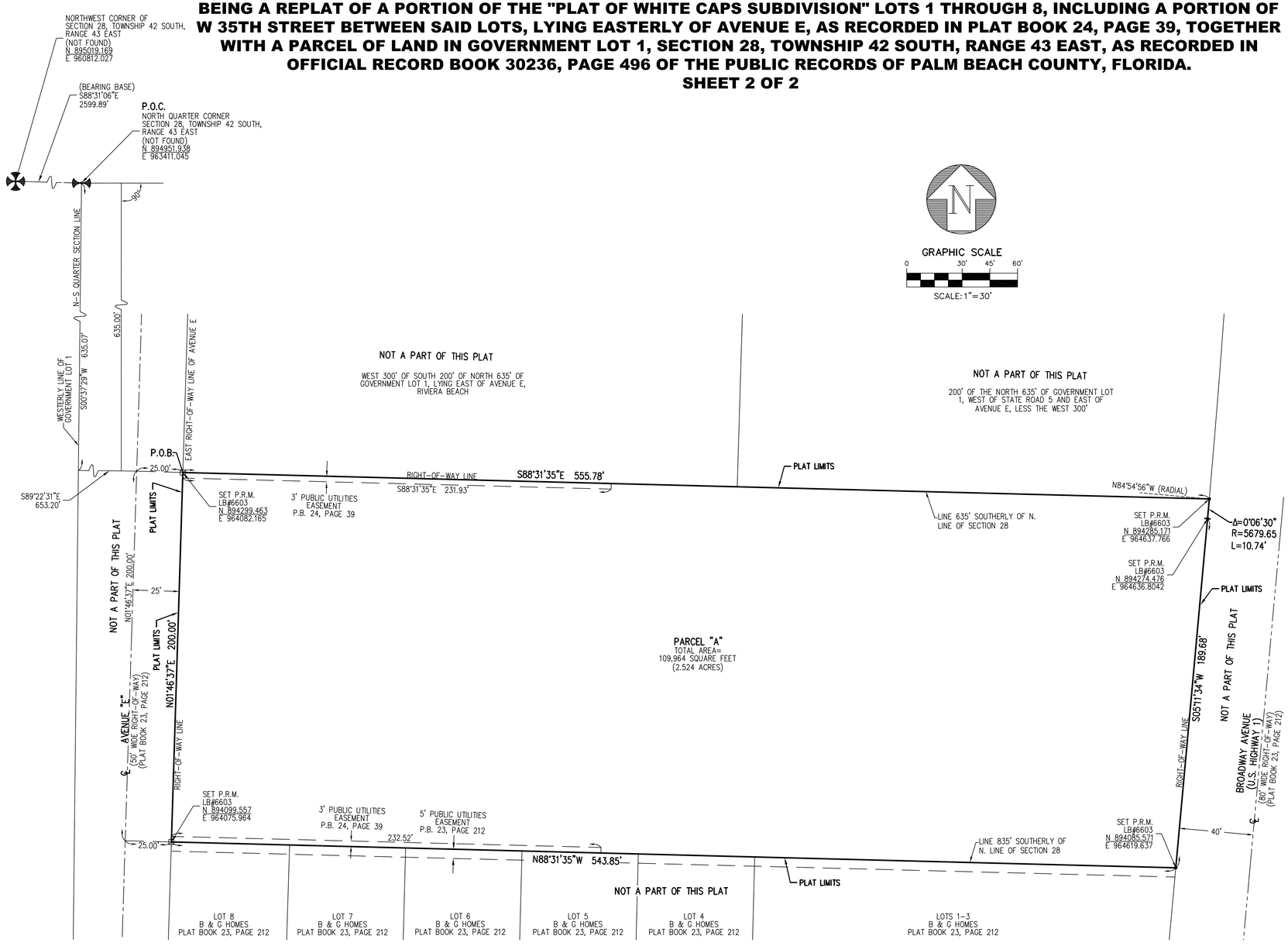
SHEET 2 OF 2

STATE OF FLORIDA
COUNTY OF PALM BEACH

THIS INSTRUMENT WAS FILED FOR RECORD AT _____
THIS ___ DAY OF _____, 2023_____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE(S) _____

JOSEPH ABRUZZO,
CLERK AND COMPTROLLER

BY:_____
DEPUTY CLERK



GRAPHIC SCALE
0 30' 45' 60'
SCALE: 1"=30'

SURVEYOR'S LEGEND

P.R.M.	PERMANENT REFERENCE MONUMENT
LB	LICENSED BUSINESS
P.B.	PLAT BOOK
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
Δ	DELTA
R	RADIUS
L	LENGTH
℄	CENTERLINE
⊡	4"X4" CONCRETE MONUMENT "P.R.M. LB#6603"
•	NAIL & DISC "P.R.M. LB#6603"
P.S.M.	PROFESSIONAL SURVEYOR & MAPPER
✠	SECTION CORNER
✠	QUARTER SECTION CORNER

STATE PLANE COORDINATE DATA

SCALE FACTOR: 1.0000497
PROJECTION: TRANSVERSE MERCATOR
ZONE: FLORIDA EAST ZONE
DATUM: NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT)

ALL DISTANCES ARE GROUND DISTANCES UNLESS OTHERWISE SHOWN.

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
LINEAR UNITS = US SURVEY FEET

THIS INSTRUMENT PREPARED BY C. ANDRE RAYMAN, P.S.M. LS#4938 STATE OF FLORIDA. ENGENUITY GROUP, INC. ENGINEERS SURVEYORS AND GIS MAPPERS
1280 N. CONGRESS AVE, SUITE 101, WEST PALM BEACH, FLORIDA 33409.
CERTIFICATE OF AUTHORIZATION NO. LB0006603

PLAT OF WEST 35TH STREET

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1201 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33405
PH (561)655-1151 • FAX (561)832-9390 •
WWW.ENGENUITYGROUP.COM

DATE	10/12/2023
SCALE	1"=30'
CAD FILE	14151.14.04 Plat.dwg
SDSK PROJECT	14151.14.04
DRAWN	J.T.S.
CHECKED	J.C.M.

SHEET 2 / 2

JOB NO. 14151.14.04

Y:\Land Projects R2\2205901 3501 Broadway-Foundcare\Dwg\14151.14.04 Plat.dwg 10/12/2023 10:43:46 AM EDT

SITE DATA TABLE:

APPLICATION No.: SP-23-0024
PROJECT NAME: FOUNDCARE HEALTH CARE CENTER AND INCUBATION SHEEL SPACE
FUTURE LAND USE: DOWNTOWN GENERAL
PROPOSED USE:
PRINCIPAL USE: PROFESSIONAL OFFICE
ACCESSORY USE: RETAIL ESTABLISHMENT
SECTION, TOWNSHIP, RANGE: SECTION 28, 42 SOUTH, RANGE 43 EAST
PROPERTY CONTROL No.: 56-43-42-28-30-001-0010
TRAFFIC ANALYSIS ZONE: 127
TOTAL GROSS ACREAGE: 2.5245 AC
BUILDING HEIGTH: 35'-6" HIGH PARAPET

SETBACKS	REQUIRED:	PROVIDED:
FRONT:	10' MIN. / 15" MAX.	14' AND 15'
SIDE:	0'	10'-7" NORTH/ 63'-0" SOUTH
REAR:	10' MIN.	445' - 8"
FRONTAGE:	65% MIN. ON PRIMARY STREET	130'-7" = 69.04%
LOT WIDTH:	20'-0" MIN/ NO MAX.	189'-0"
LOT AREA:	2,000 S.F. MIN. / NO MAX.	109,964 S.F.
LOT COVERAGE:	80% MAX.	19.5%

FRONTAGE STANDARDS (SEC 31-537): MODIFIED BRACKETED BALCONY:

	ALLOWED	PROVIDED:
DEPTH:	0 MIN. - 5 FT. MAX..	4'-8" AND 4'-10"
WIDHT:	4 FT. MIN. - 0 MAX	14'-10" AND 15'-2"
FLOOR ELEVATION:	0	0
MAX. ENCROACHEMENT:	3 FT.	0

CIVIC SPACE REQUIREMENT:
ON SITES LARGER THAN ONE ACRE, 5 PERCENT OF THE SITE SHALL BE ALLOTED TO CIVIC SPACE (2.524 X 0.05 = 0.126 AC. OR 5,597 S.F.)

ZONING DESIGNATION:

ZONING DISTRICT:	DG - DOWNTOWN GENERAL
PROPERTY TO THE EAST:	DG - DOWNTOWN GENERAL
PROPERTY TO THE WEST:	RS-6 - SINGLE FAMILY DWELING & RD-15 - TWO FAMILY DWELING
PROPERTY TO THE NORTH:	DG - DOWNTOWN GENERAL & U - UTILITIES
PROPERTY TO THE SOUTH:	DG - DOWNTOWN GENERAL & RS-6 - SINGLE FAMILY DWELING

UTILITIES:

WATER AND SEWER: CITY OF RIVIERA BEACH
POWER: FLORIDA AND LIGHT
DRAINAGE DISTRIC: SFWMD (SOUTH FLORIDA WATER MANAGEMENT DISTRIC)

SITE INFORMATION:

SITE AREA	109,964 S.F. (2.5245 AC)
TOTAL BUILDING AREA	21,467 S.F.
F.A.R.	21,467 / 109,964 = 0.195
TOTAL LOT COVERAGE	
IMPERVIOUS =	1.21 AC = 47.94%
POND =	0.28 AC = 11.09%
PERVIOUS =	1.03 AC = 40.8%

CIVIC SPACES PROVIDED:
PROVIDED: 0.28 AC GREEN SPACE WITH MEANDERING SIDEWALK WITH ONE BENCH AROUND GREEN/DRY RETENTION AREA.
ADDITIONAL TOTAL OF 2,300 S.F. OF SMALL PLAZA AREAS BY EACH OCCUPANT'S FRONT DOOR. BENCHES, AND A BIKE RACK ARE LOCATED IN THIS AREA.

PARKING REQUIREMENTS (PER SEC. 31-577):

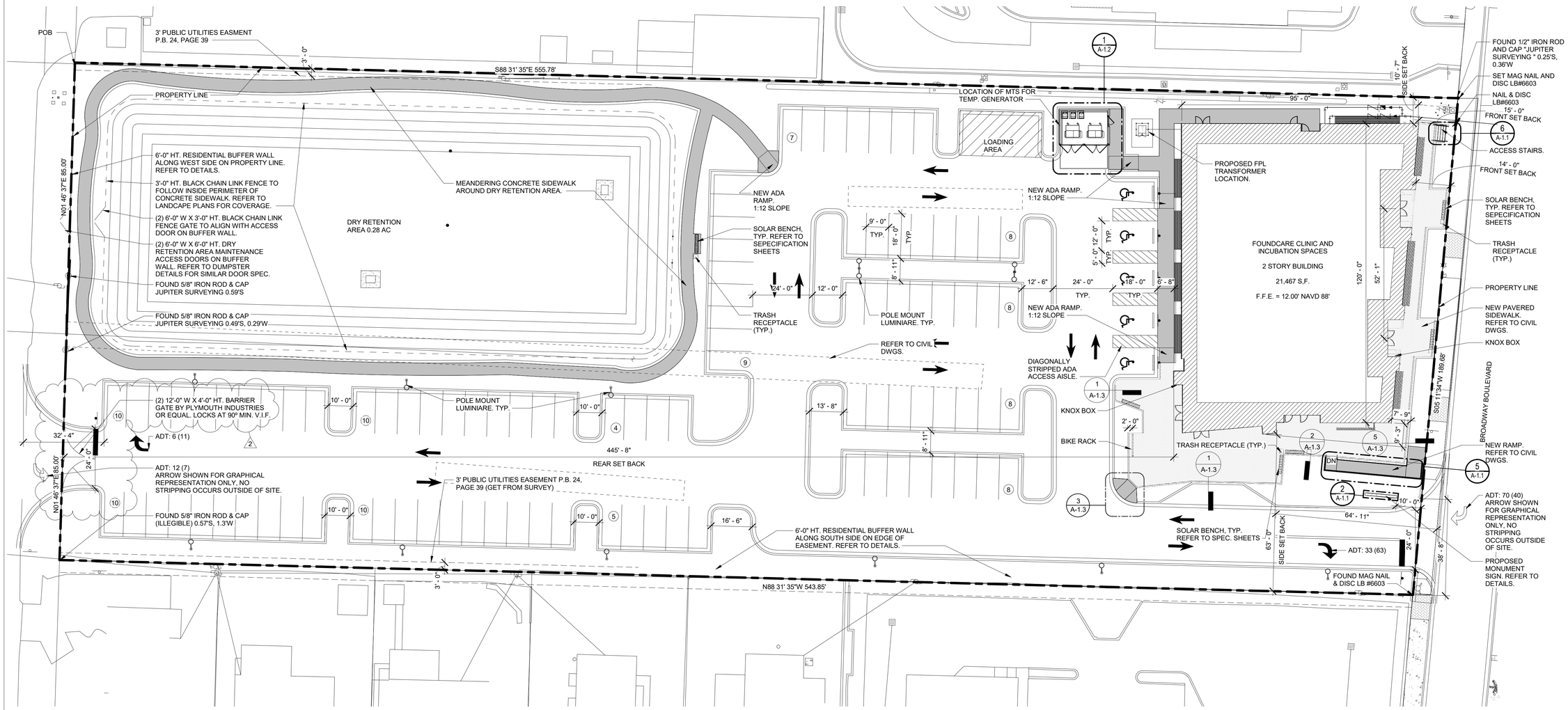
USE	REQUIRED	PROVIDED
FOUNDCARE CLINIC (MEDICAL / DENTAL) 16,467 S.F. / 1 SPACE PER 300 S.F.	55	
INCUBATION SHELL SPACE (OFFICES) 3,000 S.F. / 1 SPACE PER 300 S.F.	10	
(RESTAURANT) 2,000 S.F. / 1 SPACE PER 150 S.F.	14	
TOTAL	79	102 (INCLUDES 5 ADA)

ADA PARKING SPACES
REQUIRED 4 (PER FC ADA TABLE 208.2)
PROVIDED 5

1 LOADING AREA REQUIRED (PER SEC. 31-576)
12' x 30' WITH 30' OF MANEUVERING

SITE PLAN GENERAL NOTES:

1. REFER TO CIVIL DRAWINGS FOR SIGNAGE AND STRIPPING DETAILS.
2. REFER TO CIVIL DRAWINGS FOR ALL GRADING INFORMATION.
3. REFER TO LANDSCAPE DRAWINGS. ALL LANDSCPAE ELEMENTS INSTALLED WITHIN THE PUBLIC R.O. SHALL BE THE MANTENANCE OBLIGATION OF THE PROJECT
4. ALL EXTERIOR EQUIPMENT SHALL BE MOUNTED ABOVE F.E.M.A. REQUIRED ELEVATION
5. ALL EXTERIOR EQUIPMENT SHALL BE MOUNTED AND ATTACHED PER F.B.C. 2020 7TH EDITION STANDARDS REQUIREMENTS
6. G.C. SHALL BE RESPONSIBLE TO HAVE ALL EQUIPMENT INSTALLED TO MEET THE ABOVE REUIREMENTS
7. G.C. SHALL COORDINATE WITH FPL ALL TRANSFORMER REQUIREMENTSPRIOR TO PERFORMING ANY WORK.



1 SITE PLAN
1" = 20'-0"

COMPLETE SHEET HAS BEEN REVISED. 1A

NORTH

REVISIONS :		
No.	Description	Date
1A	CITY COMMENTS	11/3/23
2	CITY COMMENTS	11/27/23

SEAL

STATE OF FLORIDA
ALEJANDRO ECHEVERRY
AR 95254
REGISTERED ARCHITECT

CONSULTANT
ALEJANDRO ECHEVERRY
AR# 95254
JUNE 8, 2023

Alejandro Echeverry
Digitally signed by Alejandro Echeverry
DN: CN=Alejandro Echeverry, OU=AAR#95254, O=Florida, C=US
Reason: I am the author of this document
Date: 2023.11.28 10:28:39-05'00'

STILES ARCHITECTURAL GROUP
201 East Las Olas Blvd,
Fort Lauderdale, Florida 33301
954 - 627- 9180
FL. REG # AA-26001798

PERMIT SET

FOUNDCARE
3501 Broadway Blvd.
Riviera Beach, Fl

ARCHITECTURAL SITE PLAN

A-1.0

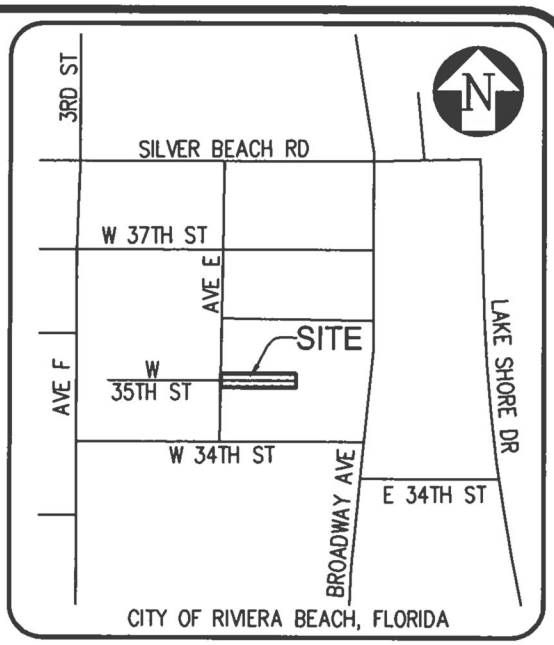
PROJECT NO.
74115
DRAWN BY :
SAG
CHECKED BY :
AM
DATE :
JUNE 8, 2023

Autodesk Docs://Foundcare @ Riviera Beach/74115_Foundcare.rvt

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 2 & 3

LEGEND

℄	CENTERLINE
LB	LICENSED BUSINESS
P.B.	PLAT BOOK
PCN	PARCEL CONTROL NUMBER
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
SF	SQUARE FEET



LOCATION MAP
N.T.S.

NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.

2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.

3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

4. BEARINGS SHOWN HERON ARE BASED ON THE NORTH LINE OF THE NORTH-WEST QUARTER OF SECTION 28/T42S/R43E IS TAKEN AS BEING S88°31'06"E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF.

6. I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON CONFORMS TO THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17.050(12), FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Jennifer Malin
Digitally signed by Jennifer Malin
Date: 2023.04.13 08:22:38 -04'00'

JENNIFER MALIN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 6667
STATE OF FLORIDA LB#6603

FOR:
N. 35th STREET ABANDONMENT

SCALE:	NOT TO SCALE
DRAWN BY:	DPK
CHECKED BY:	JCM
DATE:	6.25.19

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK №	
FLORIDA R.L.S. # 4938	
SHEET:	1 / 3
JOB №	14151.14.03

Y:\Land Projects R2\22059.01 3501 Broadway-Foundcare\Dwg\14151.14.03.dwg 4/13/2023 8:16:51 AM EDT

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 3

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28; THENCE RUN ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, SOUTH 00°37'29" WEST A DISTANCE OF 635.07 FEET;

THENCE ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28, SOUTH 88°31'35" EAST A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS;

THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 01°46'37" WEST A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 35TH STREET AS RECORDED IN SAID PLAT; SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 4 OF SAID PLAT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID WEST 35TH STREET, SOUTH 88°31'35" EAST A DISTANCE OF 231.93 FEET, TO A POINT ON THE EASTERLY LINE OF SAID PLAT;

THENCE ALONG SAID EASTERLY LINE, SOUTH 01°24'28" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WEST 35TH STREET;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 88°31'35" WEST A DISTANCE OF 232.09 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E";

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01°24'28" EAST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 6960.32 SQUARE FEET OR 0.1598 ACRES MORE OR LESS.

FOR:

N. 35th STREET ABANDONMENT

SCALE:	N.A.
DRAWN BY:	DPK
CHECKED BY:	JCM
DATE:	6.25.19

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK №

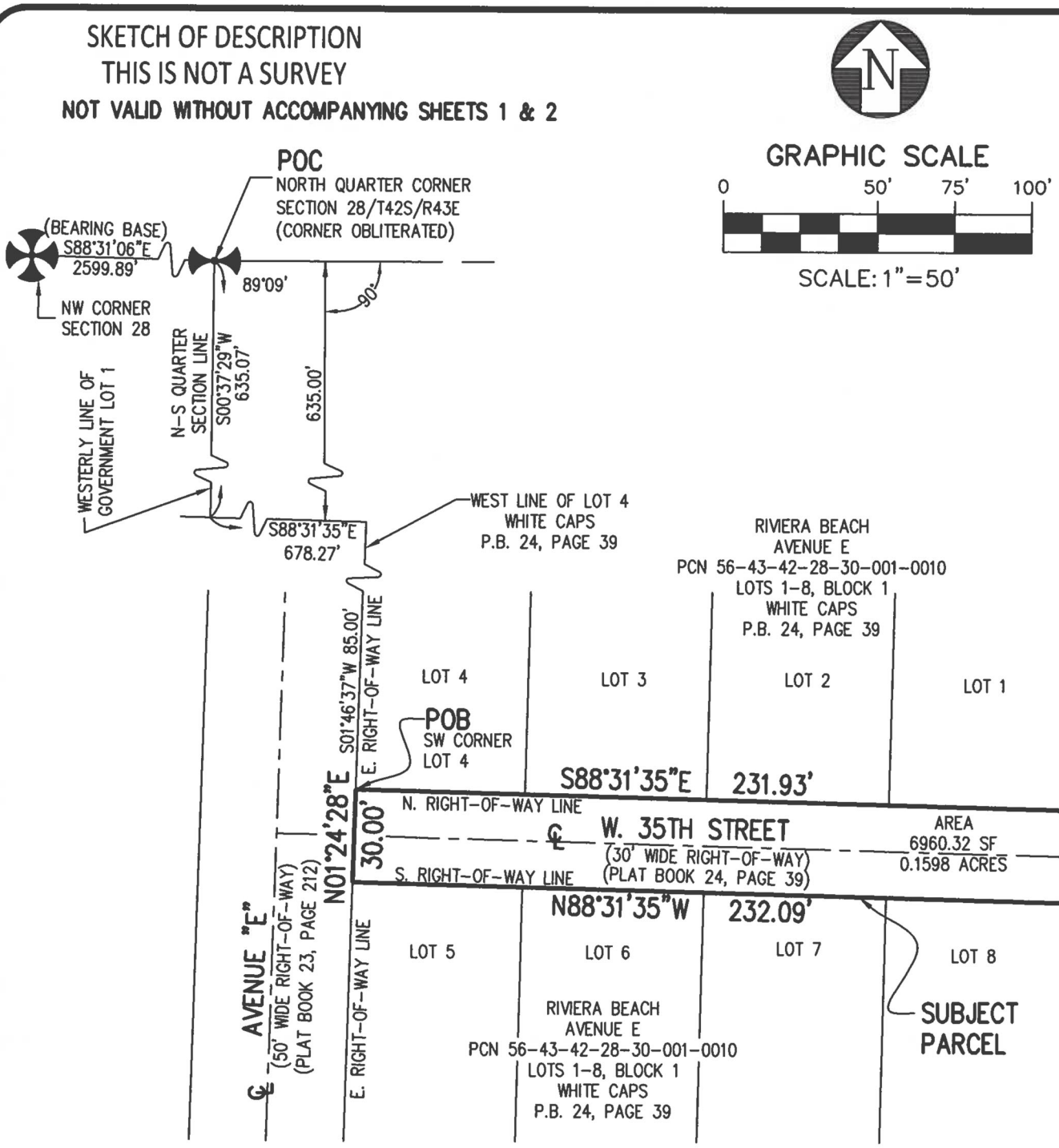
FLORIDA R.L.S. #4938

SHEET: 2 / 3

JOB №: 14151.14.03

Y:\Land Projects R2\22059.01 3501 Broadway-Foundcare\Dwg\14151.14.03.dwg 4/13/2023 8:16:51 AM EDT

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 2



FOR:

N. 35th STREET ABANDONMENT

SCALE:	1"=50'
DRAWN BY:	DPK
CHECKED BY:	JCM
DATE:	6.25.2019

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK №	SHEET: 3 / 3
FLORIDA R.L.S. # 4938	JOB № 14151.14.13

Y:\Land Projects R2\22059.01 3501 Broadway-Foundcare\Dwg\14151.14.03.dwg 4/13/2023 8:16:51 AM EDT

Department of Engineering and Public Works
P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Palm Beach County Board of County Commissioners
Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Dave Kerner
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator
Verdenia C. Baker

"An Equal Opportunity Affirmative Action Employer"

printed on sustainable and recycled paper

August 4, 2023

Stephanie Guerra, P.E.
Kimley-Horn and Associates, Inc.
1920 Wekiva Way
West Palm Beach, FL 33411

RE: Found Care Riviera Beach
Project #: 230208
Traffic Performance Standards (TPS) Review

Dear Ms. Guerra:

The Palm Beach County Traffic Division has reviewed the above referenced project Traffic Impact Statement, revised July 28, 2023, pursuant to the Traffic Performance Standards in Article 12 of the Palm Beach County (PBC) Unified Land Development Code (ULDC). The project is summarized as follows:

Municipality:	Riviera Beach
Location:	West side of Broadway, just north of W 34th Street
PCN:	56-43-42-28-00-001-0160/-0010
Access:	One right-in/right-out access driveway connection onto Broadway (As used in the study and is NOT necessarily an approval by the County through this TPS letter)
Existing Uses:	Vacant
Proposed Uses:	Medical Office = 22,000 SF
New Daily Trips:	753
New Peak Hour Trips:	61 (49/12) AM; 77 (23/54) PM
Build-out:	December 31, 2028

Based on our review, the Traffic Division has determined the proposed development **meets** the TPS of Palm Beach County.

Please note a conceptual driveway pre-approval letter from the FDOT must be obtained for the access connection onto Broadway.

Please note the receipt of a TPS approval letter does not constitute the review and issuance of a Palm Beach County Right-of-Way (R/W) Construction Permit nor does it eliminate any requirements that may be deemed as site related. For work within Palm Beach County R/W, a detailed review of the project will be provided upon submittal for a R/W permit application. The project is required to comply with all Palm Beach County standards and may include R/W dedication.

No building permits are to be issued by the City after the build-out date specified above. The County traffic concurrency approval is subject to the Project Aggregation Rules set forth in the Traffic Performance Standards Ordinance.

The approval letter shall be valid no longer than one year from date of issuance, unless an application for a Site Specific Development Order has been approved, an application for a Site Specific Development Order has been submitted, or the

approval letter has been superseded by another approval letter for the same property.

If you have any questions regarding this determination, please contact me at 561-684-4030 or email HAkif@pbcgov.org.

Sincerely,

Hanane Akif, P.E.
Professional Engineer
Traffic Division

QB:HA:jb
ec:
Mary Savage Dunham, Assistant Director of Development Service, City of Rivera Beach
Quazi Bari, P.E., PTOE, Manager – Growth Management, Traffic Division
Alberto Lopez, Technical Assistant III, Traffic Division

File: General - TPS - Mun - Traffic Study Review
F:\TRAFFIC\HA\MUNICIPALITIES\APPROVALS\2023\230208 - FOUND CARE RIVIERA BEACH.DOCX;

February 9, 2023
Revised April 13, 2023
Revised July 28, 2023
Revised November 27, 2023

Mr. Terrence Bailey, P.E.
City of Riviera Beach
600 West Blue Heron Blvd.,
Riviera Beach, FL 33404

RE: ***Found Care Riviera Beach – Traffic Impact Evaluation***
Palm Beach County, Florida

Dear Mr. Bailey:

Kimley-Horn and Associates, Inc. has prepared a traffic impact evaluation for the proposed development of located on the west side of Broadway, just north of W 34th Street, in Riviera Beach, Florida. *Figure 1* illustrates an aerial view of the site location.

The Parcel Control Numbers (PCNs) for the project site are:

- 56-43-42-28-00-001-0160
- 56-43-42-28-30-001-0010

The is vacant but is proposed to be developed with a medical office building containing self-serving professional office and food service. Buildout of the site is proposed to occur by 2028.

TRIP GENERATION

A trip generation comparison was conducted to determine the trip generation potential for the proposed program of development. Rates and equations published by the Palm Beach County Traffic Division were utilized to conduct these calculations.

Table 1 summarizes the trip generation comparison between the approved and proposed program of development on site. As shown in this table, the proposed development plan has the potential to generate 950 net new external daily trips, an increase of 86 net new external AM peak hour trips (61 in, 25 out), and an increase of 90 net new external PM peak hour trips (34 in, 56 out).

Because the proposed development results in an increase in peak hour trips, the full impact of the development is subject to traffic concurrency analysis. Based on the trip generation calculations and the analysis thresholds established in Article 12 of the Palm Beach County Unified Land Development Code (ULDC), it was determined that the radius of development influence is one mile.

Table 1: Trip Generation Comparison

Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed Scenario								
Medical Office (Stand-Alone)	16.457 KSF	599	51	40	11	65	20	45
General Office (<=10k)	3 KSF	43	5	4	1	6	2	4
Fast Food Restaurant w/o DT	1.5 KSF	676	65	38	27	50	25	25
	Subtotal	*1,318*	*121*	*82*	*39*	*121*	*47*	*74*
Pass-By Capture								
Medical Office (Stand-Alone)	10.0%	60	5	4	1	7	2	5
General Office (<=10k)	10.0%	4	1	0	1	1	0	1
Fast Food Restaurant w/o DT	45.0%	304	29	17	12	23	11	12
	Subtotal	*368*	*35*	*21*	*14*	*31*	*13*	*18*
Driveway Volumes		1,318	121	82	39	121	47	74
Net New External Trips		950	86	61	25	90	34	56
Radius of Development Influence:		1 miles						

Land Use	Daily	AM Peak Hour	PM Peak Hour	Pass-By
Medical Office (Stand-Alone)	T = 42.97 (X)-108.01	3.10 trips/1,000 sf (79% in, 21% out)	3.93 trips/1,000 sf (30% in, 70% out)	10.0%
General Office (<=10k)	14.39 trips/1,000 sf	1.67 trips/1000 sf (82% in, 18% out)	2.16 trips/1,000 sf (34% in, 66% out)	10.0%
Fast Food Restaurant w/o DT	450.49 trips/1,000 sf	43.18 trips/1,000 sf (58% in, 42% out)	33.21 trips/1,000 sf (50% in, 50% out)	45.0%

NORTH

LEGEND

Project Site

FIGURE 1
SITE LOCATION
FOUND CARE RIVIERA BEACH

Kimley»Horn

TRAFFIC ASSIGNMENT

The AM and PM peak hour trips associated with the project were assigned to the roadways within the radius of development influence based on a review of complementary land uses in the vicinity of the project. *Figure 2* illustrates the project traffic assignment.

TEST 1 SIGNIFICANCE AND CAPACITY ANALYSIS

Per the requirements defined in *Article 12* (Traffic Performance Standards) of Palm Beach County's *Unified Land Development Code (ULDC),* the links on which project traffic is greater than 1% of the level of service (LOS) D generalized service volume are considered to be significantly impacted. As shown in *Tables 2* and *3*, some roadway links are significantly impacted under Test 1. As shown in *Tables 4* and *5*, these roadway links will meet Test 1 criteria through buildout of the project.

TEST 1 INTERSECTION ANALYSIS

An analysis was undertaken for intersections nearest to each link directly accessed and significantly impacted by the project. The nearest major intersections are:

- Silver Beach Road & Broadway
- Blue Heron Boulevard & Broadway

As indicated in *Tables 2* and *3*, the links approaching and departing these intersections are significantly impacted during the AM and PM peak hours. Therefore, the analysis of these intersections is required by the TPS ordinance. Count data was collected at these intersections on Tuesday, March 28, 2023.

These intersections were analyzed using the Critical Sum planning methodology as outlined in the 1985 Highway Capacity Manual (HCM) utilizing turning movement counts and committed development data published by the Palm Beach County Traffic Division. The critical movement analysis shows that all intersections will fall below the threshold of 1,400 vehicles per hour per lane with the current lane configuration.

NORTH

LEGEND

Project Site

XX% Trip Distribution

FIGURE 2
TRIP DISTRIBUTION
FOUND CARE RIVIERA BEACH

Kimley»Horn

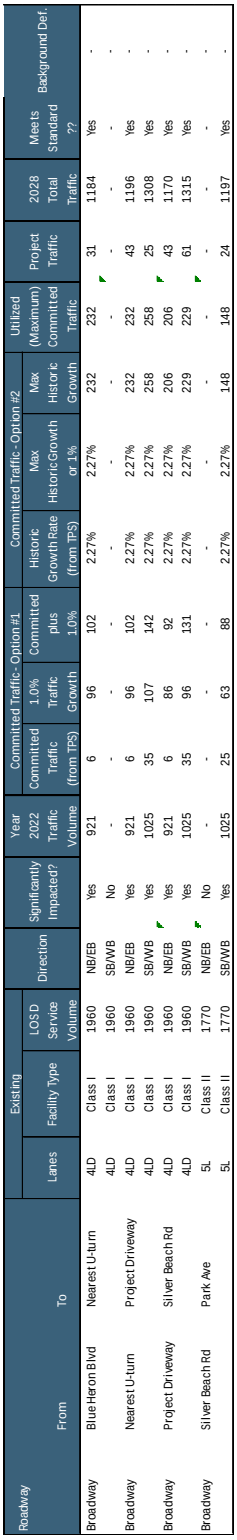
Table 2: Test 1 AM Peak Hour Significance Analysis

ROADWAY	FROM	TO	COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	PROJECT % ASSIGNMENT	NB/EB IN / OUT?	PROJECT TRIPS AM PEAK HOUR TRIPS NB/EB	PROJECT TRIPS AM PEAK HOUR TRIPS SB/WB	PROJECT TRIPS AM PEAK HOUR % IMPACT NB/EB	Sig?	PROJECT TRIPS AM PEAK HOUR % IMPACT SB/WB	Sig?
Broadway	W 13th St	Blue Heron Blvd	4LD	1,770	15%	i	9	4	0.51%	No	0.23%	No
Broadway	Blue Heron Blvd	Nearest U-turn	4LD	1,770	50%	i	31	13	1.75%	Yes	0.73%	No
Broadway	Nearest U-turn	Project Driveway	4LD	1,770	NB: 50% in/50% out; SB: 100% out		43	25	2.43%	Yes	1.41%	Yes
Broadway	Project Driveway	Silver Beach Rd	4LD	1,770	NB: 50% in/50% out; SB: 100% in		43	61	2.43%	Yes	3.45%	Yes
Broadway	Silver Beach Rd	Park Ave	4LD	1,770	40%	o	10	24	0.56%	No	1.36%	Yes
Broadway	Park Ave	Northlake Blvd	4LD	1,770	35%	o	9	21	0.51%	No	1.19%	Yes
Park Ave	10th St	Broadway	2L	880	5%	i	3	1	0.34%	No	0.11%	No
Silver Beach Rd	Old Dixie Hwy	Broadway	2L	880	10%	i	6	3	0.68%	No	0.34%	No
Blue Heron Blvd	Old Dixie Hwy	Broadway	4LD	1,770	30%	i	18	8	1.02%	Yes	0.45%	No
Blue Heron Blvd	Broadway	East of Broadway	4LD	1,770	5%	o	1	3	0.06%	No	0.17%	No

Table 3: Test 1 PM Peak Hour Significance Analysis

ROADWAY	FROM	TO	COMMITTED NUMBER OF LANES	LOS D GEN. SVC. VOLUME	PROJECT TRIPS								
					PROJECT % ASSIGNMENT	NB/EB IN/OUT?	PM PEAK HOUR TRIPS		PM PEAK HOUR % IMPACT				
							NB/EB	SB/WB	NB/EB	Sig?	SB/WB	Sig?
Broadway	W 13th St	Blue Heron Blvd	4LD	1,770	15%	i	5	8	0.28%	No	0.45%	No
Broadway	Blue Heron Blvd	Nearest U-turn	4LD	1,770	50%	i	17	28	0.96%	No	1.58%	Yes
Broadway	Nearest U-turn	Project Driveway	4LD	1,770	NB: 50% in/50% out; SB: 100%		45	56	2.54%	Yes	3.16%	Yes
Broadway	Project Driveway	Silver Beach Rd	4LD	1,770	NB: 50% in/50% out; SB: 100%		45	34	2.54%	Yes	1.92%	Yes
Broadway	Silver Beach Rd	Park Ave	4LD	1,770	40%	o	22	14	1.24%	Yes	0.79%	No
Broadway	Park Ave	Northlake Blvd	4LD	1,770	35%	o	20	12	1.13%	Yes	0.68%	No
Park Ave	10th St	Broadway	2L	880	5%	i	2	3	0.23%	No	0.34%	No
Silver Beach Rd	Old Dixie Hwy	Broadway	2L	880	10%	i	3	6	0.34%	No	0.68%	No
Blue Heron Blvd	Old Dixie Hwy	Broadway	4LD	1,770	30%	i	10	17	0.56%	No	0.96%	No
Blue Heron Blvd	Broadway	East of Broadway	4LD	1,770	5%	o	3	2	0.17%	No	0.11%	No

Table 4: Test 1 AM Peak Hour Capacity Analysis



Roadway	From	To	Existing			Direction	Significantly Impacted?	Year 2022 Traffic Volume	Committed Traffic (from TPS)	1.0% Traffic Growth	Committed plus 1.0%	Historic Growth Rate (from TPS)	Max Historic Growth or 1%	Max Historic Growth	Utilized (Maximum) Committed Traffic	Project Traffic	2028 Total Traffic	Meets Standard ??	Background Def.
			Lanes	Facility Type	LOSD Service Volume														
Broadway	Blue Heron Blvd	Nearest U-turn	4LD	Class I	1960	NB/EB	Yes	921	6	96	102	2.27%	2.27%	232	232	31	1184	Yes	-
			4LD	Class I	1960	SB/WB	No	-	-	-	-	-	-	-	-	-	-	-	-
Broadway	Nearest U-turn	Project Driveway	4LD	Class I	1960	NB/EB	Yes	921	6	96	102	2.27%	2.27%	232	232	43	1196	Yes	-
			4LD	Class I	1960	SB/WB	Yes	1025	35	107	142	2.27%	2.27%	258	258	25	1308	Yes	-
Broadway	Project Driveway	Silver Beach Rd	4LD	Class I	1960	NB/EB	Yes	921	6	86	92	2.27%	2.27%	206	206	43	1170	Yes	-
			4LD	Class I	1960	SB/WB	Yes	1025	35	96	131	2.27%	2.27%	229	229	61	1315	Yes	-
Broadway	Silver Beach Rd	Park Ave	5L	Class II	1770	NB/EB	No	-	-	-	-	-	-	-	-	-	-	-	-
			5L	Class II	1770	SB/WB	Yes	1025	25	63	88	2.27%	2.27%	148	148	24	1197	Yes	-

Table 5: Test 1 PM Peak Hour Capacity Analysis

Roadway	From	To	Existing			Direction	Significantly Impacted?	Year 2022 Traffic Volume	Committed Traffic - Option #1			Committed Traffic - Option #2			Utilized (Maximum) Committed Traffic	Project Traffic	2028 Total Traffic	Meets Standard ??	Background Def.
			Lanes	Facility Type	LOS D Service Volume				Committed Traffic (from TPS)	1.0% Traffic Growth	Committed plus 1.0%	Historic Growth Rate (from TPS)	Max Historic Growth or 1%	Max. Historic Growth					
Broadway	Blue Heron Blvd	Nearest U-turn	4LD	Class I	1960	NB/EB	No	-	-	-	-	-	-	-	-	-	-	-	-
			4LD	Class I	1960	SB/WB	Yes	1123	13	117	130	2.27%	2.27%	282	282	28	1433	Yes	-
Broadway	Nearest U-turn	Project Driveway	4LD	Class I	1960	NB/EB	Yes	1204	36	74	110	2.27%	2.27%	173	173	45	1422	Yes	-
			4LD	Class I	1960	SB/WB	Yes	1123	13	69	82	2.27%	2.27%	162	162	56	1341	Yes	-
Broadway	Project Driveway	Silver Beach Rd	4LD	Class I	1960	NB/EB	Yes	1204	36	74	110	2.27%	2.27%	173	173	45	1422	Yes	-
			4LD	Class I	1960	SB/WB	Yes	1123	13	69	82	2.27%	2.27%	162	162	34	1319	Yes	-
Broadway	Silver Beach Rd	Park Ave	5L	Class II	1770	NB/EB	Yes	1204	26	113	139	2.27%	2.27%	269	269	22	1495	Yes	-
			5L	Class II	1770	SB/WB	No	-	-	-	-	-	-	-	-	-	-	-	-
Broadway	Park Ave	Northlake Blvd	5L	Class I	1960	NB/EB	Yes	1204	20	74	94	2.27%	2.27%	173	173	20	1397	Yes	-
			5L	Class I	1960	SB/WB	No	-	-	-	-	-	-	-	-	-	-	-	-

DRIVEWAY ANALYSIS

Access to the site is proposed to be provided via one right-in/right-out driveway on Broadway. *Figure 3* illustrates the future total driveway volumes for the site.

Palm Beach County Thresholds

Section 300 of the Palm Beach County "Design Standards Manual" provides the vehicle thresholds for exclusive turn lanes at site driveways. According to the standards noted in this document, the volume thresholds for providing exclusive turn lanes are as follows:

- Right-turn Lane – 75 peak hour right turns, with driveway volumes that exceed 1,000 trips per day, and average daily traffic volumes that exceed 10,000 vehicles per day.
- Left-turn Lane – 30 peak hour left turns.

As shown in *Figure 3*, no movements are anticipated to exceed the turn lane thresholds.

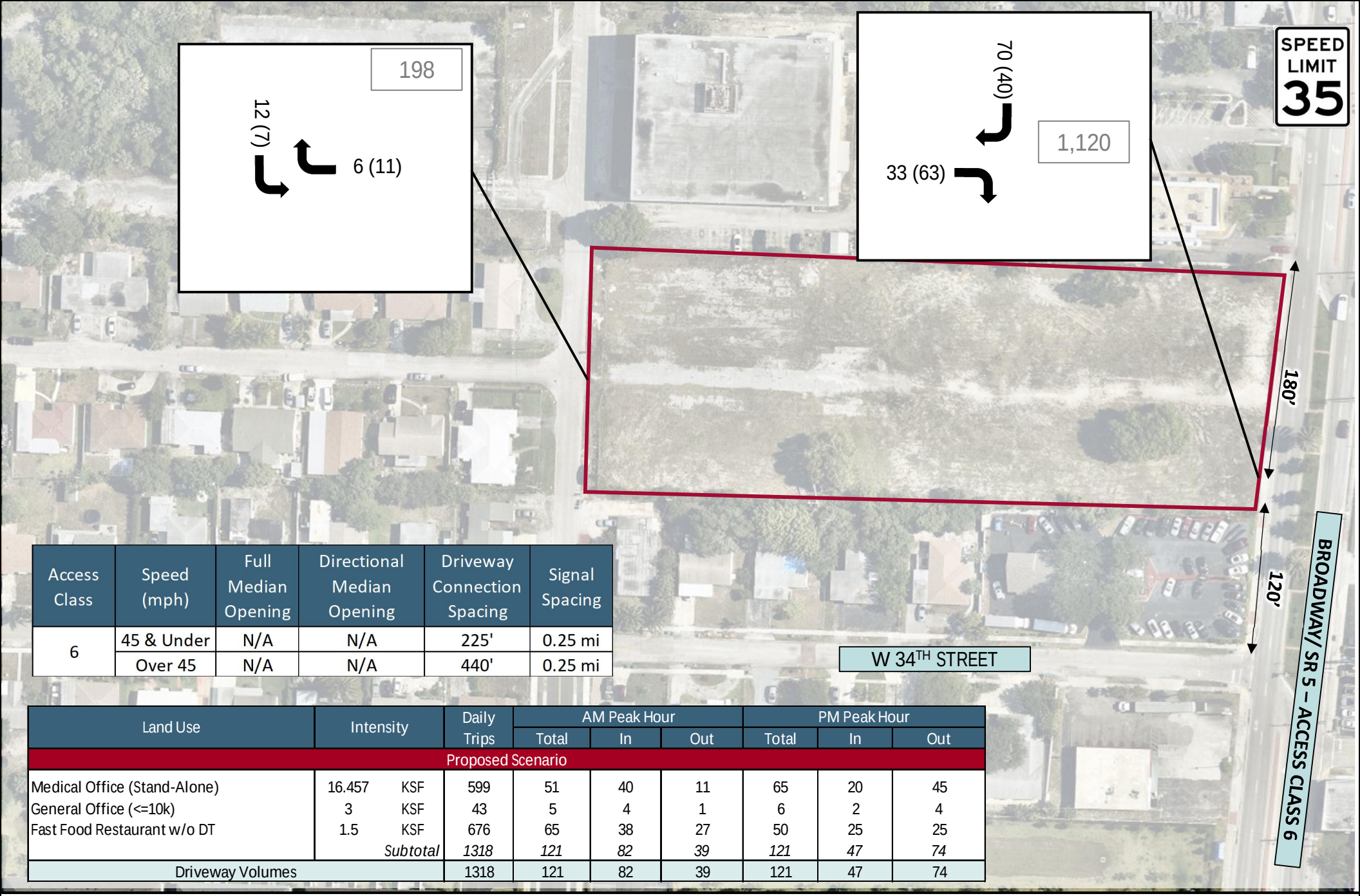
The Palm Beach County Code provides for classification of driveways as minor, intermediate, or major and the determination of ingress turn lane requirements. The following criteria are used to classify driveways located within Palm Beach County:

1. Minor - Provides service for a maximum daily volume of 500 vehicles.

2. Intermediate - Provides service for a maximum daily volume from 500 to 2,000 vehicles.

3. Major - Provides service for a daily volume over 2,000 vehicles.

Based on the Palm Beach County thresholds, the site driveway is classified as intermediate.



Access Class	Speed (mph)	Full Median Opening	Directional Median Opening	Driveway Connection Spacing	Signal Spacing
6	45 & Under	N/A	N/A	225'	0.25 mi
	Over 45	N/A	N/A	440'	0.25 mi

Land Use	Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Proposed Scenario									
Medical Office (Stand-Alone)	16.457	KSF	599	51	40	11	65	20	45
General Office (<=10k)	3	KSF	43	5	4	1	6	2	4
Fast Food Restaurant w/o DT	1.5	KSF	676	65	38	27	50	25	25
		Subtotal	*1318*	*121*	*82*	*39*	*121*	*47*	*74*
Driveway Volumes			1318	121	82	39	121	47	74

NORTH

LEGEND

Project Site

XX Daily Driveway Volumes

XX AM Peak Hour Driveway Volumes

(XX) PM Peak Hour Driveway Volumes

FIGURE 3
DRIVEWAY VOLUMES
FOUND CARE RIVIERA BEACH

Kimley»Horn

CONCLUSION

The foregoing analysis demonstrates that the traffic generated by the proposed development program meet the defined criteria for the Palm Beach County Traffic Performance Standards Ordinance and the City of Riviera Beach Standards. No mitigation measures are proposed by this project.

If there are any questions regarding the information provided herein, please contact me via telephone at (561) 840-0852 or via e-mail at stephanie.guerra@kimley-horn.com.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Stephanie A Guerra
2023.11.27
14:29:56 -05'00'

Stephanie A. Guerra, P.E.
Transportation Engineer

Florida Registration
Number 84302
Registry No. 35106

Attachments
k:\wpb_tpto\2410\241076000 - foundcare riviera beach\2023-2-9-foundcare-text.docx

PROJECT INFORMATION

PAPA Banner

Location Address	3501 BROADWAY
Municipality	RIVIERA BEACH
Parcel Control Number	56-43-42-28-00-001-0160
Subdivision	
Official Records Book	30236 **Page** 494
Sale Date	OCT-2018
Legal Description	28-42-43, S 200 FT OF N 835 FTOF GOV LT 1 W OF SR 5 /LESS W 909.75 FT/

Owners

RIVIERA BEACH CITY OF

Mailing address

600 W BLUE HERON BLVD

RIVIERA BEACH FL 33404 4311

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2018	$500,000	30236 / 00494	WARRANTY DEED	RIVIERA BEACH CITY OF
MAY-1992	$1,000	07250 / 00321	CERT OF TITLE	J & B MOTEL CORP
AUG-1989	$1,225,000	06166 / 00368	WARRANTY DEED	
NOV-1987	$1,000,000	05503 / 01518	WARRANTY DEED	
DEC-1980	$750,000	03426 / 00767	WARRANTY DEED	

Exemption Applicant/Owner	Year	Detail
RIVIERA BEACH CITY OF	2023	FULL: MUNICIPAL GOVERNMENT

Number of Units	***Total Square Feet** 0	**Acres** 1.3425	
Use Code	8900 - MUNICIPAL	**Zoning**	DG - DOWNTOWN GENERAL (56-RIVIERA BEACH)

Tax Year	2022	2021	2020
Improvement Value	$0	$0	$0
Land Value	$643,291	$403,519	$403,519
Total Market Value	$643,291	$403,519	$403,519

All values are as of January 1st each year

Tax Year	2022	2021	2020
Assessed Value	$443,871	$403,519	$403,519
Exemption Amount	$443,871	$403,519	$403,519
Taxable Value	$0	$0	$0

Tax Year	2022	2021	2020
Ad Valorem	$0	$0	$0
Non Ad Valorem	$0	$0	$0
Total tax	$0	$0	$0

PAPA Banner

Location Address	AVENUE E
Municipality	RIVIERA BEACH
Parcel Control Number	56-43-42-28-30-001-0010
Subdivision	WHITE CAPS SUB IN
Official Records Book	30236 **Page** 494
Sale Date	OCT-2018
Legal Description	WHITE CAPS SUB LTS 1 TO 8 INC BLK 1

Owners

RIVIERA BEACH CITY OF

Mailing address

600 W BLUE HERON BLVD

RIVIERA BEACH FL 33404 4311

Sales Date	Price	OR Book/Page	Sale Type	Owner
OCT-2018	$500,000	30236 / 00494	WARRANTY DEED	RIVIERA BEACH CITY OF
MAY-1992	$1,000	07250 / 00321	CERT OF TITLE	J & B MOTEL CORP
AUG-1989	$1,225,000	06166 / 00368	WARRANTY DEED	
NOV-1987	$1,000,000	05503 / 01518	WARRANTY DEED	
DEC-1980	$750,000	03426 / 00767	WARRANTY DEED	

Exemption Applicant/Owner	Year	Detail
RIVIERA BEACH CITY OF	2023	FULL: MUNICIPAL GOVERNMENT

Number of Units	0	***Total Square Feet**	0	**Acres**	1
Use Code	8900 - MUNICIPAL	**Zoning**	RS-6 - SINGLE FAMILY DWELLING (RS-6) (56-RIVIERA BEACH)		

Tax Year	2022	2021	2020
Improvement Value	$1,019	$1,019	$1,039
Land Value	$143,000	$130,000	$130,000
Total Market Value	$144,019	$131,019	$131,039

All values are as of January 1st each year

Tax Year	2022	2021	2020
Assessed Value	$144,019	$131,019	$131,039
Exemption Amount	$144,019	$131,019	$131,039
Taxable Value	$0	$0	$0

Tax Year	2022	2021	2020
Ad Valorem	$0	$0	$0
Non Ad Valorem	$0	$0	$0
Total tax	$0	$0	$0

CRITICAL MOVEMENT ANALYSIS

CRITICAL MOVEMENT ANALYSIS
FOUNDCARE RIVIERA BEACH
SILVER BEACH ROAD & BROADWAY (FUTURE TOTAL - NO IMPROVEMENTS)

Growth Rate =	1.00%	
Peak Season =	1	1
Buildout Year =	2028	2028
Years =	5	5

AM Peak Hour

	Northbound			Southbound			Eastbound			Westbound		
	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT
Existing Volume on 03/28/2023	100	756	4	34	1,041	72	107	7	88	6	5	39
Peak Season Volume	100	756	4	34	1,041	72	107	7	88	6	5	39
Traffic Volume Growth	5	39	0	2	53	4	5	0	4	0	0	2
Committed Development												
1.0% Traffic Volume Growth	5	39	0	2	53	4	5	0	4	0	0	2
Committed + 1.0% Growth	5	39	0	2	53	4	5	0	4	0	0	2
Max (Committed + 1.0% or Historic Growth)	5	39	0	2	53	4	5	0	4	0	0	2
Background Traffic Volumes	105	795	4	36	1,094	76	112	7	92	6	5	41
Project Traffic Assignment												
Inbound Traffic Assignment	50.0%				40.0%				10.0%			
Inbound Traffic Volumes	31				24				6			
Outbound Traffic Assignment	10.0%	40.0%										
Outbound Traffic Volumes	3	10										
Project Traffic	34	10	0	0	24	0	0	0	6	0	0	0
Total Traffic w/o RTOR	139	805	4	36	1,118	76	112	7	98	6	5	41
RTOR Reduction			(10)			(10)			(60)			(10)
TOTAL TRAFFIC	**139**	**805**	**0**	**36**	**1,118**	**66**	**112**	**7**	**38**	**6**	**5**	**31**

Critical Volume Analysis

No. of Lanes	1	2>	0	1	2>	0	1	1	1	1	1>	0
Approach Volume		944			1,220			157			42	
Per Lane Volume	139	403	0	36	592	0	112	7	38	6	36	0
Overlap Reduction	0	0	0	0	0	0	0	0	(36)	0	0	0
Net Per Lane Volume	139	403	0	36	592	0	112	7	2	6	36	0
North-South Critical	NB LT + SB TH =				731		SB LT + NB TH =				439	
East-West Critical	EB LT + WB TH =				148		WB LT + EB TH =				44	
Maximum Critical Sum	**731**			**+**	**148**			**=**	**879**			
STATUS ?							**UNDER**					

PM Peak Hour

	Northbound			Southbound			Eastbound			Westbound		
	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT
Existing Volume on 03/28/2023	168	968	6	58	886	79	79	18	85	22	26	50
Peak Season Volume	168	968	6	58	886	79	79	18	85	22	26	50
Traffic Volume Growth	9	49	0	3	45	4	4	1	4	1	1	3
Committed Development												
1.0% Traffic Volume Growth	9	49	0	3	45	4	4	1	4	1	1	3
Committed + 1.0% Growth	9	49	0	3	45	4	4	1	4	1	1	3
Max (Committed + 1.0% or Historic Growth)	9	49	0	3	45	4	4	1	4	1	1	3
Background Traffic Volumes	177	1,017	6	61	931	83	83	19	89	23	27	53
Project Traffic Assignment												
Inbound Traffic Assignment	50.0%				40.0%				10.0%			
Inbound Traffic Volumes	17				14				3			
Outbound Traffic Assignment	10.0%	40.0%										
Outbound Traffic Volumes	6	22										
Project Traffic	23	22	0	0	14	0	0	0	3	0	0	0
Total Traffic w/o RTOR	200	1,039	6	61	945	83	83	19	92	23	27	53
RTOR Reduction			(10)			(10)			(60)			(10)
TOTAL TRAFFIC	**200**	**1,039**	**0**	**61**	**945**	**73**	**83**	**19**	**32**	**23**	**27**	**43**

Critical Volume Analysis

No. of Lanes	1	2>	0	1	2>	0	1	1	1	1	1>	0
Approach Volume		1,239			1,079			134			93	
Per Lane Volume	200	520	0	61	509	0	83	19	32	23	70	0
Overlap Reduction	0	0	0	0	0	0	0	0	(32)	0	0	0
Net Per Lane Volume	200	520	0	61	509	0	83	19	0	23	70	0
North-South Critical	NB LT + SB TH =				709		SB LT + NB TH =				581	
East-West Critical	EB LT + WB TH =				153		WB LT + EB TH =				55	
Maximum Critical Sum	**709**			**+**	**153**			**=**	**862**			
STATUS ?							**UNDER**					

CRITICAL MOVEMENT ANALYSIS
FOUNDCARE RIVIERA BEACH
BLUE HERON BOULEVARD & BROADWAY (FUTURE TOTAL - NO IMPROVEMENTS)

Growth Rate =	1.00%	
Peak Season =	1	1
Buildout Year =	2028	2028
Years =	5	5

AM Peak Hour

	Northbound			Southbound			Eastbound			Westbound		
	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT
Existing Volume on 03/28/2023	100	568	190	180	849	115	181	476	124	185	289	124
Peak Season Volume	100	568	190	180	849	115	181	476	124	185	289	124
Traffic Volume Growth	5	29	10	9	43	6	9	24	6	9	15	6
Committed Development	4	24	23	38	43	63	38	55	3	14	25	19
1.0% Traffic Volume Growth	5	29	10	9	43	6	9	24	6	9	15	6
Committed + 1.0% Growth	9	53	33	47	86	69	47	79	9	23	40	25
Max (Committed + 1.0% or Historic Growth)	9	53	33	47	86	69	47	79	9	23	40	25
Background Traffic Volumes	109	621	223	227	935	184	228	555	133	208	329	149
Project Traffic Assignment												
Inbound Traffic Assignment		15.0%					30.0%					5.0%
Inbound Traffic Volumes		9					18					3
Outbound Traffic Assignment				5.0%	15.0%	30.0%						
Outbound Traffic Volumes				1	4	8						
Project Traffic	0	9	0	1	4	8	18	0	0	0	0	3
Total Traffic w/o RTOR	109	630	223	228	939	192	246	555	133	208	329	152
RTOR Reduction			(60)			(10)			(60)			(10)
TOTAL TRAFFIC	**109**	**630**	**163**	**228**	**939**	**182**	**246**	**555**	**73**	**208**	**329**	**142**

Critical Volume Analysis

No. of Lanes	1	2	1	1	2>	0	1	2	1	1	2>	0
Approach Volume		902			1,349			874			679	
Per Lane Volume	109	315	163	228	561	0	246	278	73	208	236	0
Overlap Reduction	0	0	(163)	0	0	0	0	0	(73)	0	0	0
Net Per Lane Volume	109	315	0	228	561	0	246	278	0	208	236	0
North-South Critical	NB LT + SB TH =			670			SB LT + NB TH =			543		
East-West Critical	EB LT + WB TH =			482			WB LT + EB TH =			486		
Maximum Critical Sum	**670**			**+**	**486**			**=**	**1,156**			
STATUS ?							**UNDER**					

PM Peak Hour

	Northbound			Southbound			Eastbound			Westbound		
	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT
Existing Volume on 03/28/2023	153	743	195	190	708	175	232	383	101	323	515	160
Peak Season Volume	153	743	195	190	708	175	232	383	101	323	515	160
Traffic Volume Growth	8	38	10	10	36	9	12	20	5	16	26	8
Committed Development	6	27	33	27	23	46	51	60	6	34	70	29
1.0% Traffic Volume Growth	8	38	10	10	36	9	12	20	5	16	26	8
Committed + 1.0% Growth	14	65	43	37	59	55	63	80	11	50	96	37
Max (Committed + 1.0% or Historic Growth)	14	65	43	37	59	55	63	80	11	50	96	37
Background Traffic Volumes	167	808	238	227	767	230	295	463	112	373	611	197
Project Traffic Assignment												
Inbound Traffic Assignment		15.0%					30.0%					5.0%
Inbound Traffic Volumes		5					10					2
Outbound Traffic Assignment				5.0%	15.0%	30.0%						
Outbound Traffic Volumes				3	8	17						
Project Traffic	0	5	0	3	8	17	10	0	0	0	0	2
Total Traffic w/o RTOR	167	813	238	230	775	247	305	463	112	373	611	199
RTOR Reduction			(60)			(10)			(60)			(10)
TOTAL TRAFFIC	**167**	**813**	**178**	**230**	**775**	**237**	**305**	**463**	**52**	**373**	**611**	**189**

Critical Volume Analysis

No. of Lanes	1	2	1	1	2>	0	1	2	1	1	2>	0
Approach Volume		1,158			1,242			820			1,173	
Per Lane Volume	167	407	178	230	506	0	305	232	52	373	400	0
Overlap Reduction	0	0	(178)	0	0	0	0	0	(52)	0	0	0
Net Per Lane Volume	167	407	0	230	506	0	305	232	0	373	400	0
North-South Critical	NB LT + SB TH =			673			SB LT + NB TH =			637		
East-West Critical	EB LT + WB TH =			705			WB LT + EB TH =			605		
Maximum Critical Sum	**673**			**+**	**705**			**=**	**1,378**			
STATUS ?							**NEAR**					

TURNING MOVEMENT COUNTS

Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

BLUE HERON BOULEVARD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : blue heron & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 1

Groups Printed- LIGHT VEHICLES - HEAVY VEHICLES

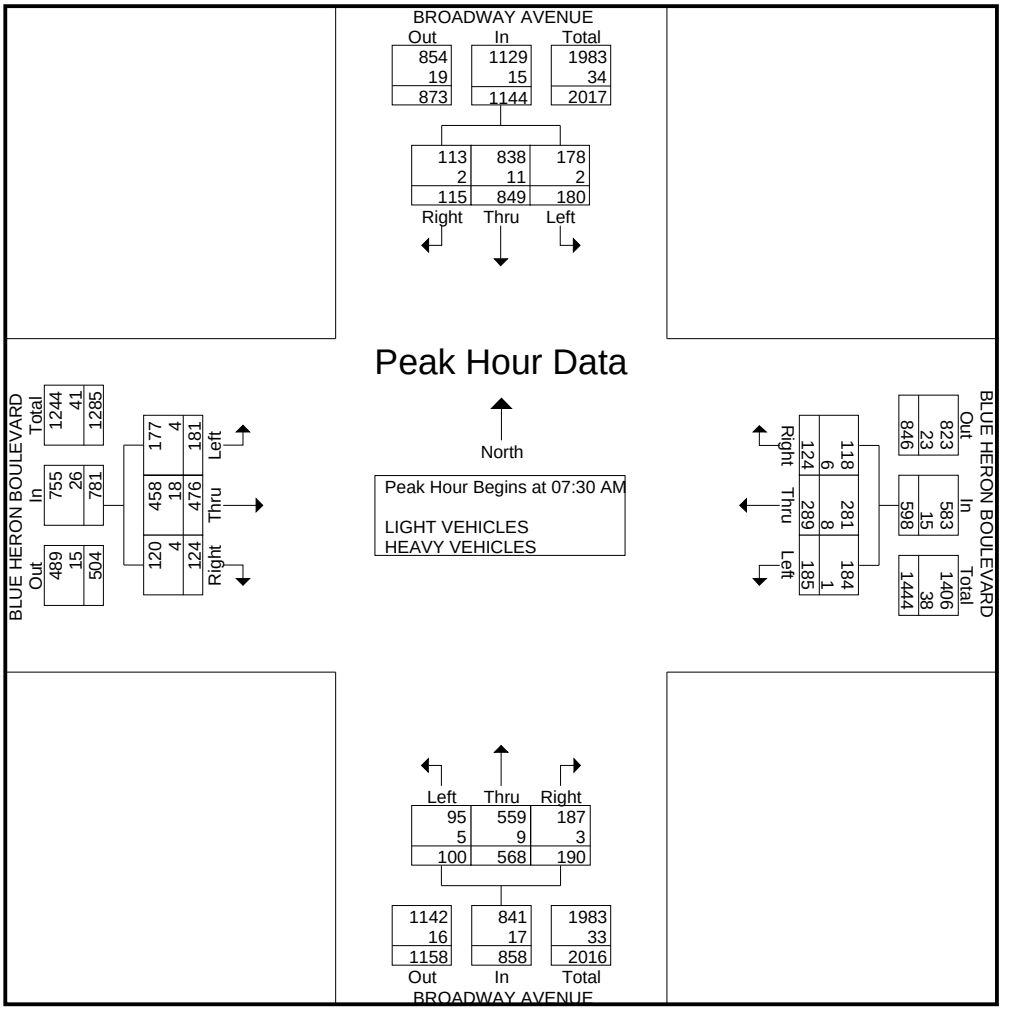
	BROADWAY AVENUE From North				BLUE HERON BOULEVARD From East				BROADWAY AVENUE From South				BLUE HERON BOULEVARD From West				
Start Time	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Int. Total
07:00 AM	1	27	142	25	0	37	49	13	0	15	70	20	0	25	57	33	514
07:15 AM	1	35	188	28	0	34	70	22	0	26	101	28	0	40	97	21	691
07:30 AM	0	42	234	27	0	53	68	35	0	18	111	40	0	42	94	36	800
07:45 AM	0	44	197	31	0	41	74	33	0	28	170	51	0	40	104	33	846
Total	2	148	761	111	0	165	261	103	0	87	452	139	0	147	352	123	2851
08:00 AM	0	56	236	33	0	49	74	25	0	29	132	38	0	61	131	27	891
08:15 AM	0	38	182	24	0	42	73	31	0	25	155	61	0	38	147	28	844
08:30 AM	0	42	212	39	0	49	89	30	0	25	120	36	0	25	56	20	743
08:45 AM	0	50	157	33	0	40	58	46	0	30	100	39	0	63	147	41	804
Total	0	186	787	129	0	180	294	132	0	109	507	174	0	187	481	116	3282
04:00 PM	2	60	174	41	0	62	115	33	0	37	164	48	0	43	114	12	905
04:15 PM	0	42	137	41	0	68	154	44	0	37	164	65	0	37	123	22	934
04:30 PM	0	47	179	45	0	85	133	40	1	42	206	63	0	67	86	20	1014
04:45 PM	0	55	139	44	0	86	160	42	0	41	167	47	0	55	103	20	959
Total	2	204	629	171	0	301	562	159	1	157	701	223	0	202	426	74	3812
05:00 PM	1	36	196	39	0	79	134	39	0	29	167	42	0	54	90	33	939
05:15 PM	0	51	194	47	0	73	88	39	0	40	203	43	0	56	104	28	966
05:30 PM	1	48	166	23	0	70	112	33	0	46	184	45	0	55	106	24	913
05:45 PM	2	50	162	42	0	65	112	44	0	29	171	53	0	44	102	20	896
Total	4	185	718	151	0	287	446	155	0	144	725	183	0	209	402	105	3714
Grand Total	8	723	2895	562	0	933	1563	549	1	497	2385	719	0	745	1661	418	13659
Apprch %	0.2	17.3	69.1	13.4	0	30.6	51.3	18	0	13.8	66.2	20	0	26.4	58.8	14.8	
Total %	0.1	5.3	21.2	4.1	0	6.8	11.4	4	0	3.6	17.5	5.3	0	5.5	12.2	3.1	
LIGHT VEHICLES	8	716	2850	548	0	926	1532	540	1	488	2356	713	0	736	1621	411	13446
% LIGHT VEHICLES	100	99	98.4	97.5	0	99.2	98	98.4	100	98.2	98.8	99.2	0	98.8	97.6	98.3	98.4
HEAVY VEHICLES	0	7	45	14	0	7	31	9	0	9	29	6	0	9	40	7	213
% HEAVY VEHICLES	0	1	1.6	2.5	0	0.8	2	1.6	0	1.8	1.2	0.8	0	1.2	2.4	1.7	1.6

Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

BLUE HERON BOULEVARD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : blue heron & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 2

	BROADWAY AVENUE From North					BLUE HERON BOULEVARD From East					BROADWAY AVENUE From South					BLUE HERON BOULEVARD From West					
Start Time	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
07:30 AM	0	42	234	27	303	0	**53**	68	**35**	**156**	0	18	111	40	169	0	42	94	**36**	172	800
07:45 AM	0	44	197	31	272	0	41	**74**	33	148	0	28	**170**	51	**249**	0	40	104	33	177	846
08:00 AM	0	**56**	**236**	**33**	**325**	0	49	74	25	148	0	**29**	132	38	199	0	**61**	131	27	**219**	**891**
08:15 AM	0	38	182	24	244	0	42	73	31	146	0	25	155	**61**	241	0	38	**147**	28	213	844
Total Volume	0	180	849	115	1144	0	185	289	124	598	0	100	568	190	858	0	181	476	124	781	3381
% App. Total	0	15.7	74.2	10.1		0	30.9	48.3	20.7		0	11.7	66.2	22.1		0	23.2	60.9	15.9		
PHF	.000	.804	.899	.871	.880	.000	.873	.976	.886	.958	.000	.862	.835	.779	.861	.000	.742	.810	.861	.892	.949
LIGHT VEHICLES																					
% LIGHT VEHICLES	0	98.9	98.7	98.3	98.7	0	99.5	97.2	95.2	97.5	0	95.0	98.4	98.4	98.0	0	97.8	96.2	96.8	96.7	97.8
HEAVY VEHICLES																					
% HEAVY VEHICLES	0	1.1	1.3	1.7	1.3	0	0.5	2.8	4.8	2.5	0	5.0	1.6	1.6	2.0	0	2.2	3.8	3.2	3.3	2.2

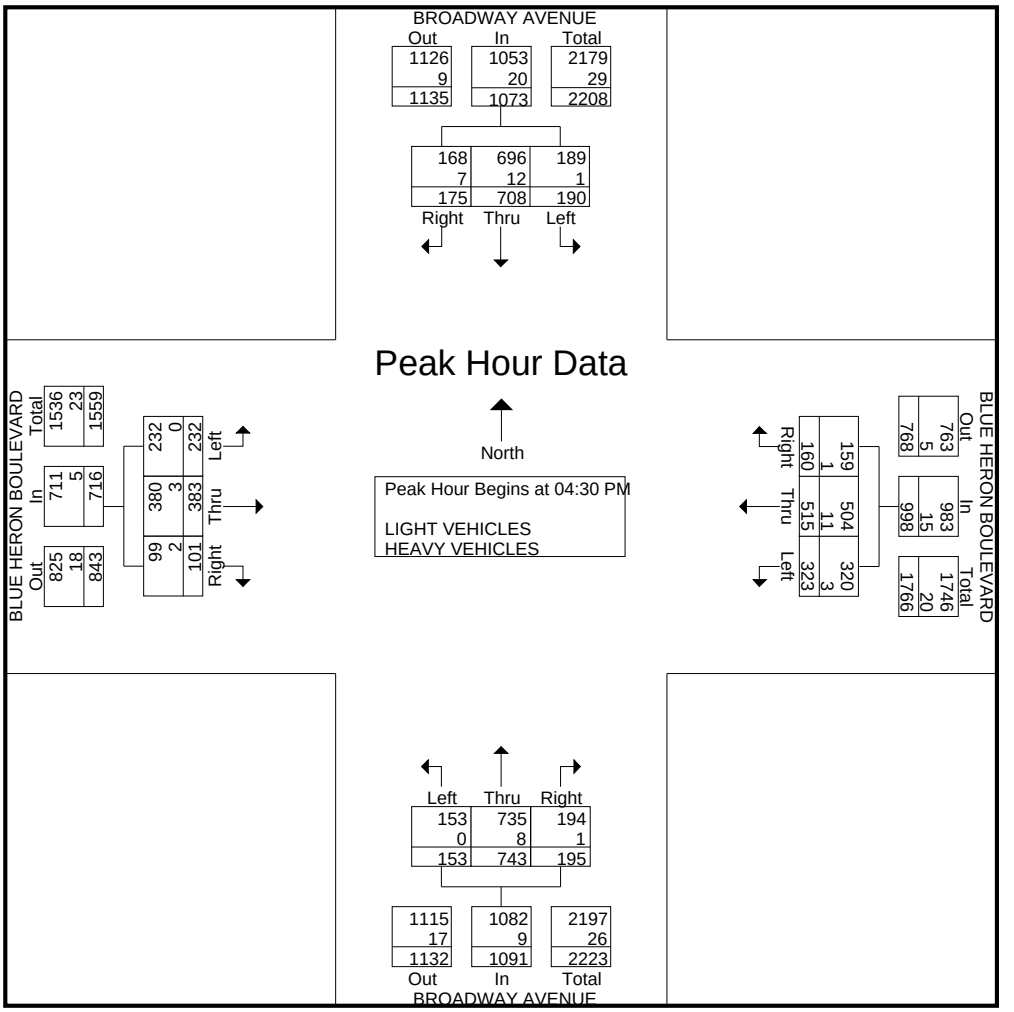


Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

BLUE HERON BOULEVARD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : blue heron & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 3

	BROADWAY AVENUE From North					BLUE HERON BOULEVARD From East					BROADWAY AVENUE From South					BLUE HERON BOULEVARD From West					
Start Time	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	0	47	179	45	271	0	85	133	40	258	**1**	**42**	**206**	**63**	**312**	0	**67**	86	20	173	**1014**
04:45 PM	0	**55**	139	44	238	0	**86**	**160**	**42**	**288**	0	41	167	47	255	0	55	103	20	178	959
05:00 PM	**1**	36	**196**	39	272	0	79	134	39	252	0	29	167	42	238	0	54	90	**33**	177	939
05:15 PM	0	51	194	**47**	**292**	0	73	88	39	200	0	40	203	43	286	0	56	**104**	28	**188**	966
Total Volume	1	189	708	175	1073	0	323	515	160	998	1	152	743	195	1091	0	232	383	101	716	3878
% App. Total	0.1	17.6	66	16.3		0	32.4	51.6	16		0.1	13.9	68.1	17.9		0	32.4	53.5	14.1		
PHF	.250	.859	.903	.931	.919	.000	.939	.805	.952	.866	.250	.905	.902	.774	.874	.000	.866	.921	.765	.952	.956
LIGHT VEHICLES																					
% LIGHT VEHICLES	100	99.5	98.3	96.0	98.1	0	99.1	97.9	99.4	98.5	100	100	98.9	99.5	99.2	0	100	99.2	98.0	99.3	98.7
HEAVY VEHICLES																					
% HEAVY VEHICLES	0	0.5	1.7	4.0	1.9	0	0.9	2.1	0.6	1.5	0	0	1.1	0.5	0.8	0	0	0.8	2.0	0.7	1.3



Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

BLUE HERON BOULEVARD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : blue heron & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 1

Groups Printed- BICYCLES ON THE ROAD

	BROADWAY AVENUE From North				BLUE HERON BOULEVARD From East				BROADWAY AVENUE From South				BLUE HERON BOULEVARD From West				
Start Time	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Int. Total
07:00 AM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
07:30 AM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:45 AM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	2	0	0	0	0	0	0	0	0	1	0	0	0	0	3
08:15 AM	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	2
08:30 AM	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	2
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
Total	0	0	0	0	0	2	0	0	0	0	1	1	0	1	0	0	5
04:15 PM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	2
04:45 PM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Total	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	3
05:15 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Grand Total	0	0	3	1	0	2	0	0	0	0	2	2	0	1	1	0	12
Apprch %	0	0	75	25	0	100	0	0	0	0	50	50	0	50	50	0	
Total %	0	0	25	8.3	0	16.7	0	0	0	0	16.7	16.7	0	8.3	8.3	0	

Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

BLUE HERON BOULEVARD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : blue heron & broadway
Site Code : 230058
Start Date : 3/28/2023

Groups Printed- PEDESTRIANS & BIKES

	BROADWAY AVENUE From North				BLUE HERON BOULEVARD From East				BROADWAY AVENUE From South				BLUE HERON BOULEVARD From West				
Start Time	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Int. Total
07:00 AM	0	0	0	0	2	0	0	0	1	0	1	0	1	0	1	0	6
07:15 AM	3	0	0	0	4	0	1	0	1	0	1	0	4	0	1	0	15
07:30 AM	1	0	0	0	5	0	0	0	0	0	0	0	1	0	2	0	9
07:45 AM	1	0	0	0	0	0	0	0	1	0	0	0	2	0	0	0	4
Total	5	0	0	0	11	0	1	0	3	0	2	0	8	0	4	0	34
08:00 AM	2	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	6
08:15 AM	0	0	0	0	1	0	2	0	0	0	0	0	1	0	0	0	4
08:30 AM	0	0	0	0	5	0	1	0	2	0	1	0	1	0	1	0	11
08:45 AM	0	0	0	0	1	0	2	0	1	0	0	0	1	0	0	0	5
Total	2	0	0	0	11	0	5	0	3	0	1	0	3	0	1	0	26
04:00 PM	0	0	1	0	4	0	2	0	2	0	1	0	1	0	0	0	11
04:15 PM	2	0	0	0	0	0	1	0	0	0	1	0	2	0	2	0	8
04:30 PM	0	0	1	0	1	0	0	0	1	0	0	0	4	0	5	0	12
04:45 PM	0	0	1	0	0	0	1	0	4	0	2	0	2	0	2	0	12
Total	2	0	3	0	5	0	4	0	7	0	4	0	9	0	9	0	43
05:00 PM	0	0	1	0	1	0	1	0	1	0	2	0	0	0	0	0	6
05:15 PM	1	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	3
05:30 PM	1	0	0	0	0	0	1	0	0	0	2	0	1	0	0	0	5
05:45 PM	0	0	0	0	0	0	0	0	4	0	0	0	2	0	0	0	6
Total	2	0	1	0	1	0	4	0	5	0	4	0	3	0	0	0	20
Grand Total	11	0	4	0	28	0	14	0	18	0	11	0	23	0	14	0	123
Apprch %	73.3	0	26.7	0	66.7	0	33.3	0	62.1	0	37.9	0	62.2	0	37.8	0	
Total %	8.9	0	3.3	0	22.8	0	11.4	0	14.6	0	8.9	0	18.7	0	11.4	0	

Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

SILVER BEACH ROAD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : silver beach & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 1

Groups Printed- LIGHT VEHICLES - HEAVY VEHICLES

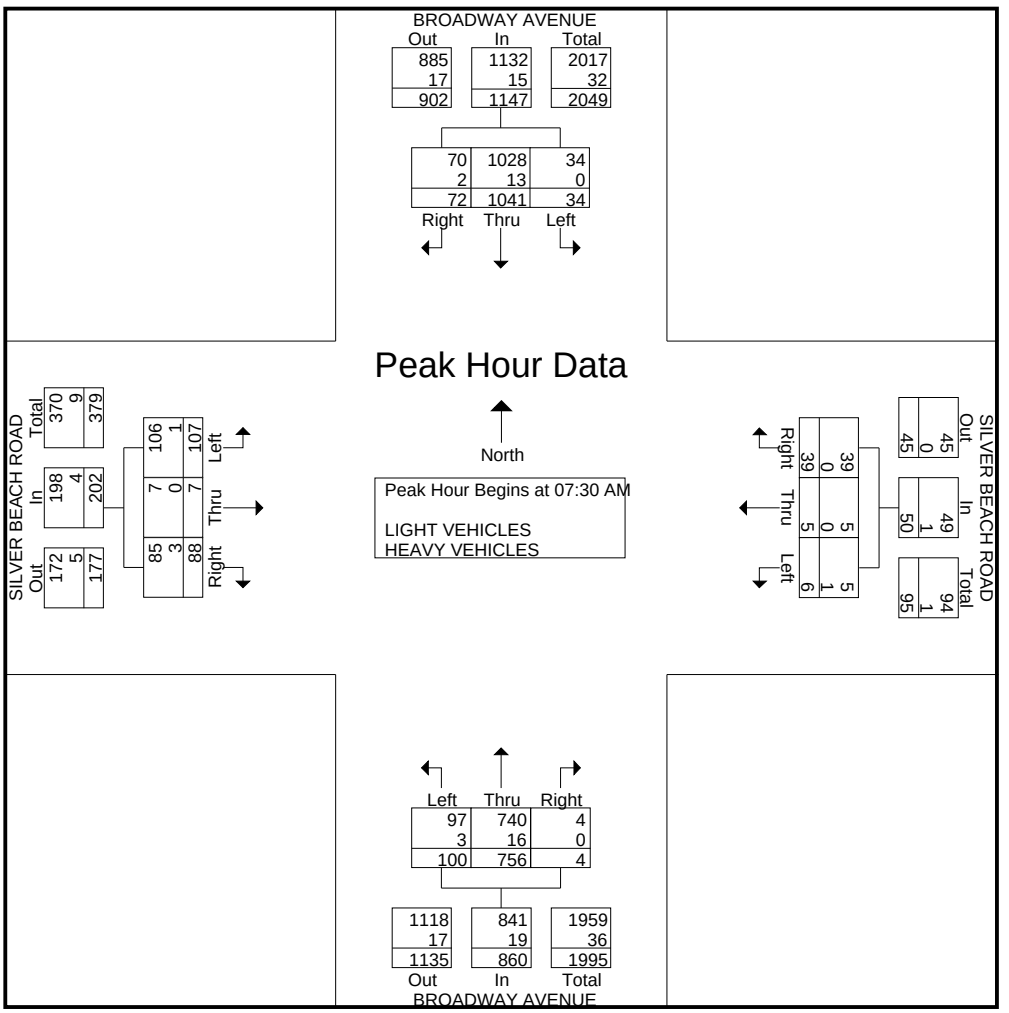
	BROADWAY AVENUE From North				SILVER BEACH ROAD From East				BROADWAY AVENUE From South				SILVER BEACH ROAD From West				
Start Time	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Int. Total
07:00 AM	0	8	161	7	0	1	3	6	2	15	87	3	0	7	0	16	316
07:15 AM	0	5	206	11	0	0	0	7	2	18	132	0	0	20	5	29	435
07:30 AM	0	7	257	20	0	1	0	12	1	20	184	0	0	30	1	24	557
07:45 AM	0	10	258	19	0	1	2	14	2	28	208	0	0	36	3	27	608
Total	0	30	882	57	0	3	5	39	7	81	611	3	0	93	9	96	1916
08:00 AM	0	12	280	20	0	3	0	7	1	24	176	1	0	18	1	18	561
08:15 AM	0	5	246	13	0	1	3	6	3	21	188	3	0	23	2	19	533
08:30 AM	0	5	231	11	0	1	6	12	3	20	162	0	0	12	0	17	480
08:45 AM	0	4	184	11	0	5	5	11	2	23	169	2	0	30	8	30	484
Total	0	26	941	55	0	10	14	36	9	88	695	6	0	83	11	84	2058
04:00 PM	0	10	248	28	0	24	10	15	2	27	212	2	0	12	8	23	621
04:15 PM	0	9	196	19	0	5	4	10	3	36	229	1	0	14	6	23	555
04:30 PM	0	17	211	12	0	3	4	10	3	43	252	2	0	25	2	22	606
04:45 PM	0	14	186	21	0	4	5	16	2	40	239	2	0	15	6	25	575
Total	0	50	841	80	0	36	23	51	10	146	932	7	0	66	22	93	2357
05:00 PM	1	15	248	25	0	7	11	14	1	42	231	1	0	24	8	19	647
05:15 PM	0	11	241	21	0	8	6	10	3	34	246	1	0	15	2	19	617
05:30 PM	0	23	221	22	0	3	3	12	1	32	234	0	0	13	8	19	591
05:45 PM	0	11	228	15	0	4	5	13	1	39	217	1	0	12	4	25	575
Total	1	60	938	83	0	22	25	49	6	147	928	3	0	64	22	82	2430
Grand Total	1	166	3602	275	0	71	67	175	32	462	3166	19	0	306	64	355	8761
Apprch %	0	4.1	89.1	6.8	0	22.7	21.4	55.9	0.9	12.6	86.1	0.5	0	42.2	8.8	49	
Total %	0	1.9	41.1	3.1	0	0.8	0.8	2	0.4	5.3	36.1	0.2	0	3.5	0.7	4.1	
LIGHT VEHICLES	1	165	3547	272	0	70	67	175	32	453	3126	19	0	304	62	347	8640
% LIGHT VEHICLES	100	99.4	98.5	98.9	0	98.6	100	100	100	98.1	98.7	100	0	99.3	96.9	97.7	98.6
HEAVY VEHICLES	0	1	55	3	0	1	0	0	0	9	40	0	0	2	2	8	121
% HEAVY VEHICLES	0	0.6	1.5	1.1	0	1.4	0	0	0	1.9	1.3	0	0	0.7	3.1	2.3	1.4

Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

SILVER BEACH ROAD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : silver beach & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 2

	BROADWAY AVENUE From North					SILVER BEACH ROAD From East					BROADWAY AVENUE From South					SILVER BEACH ROAD From West					
Start Time	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
07:30 AM	0	7	257	**20**	284	0	1	0	12	13	1	20	184	0	205	0	30	1	24	55	557
07:45 AM	0	10	258	19	287	0	1	2	**14**	**17**	2	**28**	**208**	0	**238**	0	**36**	**3**	**27**	**66**	**608**
08:00 AM	0	**12**	**280**	20	**312**	0	**3**	0	7	10	1	24	176	1	202	0	18	1	18	37	561
08:15 AM	0	5	246	13	264	0	1	**3**	6	10	**3**	21	188	**3**	215	0	23	2	19	44	533
Total Volume	0	34	1041	72	1147	0	6	5	39	50	7	93	756	4	860	0	107	7	88	202	2259
% App. Total	0	3	90.8	6.3		0	12	10	78		0.8	10.8	87.9	0.5		0	53	3.5	43.6		
PHF	.000	.708	.929	.900	.919	.000	.500	.417	.696	.735	.583	.830	.909	.333	.903	.000	.743	.583	.815	.765	.929
LIGHT VEHICLES			1028																		
% LIGHT VEHICLES	0	100	98.8	97.2	98.7	0	83.3	100	100	98.0	100	96.8	97.9	100	97.8	0	99.1	100	96.6	98.0	98.3
HEAVY VEHICLES																					
% HEAVY VEHICLES	0	0	1.2	2.8	1.3	0	16.7	0	0	2.0	0	3.2	2.1	0	2.2	0	0.9	0	3.4	2.0	1.7

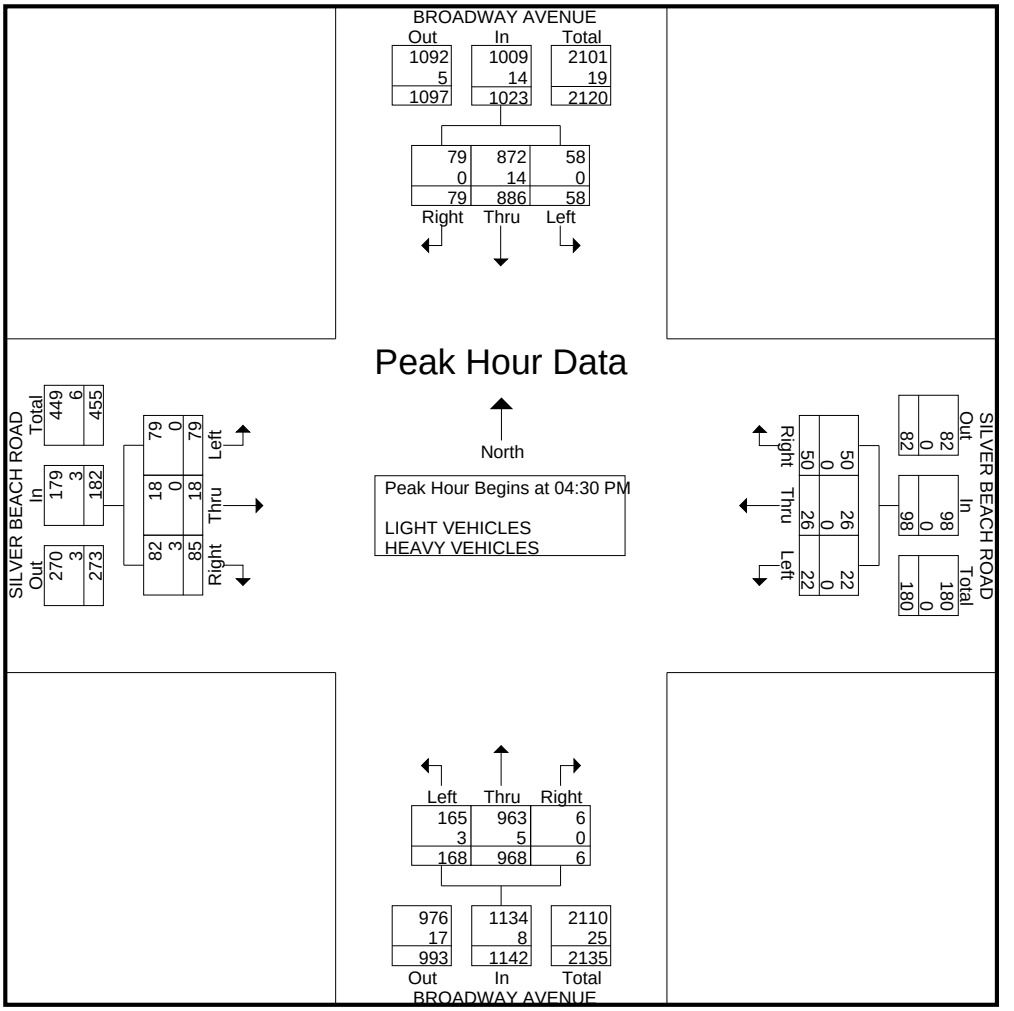


Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

SILVER BEACH ROAD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : silver beach & broadway
Site Code : 230058
Start Date : 3/28/2023
Page No : 3

	BROADWAY AVENUE From North					SILVER BEACH ROAD From East					BROADWAY AVENUE From South					SILVER BEACH ROAD From West					
Start Time	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	UTurn	Left	Thru	Right	App. Total	Int. Total
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	0	**17**	211	12	240	0	3	4	10	17	**3**	**43**	**252**	**2**	**300**	0	**25**	2	22	49	606
04:45 PM	0	14	186	21	221	0	4	5	**16**	25	2	40	239	2	283	0	15	6	**25**	46	575
05:00 PM	**1**	15	**248**	**25**	**289**	0	7	**11**	14	**32**	1	42	231	1	275	0	24	**8**	19	**51**	**647**
05:15 PM	0	11	241	21	273	0	**8**	6	10	24	3	34	246	1	284	0	15	2	19	36	617
Total Volume	1	57	886	79	1023	0	22	26	50	98	9	159	968	6	1142	0	79	18	85	182	2445
% App. Total	0.1	5.6	86.6	7.7		0	22.4	26.5	51		0.8	13.9	84.8	0.5		0	43.4	9.9	46.7		
PHF	.250	.838	.893	.790	.885	.000	.688	.591	.781	.766	.750	.924	.960	.750	.952	.000	.790	.563	.850	.892	.945
LIGHT VEHICLES																					
% LIGHT VEHICLES	100	100	98.4	100	98.6	0	100	100	100	100	100	98.1	99.5	100	99.3	0	100	100	96.5	98.4	99.0
HEAVY VEHICLES																					
% HEAVY VEHICLES	0	0	1.6	0	1.4	0	0	0	0	0	0	1.9	0.5	0	0.7	0	0	0	3.5	1.6	1.0



Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

SILVER BEACH ROAD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : silver beach & broadway
Site Code : 230058
Start Date : 3/28/2023

Groups Printed- BICYCLES ON THE ROAD

	BROADWAY AVENUE From North				SILVER BEACH ROAD From East				BROADWAY AVENUE From South				SILVER BEACH ROAD From West				
Start Time	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	UTurn	Left	Thru	Right	Int. Total
07:30 AM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:45 AM	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2
08:30 AM	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	2
Total	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	2
04:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
05:15 PM	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Total	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
Grand Total	0	1	1	0	0	0	0	2	0	0	0	1	0	0	0	1	6
Apprch %	0	50	50	0	0	0	0	100	0	0	0	100	0	0	0	100	
Total %	0	16.7	16.7	0	0	0	0	33.3	0	0	0	16.7	0	0	0	16.7	

Traffic Survey Specialists, Inc.
85 SE 4th Avenue, Unit 109, Delray Beach, Florida 33483
Phone (561) 272-3255

SILVER BEACH ROAD & BROADWAY AVENUE
RIVIERA BEACH, FLORIDA
VIDEO COUNT
SIGNALIZED

File Name : silver beach & broadway
Site Code : 230058
Start Date : 3/28/2023

Groups Printed- PEDESTRIANS & BIKES

	BROADWAY AVENUE From North				SILVER BEACH ROAD From East				BROADWAY AVENUE From South				SILVER BEACH ROAD From West				
Start Time	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Peds	Left	BIKES	Right	Int. Total
07:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
07:15 AM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	2
07:30 AM	0	0	0	0	4	0	0	0	0	0	0	0	3	0	1	0	8
07:45 AM	0	0	0	0	1	0	1	0	0	0	1	0	0	0	0	0	3
Total	0	0	0	0	5	0	1	0	1	0	1	0	4	0	2	0	14
08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
08:15 AM	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	0	3
08:30 AM	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	2
08:45 AM	0	0	1	0	0	0	0	0	0	0	0	0	2	0	0	0	3
Total	0	0	2	0	0	0	1	0	0	0	0	0	5	0	1	0	9
04:00 PM	0	0	1	0	2	0	0	0	1	0	0	0	1	0	0	0	5
04:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
04:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
04:45 PM	1	0	0	0	1	0	0	0	1	0	0	0	1	0	1	0	5
Total	1	0	1	0	3	0	0	0	2	0	0	0	4	0	1	0	12
05:00 PM	0	0	1	0	0	0	1	0	1	0	0	0	2	0	1	0	6
05:15 PM	0	0	0	0	0	0	1	0	1	0	2	0	1	0	0	0	5
05:30 PM	1	0	0	0	0	0	0	0	1	0	1	0	1	0	2	0	6
05:45 PM	2	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	3
Total	3	0	1	0	0	0	2	0	3	0	3	0	5	0	3	0	20
Grand Total	4	0	4	0	8	0	4	0	6	0	4	0	18	0	7	0	55
Apprch %	50	0	50	0	66.7	0	33.3	0	60	0	40	0	72	0	28	0	
Total %	7.3	0	7.3	0	14.5	0	7.3	0	10.9	0	7.3	0	32.7	0	12.7	0	

TPS DATABASE SHEETS AND 2022 LINK COUNT DATA

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O

Input Data

E-W Street: Blue Heron Blvd W
N-S STREET: Old Dixie Hwy
TIME PERIOD: AM
GROWTH RATE: 0.66%
SIGNAL ID: 20240

COUNT DATE: 12/10/2020
CURRENT YEAR: 2020
ANALYSIS YEAR: 2027
PSF: 1.03

Report Created
8/15/2022

Intersection Volume Development

	Eastbound			Westbound			Northbound			Southbound				
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		
Diversions	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Peak Season Volume														
Committed Developments													Type	% Complete
Australian Plaza	1	1	0	0	4	0	2	0	0	0	0	4	NR	0%
UPS Distribution Center	0	1	0	0	2	0	1	0	0	0	0	1	NR	0%
Avenir	0	11	0	0	11	0	0	0	0	0	0	0	Res	0%
Champs Charter School	0	0	4	1	0	0	3	2	1	0	3	0	NR	65%
Palm Beach Outlets	0	2	0	0	2	0	0	0	0	0	0	0	NR	72%
1301 President Barack Obama	0	0	4	1	0	0	1	1	0	0	2	0	NR	0%
Total Committed Developments	1	15	8	2	19	0	7	3	1	0	5	5		
Total Committed Residential	0	11	0	0	11	0	0	0	0	0	0	0		
Total Committed Non-Residential	1	4	8	2	8	0	7	3	1	0	5	5		
Double Count Reduction	0	1	0	0	2	0	0	0	0	0	0	0		
Total Discounted Committed	1	14	8	2	17	0	7	3	1	0	5	5		

Input Data

E-W Street: Blue Heron Blvd W
N-S STREET: Old Dixie Hwy
TIME PERIOD: PM
GROWTH RATE: 0.66%
SIGNAL ID: 20240

COUNT DATE: 12/10/2020
CURRENT YEAR: 2020
ANALYSIS YEAR: 2027
PSF: 1.03

Report Created
8/15/2022

Intersection Volume Development

	Eastbound			Westbound			Northbound			Southbound				
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		
Diversions	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Peak Season Volume														
Committed Developments													Type	% Complete
Australian Plaza	14	14	7	0	11	0	6	0	0	0	0	11	NR	0%
UPS Distribution Center	1	2	1	0	1	0	0	0	0	0	0	0	NR	0%
Avenir	0	13	0	0	16	0	0	0	0	0	0	0	Res	0%
Champs Charter School	0	0	1	0	0	0	2	1	1	0	1	0	NR	65%
Palm Beach Outlets	0	10	0	0	9	0	0	0	0	0	0	0	NR	72%
1301 President Barack Obama	0	0	2	0	0	0	5	2	1	0	1	0	NR	0%
Total Committed Developments	15	39	11	0	37	0	13	3	2	0	2	11		
Total Committed Residential	0	13	0	0	16	0	0	0	0	0	0	0		
Total Committed Non-Residential	15	26	11	0	21	0	13	3	2	0	2	11		
Double Count Reduction	0	3	0	0	4	0	0	0	0	0	0	0		
Total Discounted Committed	15	36	11	0	33	0	13	3	2	0	2	11		

A	B	C	D	E	F	G	H	I

Input Data

ROAD NAME: Broadway | STATION: 2800 | Report Created
CURRENT YEAR: 2022 | FROM: Blue Heron Blvd W | 1/4/2023
ANALYSIS YEAR: 2028 | TO: Midpoint
GROWTH RATE: 2.27% | COUNT DATE: 3/2/2022
PSF: 1

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	1944	921	1025	2327	1204	1123
Peak Volume	1944	921	1025	2327	1204	1123
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	1944	921	1025	2327	1204	1123

Committed Developments							Type	% Complete
Blue Heron Commercial	0	0	0	1	1	0	NR	0%
Safe Harbor Riviera Beach	41	6	35	47	35	13	NR	0%
Total Committed Developments	41	6	35	48	36	13		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	41	6	35	48	36	13		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	41	6	35	48	36	13		
Historical Growth	280	133	148	335	173	162		
Comm Dev+1% Growth	161	63	98	191	110	82		
Growth Volume Used	280	133	148	335	173	162		
Total Volume	2224	1054	1173	2662	1377	1285		

Lanes	4LD					
LOS D Capacity	3220	1960	1960	3220	1960	1960
Link Meets Test 1?	YES	YES	YES	YES	YES	YES
LOS E Capacity	3400	1960	1960	3400	1960	1960
Link Meets Test 2?	YES	YES	YES	YES	YES	YES

Input Data

ROAD NAME: Broadway | STATION: 2800 | Report Created
CURRENT YEAR: 2022 | FROM: Midpoint | 1/4/2023
ANALYSIS YEAR: 2028 | TO: Silver Beach Rd
GROWTH RATE: 2.27% | COUNT DATE: 3/2/2022
PSF: 1

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	1944	921	1025	2327	1204	1123
Peak Volume	1944	921	1025	2327	1204	1123
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	1944	921	1025	2327	1204	1123

Committed Developments							Type	% Complete
Blue Heron Commercial	0	0	0	1	1	0	NR	0%
Safe Harbor Riviera Beach	41	6	35	47	35	13	NR	0%
Total Committed Developments	41	6	35	48	36	13		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	41	6	35	48	36	13		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	41	6	35	48	36	13		
Historical Growth	280	133	148	335	173	162		
Comm Dev+1% Growth	161	63	98	191	110	82		
Growth Volume Used	280	133	148	335	173	162		
Total Volume	2224	1054	1173	2662	1377	1285		

Lanes	4LD					
LOS D Capacity	3220	1960	1960	3220	1960	1960
Link Meets Test 1?	YES	YES	YES	YES	YES	YES
LOS E Capacity	3400	1960	1960	3400	1960	1960
Link Meets Test 2?	YES	YES	YES	YES	YES	YES

A	B	C	D	E	F	G	H	I

Input Data

ROAD NAME: Federal Hwy | STATION: 2800 | Report Created
CURRENT YEAR: 2022 | FROM: Silver Beach Rd | 1/4/2023
ANALYSIS YEAR: 2028 | TO: Midpoint
GROWTH RATE: 2.27% | COUNT DATE: 3/2/2022
PSF: 1

Link Analysis

Time Period	AM			PM				
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB		
Existing Volume	1944	921	1025	2327	1204	1123		
Peak Volume	1944	921	1025	2327	1204	1123		
Diversion(%)	0	0	0	0	0	0		
Volume after Diversion	1944	921	1025	2327	1204	1123		
Committed Developments							Type	% Complete
Blue Heron Commercial	0	0	0	1	1	0	NR	0%
Safe Harbor Riviera Beach	30	5	25	34	25	9	NR	0%
Total Committed Developments	30	5	25	35	26	9		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	30	5	25	35	26	9		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	30	5	25	35	26	9		
Historical Growth	280	133	148	335	173	162		
Comm Dev+1% Growth	150	62	88	178	100	78		
Growth Volume Used	280	133	148	335	173	162		
Total Volume	2224	1054	1173	2662	1377	1285		
Lanes	5L							
LOS D Capacity	3220	1770	1770	3220	1770	1770		
Link Meets Test 1?	YES	YES	YES	YES	YES	YES		
LOS E Capacity	3400	1870	1870	3400	1870	1870		
Link Meets Test 2?	YES	YES	YES	YES	YES	YES		

Input Data

ROAD NAME: Federal Hwy | STATION: 2800 | Report Created
CURRENT YEAR: 2022 | FROM: Midpoint | 1/4/2023
ANALYSIS YEAR: 2028 | TO: Park Ave
GROWTH RATE: 2.27% | COUNT DATE: 3/2/2022
PSF: 1

Link Analysis

Time Period	AM			PM				
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB		
Existing Volume	1944	921	1025	2327	1204	1123		
Peak Volume	1944	921	1025	2327	1204	1123		
Diversion(%)	0	0	0	0	0	0		
Volume after Diversion	1944	921	1025	2327	1204	1123		
Committed Developments							Type	% Complete
Blue Heron Commercial	0	0	0	1	1	0	NR	0%
Safe Harbor Riviera Beach	30	5	25	34	25	9	NR	0%
Total Committed Developments	30	5	25	35	26	9		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	30	5	25	35	26	9		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	30	5	25	35	26	9		
Historical Growth	280	133	148	335	173	162		
Comm Dev+1% Growth	150	62	88	178	100	78		
Growth Volume Used	280	133	148	335	173	162		
Total Volume	2224	1054	1173	2662	1377	1285		
Lanes	5L							
LOS D Capacity	3220	1770	1770	3220	1770	1770		
Link Meets Test 1?	YES	YES	YES	YES	YES	YES		
LOS E Capacity	3400	1870	1870	3400	1870	1870		
Link Meets Test 2?	YES	YES	YES	YES	YES	YES		

A	B	C	D	E	F	G	H	I

Input Data

ROAD NAME: Federal Hwy | STATION: 2800 | Report Created
CURRENT YEAR: 2022 | FROM: Park Ave | 1/4/2023
ANALYSIS YEAR: 2028 | TO: MIDPOINT
GROWTH RATE: 2.27% | COUNT DATE: 3/2/2022
PSF: 1

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	1944	921	1025	2327	1204	1123
Peak Volume	1944	921	1025	2327	1204	1123
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	1944	921	1025	2327	1204	1123

Committed Developments							Type	% Complete
Safe Harbor Riviera Beach	24	4	20	27	20	7	NR	0%
Total Committed Developments	24	4	20	27	20	7		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	24	4	20	27	20	7		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	24	4	20	27	20	7		
Historical Growth	280	133	148	335	173	162		
Comm Dev+1% Growth	144	61	83	170	94	76		
Growth Volume Used	280	133	148	335	173	162		
Total Volume	2224	1054	1173	2662	1377	1285		
Lanes	5L							
LOS D Capacity	3220	1960	1960	3220	1960	1960		
Link Meets Test 1?	YES	YES	YES	YES	YES	YES		
LOS E Capacity	3400	1960	1960	3400	1960	1960		
Link Meets Test 2?	YES	YES	YES	YES	YES	YES		

Input Data

ROAD NAME: Federal Hwy | STATION: 2800 | Report Created
CURRENT YEAR: 2022 | FROM: Northlake Blvd | 1/4/2023
ANALYSIS YEAR: 2028 | TO: Northlake Blvd
GROWTH RATE: 2.27% | COUNT DATE: 3/2/2022
PSF: 1

Link Analysis

Time Period	AM			PM		
Direction	2-way	NB/EB	SB/WB	2-way	NB/EB	SB/WB
Existing Volume	1944	921	1025	2327	1204	1123
Peak Volume	1944	921	1025	2327	1204	1123
Diversion(%)	0	0	0	0	0	0
Volume after Diversion	1944	921	1025	2327	1204	1123

Committed Developments							Type	% Complete
Safe Harbor Riviera Beach	24	4	20	27	20	7	NR	0%
Total Committed Developments	24	4	20	27	20	7		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	24	4	20	27	20	7		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	24	4	20	27	20	7		
Historical Growth	280	133	148	335	173	162		
Comm Dev+1% Growth	144	61	83	170	94	76		
Growth Volume Used	280	133	148	335	173	162		
Total Volume	2224	1054	1173	2662	1377	1285		
Lanes	4LD							
LOS D Capacity	3220	1960	1960	3220	1960	1960		
Link Meets Test 1?	YES	YES	YES	YES	YES	YES		
LOS E Capacity	3400	1960	1960	3400	1960	1960		
Link Meets Test 2?	YES	YES	YES	YES	YES	YES		

OWNER/APPLICANT SIGNATURE AUTHORIZATION

PROJECT NAME: **FoundCare, Inc. (Federally Qualified Health Center)**

The City of Riviera Beach (City), the owner of real property located at 3501 Broadway, Riviera Beach, Florida (Property) hereby designates and authorizes the agent(s) listed below to act on behalf of the City, as its agent(s) in the processing of any required application(s) for the permitting, platting, zoning or rezoning, site planning of the Property, and the vacation and abandonment of W. 35th Street and Avenue E. Pursuant to City Resolution No. 076-22 (adopted on September 21, 2022) approving a Ground Lease between the City and FoundCare, Inc., the below-listed agent(s) may perform any requirements which may be necessary to procure the permit(s), platting, zoning or rezoning, site plan and vacation and abandonment of W. 35th Street and Avenue E.

Printed Name(s) and Signature(s) of Authorized Agent(s)

Print Name: Thomas J. Baird

Signature: _____

Print Name: FoundCare, Inc.

Signature: _____ (RIK PAVLESCAK), its Chief Administrative Officer

Printed Name of Owner: ~~City of Riviera Beach, Florida~~

Signature of Owner: _____

Title: City Manager

Date: 1/18/23

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF PALM BEACH

1. I am over the age of 18 and sui juris.
2. I am an attorney with Jones Foster P.A. and have been advising Foundcare on legal matters associated with its applications to the City or Riviera Beach (the City), located at 3501 Broadway, Rivera Beach, FL.
3. As part of Foundcare's application for a rezoning and site plan, it is necessary to abandon property owned by the City which is subject to a 99 year ground lease with Foundcare legally described as set forth in the attached Exhibit "A" and being known as the W. 35th right-of-way (the Property).
4. In compliance with the City's requirements for the abandonment of the ROW, I requested and have received from the Office of the Palm Beach County Property Appraiser (the Property Appraiser), the list of the owners of properties within 300 feet of the Property, attached hereto and incorporated herein as Exhibit "B." This list also includes the property owners immediately abutting the Property.
5. I believe that the list, attached as Exhibit "B" that I have received from the Property Appraiser is complete and accurate.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 18th day of August, 2023

Signature of Affiant

Thomas J. Baird, Esquire

Sworn to and subscribed before me by means of _X__ means of physical presence or ___ online notarization, this 18th day of August, 2023 by Thomas J. Baird, who is personally known to me.

[Notary Seal]

MARILYN R. GREEN
Commission # GG 921466
Expires October 31, 2023
Bonded Thru Budget Notary Services

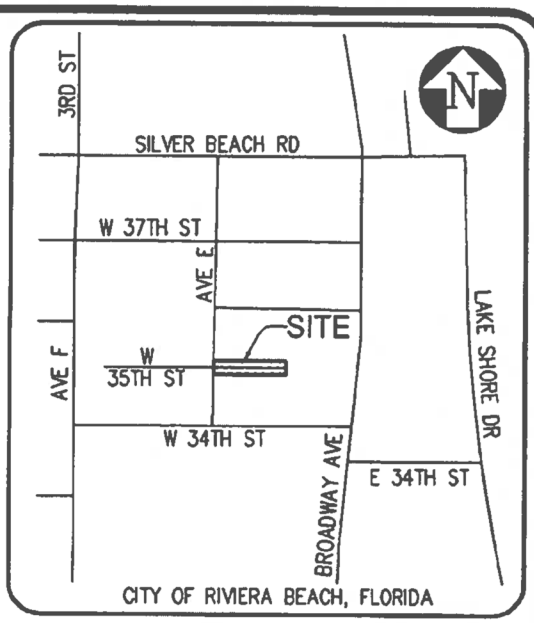
Marilyn R. Green
Notary Public, State of Florida

\\JF-PLFS01\Apps\Docs\30986\00003\DOC\28I9674.DOCX

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 2 & 3

LEGEND

℄	CENTERLINE
LB	LICENSED BUSINESS
P.B.	PLAT BOOK
PCN	PARCEL CONTROL NUMBER
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
SF	SQUARE FEET



LOCATION MAP
N.T.S.

NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.

2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.

3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

4. BEARINGS SHOWN HERON ARE BASED ON THE NORTH LINE OF THE NORTH-WEST QUARTER OF SECTION 28/T42S/R43E IS TAKEN AS BEING S88°31'06"E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF.

6. I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION SHOWN HEREON CONFORMS TO THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17.050(12), FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Jennifer Malin
Digitally signed by Jennifer Malin
Date: 2023.04.13 08:22:38 -04'00'

JENNIFER MALIN, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NO. 6667
STATE OF FLORIDA LB#6603

FOR:
N. 35th STREET ABANDONMENT

SCALE:	NOT TO SCALE
DRAWN BY:	DPK
CHECKED BY:	JCM
DATE:	6.25.19

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)

FIELD BOOK #:

FLORIDA R.L.S. # 4938

SHEET: 1 / 3

JOB #: 14151.14.03

EXHIBIT
tabbies
A

Y:\Land Projects R2\22059.01 3501 Broadway-Foundcare\Dwg\14151.14.03.dwg 4/13/2023 8:16:51 AM EDT

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY
NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 3

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28; THENCE RUN ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, SOUTH 00°37'29" WEST A DISTANCE OF 635.07 FEET;

THENCE ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28, SOUTH 88°31'35" EAST A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS;

THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 01°46'37" WEST A DISTANCE OF 85.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 35TH STREET AS RECORDED IN SAID PLAT; SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 4 OF SAID PLAT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID WEST 35TH STREET, SOUTH 88°31'35" EAST A DISTANCE OF 231.93 FEET, TO A POINT ON THE EASTERLY LINE OF SAID PLAT;

THENCE ALONG SAID EASTERLY LINE, SOUTH 01°24'28" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID WEST 35TH STREET;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, NORTH 88°31'35" WEST A DISTANCE OF 232.09 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E";

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 01°24'28" EAST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 6960.32 SQUARE FEET OR 0.1598 ACRES MORE OR LESS.

FOR:

N. 35th STREET ABANDONMENT

SCALE:	N.A.
DRAWN BY:	DPK
CHECKED BY:	JCM
DATE:	6.25.19

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK №:

FLORIDA R.L.S. #4938

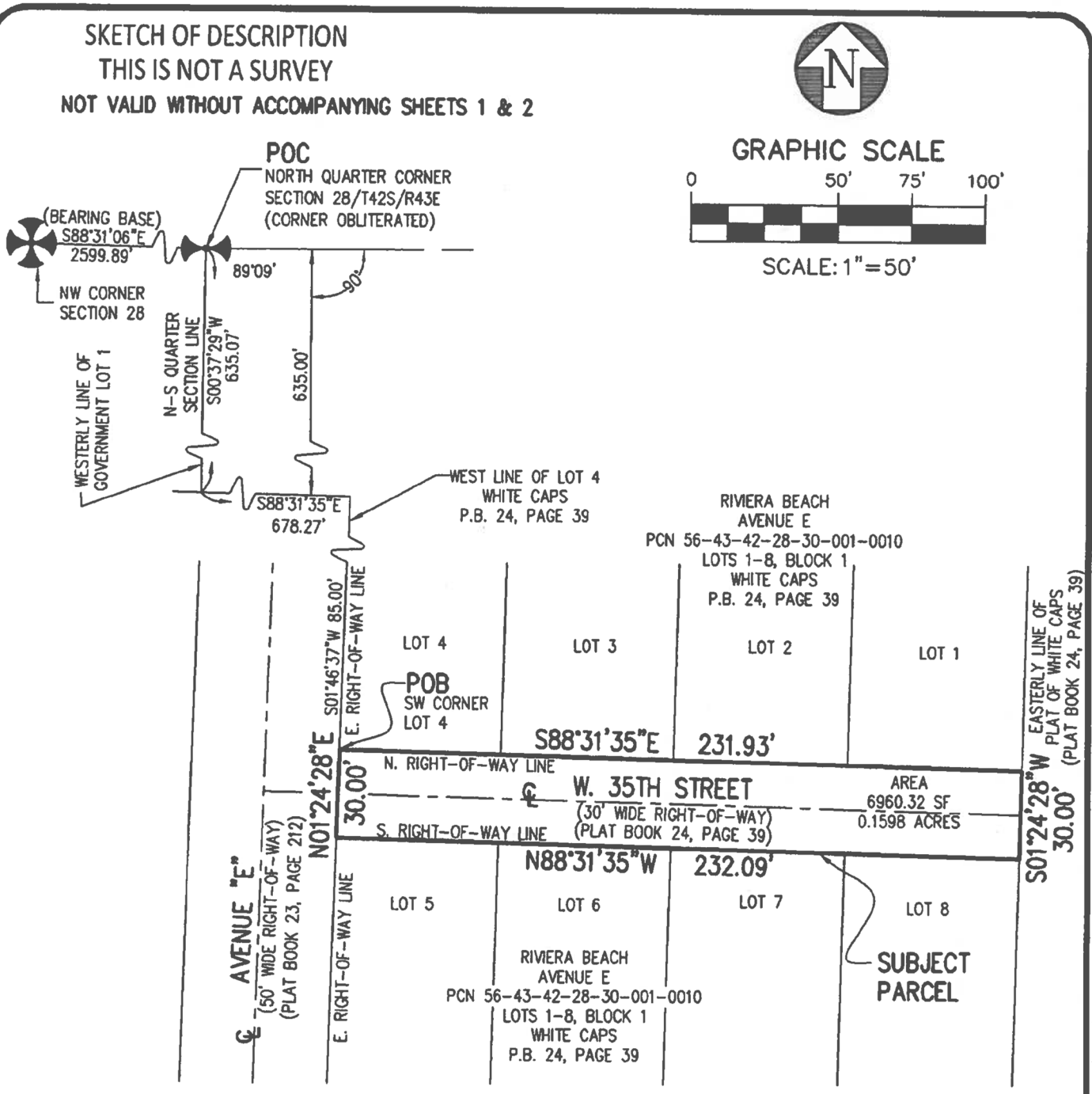
SHEET: 2 / 3

JOB №: 14151.14.03

Y:\Land Projects R2\22059.01 3501 Broadway-Foundcare\Dwg\14151.14.03.dwg 4/13/2023 8:16:51 AM EDT

SKETCH OF DESCRIPTION
THIS IS NOT A SURVEY

NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 2



FOR:

N. 35th STREET ABANDONMENT

SCALE:	1"=50'
DRAWN BY:	DPK
CHECKED BY:	JCM
DATE:	6.25.2019

A Higher Standard of Excellence
engenuity group inc.
ENGINEERS • SURVEYORS • GIS MAPPERS
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

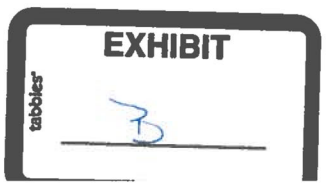
FIELD BOOK №	
FLORIDA R.L.S. # 4938	
SHEET:	3 / 3
JOB NO	14151.14.13

Y:\Land Projects R2\22059.01 3501 Broadway-Foundcare\Dwg\14151.14.03.dwg 4/13/2023 8:16:51 AM EDT

Property Appraiser GIS - Property Detail list by parcel control number

Buffer: 300

56434228000010070	Acres	1.19	Sales instr	WD	MTG		28-42-43, S 200 FT OF N 635 FTOF GOV LT 1 W OF SR 5 & E OF
MCDONALDS USA LLC	Value $	1,197,329.00	Price $	1,175,000.00	PUSE	RESTAURANT, DRIVE IN	AVE E /LESS W 300 FT/
PO BOX 182571	Taxbl $	1,040,785.00	Date	12/17/2012 1	TaxDist	56407	
	Bldg $	416,654.00	Book	25669			
COLUMBUS OH 43218 2571	Land $	780,675.00	Page	801	NAV		
56434228000010150	Acres	1.38	Sales instr		MTG		28-42-43, W 300 FT OF S 200 FTOF N 635 FT OF GOV LT 1 LYG E
BELLSOUTH TELECOMMUNICATIONS INC	Value $	2,791,544.00	Price $		PUSE	UTILITY	OF AVE E
1010 PINE ST	Taxbl $	2,791,544.00	Date		TaxDist	56407	
	Bldg $	2,491,539.00	Book				
SAINT LOUIS MO 63101 2015	Land $	300,005.00	Page		NAV		
56434228000010160	Acres	1.34	Sales instr	WD	MTG		28-42-43, S 200 FT OF N 835 FTOF GOV LT 1 W OF SR 5 /LESS
RIVIERA BEACH CITY OF	Value $	877,215.00	Price $	500,000.00	PUSE	MUNICIPAL	W 909.75 FT/
600 W BLUE HERON BLVD	Taxbl $	0.00	Date	10/26/2018 1	TaxDist	56407	
	Bldg $	0.00	Book	30236			
RIVIERA BEACH FL 33404 4311	Land $	877,215.00	Page	494	NAV		
56434228020000010	Acres	0.54	Sales instr	WD	MTG		B & G HOMES LTS 1 TO 3 INC
LINDAS SUPERETTE LLC	Value $	481,727.00	Price $	396,080.00	PUSE	AUTO SALES	
7857 STEEPLECHASE DR	Taxbl $	479,676.00	Date	7/28/2020 12	TaxDist	56407	
	Bldg $	175,018.00	Book	31616			
PALM BEACH GARDENS FL 33418 7804	Land $	306,709.00	Page	364	NAV		
56434228020000040	Acres	0.15	Sales instr	WD	MTG		B & G HOMES LT 4
RUFORZA INVESTMENTS LLC	Value $	193,253.00	Price $	110,100.00	PUSE	MULTIFAMILY < 5 UNITS	
200 BISCAYNE BOULEVARD WAY APT 1109	Taxbl $	157,416.00	Date	4/16/2018 12	TaxDist	56407	
	Bldg $	123,453.00	Book	29867			
MIAMI FL 33131 2157	Land $	69,800.00	Page	561	NAV		



Property Appraiser GIS - Property Detail list by parcel control number

56434228020000050	Acres	0.15	Sales instr	WD	MTG	B & G HOMES	LT 5
H&M IMPROVEMENTS LLC	Value $	167,912.00	Price	$ 173,000.00	PUSE MULTIFAMILY < 5 UNITS		
1265 ROSEWOOD VILLA LN	Taxbl $	167,912.00	Date	3/17/2022 12	TaxDist 56407		
	Bldg $	98,112.00	Book	33425			
WEST PALM BEACH FL 33417 5869	Land $	69,800.00	Page	567	NAV		
56434228020000060	Acres	0.15	Sales instr	QC	MTG	B & G HOMES	LT 6
BROOKS ARLENE MARIA	Value $	159,468.00	Price	$ 4,200.00	PUSE SINGLE FAMILY		
54 W 34TH ST	Taxbl $	5,962.00	Date	4/8/2005 12:(	TaxDist 56407		
	Bldg $	89,668.00	Book	18450			
RIVIERA BEACH FL 33404 3002	Land $	69,800.00	Page	634	NAV		
56434228020000070	Acres	0.15	Sales instr	QC	MTG	B & G HOMES	LT 7
WEBB DEBORAH L	Value $	166,229.00	Price	$ 10.00	PUSE SINGLE FAMILY		
12481 66TH ST N	Taxbl $	74,760.00	Date	3/26/2008 12	TaxDist 56407		
	Bldg $	96,429.00	Book	22542			
WEST PALM BEACH FL 33412 2073	Land $	69,800.00	Page	1880	NAV		
56434228020000080	Acres	0.15	Sales instr	WD	MTG	B & G HOMES	LT 8
H3 HOLDINGS LLC	Value $	201,718.00	Price	$ 110,000.00	PUSE MULTIFAMILY < 5 UNITS		
1404 10TH ST STE B	Taxbl $	154,020.00	Date	2/28/2017 12	TaxDist 56407		
	Bldg $	131,918.00	Book	28930			
LAKE PARK FL 33403 2049	Land $	69,800.00	Page	1395	NAV		
56434228020000090	Acres	0.17	Sales instr	WD	MTG	B & G HOMES	LT 9
DAVIS CAROLD T	Value $	204,617.00	Price	$ 69,900.00	PUSE MULTIFAMILY < 5 UNITS		
3411 AVENUE E	Taxbl $	56,942.00	Date	5/1/1999 12:(	TaxDist 56407		
	Bldg $	134,817.00	Book	11116			
WEST PALM BEACH FL 33404 2221	Land $	69,800.00	Page	0725	NAV		
56434228020000100	Acres	0.17	Sales instr	WD	MTG	B & G HOMES	LT 10
WOODLEY ANGELA	Value $	182,667.00	Price	$ 10.00	PUSE MULTIFAMILY < 5 UNITS		
3640 S FULTON AVE UNIT 1534	Taxbl $	143,701.00	Date	12/27/2019 1	TaxDist 56407		
	Bldg $	112,867.00	Book	31117			
ATLANTA GA 30354 1775	Land $	69,800.00	Page	1568	NAV		

Property Appraiser GIS - Property Detail list by parcel control number

56434228020000110	Acres	0.17	Sales instr	WD	MTG		B & G HOMES	LT 11
PULASKI ASSOCIATES LLC &	Value $	223,020.00	Price	$ 1,700,000.00	PUSE	MULTIFAMILY < 5 UNITS		
3920 N OCEAN DR APT 5 A	Taxbl $	223,020.00	Date	12/14/2022 1	TaxDist	56407		
	Bldg $	142,920.00	Book	34029				
RIVIERA BEACH FL 33404 2889	Land $	80,100.00	Page	28	NAV			
56434228020000120	Acres	0.17	Sales instr	WD	MTG		B & G HOMES	LT 12
FOSTER DELROY	Value $	256,892.00	Price	$ 188,000.00	PUSE	MULTIFAMILY < 5 UNITS		
138 W 34TH ST	Taxbl $	141,956.00	Date	9/12/2018 12	TaxDist	56407		
	Bldg $	187,092.00	Book	30122				
RIVIERA BEACH FL 33404 3004	Land $	69,800.00	Page	740	NAV			
56434228020000240	Acres	0.17	Sales instr	QC	MTG		B & G HOMES	LOT 24
STOPFORTH KEITH	Value $	177,972.00	Price	$ 100.00	PUSE	SINGLE FAMILY		
PO BOX 30544	Taxbl $	73,412.00	Date	8/1/1995 12:(	TaxDist	56407		
	Bldg $	108,172.00	Book	08886				
WEST PALM BCH FL 33420 0544	Land $	69,800.00	Page	1806	NAV			
56434228020000250	Acres	0.17	Sales instr	WD	MTG		B & G HOMES	LT 25
HINES CENTRALIA Y	Value $	219,632.00	Price	$ 65,000.00	PUSE	SINGLE FAMILY		
111 W 34TH ST	Taxbl $	17,716.00	Date	5/26/1998 12	TaxDist	56407		
	Bldg $	149,832.00	Book	10434				
RIVIERA BEACH FL 33404 3003	Land $	69,800.00	Page	1140	NAV			
56434228020000260	Acres	0.17	Sales instr	DT	MTG		B & G HOMES	LT 26
THOMPSON VERON	Value $	177,693.00	Price	$ 10.00	PUSE	SINGLE FAMILY		
537 W 149TH ST APT 52	Taxbl $	122,904.00	Date	7/2/2019 12:(	TaxDist	56407		
	Bldg $	107,893.00	Book	30817				
NEW YORK NY 10031 3447	Land $	69,800.00	Page	1125	NAV			
56434228020000270	Acres	0.15	Sales instr	WD	MTG		B & G HOMES	LT 27
LIU ZHEN	Value $	188,743.00	Price	$ 31,500.00	PUSE	SINGLE FAMILY		
6239 SHADOW TREE LN	Taxbl $	96,207.00	Date	5/20/2014 12	TaxDist	56407		
	Bldg $	118,943.00	Book	26825				
LAKE WORTH FL 33463 8241	Land $	69,800.00	Page	309	NAV			

Property Appraiser GIS - Property Detail list by parcel control number

56434228020000280	Acres	0.15	Sales instr	WD	MTG		B & G HOMES	LT 28
PULASKI ASSOCIATES LLC &	Value $	175,737.00	Price	$ 1,700,000.00	PUSE	MULTIFAMILY < 5 UNITS		
3920 N OCEAN DR APT 5-A	Taxbl $	175,737.00	Date	12/14/2022 1	TaxDist	56407		
	Bldg $	105,937.00	Book	34029				
RIVIERA BEACH FL 33404 2889	Land $	69,800.00	Page	28	NAV			
56434228020000300	Acres	0.15	Sales instr	WD	MTG		B & G HOMES	LT 30
STOPFORTH KEITH	Value $	160,226.00	Price	$ 4,000.00	PUSE	MULTIFAMILY < 5 UNITS		
PO BOX 30544	Taxbl $	82,719.00	Date	5/1/1995 12:(	TaxDist	56407		
	Bldg $	90,426.00	Book	08828				
WEST PALM BCH FL 33420 0544	Land $	69,800.00	Page	0381	NAV			
56434228020000310	Acres	0.15	Sales instr	WD	MTG		B & G HOMES	LT 31
PULASKI ASSOCIATES LLC &	Value $	206,861.00	Price	$ 1,700,000.00	PUSE	MULTIFAMILY < 5 UNITS		
3920 N OCEAN DR APT 5-A	Taxbl $	206,861.00	Date	12/14/2022 1	TaxDist	56407		
	Bldg $	144,041.00	Book	34029				
RIVIERA BEACH FL 33404 2889	Land $	62,820.00	Page	28	NAV			
56434228020000320	Acres	0.16	Sales instr	WD	MTG		B & G HOMES	LT 32
PULASKI ASSOCIATES LLC &	Value $	250,086.00	Price	$ 1,700,000.00	PUSE	MULTIFAMILY < 5 UNITS		
3920 N OCEAN DR APT 5-A	Taxbl $	250,086.00	Date	12/14/2022 1	TaxDist	56407		
	Bldg $	180,286.00	Book	34029				
RIVIERA BEACH FL 33404 2889	Land $	69,800.00	Page	28	NAV			
56434228020000330	Acres	0.36	Sales instr	WD	MTG		B & G HOMES	LTS 33 & 34
1ST CHOICE PROPERTY GROUP INC	Value $	420,763.00	Price	$ 240,000.00	PUSE	STORES		
1681 NW 11TH ST	Taxbl $	420,763.00	Date	1/16/2002 12	TaxDist	56407		
	Bldg $	215,935.00	Book	13381				
BOCA RATON FL 33486 2015	Land $	204,828.00	Page	137	NAV			
56434228270090142	Acres	0.10	Sales instr	WD	MTG		PLUMOSA PARK	S 50 FT OF E 1/2 OF LT 14 &
CHICO INVESTMENTS LLC	Value $	141,432.00	Price	$ 43,889.00	PUSE	SINGLE FAMILY	S 50 FT OF LT 15 BLK 9	
112 LOST BRIDGE DR	Taxbl $	57,450.00	Date	10/5/2015 12	TaxDist	56407		
	Bldg $	85,592.00	Book	27861				
PALM BEACH GARDENS FL 33410 4468	Land $	55,840.00	Page	1155	NAV			

Property Appraiser GIS - Property Detail list by parcel control number

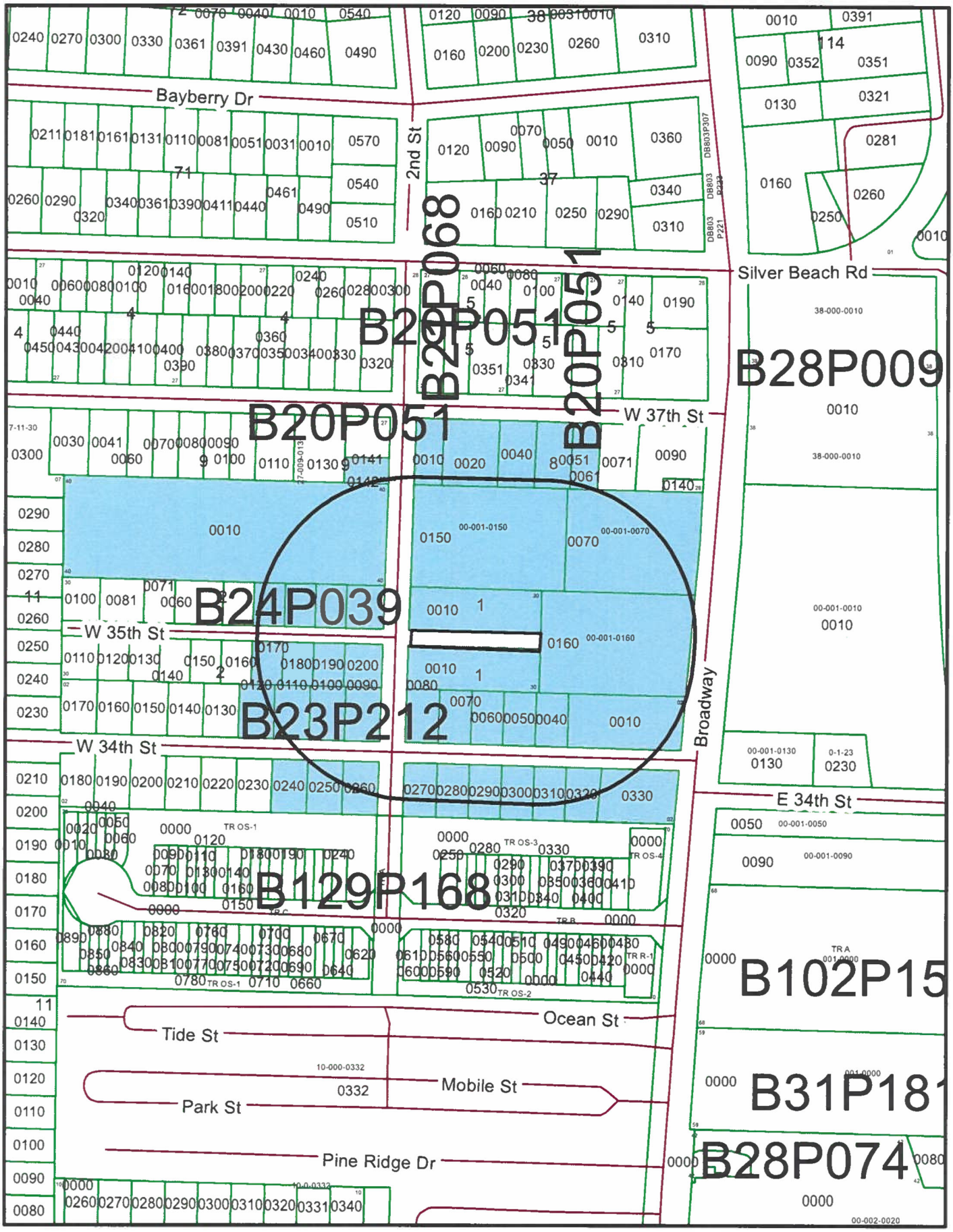
56434228280080010	Acres	0.16	Sales instr	WD	MTG		PLUMOSA PARK REPL	LT 1 BLK 8
HILL DAVID J	Value $	167,820.00	Price $	28,000.00	PUSE	SINGLE FAMILY		
11345 E TEACH RD	Taxbl $	89,794.00	Date	6/1/1992 12:(	TaxDist	56407		
	Bldg $	105,000.00	Book	07304				
PALM BEACH GARDENS FL 33410 3437	Land $	62,820.00	Page	0149	NAV			
56434228280080020	Acres	0.32	Sales instr	WD	MTG		PLUMOSA PARK REPL	LTS 2 & 3 BLK 8
WYATT HOWARD A JR &	Value $	188,062.00	Price $	100.00	PUSE	SINGLE FAMILY		
75 W 37TH ST	Taxbl $	10,693.00	Date	12/1/1985 12	TaxDist	56407		
	Bldg $	78,215.00	Book	09464				
RIVIERA BEACH FL 33404 2211	Land $	109,847.00	Page	1611	NAV			
56434228280080040	Acres	0.22	Sales instr	QC	MTG		PLUMOSA PARK REPLAT	LT 4 & W 18 FT OF LT 5 BLK 8
PERRY DOROTHY K	Value $	267,330.00	Price $	100.00	PUSE	MULTIFAMILY < 5 UNITS		
55 W 37TH ST	Taxbl $	20,000.00	Date	12/1/1991 12	TaxDist	56407		
	Bldg $	204,510.00	Book	07052				
RIVIERA BEACH FL 33404 2211	Land $	62,820.00	Page	0823	NAV			
56434228280080051	Acres	0.21	Sales instr	QC	MTG		PLUMOSA PARK REPL	E 36 FT OF LT 5 & W 34 FT OF
TRAN MINH DINH &	Value $	175,555.00	Price $	10.00	PUSE	SINGLE FAMILY	LT 6 BLK 8	
43 W 37TH ST	Taxbl $	11,402.00	Date	3/19/2012 12	TaxDist	56407		
	Bldg $	112,735.00	Book	25198				
RIVIERA BEACH FL 33404 2211	Land $	62,820.00	Page	861	NAV			
56434228280080061	Acres	0.16	Sales instr	SA	MTG		PLUMOSA PARK REPL	E 20 FT OF LT 6 & W 34 FT OF
KENDALL TONYIA	Value $	62,820.00	Price $	0.00	PUSE	VACANT	LT 7 BLK 8	
33 W 37TH ST	Taxbl $	20,348.00	Date	6/1/2015 12:(	TaxDist	56407		
	Bldg $	0.00	Book	27732				
RIVIERA BEACH FL 33404 2211	Land $	62,820.00	Page	1642	NAV			
56434228300010010	Acres	1.00	Sales instr	WD	MTG		WHITE CAPS SUB	LTS 1 TO 8 INC BLK 1
RIVIERA BEACH CITY OF	Value $	158,319.00	Price $	500,000.00	PUSE	MUNICIPAL		
600 W BLUE HERON BLVD	Taxbl $	0.00	Date	10/26/2018 1	TaxDist	56407		
	Bldg $	1,019.00	Book	30236				
RIVIERA BEACH FL 33404 4311	Land $	157,300.00	Page	494	NAV			

Property Appraiser GIS - Property Detail list by parcel control number

56434228300020010	Acres	0.14	Sales instr	WD	MTG		WHITE CAPS SUB LT 1 BLK 2
BROWN JUNIOR	Value $	207,278.00	Price $	385,000.00	PUSE	SINGLE FAMILY	
9451 GRANITE RIDGE LN	Taxbl $	93,048.00	Date	5/25/2023 12	TaxDist	56407	
	Bldg $	137,478.00	Book	34344			
ROYAL PALM BEACH FL 33411 6604	Land $	69,800.00	Page	1869	NAV		
56434228300020020	Acres	0.12	Sales instr	QC	MTG		WHITE CAPS SUB LT 2 BLK 2
SUNSHINE ENTERPRISE INVESTORS INC	Value $	147,323.00	Price $	1.00	PUSE	SINGLE FAMILY	
4462 HUNTING TRL	Taxbl $	72,316.00	Date	3/8/2010 12:(	TaxDist	56407	
	Bldg $	100,343.00	Book	23731			
LAKE WORTH FL 33467 3522	Land $	46,980.00	Page	1838	NAV		
56434228300020030	Acres	0.12	Sales instr	WD	MTG		WHITE CAPS SUB LT 3 BLK 2
PECK PERCIVAL	Value $	171,424.00	Price $	50,000.00	PUSE	SINGLE FAMILY	
122 W 35TH ST	Taxbl $	8,096.00	Date	8/1/1995 12:(	TaxDist	56407	
	Bldg $	124,444.00	Book	08872			
RIVIERA BEACH FL 33404 2202	Land $	46,980.00	Page	0983	NAV		
56434228300020040	Acres	0.12	Sales instr	WD	MTG		WHITE CAPS SUB LT 4 BLK 2
LEIBA ANTHONY JR	Value $	152,892.00	Price $	132,000.00	PUSE	MULTIFAMILY < 5 UNITS	
1341 6TH ST	Taxbl $	100,168.00	Date	8/27/2004 12	TaxDist	56407	
	Bldg $	99,972.00	Book	17510			
WEST PALM BEACH FL 33401 3127	Land $	52,920.00	Page	1020	NAV		
56434228300020170	Acres	0.12	Sales instr	WD	MTG		WHITE CAPS SUB LT 17 BLK 2
PERICLES LUCKSON L	Value $	260,603.00	Price $	340,000.00	PUSE	MULTIFAMILY < 5 UNITS	
1533 NW 3RD AVE	Taxbl $	260,603.00	Date	12/17/2022 1	TaxDist	56407	
	Bldg $	201,803.00	Book	34032			
FORT LAUDERDALE FL 33311 5549	Land $	58,800.00	Page	658	NAV		
56434228300020180	Acres	0.12	Sales instr	QC	MTG		WHITE CAPS SUB LT 18 BLK 2
ADAMS JOHN H &	Value $	181,897.00	Price $	10.00	PUSE	SINGLE FAMILY	
121 W 35TH ST	Taxbl $	87,533.00	Date	9/10/2021 12	TaxDist	56407	
	Bldg $	129,697.00	Book	32859			
RIVIERA BEACH FL 33404 2201	Land $	52,200.00	Page	1620	NAV		

Property Appraiser GIS - Property Detail list by parcel control number

56434228300020190	Acres	0.12	Sales instr	WD	MTG		WHITE CAPS SUB	LT 19 BLK 2
SARUE JONATHAN	Value $	177,484.00	Price	$ 150,000.00	PUSE	SINGLE FAMILY		
736 LENOX RD	Taxbl $	171,488.00	Date	1/12/2021 12	TaxDist	56407		
	Bldg $	125,284.00	Book	32134				
BROOKLYN NY 11203 2225	Land $	52,200.00	Page	582	NAV			
56434228300020200	Acres	0.14	Sales instr	QC	MTG		WHITE CAPS SUB	LT 20 BLK 2
SHEPPARD ALINE	Value $	181,016.00	Price	$ 10.00	PUSE	SINGLE FAMILY		
3445 AVENUE E	Taxbl $	16,807.00	Date	2/21/2003 12	TaxDist	56407		
	Bldg $	120,116.00	Book	14901				
RIVIERA BEACH FL 33404 2221	Land $	60,900.00	Page	1016	NAV			
56434228400000010	Acres	2.89	Sales instr	00	MTG		HELDON COURT	LOTS A, B, C & D
BELLSOUTH TELECOMMUNICATIONS INC	Value $	655,992.00	Price	$ 157,500.00	PUSE	UTILITY		
1010 PINE ST	Taxbl $	465,114.00	Date	1/1/1979 12:(	TaxDist	56407		
	Bldg $	25,777.00	Book	03157				
SAINT LOUIS MO 63101 2015	Land $	630,215.00	Page	1711	NAV			



Dorothy Jacks, CFA
Palm Beach County
Property Appraiser

Location: Downtown Service Center

0 50 100 200 300 400 Feet

Map Scale

Notes:

Produced on: 8/16/2023

Key

Selected Parcels 100 300 500

Others 200 400

(OFFICIAL RECORD BOOK 30236, PAGE 496)

A PARCEL OF LAND IN GOVERNMENT LOT 1, SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH

COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 28, WITH A LINE PARALLEL TO AND 635 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28; THENCE EASTERLY ALONG SAID PARALLEL LINE 909.75 FEET TO THE POINT OF BEGINNING AND THE NW CORNER OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTHERLY AT RIGHT ANGLES TO SAID PARALLEL LINE 200 FEET; THENCE EASTERLY PARALLEL TO AND 835 FEET SOUTHERLY FROM (MEASURED AT RIGHT ANGLES), THE NORTH LINE OF SAID SECTION 28, 311.28 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, ACCORDING TO THE PLAT OF SAID RIGHT-OF-WAY FILED IN COUNTY ROAD PLAT BOOK 1, PAGE(S) 52, PALM BEACH COUNTY RECORDS; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAYLINE, 200.4 FEET, MORE OR LESS, TO A POINT IN SAID LINE PARALLEL TO AND 635 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE WESTERLY ALONG SAID LAST MENTIONED PARALLEL LINE, 324.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

LOTS 1 TO 8, INCLUSIVE OF BLOCK 1, WHITE CAPS SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 19.

(METES AND BOUNDS)

A PARCEL OF LAND BEING A PORTION OF THE PLAT OF WHITE CAPS AS RECORDED IN PLAT BOOK 24, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LYING IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, RUN THENCE S00°37'29"W ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 28, A DISTANCE OF 635.07 FEET; THENCE S88°31'35"E ALONG A LINE LYING 635.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES TO) OF THE NORTH LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 28 A DISTANCE OF 678.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E" AS SHOWN ON SAID PLAT OF WHITE CAPS AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

CONTINUE THENCE S88°31'35"W A DISTANCE OF 555.78 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5 (U.S. HIGHWAY NO. 1), (80.0 FEET WIDE) ACCORDING TO THE STATE HIGHWAY RIGHT-OF-WAYMAP OF STATE PROJECT NO.93020-2520; SAID POINT BEING ON AN ARC CONCAVE TO THE WEST AND HAVING A RADIAL BEARING OF N84°54'56"W AND A RADIUS OF 5679.65 FEET; THENCE SOUTHERLY ALONG SAID ARC, AND WESTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°06'30" A DISTANCE OF 10.74 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 5, S05°11'34"W A DISTANCE OF 189.68 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE RUN N88°31'35"W A DISTANCE OF 543.85 FEET TO

A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 35TH AVENUE (30 FOOT WIDE RIGHT-OF-WAY) (PLAT BOOK 24, PAGE 39); THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S88°31'35"E A DISTANCE OF 232.09 FEET TO THE EASTERLY LINE OF SAID PLAT OF WHITE CAPS; THENCE, N01°24'28"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID WEST 35TH STREET; THENCE ALONG SAID NORTHERLY LINE, N88°31'35"W A DISTANCE OF 213.93 FEET TO A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF AVENUE "E"; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N01°46'37"E A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING.

SAID HEREIN DESCRIBED PARCEL CONTAINING 2.365 ACRES MORE OR LESS.

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance 4254- FOUNDCARE – ABANDONMENT

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

4. Additional information the governing body deems useful (if any):
[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example:*
The City of Riviera Beach staff solicited comments from businesses within the City of Riviera Beach as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City of Riviera Beach website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses)].

DRAFT

From: Gannett Legals Public Notices 4
To: Weathers, Abbrella
Subject: RE: 9667028 Foundcare Advertisements
Date: Friday, December 22, 2023 12:47:10 PM
Attachments: image005.png
Importance: High

Hello,

Please read this email completely to ensure your proof/newspaper/run dates are accurate.

Your notice is scheduled to publish Dec 28 in the Palm Beach Post. The total cost of your ad is $299.73, which includes a publisher affidavit that will be mailed to you after the last date of publication. Please review your proof carefully and advise of any corrections (or cancellation) needed. Your notice is scheduled to run per your request, and will publish unless you advise otherwise – YOU WILL BE INVOICED VIA MAIL.

PUBLIC HEARING NOTICE
CITY COUNCIL MEETING
CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA

The City Council of the City of Riviera Beach, Palm Beach County, Florida will conduct a Public Hearing on Wednesday, January 17, 2023, at 6:30 PM, or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Event Center located at 190 E 13th Street, Riviera Beach, FL 33404, to consider the below Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN APPROVING AN APPLICATION (LU-23-0004) FROM SINGLE FAMILY RESIDENCES TO A LAND USE DESIGNATION OF DOWNTOWN MIXED-USE (DMU); AND PROVIDING FOR AN

EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. REQUESTING A ZONING MAP AMENDMENT FROM A "DR" DOWNTOWN RESIDENTIAL DISTRICT DESIGNATION TO A "DG" DOWNTOWN GENERAL DESIGNATION"; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A REQUEST FROM FOUNDCARE (APPLICANT); REQUESTING AN ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT PUBLIC RIGHT OF WAYS, UTILITY EASEMENTS AND REQUIRED RIGHT OF WAY DEDICATIONS ALONG W 35th STREET; IN RIVIERA BEACH, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Background material is available for review in its entirety in the Development Services Department between the hours of 8:00 AM and 5:00 PM, Monday through Friday, except holidays. A copy of the proposed ordinance can also be reviewed on the City's webpage at www.rivierabch.com/AUR.

PLEASE TAKE NOTICE AND BE

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Council with respect to any matter considered at the meetings, such interested person, at their 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 (F.S. 286.015).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the Clerk's Office at 561-845-4090 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

Dec 28, 2023

********* IMPORTANT ********* IMPORTANT *********
If you would like to utilize our NEW online self-serve ad portal to place your legal notices, please visit your local publication's website. There, click LEGALS, and then GET STARTED. There, you can conveniently submit, preview, and pay for your notices, anytime, 24/7.

Thank you,

Erin Oettinger
Team Lead – Public Notices

Office: 844-254-5287

From: Weathers, Abbrella <AWeathers@rivierabeach.org>
Sent: Friday, December 22, 2023 11:33 AM

To: Gannett Legals Public Notices 4 <ganlegpubnotices4@gannett.com>; Legals-Pbpost <legals@pbpost.com>
Cc: Sirmons, Clarence <CSirmons@rivierabeach.org>; McKenzie, Jordan <jmckenzie@rivierabeach.org>
Subject: 9667028 Foundcare Advertisements

Good afternoon,

I have attached the following newspaper advertisement please post by Sunday December 31,2023 and provide proof of advertisement, kindly reply to all correspondence.

Humbly Submitted

A'bbrella Weathers | **Staff Assistant**
City of Riviera Beach | **Development Services Department**
600 W. Blue Heron Blvd | Riviera Beach, FL 33404
Office: (561) 845-4059 | Cell: (561)268-8464
Email: aweathers@rivierabeach.org
https://www.rivierabch.com

Please be advised that the City of Riviera Beach is a public entity subject to Florida's broad public records law under Chapter 119, Florida Statutes. Most written communications, including email addresses, to or from City of Riviera Beach employees and elected officials regarding city business are public records and are available to the public and the media upon request. Your email communications may therefore be subject to public disclosure. If you do not want your email address to be subject to disclosure as a public record, please do not send electronic mail to the City of Riviera Beach. Instead, contact the City by telephone at (561) 845-4000.

EXTERNAL SENDER
This email originated outside of the organization. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

City of Riviera Beach Planning and Zoning Division
600 W. Blue Heron Blvd.
Riviera Beach, FL 33404
Phone: (561) 845-4060
Email: POC@rivierabeach.org

AFFIDAVIT OF MAILED NOTICE

INSTRUCTIONS: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

Application Number and Name: ZONING AMENDMENT (ZA-23-007), SITE PLAN (SP-23-0024), PLAT (PA-232-0008), ABANDONMENT (AB-23-0002), LAND USE (LU-23-0004)

Date(s) of Public Hearing(s): WEDNESDAY JANUARY 17TH, 2024 AT 6:30 P.M.

STATEMENT OF COMPLETENESS AND ACCURACY

In accordance with the requirements of Section 31-4 Public Notification Signs, of the Code of Ordinances of Riviera Beach, ___Ryan Smith_____, hereby certify that Public Notifications, for the above Application Number and Name have been mailed to the property owners within a 300 foot radius of the subject property PCN: _56-43-42-28-00-001-0160 & 56-43-42-28-30-001-0010 as obtained from the Palm Beach County Property Appraiser's Office on, ___12.10.23__. The Public Notifications were mailed on, ___1.2.24_____, which is at least fifteen (15) days prior to the meeting date.

Supportive Documents: Attached hereto is the 300 foot radius map and property ownership list.

Check (X) one: I am the [ ] property owner [x] agent [ ] other _____.

Ryan Smith
(Name - type, stamp or print clearly)

(Signature)

Black Diamond General Contracting
(Name of Firm)

1930 Commerce Lane, Suite 210, Jupiter, FL 33458
(Address, City, State, Zip)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 2 day of JANUARY, 2024 by Ryan Smith. He/she is personally known to me or has produced _____ as identification and did/did not take an oath (circle correct response).
(Name of person acknowledging) (Type of identification)

BARBARA TERESA FROST
(Name - type, stamp or print clearly)

Barbara Teresa Frost
(Signature)

My Commission Expires on: 1/26/2024

Notary Public State of Florida
Barbara Teresa Frost
My Commission GG 945762
Expires 01/26/2024

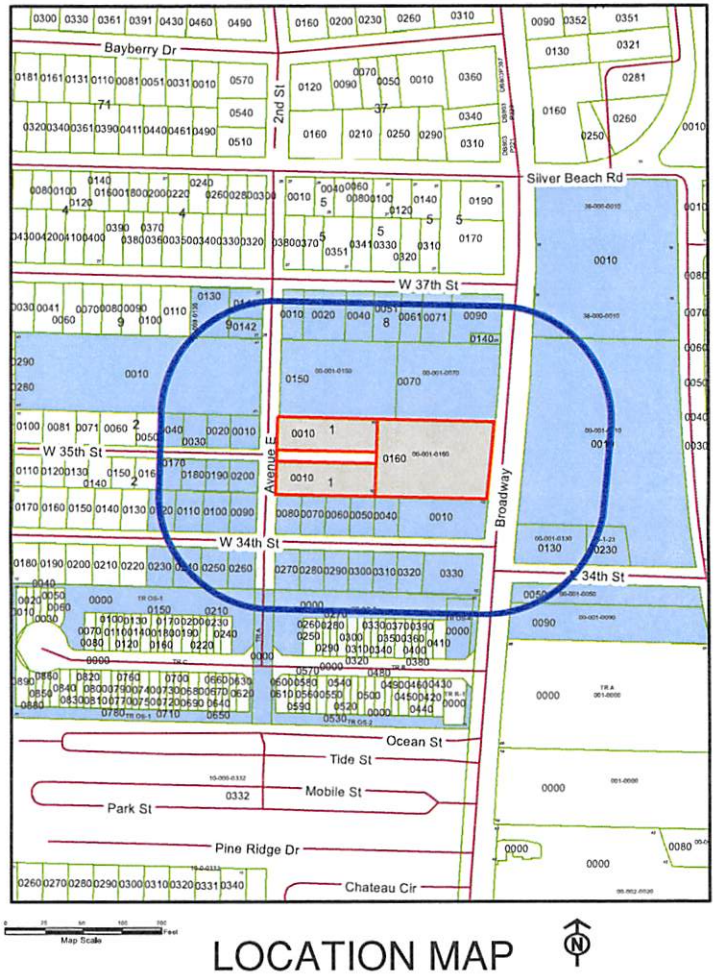
NOTARY'S SEAL OR STAMP

ATTACHMENT A: Photographs of Signs

All posted signs along the subject property are required to be photographed and attached here.

CITY OF RIVIERA BEACH
PUBLIC HEARING NOTICE
FOR ADDITIONAL INFORMATION,
CONTACT THE PLANNING AND ZONING DIVISION AT
(561) 845-4060

PUBLIC HEARING NOTICE
CITY OF RIVIERA BEACH, FLORIDA



Dorothy Jacks, CFA
Palm Beach County
Property Appraiser

LOCATION MAP

SUBJECT PROPERTY CONTROL NUMBERS (2)

56-43-42-28-00-001-0160
56-43-42-28-30-001-0010

ZONING AMENDMENT (ZA-23-0007)
SITE PLAN (SP-23-0024)
PLAT (PA-232-0008)
ABANDONMENT (AB-23-0002)
LAND USE (LU-23-0004)

LEGEND

- PROPOSED PARCELS (2)
- PARCELS IN BUFFER (53)
- 300 FT. BUFFER (1)

The data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden of determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use resets solely on the requester. Palm Beach County makes no warranties, expressed or implied as to the use of the Data. There are no implies warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the imitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.

CITY OF RIVIERA BEACH
Development Services Department
600 W. Blue Heron Boulevard
Riviera Beach, FL 33404

The Planning and Zoning Board of Riviera Beach, Palm Beach County, Florida will conduct a City Council Meeting on Wednesday January 17th, 2024 at 6:30 P.M. or soon thereafter, and from time to time thereafter as necessary, at the Riviera Beach Marina Event Center located at 190 E. 13th Street, Riviera Beach, FL 33404, to consider and make recommendation(s) to the Riviera Beach City Council regarding the following:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A SMALL-SCALE FUTURE LAND USE (FLU) MAP AMENDMENT TO THE CITY OF RIVIERA BEACH'S COMPREHENSIVE PLAN, APPROVING APPLICATION (LU-23-0004) FROM FOUNDCARE INC. (APPLICANT) LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); ON APPROXIMATELY +/- 2.52 ACRES (+/- 109,967 SQUARE FEET) REQUESTING A LAND USE PLAN AMENDMENT TO CHANGE A FUTURE LAND USE DESIGNATION FROM THE SINGLE-FAMILY RESIDENTIAL: UP TO 6 DWELLING UNITS PER ACRE (SF) TO A LAND USE DESIGNATION OF DOWNTOWN MIXED USE (DMU); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING AN APPLICATION (ZA-23-0007) FROM FOUNDCARE INC. (APPLICANT); REQUESTING A ZONING MAP AMENDMENT FROM A DOWNTOWN RESIDENTIAL DISTRICT ZONING DESIGNATION (DR) AND A SINGLE FAMILY DWELLING ZONING DISTRICT RS-6 TO REZONE THE WESTERN PORTION OF THE SUBJECT PROPERTY TO A DOWNTOWN GENERAL (DG) ZONING DESIGNATION LOCATED AT 3501 BROADWAY (PROPERTY CNTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160); AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Please scan to provide your feedback:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING SITE PLAN APPLICATION NUMBER (SP-23-0024) TO ALLOW A +/- 20,000 SQUARE FOOT, TWO-STORY BUILDING WHICH INCLUDES A 15,000 SQUARE FOOT HEALTH CENTER, 2,500 SQUARE FOOT RESTAURANT WITH OUTDOOR SEATING AND A 2,500 SQUARE FOOT OFFICE SPACE. THE SUBJECT PROPERTY IS LOCATED AT 3501 BROADWAY, ALONG THE BROADWAY CORRIDOR, SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A RE-PLAT; APPLICATION NUMBER (PA-23-0008) FROM FOUNDCARE INC. (APPLICANT); FOR A REQUEST TO REPLAT +/- 2.52 ACRES OF CONTIGUOUS LOTS OF RECORD INTO A SINGLE PARCEL OF PROPERTY TOTALING APPROXIMATELY +/-2.52 ACRE (+/- 109,967 SQUARE FEET) OF LAND AREA LOCATED AT 3501 BROADWAY (PROPERTY CONTROL NUMBERS 56-43-42-28-30-001-0010 AND 56-43-42-28-00-001-0160). THE SUBJECT PROPERTY IS LOCATED ALONG THE BROADWAY CORRIDOR (3501 BROADWAY), SPANNING BETWEEN WEST 37TH STREET AND WEST 34TH STREET; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING A REQUEST FROM FOUNDCARE INC. (APPLICANT); REQUESTING ABANDONMENT (AB-23-0002) OF THE FOLLOWING RIGHT-OF-WAY SEGMENT: THE +/- 30 FOOT BY +/- 232.09 FOOT STREET RIGHT OF WAY (35TH STREET) APPROXIMATELY +/- 6960.32 SQUARE FEET IN AREA THAT BISECTS THE PROPERTY LOCATED AT 3501 BROADWAY IN RIVIERA BEACH (RIGHT OF WAY DEDICATION OF 35TH STREET AND ALONG AVENUE E); IN RIVIERA BEACH FLORIDA ("ATTACHEMENT A"); PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

The aforementioned meeting location is subject to change. Background material is available for review in its entirety in the Development Services Department between the hours of 8:30 A.M. and 5:00 P.M., except holidays; (561) 845-4060.

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 hearing, 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, with record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceedings should contact the City Manager's Office at 561-845-4010 no later than 48 hours prior to the proceedings. If hearing impaired, telephone the Florida Relay Services 1-800-955-8771 (TDD) or 1-800-955-8770 (Voice) for assistance.

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Valerie Grimsley, Assistant to the City Manager

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Ordinance Number 4250: An Ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Amending Chapter 19, "Traffic and Motor Vehicles" to include new parking requirements throughout the City and at the City's Marina and Public Beach Parking Areas, and removing provisions which are no longer utilized; providing for conflicts, severability, codification, and an effective date.**

Date: January 17, 2024

CC: General Public

Background:

This proposed ordinance, Ordinance Number 4250, seeks to substantially amend the City's Code of Ordinances at Chapter 19, "Traffic and Motor Vehicles", to include the creation of truck routes in the City; creating a new City-wide parking administration system and enterprise fund; adding new and clarifying existing parking regulations; creating new beach and city parking garage parking regulations; creating a new parking enforcement system; and, updating towing, immobilization and impounding procedures.

City Goals:

The City-wide goal is to achieve a prosperous, resilient, and sustainable economy. The objective is Stewardship: Strengthening the prudent management of the City's finances and overall health, safety, and well-being of its citizens.

Fiscal/Budget Impact:

There will be no fiscal impact.

Recommendation:

Staff recommends City Council approval of Ordinance Number 4250 on First Reading.

Attachments:

1. Riviera Beach business-impact-estimate Ordinance 4250 Parking 1.9.2024.pdf
2. Cover_Page Ordinance No. 4250 Parking 1.9, 2024.pdf
3. Ordinance - Parking revised 1.9.2024 Standard Format Final.pdf
4. Ordinance - Parking revised 1.9.2024 CLEAN easy-reading format.pdf
5. Ordinance - Parking revised 1.9.2024 Standard Format Final (1).pdf
6. CRB Parking Ordinance presentation 1.9.2024.pdf
7. Parking_Management_Agreement.pdf
8. Resolution 3-24.pdf

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Riviera Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: Ordinance No. 4250 – Amending Chapter 19, Traffic and Motor Vehicles

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Riviera Beach is of the view that a business impact estimate is *not* required by state law[1] for the proposed ordinance, but the City of Riviera Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
    a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
    b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
    c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
    d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Riviera Beach hereby publishes the following information:

[1] See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Response: Ordinance 4250, seeks to substantially amend the City's Code of Ordinances at Chapter 19, "Traffic and Motor Vehicles", to include the creation of truck routes in the City; creating a new City-wide parking administration system and enterprise fund; adding new and clarifying existing parking regulations; creating new beach and city parking garage parking regulations; creating a new parking enforcement system; and, updating towing, immobilization and impounding procedures. The updated traffic, vehicle, and parking regulations and other updated legal procedures in Ordinance 4250 (e.g., for towing, immobilization, and impounding vehicles) serve the public health, safety, and welfare of the City through the implementation of clear traffic, vehicle, and parking regulations allowing for better public awareness and understanding of the same and the efficient and orderly enforcement of the same. Further, once the City Council establishes by resolution parking charges, the revenue collected will be solely utilized to maintain the parking system and fund other City mobility initiatives.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Riviera Beach, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
(c) An estimate of the City of Riviera Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Response: Ordinance 4250 establishes a new parking administration and parking enterprise fund and authorizes the adoption of parking charges by resolution of the City Council. Businesses that park at the City's public facilities (e.g., the municipal beach or City marina) may incur parking charges once the City Council adopts a resolution setting forth such charges. However, Ordinance 4250 does not impose any new charges or fees on businesses and Ordinance 4250 by itself will not cause the City to incur any additional regulatory costs not covered by the City's current enforcement processes (e.g., code compliance and police department).

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Response: It is unknown how many businesses are likely to be impacted by Ordinance 4250. As stated above, businesses that park at the City's facilities (e.g., the municipal beach or City marina) may incur parking charges once the City Council adopts a resolution setting forth such charges.

4. Additional information the governing body deems useful (if any):

Response: City staff created this Ordinance 4250 utilizing practices and procedures from other municipalities with similar parking needs and operations.

DRAFT

If adopted, the Ordinance 4250 will align with the City's desire to utilize a third-party parking administrator to provide for parking administration at the City's municipal beach and marina parking areas. The third-party parking administrator will also be in charge of collection of parking fees (as set by City Council resolution) and enforcement of the same.

DRAFT

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and City Council

From: Valerie Grimsley, Assistant to the City Manager

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-RC

Subject: **Ordinance Number 4250**: **An ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, substantially amending Chapter 19, "Traffic and Motor Vehicles", to create a new truck route procedure which authorizes the City Council to establish areas in the City where certain truck traffic is prohibited; to create a new City-wide parking administration system and enterprise fund which system's rates and fees shall be set by resolution of the City Council; to add new and clarify existing parking regulations throughout the City; creating new municipal beach area parking regulations and parking regulations for city parking garages; creating a new parking enforcement procedure; creating a new towing, impounding, and immobilization process; removing provisions which are outdated and/or no longer enforced; and for other purposes; providing for conflicts, severability, codification, and an effective date (First Reading).**

Date: January 17, 2024

CC: General Public

Background:

This proposed ordinance, Ordinance Number 4250, seeks to substantially amend the City's Code of Ordinances at Chapter 19, "Traffic and Motor Vehicles", to include the creation of truck routes in the City; creating a new City-wide parking administration system and enterprise fund; adding new and clarifying existing parking regulations; creating new beach and city parking garage

parking regulations; creating a new parking enforcement system; and, updating towing, immobilization and impounding procedures.

Staff created this proposed ordinance utilizing practices and procedures from other municipalities with similar parking needs and operations. If adopted, the proposed ordinance will align with the City's desire to utilize a third-party parking administrator to provide for parking administration at the City's municipal beach and marina parking areas. The third-party parking administrator will also be in charge of collection of parking fees (as set by City Council resolution) and enforcement of the same.

City Goals:

The City-wide goal is to achieve a prosperous, resilient, and sustainable economy. The objective is Stewardship: strengthening the prudent management of the City's finances and overall health, safety, and well-being of its citizens.

In this regard, the proposed ordinance seeks to update Chapter 19 to address current traffic, motor vehicle, and parking issues and repeal outdated regulations. The proposed ordinance allows for the creation of a new parking administration and parking enterprise fund to allow for the charging and collection of reasonable parking and related fees. The collected fees will assist in funding the operation and maintenance of the city's parking system and the City's mobility systems.

Fiscal/Budget Impact:

Except for the creation of a new revenue stream for the City parking enterprise fund, there will be no fiscal impact based on the proposed ordinance.

Recommendation:

Staff recommends City Council approval of Ordinance Number 4250 on First Reading.

Attachments: Attached to this cover memorandum are the following documents:

1. Proposed ordinance 4250 (standard City-format): showing all revisions to the existing Chapter 19 (with new language underlined and deleted language ~~struck-through~~).
2. CLEAN Proposed ordinance 4250 (easy-reading format): with all revisions accepted to show how Chapter 19 will appear if proposed ordinance 4250 is adopted with highlights of the primary policy decisions.
3. Policy decision sheet: identifying major policy decisions for the City Council to consider.

ORDINANCE NUMBER 4250

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUBSTANTIALLY AMENDING CHAPTER 19, "TRAFFIC AND MOTOR VEHICLES", TO CREATE A NEW TRUCK ROUTE PROCEDURE WHICH AUTHORIZES THE CITY COUNCIL TO ESTABLISH AREAS IN THE CITY WHERE CERTAIN TRUCK TRAFFIC IS PROHIBITED; TO CREATE A NEW CITY-WIDE PARKING ADMINISTRATION SYSTEM AND ENTERPRISE FUND WHICH SYSTEM'S RATES AND FEES SHALL BE SET BY RESOLUTION OF THE CITY COUNCIL; TO ADD NEW AND CLARIFY EXISTING PARKING REGULATIONS THROUGHOUT THE CITY; CREATING NEW MUNICIPAL BEACH AREA PARKING REGULATIONS AND PARKING REGULATIONS FOR CITY PARKING GARAGES; CREATING A NEW PARKING ENFORCEMENT PROCEDURE; CREATING A NEW TOWING, IMPOUNDING, AND IMMOBILIZATION PROCESS; REMOVING PROVISIONS WHICH ARE OUTDATED AND/OR NO LONGER ENFORCED; AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City's Code of Ordinances, at Chapter 19, "Traffic and Motor Vehicles" sets forth the City's general regulations regarding traffic, parking, stopping and standing, and parking meters; and

WHEREAS, the general regulations need to be updated to be consistent with changes in the City's municipal parking systems, state law, and enforcement, and to remove the civil penalties out of the city code so that the penalties may be adjusted as necessary by resolution of the city council; and

WHEREAS, the City Council for the City of Riviera Beach has reviewed the recommended revisions to Chapter 19, "Traffic and Motor Vehicles", and has determined that it is

in the best interest of the public health, safety, and general welfare of the City to amend Chapter 19 as set forth in this Ordinance.

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

SECTION 1. The foregoing recitals are incorporated by reference into this Ordinance as true and correct statements of the City Council of the City of Riviera Beach.

SECTION 2. Chapter 19, entitled "Traffic and Motor Vehicles", is hereby amended as follows (underlined language is added and strike-through language is deleted):

ARTICLE I. IN GENERAL

Sec. 19-1. Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in F.S. § 316.003, except where a different definition may be provided or the context clearly indicates a different meaning.

Sec. 19-2. Powers and duties of chief of police and police department to regulate traffic.

(a) The chief of police, with the consent of the city manager, except as otherwise directed by this chapter and except as otherwise directed by the city council and city manager, and as approved by the engineering department, shall have power and the chief of police is hereby authorized to regulate the operation and parking of vehicles within the city by requesting the erection or placing of signs, signals, markers, markings and other authorized traffic control devices in the following specified instances with respect to streets and highways under the city's jurisdiction:

(1) Designation of areas where parking is prohibited or limited.

(2) Designation of one-way streets, through streets, stop streets, "U" turns, play streets, school zones, hospital zones, quiet zones, hazardous traffic areas, crosswalks, and safety zones. Truck routes may be established as set forth in Division 4 of this Article.

(3) Installation and proper timing and maintenance of traffic control devices.

(4) Marking off of traffic lanes indicating the flow of traffic.

(5) Closing of streets to vehicular or pedestrian traffic for temporary periods of time.

(6) Regulation of traffic during emergencies, notwithstanding other regulations.

(7) Designation of reserved and/or limited-hours loading zones, which may be accomplished through signage, markings, and other authorized traffic control devices and through digital and/or electronic applications for reserving such zones.

(b) The police department, under direction of the city manager, shall have full power and be charged with all duties in relation to the management of vehicular traffic.

(c) At the recommendation of the chief of police, the city manager may adopt a policy and procedures manual (PPM) to establish standard operating policies and procedures for the

implementation, operation, and enforcement of this chapter. The PPM may include, but shall not be limited to, policies and procedures governing vehicle operations and parking, the city's parking system, and a city parking garage(s), which are consistent with and/or supplementary to this chapter and other applicable laws, codes and regulations. After adoption by the city manager, the PPM may be amended from time to time based upon recommendations by the chief of police and approval by the city manager. The PPM shall have the same force and effect as a city ordinance for purposes of enforcement.

Sec. 19-3. Obedience to police officers.

Drivers must at all times comply with any direction by voice or hand of any member of the police force as to stopping, starting, approaching or departing from any place, the manner of taking up or setting down passengers or loading or unloading goods in any place. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.

Sec. 19-4. Hitchhiking~~; selling merchandise in streets~~.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle~~ or for the purpose of selling any merchandise or agricultural products~~.

~~**Sec. 19-5. Combat auto theft program.**~~

~~(a) The Florida Uniform Traffic Control Law authorizes counties and municipalities to enact ordinances to establish "Combat Auto Theft" (CAT) programs, whereby vehicle owners may enroll their vehicles, giving advance written consent to law enforcement officers to stop their enrolled vehicles if they are being operated between the hours of 1:00 a.m. and 5:00 a.m., provided the CAT decal is properly displayed in the lower left corner of the vehicle's rear window.~~

~~(b) A "Combat Auto Theft (CAT)" program, as authorized under the Florida Uniform Traffic Control Law, is hereby established in the city. The program shall include:~~

~~(1) Consent forms to be executed by motor vehicle owners who enroll vehicles in the program.~~

~~(2) CAT program decals which conform to the specifications, colors and design of the uniform CAT decal established by the department of law enforcement for use throughout the state.~~

~~(3) All other provisions of the "Combat Auto Theft" program as provided for in the Florida Uniform Traffic Control Law. Administration of the program shall be conducted by the chief of police.~~

~~(c) In order to provide for the cost of administering the program, a fee of $2.00 for each decal is hereby established. The city clerk shall collect the decal fees and remit them to the city.~~

ARTICLE II. OPERATION OF VEHICLES

DIVISION 1. GENERALLY

~~**Sec. 19-21. U-turns.**~~

~~The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.~~

~~**Sec. 19-22. Play streets.**~~

~~Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area and then any such driver shall exercise the greatest care in driving upon the street or portion thereof.~~

Sec. 19-21~~3~~. Driving through corner properties prohibited.

(a) When a filling station or other property provides for its use as a driveway or other similar facility which is located on a corner in the city, it shall be unlawful for the driver of any vehicle to use such driveway or similar facility for the purpose of making any type of turn at such corner.

(b) It shall be unlawful for any driver of any vehicle to cut through such driveway or other similar facility as described in subsection (a) of this section to gain access to another street or alley.

(c) It shall be unlawful for any driver of any vehicle to cut through such driveway or other similar facility as described in subsection (a) of this section to avoid a traffic light or traffic control sign at such corner.

Sec. 19-22~~3~~4. Vehicles emitting smoke.

It shall be unlawful for any motor vehicle to be operated upon the streets or avenues of the city which creates an unusual or exorbitant amount of smoke.

Sec. 19-23~~4~~5. One-way streets.

Vehicular traffic on one-way streets shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

Sec. 19-24~~6~~7. Quiet zone.

Whenever authorized signs are erected indicating a zone for quiet, no person operating a vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

DIVISION 2. BATHING BEACH AREAS

Sec. 19-36. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized emergency vehicle means vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of city departments, or private ambulance companies, or such others as may be authorized by city authority.

Bathing beach or *beach area* means that area which is on the ocean front, and which is subject to high or low tides, and also that area lying adjacent thereto and westerly thereof commonly referred to as sand dunes and soft sand. It shall also include the area as above described which lies within the north and south boundary lines of the city limits and extended eastward to the low water mark of the Atlantic Ocean, and extended westward to the east boundary line of the coastal construction setback line. Such area is designated restricted area, excepting therefrom the municipal beach parking area.

Driver means every person who drives or is in actual physical control of a vehicle.

Licensed person means persons holding special permits to carry on business in such areas.

Motor driven cycle means every motorcycle, including every motor scooter, with a motor and every bicycle with a motor attached.

Motor vehicle <u>*or vehicle*</u> means all vehicles propelled by power, other than muscular power, trailers, semi-trailers, coaches or other similar devices, or vehicles.

Owner means any person, association of persons, firms or corporations in whose name the title to a motor vehicle is registered.

Pedestrian means any person on foot.

Police officer means every officer of the city police department or any such person authorized to direct or regulate traffic or to make arrests.

Possession includes and means the person in charge of, the caretaker of or sitting in such vehicle.

Sec. 19-37. Vehicular traffic prohibited in restricted area; exception.

It shall be unlawful for any person to drive any motor driven cycle or motor vehicle on the beach area or bathing beach and herein defined as the restricted area at any time, except that authorized emergency vehicles are permitted thereon while attending to their duties.

Sec. 19-38. Operators of vehicles prohibited in restricted area.

Neither the owner nor any person employing or otherwise directing the driver of any motor vehicle shall require or knowingly permit the operation of such vehicle upon or in such restricted area.

Sec. 19-39. Seizure and impounding of vehicles~~—Redemption; payment of fines, costs.~~

It shall be unlawful for any motor vehicle to be in or on such restricted area at any time and shall be subject to seizure if found thereon and shall be impounded by the city pursuant to this chapter. ~~The owner may redeem the motor vehicle by paying any fine, if any, imposed upon the person in possession of the motor vehicle, when so seized, plus the costs incurred in such impounding. The costs shall include transportation, storage and care thereof and the recording of such seizure. Such costs shall be set by resolution of the city councilnot exceed $75.00. The fine is not included in such costs.~~

~~**Sec. 19-29~~40. ~~Same—Notice to owner.~~**

~~Whenever a vehicle is impounded, as authorized by section 19-39, notice of such action shall be sent to the owner that the vehicle has been so impounded and the reasons why it was impounded.~~

~~**Sec. 19-30~~41. ~~Same—Removal of vehicle by police.~~**

~~Members of the police department and all members of the city council are hereby authorized to remove any vehicle from the restricted area to a place of safety and there to be kept until the case is satisfactorily disposed of and all costs and fines connected therewith are paid.~~

~~**Sec. 19-31~~42. ~~Exemptions.~~**

~~(a) The provisions of this division shall not apply to licensed persons who have been conducting a business and driving on the beach carrying on such business as of August 28, 1963, provided they abide by and comply with this section of this division and:~~

~~(1) They first obtain from the city manager a special permit authorizing such activity.~~

~~(2) That in the carrying on of such business, while moving on the beach, they do not drive more than 15 miles per hour, and provided further they drive as close to the edge of the water as the tides permit. It is intended by this subsection that driving on the soft sand is prohibited except in crossing back and forth to go onto or to come off the beach area.~~

~~(b) It shall be unlawful for any person now carrying on such business to continue to carry on such business, after the expiration date above stated without first obtaining a special license.~~

Sec. 19-40~~43~~. Violation of provisions—Guilty party defined.

Every person who commits, attempts to commit, conspires to commit or aids or abets in the committing of any act declared herein to be a violation of this division, whether individually or in connection with one or more other persons, or as principal, agent or accessory, shall be guilty of such offense, and every person who, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provisions of this division is likewise guilty of such offense.

Sec. 19-41~~44~~. Same—Prima facie evidence of vehicle ownership within restricted area; penalty.

Any person in possession of a motor vehicle within the restricted area shall be deemed to have driven such vehicle into or onto such restricted area and shall be subject to arrest for the violation hereof.

Sec. 19-4245. Same—Penalty.

It shall be unlawful for any person to drive a motor vehicle except emergency vehicles within or on the restricted area at any time. Any person found violating the terms of this division shall be subject to arrest and, if found guilty, may be fined not more than $500.00 or imprisoned for a term not exceeding 60 days. Any fine imposed under this provision shall be paid in addition to any immobilization and/or impoundment charges.

DIVISION 3. RAILROAD CROSSINGS

Sec. 19-47. Automatic electric signal devices and crossing gates.

(a) All railroad companies operating within the city shall build, construct, maintain, and keep in good condition all railroad crossings pursuant to F.S. chapters 357 and 338, and all rules and regulations of the department of transportation adopted thereto and by agreements with the city.

(b) At each street crossing where the streets of the city intersect at grade level, railroad tracks which are not main or passing tracks, such railroad companies shall either install automatic electric signal devices of the type herein specified or use a flagman to give warning to the approach of every train to such crossing.

Sec. 19-48. Speed of trains.

(a) *CSX system.* Except for authorized high-speed trains, it shall be unlawful to operate within the city any locomotive, train, track motor car or other vehicle self-propelled or otherwise traveling along and upon the CSX system railroad tracks at a speed in excess of:

Rate of Speed	Area
45 miles per hour	Between Silver Beach Road and Port Road

(b) *Florida east coast.* Except for authorized high-speed trains, it shall be unlawful to operate within the city any locomotive, train, track motor car or other vehicle self-propelled or otherwise traveling along and upon the Florida east coast railroad tracks at a speed in excess of 45 miles per hour.

Sec. 19-49. Track motor cars, handcars, etc., to stop at railroad crossings.

Every track motor car, handcar or other vehicle so constructed as to be incapable of activating automatic safety gates and automatic crossing signal devices operating upon railroad tracks shall stop at every railroad crossing within the city where a city street intersects a railroad track at grade level and shall yield the right-of-way to traffic traveling along such intersecting street and shall not proceed across such intersection until the movement can be made with reasonable safety.

Sec. 19-50. Blocking of railroad crossings.

(a) The following crossings where the streets of the city intersect a railroad track at grade level are hereby designated as "emergency crossings" and are to remain unblocked by railroad traffic at all times except by moving trains.

(1) Such streets which intersect the Florida east coast railroad tracks are as follows:

Blue Heron Boulevard

Silver Beach Road

13th Street

Port Road

Australian Avenue (north of 13th Street or Avenue M)

State Road 5 at the Port of Palm Beach

State Road at the Port of Palm Beach

State Road 710 east of Avenue S

(2) Such streets which intersect the Seaboard Coast Line Railroad Company tracks are as follows:

Military Trail at State Road 710

(b) No public street or vehicular crossing in the city shall be blocked, closed, or obstructed by a train, locomotive or other railroad vehicle for a period of more than ten minutes except in emergencies and except for the following times as specifically stated:

(1) No railroad locomotive, railroad car, train or other railroad vehicle shall block, obstruct or close any public street or vehicular crossing in the city for longer than five minutes, between the hours of:

5:45 a.m. to 8:30 a.m.; 2:20 p.m. to 4:30 p.m.; and 5:00 p.m. to 6:00 p.m.

Monday through Friday, except as set forth in paragraph (2) herein below.

(2) The Port Road crossing at Port Road and the Old Dixie Highway crossing, because of its location immediately adjacent to the Port of Palm Beach and its railroad switching operations necessary to carry out its shipping operations, are exempted from the provisions of subsections (a) and (b) for blocking a crossing for a reasonable time for necessary switching operations during 7:00 p.m. and 7:00 a.m.; for periods of up to ten minutes each between the hours of 8:30 a.m. to 1:00 p.m.; for reasonable periods of time; and for periods of up to ten minutes each between the hours of 4:00 p.m. and 6:00 p.m. At no time will switching operations close the Blue Heron crossing or interfere with traffic flow at the Blue Heron crossing.

Sec. 19-51. Railroad crossings to be cleared for emergency vehicles.

Railroad trains or equipment shall be separated, cut or moved to clear the railroad track crossing any public road or street within the city upon the approach of an emergency vehicle upon notification or by the sounding of sirens, flashing of lights, waving of flags or any other warning sufficient to attract attention to such emergency vehicle defined as follows:

(1) An ambulance responding to an emergency call or transporting a person under emergency conditions;

(2) A fire engine or other emergency vehicle engaged in the saving of life, property or responding to any other public peril;

(3) Any other emergency vehicle or any other vehicle when operated as an emergency vehicle defined as a vehicle which is engaged in the saving of life, property or responding to a public peril.

Sec. 19-52. Railroad personnel or Port of Palm Beach personnel liable for violations of this division.

The personnel of any railroad company operating or in charge of the operation of any train, railroad car or railroad equipment in violation of this division except in cases of emergency, shall be liable when it is due to the sole fault of such personnel and at all other times the railroad or Port of Palm Beach shall be responsible.

Sec. 19-53. Liability of railroad company or Port of Palm Beach for violation of this division by its agents and employees.

The railroad company of Port of Palm Beach shall be responsible for the acts of its agents or employees for the violation of this division unless such agent's employees are acting beyond the scope of their authority.

Sec. 19-54. Sounding train horns and whistles at signalized railroad crossings prohibited; city to erect warning signs for motorists.

It shall be unlawful for a railroad train, approaching a public at-grade crossing having train-activated automatic traffic-control devices, including flashing lights, bells and crossing gates, to emit an audible warning signal in advance of said intersection between the hours of 10:00 p.m. and 6:00 a.m. This prohibition shall not apply to any such intersection where the city has failed to erect traffic signs in accordance with state law announcing to motorists that railroad train horns and whistles will not be sounded during the said hours.

DIVISION 4. TRUCK ROUTES

Sec. 19-55. Definitions.

As used in this division, the following terms shall have the following meanings:

Truck shall mean any vehicle designed or operated for the transportation of property, which either:

(1) Is over 80 inches in width; or
(2) Has 6 tires or more; or
(3) Has a weight capacity of 10,000 pounds or more (net weight plus carrying capacity) as specified by the vehicle’s manufacturer.

Truck carrying hazardous materials means every vehicle that has a cargo regulated by Title 49, Code of Federal Regulations, Part 172, as it may be periodically amended which includes but is not limited to flammable or radioactive material or poisonous gas, which in its transportable state would be injurious to humans, animals or plants.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, street or pathway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Truck route shall mean a public street or road, as designated in this division, over and along which trucks shall operate.

Sec. 19-56. Map to be established.

The city council at the recommendation of the city manager is hereby authorized to establish by resolution a regulated truck route map for the city or portions of the city. The Regulated Truck Route map shall indicate the streets and roadways to be used as primary and/or secondary truck routes and no other streets or roadways shall be used for truck traffic within the corporate limits of the city except as otherwise provided in this division. The Regulated Truck Route map shall at all times be on file with the office of the city clerk.

Sec. 19-57. Observance required; exceptions.

(a) All trucks within the city shall be operated only over and along the truck routes established pursuant to this division, except as otherwise provided in this division.

(b) *Hazardous material*. Every truck carrying hazardous material is prohibited from using any local city street or any street designated as a secondary truck route, unless necessary to the conduct of business, construction or maintenance operations at a destination point along that roadway segment.

(c) This division shall not prohibit:

(1) *Operation on street of destination.* The operation of trucks upon any street where necessary to the conduct of business at a destination point, if streets on which truck traffic is permitted are used until reaching the intersection nearest the destination point. Upon leaving the destination point a deviating truck shall return to the truck route by the shortest permissible route.

(2) *Authorized emergency vehicles.* The operation of authorized emergency vehicles upon any street in the city.

(3) *City, public vehicles.* The operation of trucks owned or operated by the city, public utilities, waste-hauler engaged by the city or otherwise authorized by law, any contractor or materialman while engaged in the repair, maintenance, or construction of streets, street improvements or street utilities within the city, except as may be restricted in a development order or building permit.

(4) *Detoured trucks.* The operation of a truck upon any officially established detour in any case where the truck could lawfully be operated upon the street for which the detour is established.

Sec. 19-58. Hours of operation.

Trucks shall be able to travel upon truck routes at all hours of the day and night unless duly authorized signs are installed limiting hours of use on a particular street or portion of a street.

Sec. 19-59. Police chief authorized to install signs.

In accordance with the provisions of this division, the chief of police is authorized to have appropriate signage installed in the city to control truck operations once the city council approves a Regulated Truck Route(s) map by resolution. Such signage shall be enforceable as official traffic control devices pursuant to Chapter 316, Florida Statutes, as amended.

Sec. 19-60. Violations; penalty.

(a) It shall be unlawful to operate a truck on any street within the city other than as is provided in this division. Any person driving or in charge or control of any regulated truck deviating from the designated truck route system or in violation of the posted signage shall be prepared to present for the inspection of police officers the truck's logbook, weight slips, delivery slips, or other written evidence of the regulated truck's origin and destination to justify the deviation from the designated truck route system.

(b) A violation of this division shall constitute an irreversible and irreparable violation and will result in the immediate issuance of a notice of violation in accordance with the provisions of Chapter 2, Article VI, Division 2, code compliance of this code, and/or a noncriminal violation and subject by a fine pursuant to Chapter 318.18, Florida Statutes, as amended, and all other local and state laws, ordinances, and regulations.

(c) If this division is enforced through Chapter 2, Article VI, Division 2, code compliance of this code, the city council may establish a designated account for the deposit of all recovered penalties and charges, which account may be used to fund signage and physical road improvements including, but not limited to, pedestrian and bicycle safety.

Sec. 19-61. Vehicles not to damage hard-surface or paved roads.

It is unlawful to operate on any hard-surfaced or paved roads in the city, any bulldozer, concrete mix truck, tractor, or other heavy equipment vehicle, unless equipped with pneumatic rubber tires; and steel-tired vehicle, or any other vehicle or machine that is likely to damage a hard-surfaced or paved road except ordinary wear and tear on the road.

ARTICLE III. STOPPING, STANDING AND PARKING

DIVISION 1. PARKING ADMINISTRATION

Sec. 19-62. – Administration generally.

(a) The city's parking system shall be a self-supporting parking enterprise fund. Parking system revenues shall be used for the operation and maintenance of the city's parking system and mobility systems, including but not limited to the operation of the parking division and its services; the acquisition or leasing of parking equipment or systems; the acquisition, construction, improvement, maintenance and operation of public parking facilities, and mobility systems, as the city council and/or the city manager shall, from time to time, direct.

(b) There is hereby established a mobility benefit account as a subsidiary fund of the parking enterprise fund. The mobility benefit account may be funded with parking system revenues in excess of those funds needed for the regular operation, repair, maintenance, and upgrade

of the city's parking system. The mobility benefit account may be used to fund capital purchases and operating expenses for the city's mobility systems, including supporting improvements such as trolley/bus stops, park and ride facilities, wayfinding for parking and mobility systems, marketing for parking and mobility systems, software or applications supporting city parking or mobility systems, staffing that supports mobility systems, and other parking and mobility associated improvements that either decrease the need for parking or increase parking capacity as approved by the city manager.

(c) The city may, from time to time, issue parking revenue bonds whose collateral and payments for debt service may be from the parking enterprise fund. The bond proceeds may be used to acquire or lease parking equipment or systems; acquire or lease property, design and construct parking facilities; design and reconstruct public roads to add on-street parking and biking lanes; or, acquire or lease public transportation capital assets, including mobility system assets.

(d) Administration of parking in the city is delegated by the chief of police and city manager to the parking administrator. The parking administrator shall have such duties and responsibilities as set forth in this division or as may otherwise be directed by the chief of police and/or the city manager. In the absence of the parking administrator, his or her designee may act. The parking administrator may be an employee of the city or an independent contractor.

Sec. 19-63. - Rates and fees.

(a) Parking rates for the city's parking system shall be set by resolution of the city council. Enforcement of the rates may be by any legal method available to the city including without limitation sending delinquent amounts to collections.

(b) Depending on demand, the parking administrator, with the approval of the city manager, may temporarily increase or decrease rates for selected city parking garages and metered spaces by no more than 25 percent, for a period not to exceed 30 days.

(c) During city-sponsored special events, the parking administrator may temporarily increase or decrease rates for selected city parking locations.

(d) Permit fees and other mobility and parking system fees shall be set by resolution of the city council.

Sec. 19-64. – Purpose and authority.

This article shall be deemed and construed to be an exercise of the police power of the city for the preservation and protection of public safety, and all of its provisions shall be liberally construed with a view to the effectuation of this purpose.

Sec. 19-65. - Application.

The provisions of this article prohibiting the stopping, standing, or parking of a vehicle shall apply city-wide (unless otherwise clearly stated), at all times or at those times herein stated or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

Sec. 19-66. - Nonmoving violations deemed ordinance violations.

(a) Any and all traffic violations as described in the "Florida Uniform Traffic Control Law" (Chapter 316, Florida Statutes) which shall be classified as nonmoving in nature, or are so declared by either legislative or judicial determination, shall be deemed municipal parking ordinance violations in violation of this article. To this end, all such traffic violations are incorporated herein and prohibited hereby.

(b) This section shall not be deemed to limit or in any way affect prosecutions under state law.

Sec. 19-67. - Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Inoperable vehicle is any vehicle which has any of its wheels or tires dismantled or deflated, is missing any part or valid registration and/or license plate required by law for travel on public streets, or is in such condition as to render it incapable of normal operation under its own power, including being supported above existing grade level by such means as concrete blocks, jacks, hoists, or similar devices. Included in this definition is any partially wrecked, inoperative, or dismantled vehicle.

Limited access facility. A street or highway specifically designed for through traffic.

Loading zone. Unless otherwise specifically stated, a loading zone shall include the following:

(1) *Curb loading zone.* A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(2) *Freight loading zone.* A space adjacent to a curb or other area reserved for the exclusive use of vehicles during the loading or unloading of freight.

(3) *Passenger loading zone.* A space adjacent to a curb or other area reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Municipal parking violation. A noncriminal, non-moving violation which is not punishable by incarceration and for which there is no right to a trial by jury or a right to court-appointed counsel.

Municipal parking citation or parking citation. A citation issued by a parking enforcement officer for a municipal parking violation.

Operator. Any person who is in actual control of a motor vehicle upon a street, highway, or other roadway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Owner. A person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee, lessee, or mortgagor shall be deemed the owner for the purposes of this article.

Park or *parking.* The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this article.

Parking enforcement officer. A law enforcement officer or other person designated by the city to enforce this division.

Private road or *driveway.* Any privately-owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Sidewalk. That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

Stand or *standing.* The halting of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this article.

Stop or *stopping.* When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a Law Enforcement Officer or traffic-control sign or signal.

Street or *highway*. The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic and includes, but is not limited to, developed and undeveloped public rights-of-way.

Taxi stand or *taxicab stand.* A fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers or for other ride-share vehicles to stand or wait for passengers.

Vehicle or motor vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices used exclusively upon stationary rails or tracks.

DIVISION ~~1~~2. – PARKING REGULATIONS ~~GENERALLY~~

Sec. 19-~~68~~56. - Marked spaces.

(a) Yellow paint or markings on any street or curbing shall mean parking is prohibited in that area so marked. Areas marked with yellow paint and designated as a loading zone shall be permitted to be used for that purpose or for whatever purpose so designated.

(b) The existence of such signs, signals, markers or markings at any place within the city shall be prima facie evidence that such signs or markers were erected or placed by and at the direction of the chief of police and city manager and in accordance with the provisions of this article.

(c) Any person failing or refusing to comply with the directions indicated or any sign or marker erected or placed in accordance with the provisions of this chapter shall be deemed in violation. ~~section when so placed or erected shall be guilty of a misdemeanor and punished as provided in section 1-11 of this Code.~~

Sec. 19-~~58~~69~~57~~. - Standing or parking close to curb.

(a) No person shall stand or park a vehicle in a street, highway or roadway other than parallel with the edge of the roadway headed in the direction of the traffic, and with the curbside wheels of the vehicle within 12 inches of the edge of the roadway, except as provided in the following:

(1) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign.

(2) In places where and at hours when stopping for the loading or unloading of merchandise or material is permitted, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads.

(b) It shall be unlawful for any person to park, stop or station any ~~automobile, truck or any other~~ vehicle of any description whatsoever upon any public street or alley in the city in front of, or so as to interfere with, any driveway or entrance from the street upon private property, or to place any material of any description in such a manner as to obstruct such driveway.

Sec. 19-~~58~~70. Unlawful parking.

No person shall stand or park a vehicle upon any street or roadway for the principal purpose of advertising any place of business or service, of displaying the vehicle for sale, of washing, greasing, or repairing the vehicle, except repairs necessary for meeting an emergency, or of selling merchandise from the vehicle, except at a duly established, marked place or when so authorized or licensed under the code or other ordinances of the city.

~~No person shall stand or park a vehicle upon any roadway for the principal purpose of:~~

~~(1) Displaying it for sale; or~~

~~(2) Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency.~~

Sec. 19-~~59~~71. Restrictions on vehicles in excess of ~~three-quarters~~ one (1) ton.

It shall be unlawful for any person to park, store, stop, or station any ~~truck, bus or commercial~~ vehicle in excess of ~~three-quarters~~ one (1) ton maximum gross weight and/or load capacity in any public right-of-way ~~or within the front yard lines, other than a driveway in any residential zoning district within the city~~.

~~**Sec. 19-60. Handicapped parking.**~~

~~(a) It is prohibited for any person to park a vehicle in a properly designated handicapped parking space in violation of the provisions of F.S. § 316.1955 or F.S. § 316.1956. It shall be prima facie evidence that the vehicle was parked and left in the space by the person in whose name the vehicle is registered and licensed according to the records of the division of motor vehicles. Persons violating any provisions of this section shall be guilty of an infraction, for which the fine shall be $250.00.~~

~~(b) In accordance with F.S. § 316.008(4)(a)(b), one-third of the fines collected shall be used to defray expenses for the administration of this section and the provisions of the Florida Statutes regarding disabled parking violations. Two-thirds of the fines collected shall be used to provide funds to improve accessibility and equal opportunity to qualified physically disabled~~

~~persons in the city and to provide funds to conduct public awareness programs in the city concerning physically disabled persons.~~

~~Sec. 19-61. Parking on right side of street.~~

~~All motor vehicles parking on any street or highway within the city shall be parked on the driver's right hand side of the street.~~

~~Sec. 19-62. Parking prohibited on west side of beach street.~~

~~The parking of motor vehicles is prohibited on the west side of the street extending from the north boundary of the municipal beach property southerly to the south boundary of the municipal beach property, the street being the most easterly street on the municipal beach property within the city.~~

~~Sec. 19-63. Parking on state highway number five.~~

~~(a) Parking of motor vehicles shall be limited to the period of one hour on state highway number five between Blue Heron Boulevard and 23rd Street and between the hours of 9:00 a.m. and 6:00 p.m. Parking of motor vehicles shall be limited to the period of one hour on state highway number five in the block between 11th and 12th Streets within the city.~~

~~(b) All vehicles parking on state highway number five within the city shall be parked parallel to the sidewalk.~~

~~© The parking of trucks is prohibited on the east side of state highway number five beginning at the southern limits of the city and extending a distance of 181 feet to the north, and on the west side of state highway number five beginning at the southern limits of the city and extending a distance of 211 feet to the north.~~

~~Sec. 19-64. Stopping or parking near hazardous or congested places.~~

~~When signs are erected upon approach to hazardous or congested places, no person shall stop, stand or park a vehicle in any such designated place.~~

~~Sec. 19-65. Parking adjacent to schools.~~

~~When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place.~~

Sec. 19-~~66~~72. Standing for loading only.

(a) Except as specifically authorized herein, n~~N~~o person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during the hours when the regulations applicable to such passenger loading zone are effective, and then only for a period not to exceed three (3) minutes.

(b) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a curb loading zone during hours when the provisions applicable to curb loading zones are

in effect. In no case shall the stop for loading and unloading of materials exceed 2~~3~~0 minutes or such other time as may be specifically posted.

~~**Sec. 19-67. Allowance for free movement for vehicular traffic.**~~

~~(a) No person shall stop, stand or park any vehicle upon a street, other than an alley in such manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.~~

~~(b) No person shall park a vehicle within an alley for over 15 minutes unless there is left available not less than eight feet of the width of the roadway for the free movement of vehicular traffic.~~

Sec. 19-~~68~~73. Bus, ~~and~~ taxicab, and ride share stands.

(a) The driver of a bus, ride share or taxicab shall not stand or park upon any street in the city ~~any business district~~ at any place other than at a designated bus stop, ride share, or taxicab stand, respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

(b) No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab or other ride share vehicle in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

Sec. 19-~~69~~74. Moving cars from parked positions.

Cars parked shall move out in the direction headed, or if they are parked at an angle with the curb they shall back out on that angle until they have cleared the other cars and shall proceed in the direction they are most nearly headed. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

Sec. 19-~~70~~75. Maximum parking time.

No person who owns or has possession, custody or control of any vehicle shall park such vehicle on any street or highway ~~alley~~ of this city for more than a consecutive period of 60 hours.

Sec. 19-~~71~~76. Backing to curb.

In no case shall any vehicle remain backed up to the curb, except when actually loading or unloading.

Sec. 19-77. - Improper and prohibited parking.

It shall be unlawful for any person to stand or park a motor vehicle in the manner hereinafter described, except when necessary to avoid conflict with other traffic or when so directed by a police officer:

(a) On the roadway side of another vehicle stopped at the edge of a street (double parking);

(b) On a sidewalk (in whole or in part);

(c) In or within twenty (20) feet of a street intersection;

(d) Outside a designated parking space, or in two (2) or more spaces;

(e) Parallel parking with the wheels more than twelve (12) inches from curb or street edge;

(f) Facing against closest traffic flow;

(g) In an angle space with back of vehicle to the curb;

(h) Where signs, street or curb markings prohibit;

(i) On a bicycle path;

(j) Parking more than two (2) motorcycles, scooters or mopeds in a designated space;

(k) On any railroad tracks;

(l) Within a fire lane which has been designated as such by appropriate pavement markings, sign(s) or other traffic control devices;

(m) On the highway or shoulder of a limited access facility except as provided by regulation of the State Department of Transportation or on the paved portion of a connecting ramp; however, a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or accident may be parked on such a shoulder for a period not to exceed six (6) hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a police officer or to a person stopping a vehicle in compliance with applicable traffic laws.

(n) No person shall park any vehicle upon a street in a manner or under conditions as to leave available less than twelve (12) feet of width of the roadway for free movement of vehicular traffic. Where streets are not completely paved or curbs provided, the parking of a car shall be in a manner as not to obstruct the free movement of traffic or block a driveway or private road (in whole or in part).

Sec. 19-78. – Prohibited stopping, standing and parking.

(a) No person shall stop, stand or park a vehicle for the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.

(b) No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(1) In front of a public or private driveway.
(2) Within fifteen (15) feet of a fire hydrant.
(3) Within twenty (20) feet of a crosswalk at an intersection.
(4) Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic-control signal located at the side of a roadway.

(5) Within thirty (30) feet of the driveway entrance to any fire station.
(6) On an exclusive bicycle lane.
(7) At any place where official traffic-control devices prohibit standing.

(c) No person shall park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading freight, material, merchandise or passengers:

(1) Within fifty (50) feet of the nearest rail of a railroad crossing unless the State Department of Transportation establishes a different distance due to unusual circumstances.
(2) At any place where official signs prohibit parking.

(d) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

Sec. 19-79. - Parking and storage in all residential land zoning districts; certain parking prohibited.

(a) All vehicles permitted to be parked or stored on any residential premises, as provided in this section, must be primarily operated by a resident of the premises or a guest, or business invitee of the said resident.

(b) All vehicles permitted to be parked in any residential zoning districts shall comply with this code and the supplemental regulations as set forth in chapter 31 of this code, as amended from time to time. Further, the following vehicles shall not be parked overnight in any residential land use district:

(1) More than one taxi, car service vehicle, or limousine, but not including stretch limousines on a single-family residential lot;

(2) Stretch limousines;

(3) Boom or bucket trucks;

(4) Swamp buggies and half-tracks;

(5) Any vehicle that exceeds the roof height of the principal building on the property or fourteen (14) feet, whichever is less.

Sec. 19-80. - Parking and storage in all non-residential land zoning districts.

All vehicles permitted to be parked or stored in any non-residential zoning districts shall comply with this code and the supplemental regulations as set forth in chapter 31 of this code, as amended from time to time.

Sec. 19-81 - Hazardous parking.

It shall be unlawful for any person to stand or park a vehicle in the manner hereinafter described, except when necessary to avoid conflict with other traffic or when so directed by a police officer:

(a) On railroad tracks, or within fifty (50) feet of a railroad crossing (unless otherwise designated by appropriate markings);

(b) Within twenty (20) feet of a driveway for a fire station;

(c) On a bridge, underpass or overpass; or,

(d) In a lane or way for moving traffic so as to obstruct traffic.

Sec. 19-82. - Paid or free-for-limited-time parking.

(a) The city council may establish and provide parking spaces and facilities open to the public on a pay-for-time or a free-for-limited-time basis. Parking spaces so limited may be regulated by time zones with the maximum time limits for free parking stated on posted signs, or by parking meters, pay stations or other electronic parking monitoring technology that regulate the individual spaces. The signage shall clearly set forth the time limitations and/or rates to advise the public accordingly.

(b) Signage shall indicate by appropriate means when the parking space is expired or what time is remaining at a space.

(c) It shall be unlawful to park in a time zone for a duration of time longer than the maximum time established or posted. Where applicable, it shall be unlawful for any person to park in a metered parking space, or at a numbered space regulated by a pay station when the meter or pay station regulating such space shall indicate that parking in such space is an overtime violation.

(d) It shall be unlawful to alter or duplicate, damage or destroy a parking pay station receipt, permit, tag, placard or decal used for parking control issued by the city or to make any attempt thereof to defraud the city.

(e) It shall be unlawful to stop, stand or park in city owned or operated parking lots, or other city properties that are reserved for hourly, daily, or monthly parking without properly displaying appropriate documentation of payment for parking privileges for the current period, where applicable.

Sec. 19-83. - Public parking on private land.

(a) The city and/or its community redevelopment agency may lease land from a private owner for the purpose of providing public parking, and all regulations in this chapter regarding parking in city garages, lots, and facilities stated in this chapter shall apply equally to such leased lots.

(b) Special events.

(1) No person shall provide special event parking on private land, either unimproved or improved, not normally used for parking purposes, without obtaining a permit for special event parking on private land.

(2) Application for a permit for special event parking on private land may be obtained from the parking division and shall not exceed 30 days.

(3) Permit fees for special event parking on private land shall be established by resolution of the city council.

(4) Owners and operators of private land used for event parking shall not utilize immobilization devices as a means of enforcement unless a special event permit has been issued by the city and the property displays prominently a sign that indicates to a parking customer: (1) the daily parking rate; (2) that immobilization may be utilized to enforce payment; (3) the telephone number to whom a vehicle user may call for removal of the boot; and (4) the cost of the immobilization device removal.

Sec. 19-84. - Hours for parks and public property.

(a) It shall be unlawful for any person to enter and go upon any park or public property grounds in the city during times when said grounds are not opened for public use. The park and public property grounds to be closed and the hours of closing shall be established by resolution of the city council subject to amendment from time to time in the discretion of the city council.

(b) Entry onto park or public property grounds during hours at which such park or public property is closed shall be deemed a trespass in violation of this article and punishable under the provisions of section 1-11 of this Code.

(c) Park and public property hours shall be adequately posted on the park and public property grounds. It shall not be a defense to a prosecution under this section that the person charged had no actual knowledge of the park or public property hours.

Sec. 19-85. - Observance of more restrictive requirements.

Any provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping. standing or parking of vehicles in specified places or at specified times.

Sec. 19-86. - Temporary use of loading zones.

The driver of a vehicle may stop temporarily at a place marked as a curb or passenger loading zone for the purpose of, and while actually engaged in, loading or unloading passengers when the stopping does not interfere with any vehicle used for the transportation of materials which is waiting to enter or about to enter the loading zone. The foregoing shall not apply if the loading zone is specifically reserved as a freight loading zone or other signage restricts use of the loading zone or prohibits use of the loading zone for passenger loading.

Sec. 19-87. - Disabled parking space violations.

Except for vehicles displaying a valid and proper displayed disabled person parking plate or placard, no vehicle shall be stopped, standing, obstructing or parked in those spaces specifically reserved for disabled person parking. A violation of this provision shall be punished by a civil penalty as set by resolution of the city council. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking.

Sec. 19-88. – Leaving vehicle unattended.

No person driving or in charge of any motor vehicle except a licensed delivery truck or other delivery vehicle while making deliveries shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key. No vehicle shall be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

Sec. 19-89. – Inoperable vehicle prohibited.

No person shall park or store an inoperable vehicle on any street or roadway in the city. Inoperable vehicles parked on public property shall be deemed abandoned property and handled in accordance with section 705.103, Florida Statutes, as amended from time to time, or as may be otherwise authorized by this code or Florida Statutes. Inoperable vehicles parked on private property shall be handled in accordance with the motor vehicles division of Chapter 11 of this code and/or through code compliance.

~~**Sec. 19-72. Failure to comply with notice or citation attached to vehicle; follow-up notice; prosecution in county court; penalty imposed.**~~

~~(a) A user or owner who violates any of the restrictions on stopping, standing or parking imposed by ordinance or code in response to such notice or citation affixed to such motor vehicle may pay to the city, the sum of $25.00 within five business days to avoid a late fee.~~

~~(b) If such user or owner shall fail to pay such citation within five business days excluding weekends and holidays, the following late fee shall be imposed: If payment is postmarked after 96 hours of due date, add $10.00, after 30 days, add $25.00, plus original payment affixed to citation. Such violator(s) shall have the right to appeal or request a court hearing and if such user or owner is found guilty of such violation in county court, such user or owner shall be fined a minimum of $50.00 per violation plus court costs.~~

~~(c) The violator, upon satisfactorily complying with the applicable code, shall be issued a parking violation payment verification by the City of Riviera Beach Parking Citation Division.~~

~~(d) If persons fail to pay three or more fines in accordance with the aforementioned sections, or in accordance with section 19-60, the city will report such failure to the clerk of the court who will furnish the department of motor vehicles a list of violators for the purpose of withholding license plates or revalidation stickers until all fines have been paid.~~

~~**Sec. 19-72.1. Failure to comply with section 19-72 or 19-60.**~~

~~The clerk of the court shall supply the department of highway safety and motor vehicles with a computer tape or cartridge which is machine readable by the computer system installed at the DHSMV listing persons who have three or more outstanding parking violations, including violations of F.S. § 316.1955 or 316.1956.~~

DIVISION ~~2~~3. HAZARDOUS TRAFFIC AREAS

Sec. 19-90~~86~~. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this division~~section~~, except where the context clearly indicates a different meaning:

Hazardous traffic areas mean:

(1) The adjacent road right-of-way on the west side of State Road A1A-703 between Cabana Road and the northern city limits.

(2) The adjacent road right-of-way on the east side of State Road A1A-703 between Ocean Avenue and the northern city limits.

(3) Such other areas designated by resolution of the city council.

Prohibited areas means publicly or privately owned vacant lands lying on the east side of State Road A1A-703 between Ocean Avenue and the northern city limits.

Sec. 19-91~~87~~. Intent and purpose.

This division is enacted as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations and for the protection of the public rights in the use of city streets and thoroughfares.

Sec. 19-92~~88~~. Parking prohibited.

Parking of any vehicle in the hazardous traffic area or prohibited area is prohibited.

Sec. 19-~~8~~93. Enforcement by removal and impounding.

Any vehicle parked in the hazardous traffic area or in the prohibited area without lawful authority shall be deemed a public nuisance and the department of police or any other agent of the city granted power to enforce city ordinances is hereby authorized to remove or cause to be removed at the sole cost and expense of the owner or violator. Such police authority shall have the power and is hereby authorized to remove the vehicle by either private or governmental equipment to the city pound, or privately operated pound, or else as may be deemed advisable consistent with the regulations set forth in this chapter for impounding vehicles.

~~**Sec. 19-90. Notice to owner.**~~

~~Whenever the department of police has impounded a vehicle as described in section 19-89, a notice of such removal and the storage place of such vehicle shall be mailed to the last registered owner of such vehicle if the name and address of such owner can be ascertained with reasonable diligence. Such notice shall state that if the owner fails to reclaim such vehicle within 60 days from the date of mailing, title to such vehicle will vest in the city and such vehicle will be sold at public auction to be held not sooner than 30 days after the expiration of the 60-day period contained in the notice.~~

~~Sec. 19-91. Owner responsibility.~~

~~The registered owner of a vehicle shall be presumed to be the owner at the time of violation and shall be severally responsible for the offenses and the impoundment, except where the use of the vehicle was secured by the operator without the owner's consent.~~

~~Sec. 19-92. Records.~~

~~(a) It shall be the duty of the police department to safely keep any impounded vehicle until such vehicle shall have been repossessed by the owner or person legally entitled to possession thereof or otherwise disposed of as provided in this section. The police department shall cause to be kept an accurate record of the description of such vehicle including:~~

~~(1) The name of the police officer from whom such a vehicle was received.~~

~~(2) The police officer employed to tow or have delivered the same to the pound or authorized garage.~~

~~(3) The date and time when received.~~

~~(4) The place where found, seized or taken possession of.~~

~~(5) The make and color of car, style or body, kind or power, motor number, serial number, number of cylinders, year built, state license number, if any, equipment and general description.~~

~~(6) The name and address of the person redeeming the vehicle and the date of redemption.~~

~~(7) The manner and date of disposal of the vehicle in case it shall not be redeemed.~~

~~(8) The cost of outstanding summonses and the towing and storage charges.~~

~~(b) This record shall be in the form prescribed by the chief of police.~~

~~Sec. 19-93. Release of vehicle.~~

~~(a) Vehicles impounded pursuant to this division will be released to their lawful owners or person entitled to possession upon showing adequate evidence of a right to its possession and paying the payment of all accrued fines and costs, any outstanding unpaid summons or each violation for which there is an outstanding or otherwise unsettled traffic violation notice or warrant and the charges for towing and storage. The release should be signed by an authorized officer.~~

~~(b) No vehicle impounded pursuant to this division will be released if there is a certification from a court or administrative bureau that the vehicle has outstanding unpaid summonses charging such vehicle was parked, stopped or standing in violation of any law or ordinance of the city until the owner or person entitled to possession provides proof from the court or administrative bureau that such summonses have been disposed of in accordance with law.~~

~~Sec. 19-94. Sale of vehicle.~~

~~(a) Whenever any vehicle impounded shall remain unclaimed by the owner or other person legally entitled to possession for a period of 60 days from the day notice was mailed, it shall be the duty of the police department to sell such vehicle at public auction to the highest bidder for cash. The time and place of such sale shall be published at least once in a newspaper of general circulation in the city, not less than ten nor more than 15 days from expiration of the~~

~~60 days. The notice shall contain a full description of the vehicle to be sold and at the time and place of sale. Any vehicle not sold at the first sale may be offered for sale and sold at any subsequent sale without further notice or publication.~~

~~(b) The proceeds of such sale after paying all liens and deducting all reasonable charges and expenses incurred by such officer charged with the keeping of the pound, including the fees and charges herein specified in receiving, towing, keeping, preparing and giving notices, advertising for sale or selling or otherwise disposing of such vehicle, shall be paid to the director of finance.~~

~~(c) Whenever any such vehicle shall remain unsold for a period of 180 days from and including the day when it shall have been delivered to any vehicle pound as provided in this division, any such vehicle may be given to the use of any department of the city or other governmental agency desiring it or may be removed for dismantling. No member of the department of police, nor any other employee of the city, directly or indirectly, shall purchase or participate in the bidding for or purchase of any vehicle offered for sale.~~

~~(d) Notice to owners of vehicles deemed by the chief of police to be of no value or of insufficient value to warrant storage and sale shall provide that:~~

~~(1) The owner shall appear to redeem such valueless vehicle within 60 days after the mailing of notice of its removal.~~

~~(2) The vehicle is deemed to be of no value or of insufficient value to warrant storage and sale; and if such owner does not appear, it is the intention of the city to dispose or destroy such vehicle.~~

~~The notice shall be sent to any owner whose name and address can be ascertained with reasonable diligence or by publishing such notice in a newspaper of general circulation in the city once at least five days before its destruction or other disposition. Such vehicle as above provided shall be conclusively deemed of no value and to be abandoned property, and there shall be no claim against the city, chief of police nor any of their agents or employees by reason of any such destruction or disposition.~~

Sec. 19-94~~5~~. Rules and regulations.

The city council may promulgate such regulations by resolution, as are necessary to effectuate the provisions of this division, including provisions for the recovery of the administrative costs of the program by the city.

Sec. 19-95~~6~~. Posting of signs.

The city manager is authorized and directed to post appropriate signs designating the hazardous traffic area and the prohibited area at the north and south entrances to the hazardous traffic area and the prohibited area, giving notice to the public at large, and upon the posting of such signs this division shall be enforced.

DIVISION 4. - BEACH PARKING.

Sec. 19-96. - Definitions.

For the purpose of interpreting this division, the following words and phrases shall have the following meanings:

Municipal beach area means that area lying within the municipal boundaries of the city lying east of Park Avenue, west of the Atlantic Ocean, south of 2700 N. Ocean Drive and north of Palm Beach Shores.

Beach area parking lots means the city-owned or city-operated surface parking lots, including public on-street parking spaces, serving the municipal beach area.

Bus shall mean and include buses, shuttles, motor coaches or other similar vehicles used for the transportation of over ten (10) persons.

Resident or beach tenant employee parking areas means those beach area parking lots and/or spaces designated and reserved for the exclusive use of individuals who satisfy the requirements provided herein for year-round residents, seasonal residents or beach tenant employees that possess and display the required decal or other designated authorization from the city.

Sec. 19-97. - Parking generally.

(a) Parking in the municipal beach area is first come, first serve basis. It shall be unlawful, and a municipal parking violation punishable in accordance with this chapter or state law as a nonmoving violation for any person to park a motor vehicle, as described in this chapter or in F.S. ch. 316, at the municipal beach area along the roadside or in any area not located within one of the municipal beach area parking lots.

(b) No operator of any motor vehicle shall park any motor vehicle in the beach area parking lots unless the vehicle is within a designated area and marked single parking space. An operator of a motor vehicle may use more than one (1) space if the size or shape of the vehicle makes compliance of this section impossible, but must pay for all spaces.

(c) All operators of motor vehicles who park in a space in the beach area parking lots must pay for the spot in accordance with the designated rates. No more than two (2) motorcycles, mopeds or scooters shall be allowed to occupy a single designated parking space.

(d) All roadways, streets, lanes or other public rights-of-way in the municipal beach area not designated and marked for public parking shall be kept open and free of parked vehicles at all times.

(e) The right granted to a motor vehicle under this division to stop or stand a vehicle for purposes of loading or unloading of passengers shall not extend beyond three (3) minutes. Any motor vehicle unloading or loading passengers must be attended to at all times.

(f) It shall be a municipal parking violation for any person to park a motor vehicle, as described in F.S. ch. 316, where the vehicle is backed into the parking space and the back of the vehicle blocks, encroaches or otherwise impedes the use of a sidewalk or other pedestrian passage right-of-way in any manner.

(g) It shall be a municipal parking violation for any person to park a motor vehicle, as described in F.S. § 316.605, obscuring the word "Florida", the vehicle's registration decal, and/or the alphanumeric designation on the license plate in a manner that restricts the license plate from being plainly visible and legible at all times twenty (20) feet from the rear or front.

Sec. 19-98. - Prohibited and restricted parking.

(a) It shall be a municipal parking violation for any person to park any recreational vehicles including but not limited to a mobile home, motor home, travel trailer, camping trailer, truck camper or slide-in camper, as such vehicles are described in F.S. ch. 320, in the municipal beach area. Also prohibited from parking in the municipal beach area are trucks or other oversized vehicles of a one-ton capacity and greater.

(b) The city's parking administrator or designee may authorize in writing, the temporary parking of the aforementioned vehicles and commercial vehicles in the beach area parking lot if such temporary parking is necessary and related to a city-sponsored event; is necessary and related to authorized use of city owned or leased facilities in the municipal beach area; or, if necessary and pursuant to a written agreement for the provision of services in the municipal beach area or at nearby beaches.

(1) The right granted under this section to stop or stand a vehicle for purposes of loading, unloading or delivery of goods, or materials to authorized users of city owned or leased facilities at the municipal beach area, shall apply only to commercial vehicles and shall not extend beyond the time necessary therefore and in no event for more than twenty (20) minutes unless prior approval is obtained from the city.

(c) Buses in the municipal beach area shall only load or discharge passengers at the designated loading zone areas, except the parking administrator or designee may, for good cause shown, from time to time, and in specific cases only, upon prior notice, allow the loading and discharge of passengers at some other location. The discharging and loading of passengers from such vehicles shall not block any roadway, lane or other right-of-way. If no other option is available, such loading and discharging may occur if limited to a reasonable and necessary time to facilitate such transfer. After the loading or discharging of passengers is complete the vehicle must either legally park or leave the beach parking lot. In no instance shall the operators of said vehicles allow the motors to be stationary and running unless legally parked when the bus is not moving or preparing to move, nor shall the bus be left unattended. Such vehicles shall only park within any parallel spaces available and capable of accommodating vehicles of such size and length.

Sec. 19 -99. - Overnight lodging in vehicle.

It shall be unlawful for any person to use a mobile home, or other motor vehicle designed or modified for living or sleeping use, for overnight lodging at the municipal beach area. No person shall be charged with a violation of this section until he or she has been warned of the prohibition herein, and has willfully refused to comply therewith.

Sec. 19-100. - Designation and use of resident and beach tenant employee parking areas.

(a) Vehicles displaying a resident or beach tenant employee parking decal issued by the city (or other city authorized designation) shall be permitted to park in the resident parking

areas, which includes the year-round and seasonal residents, or beach tenant employee parking areas as hereinafter provided. Resident and beach tenant employee parking areas may be established by resolution of the city council. If an area is designated for resident parking only, a resident parking decal shall be displayed. If an area is designated for beach tenant employee parking only, a beach tenant employee parking decal shall be displayed. If an area is designated for both resident and beach tenant employee parking, either a resident parking decal or beach tenant employee parking decal must be displayed.

(b) A parking decal as required by this section shall be issued to year-round and seasonal residents who meet the following criteria:

(1) A year-round resident of the city shall furnish proof of such residency by producing one (1) of the following items of current, documentary evidence:

i. Declaration of domicile;
ii. Homestead exemption qualification card;
iii. Ad valorem property tax payment receipt;
iv. Voter registration card;
v. A lease agreement with notarized signatures or a notarized letter from a property owner or management company that provides that the person is renting the property and it is within the municipal limits of the city;
vi. City of Riviera Beach utilities bill, in the name of the applicant, containing waste removal charges.

(2) A seasonal resident of the city shall furnish proof of such residency by producing one (1) of the following items of current, documentary evidence:

i. Ad valorem real property tax payment receipt reflecting an address within the city limits;
ii. Mobile home registration reflecting an address within the city limits;
iii. A lease agreement with notarized signatures or a notarized letter from the property owner or management company that provides that the person is renting the property and it is within the municipal limits of the city; or
iv. City of Riviera Beach utilities bill, in the name of the applicant, containing waste removal charges.

(3) Both year-round and seasonal residents shall additionally furnish a current, valid motor vehicle registration for each vehicle for which a parking decal is sought, a valid driver's license and one (1) other item of personal identification which reflects a Riviera Beach city address. If the vehicle is registered in a company name, the person seeking the decal shall be referred to the city attorney or designee for a determination of eligibility. With respect to year-round residents, the documents required by subsection (1) and the first sentence of this subsection shall reflect the same city address. A year-round resident who leases a vehicle for which a parking decal is sought shall additionally furnish a notarized copy of the lease in his or her name.

(d) All persons applying for a resident parking decal shall execute an affidavit, under oath, setting forth any of the foregoing facts or any other facts requested by the city. Said resident executing this affidavit will be advised that if any statement in the affidavit is false, the affiant will be prosecuted for perjury.

(e) All year-round residents shall pay to the city a fee set forth by resolution for the parking decal which shall be valid for a period of one (1) year commencing on May 1 and expiring the following April 30.

(f) All seasonal residents shall pay to the city a fee set forth by resolution for the parking decal which shall be valid for a period of one (1) year commencing on May 1 and expiring the following April 30.

(g) The resident parking decal shall be permanently affixed by the resident to the vehicle in the lower left corner of the windshield on the driver's side as directed by the city. The vehicle upon which the decal is permanently displayed shall be the same vehicle for which registration is exhibited to the city as required herein. Decals are not allowed to be transferred to other vehicles.

(h) In case of replacement of a vehicle for which a parking decal has been issued, a replacement parking decal shall be issued upon the payment of a replacement fee as established by city resolution and upon production of a vehicle registration certificate for a replacement vehicle and either the old parking decal or an affidavit, executed under oath, stating that the old parking decal has been lost, stolen or destroyed.

(i) In addition to all other requirements contained herein, all unmarried minor persons applying for a resident parking decal shall furnish the affidavit provided for in subsection (4), which shall be co-signed by a parent or natural or court-appointed guardian. Proof of guardianship or marriage may be required by the issuing authority.

(j) In case of a dispute, the city attorney or designee shall have the authority to make a determination of issuance or non-issuance of the resident parking decal.

(k) Upon payment of the fee set by city resolution, any beach tenant employee who is employed by an authorized tenant of the municipal beach area shall be issued a beach tenant employee parking decal. The decal shall be permanently affixed in the lower left corner of the windshield on the driver's side as directed by the city. A replacement decal shall be issued upon the payment of a replacement fee as set by city resolution and upon production of either the old parking decal or an affidavit, executed under oath, stating that the old decal has been lost, stolen or destroyed. The decal shall be valid for the period specified by city resolution. Tenant employee decals are city property and must be returned upon termination of employment or non-payment as set by city resolution.

(l) It shall be a municipal parking violation for any person to park a motor vehicle which does not display a resident or beach tenant employee parking decal as herein provided or pay the metered fee in the resident and beach tenant employee parking areas. A violation of this section shall be punished by a civil penalty set forth by city resolution.

(m) It shall be a misdemeanor of the second degree for any person to temporarily affix in any manner, such as though the use of adhesive tape, a resident beach parking decal or beach tenant employee parking decal to any motor vehicle. Furthermore, it shall be a

misdemeanor of the second degree for any person to be in the possession of a motor vehicle on which is temporarily displayed in any manner a resident beach parking decal or beach tenant employee parking decal.

(n) It shall be a misdemeanor of the second degree for any person to forge, duplicate or reproduce in any manner a resident beach parking decal or beach tenant employee parking decal.

(o) It shall be a misdemeanor of the second degree for any person to display in any manner a forged, duplicated or otherwise reproduced resident beach parking decal or beach tenant employee parking decal on any motor vehicle.

(p) Furthermore, it shall be a misdemeanor of the second degree for any person to be in the possession of a motor vehicle on which is displayed a forged, duplicated or otherwise reproduced resident beach parking decal or beach tenant employee parking decal.

(q) Except to the extent that decal parking is allowed pursuant to this article, the rates for metered municipal beach parking shall be set by city resolution.

(r) A resident parking permit shall not guarantee or reserve to the holder of the permit a parking space within a designated parking lot or beach access easement.

(s) The city is authorized to revoke the resident parking permit of any permittee found to be in violation of this division and, upon written notification thereof, the permittee shall surrender such permit to the city. Failure, when so requested, to surrender a resident parking permit so revoked shall constitute a violation of this division.

(t) Residents will be issued no more than one (1) parking permit per bedroom and, at a maximum, no more than three (3) parking permits per dwelling.

(u) Parking Permits issued under this division may only be utilized during the hours set by resolution of the city council.

DIVISION 5. - CITY PARKING GARAGES.

Sec. 19-101. - Parking in city parking garages.

(a) Parking in the city's parking garages is on a first-come, first-served basis. No parking spaces shall be reserved except as may be designated by the parking administrator or designee.

(b) Parking in city parking garages shall be at rates established by resolution of the city council.

(c) Monthly permits. Monthly permits allowing use of city parking garages may be issued at the discretion of the parking administrator or designee. Monthly permits grant access to a designated area of the applicable parking garage; but do not reserve or guarantee the availability of spaces.

Sec. 19-102. - Overnight parking.

City parking garage facilities are not intended for long term unattended parking/storage of vehicles. Although overnight parking is permitted, no privately owned vehicle is allowed to be parked/stored in any city parking facility for more than five (5) consecutive business days without

exiting the facility. Any privately owned vehicle parked/stored in a city-owned parking facility over five (5) consecutive business days will be subjected to towing at the vehicle owner's expense.

Sec. 19-103. - Parking in city garages during a hurricane or highly inclement weather.

The declaration of a local state of emergency issued by city council, may provide that the city's parking garages may remain open without charge for vehicles to be stored for their protection. The declaration shall have a starting day and time and an ending day and time during which period there is no charge of parking fees to the public. However, if a vehicle is parked prior to beginning of the period and/or after the end of the period, such vehicles must pay the established parking rates for the time parked, excluding the declared emergency period. Use of the city parking garages during the emergency period shall be limited to two vehicles per resident, visitor or business. Vehicles parked illegally may be towed upon approval by the parking administrator or designee.

~~DIVISION 3~~6~~. PARKING METERS~~

~~**Sec. 19-116. Definitions.**~~

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Parking meter* means and includes any mechanical device or meter not inconsistent with this division placed or erected for the regulation of parking by authority of this division. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.~~

~~*Parking meter space* means any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface in the area adjacent to or adjoining the parking meters.~~

~~*Parking meter zone* means and includes any area upon which parking meters are installed and in operation.~~

~~**Sec. 19-117. Authority to designate zones and spaces and install meters.**~~

~~The city council is hereby authorized and directed to establish as it may deem best, and from time to time hereafter as traffic conditions require, zones to be known as parking meter zones upon such streets or other areas in the city as are selected for the location of such zones. In such parking meter zones the city council shall cause parking meters to be installed when necessary and shall cause parking meter spaces to be designated as hereinafter provided.~~

~~**Sec. 19-118. Installation, location, condition, violation legend of meters.**~~

~~The city council shall provide for installation of meters, including curb, street or other area marking lines, regulation and operation thereof, and shall cause such meters to be maintained in good workable condition. Meters shall be placed upon the curb or other areas chosen next to individual parking places. Meters shall be so constructed as to display a signal showing legal parking upon deposit of the proper coin of the United States as indicated by instructions of such~~

~~meter, and for a period of time conforming to the parking limits of the city, as indicated on such meter. Such signal shall remain in evidence until expiration of such parking period so designated, at which time a change of signal or some other mechanical operation shall indicate expiration of the parking period.~~

~~Sec. 19-119. Agreements for installation and payment.~~

~~The city is hereby vested with the authority to enter into contracts for the purchase and installation of parking meters and to provide payment therefor exclusively from the receipts obtained by the city from their operation. Such means of payment shall be in addition to any other purchasing powers heretofore granted the city by its charter or by the laws of the state.~~

~~Sec. 19-120. Manner of parking, depositing coins.~~

~~(a) When any vehicle shall be parked next to a parking meter, the owner or operator of such vehicle shall park within the area designated by the curb, streets or other area marking lines as indicated for parallel or diagonal parking. Upon entering such parking space, the owner or operator shall immediately deposit in the meter the proper coin or coins, as indicated by instructions on such meter. It shall be unlawful for any person to fail to park within such designated area or fail or neglect to so deposit the proper coin or coins as aforesaid.~~

~~(b) Such parking space may then be used by such vehicle during the legal parking limit provided by the ordinances of the city. Such vehicle shall be considered as unlawfully parked if it remains in such space beyond the legal parking limit and/or when such parking meter displays a signal showing such illegal parking.~~

~~(c) It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section.~~

~~Sec. 19-121. Evidence of ownership of vehicle.~~

~~Proof of registration of a motor vehicle and proof of a violation of this division shall be construed as prima facie proof that the registered owner of such motor vehicle was the user or operator at the time of the violation charged.~~

~~Sec. 19-122. Extending time beyond limit.~~

~~It shall be unlawful for any person to deposit or cause to be deposited in a parking meter more coins for the purpose of extending the parking time beyond the maximum time fixed by the ordinances of the city.~~

~~Sec. 19-123. Depositing slugs.~~

~~It shall be unlawful to deposit or cause to be deposited in any parking meter, any slug, device or a metallic substitute for a coin of the United States.~~

~~Sec. 19-124. Tampering with, injuring.~~

~~It shall be unlawful for any person to tamper with, open, wilfully break or destroy any parking meter.~~

~~Sec. 19-125. Duties of police as to violators—Collecting fines.~~

~~(a) It shall be the duty of police officers or other persons acting in accordance with instructions issued by the chief of police, to report:~~

~~(1) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this division.~~

~~(2) The state license number of such vehicle.~~

~~(3) The length of time during which such vehicle is known to have been parked in violation of any of the provisions of this division.~~

~~(4) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~(b) Each such police officer or person shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of the provisions of this division and instructing such owner to report at the police station in regard to such violations.~~

~~(c) Each such owner may pay to the desk sergeant at the police station, as a penalty for and in full satisfaction of such violation, the sum of $10.00 if paid within ten days of the time when such notice was attached to such vehicle. The failure of the owner to make such payments within such ten-day period shall render the owner guilty of a violation of this division.~~

~~(d) Moneys paid to and received by the police department shall be transferred and paid over by the department to the director of finance on the first weekday next succeeding the collection thereof.~~

~~Sec. 19-126. Same—Complaint against violators.~~

~~It shall be the duty of traffic officers so instructed to take the parking meter number and the state vehicle tag number of all persons violating the provisions of this division and make complaint therefor in court when settlement is not made.~~

~~Sec. 19-127. Use of proceeds.~~

~~The coins required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets and to cover the cost of the supervision, inspection, installation, operation, maintenance, control and use of the parking spaces and parking meters described herein and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby.~~

~~Sec. 19-128. Maximum time on Ocean Drive at municipal beach.~~

~~The maximum time limit for parking meters on Ocean Drive fronting on the municipal beach shall be three hours.~~

~~Sec. 19-129. Division cumulative.~~

~~This division shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of prior or existing ordinances, but shall be an additional provision for the regulation of traffic and parking in those zones provided for herein.~~

DIVISION 6. - ENFORCEMENT.

Sec. 19-104. - Enforcement procedure.

(a) Whenever a vehicle is deemed to be in violation of this article, the city's parking enforcement officer locating such vehicle shall endeavor to identify the owner thereof, and shall deliver to the violator, or affix to the vehicle, a municipal parking citation describing the same and the civil penalty therefore. If the violator drives the vehicle away from or in any manner leaves the site of the violation while the parking enforcement officer is preparing the parking citation, or refuses service of the parking citation and drives away from or in any manner leaves the site of the violation, this fact shall be duly noted in the parking system. This shall constitute prima facie evidence that the parking citation was issued and that an attempt at service thereof was made in accordance with the provisions of this article.

(b) The violator shall have fifteen (15) calendar days to pay the stated penalty, or to request an appeal hearing for the municipal parking citation issued by the city. In the event the violator does not pay the stated penalty or a signed and completed appeal form is not received by the city within the fifteen (15) calendar day period, the civil penalty prescribed for the alleged violation shall double in amount and tender of payment of a lesser amount shall not be accepted. The city must have received the payment or the request for appeal prior to the close of business on the 15th day in order to be in compliance with this section. In those cases where the citation is mailed to the violator, the city's parking administrator is authorized to waive the doubling of the civil penalty based upon good cause.

(c) Alternatively, whenever a vehicle is deemed to be in violation of this article and the violation is discovered through an authorized city vendor charged with parking management and/or enforcement, the city vendor may utilize any legal process the city vendor utilizes to enforce this article including, but not limited to, assessing fines and penalties and sending delinquencies to collections. In addition, the city or the police department may utilize any other legal process available to the city or the police department to enforce the provisions of this article.

(d) The city's parking administrator with the approval of the city manager shall establish a parking enforcement policy and procedures manual to further implement these enforcement procedures including, but not limited to, a procedure for hearing municipal parking citation appeals.

Sec. 19-105. - Withholding of license plates and validation stickers.

(a) Violations shall be supplied to the State of Florida Department of Highway Safety and Motor Vehicles (DHSMV) with a magnetically encoded computer tape reel or cartridge which is machine readable by the installed computer system at DHSMV, listing persons who have three (3) or more outstanding parking citations.

(b) If a person's name appears on the list referred to in subsection (a) above, no license plate or revalidation sticker shall be issued to such person until such person's name no longer appears on said list or until such person presents a receipt showing that such parking

citations have been paid. The tax collector shall be entitled to receive monthly, as costs for implementing and administering this subsection, ten percent (10%) of the civil penalties and fines covered from such persons.

(c) If a person's name appears on the list referred to in subsection (a) above, the civil penalty or fine for each parking citation that contributed to the appearance of the person's name on the list will increase by fifteen percent (15%), and tender of payment of a lesser amount will not be accepted.

Sec. 19-106. - Penalties.

The fines for a violation of this article shall be established by resolution of the city council. Any fine imposed under this chapter shall be paid in addition to any immobilization and/or impoundment charges.

Sec. 19-107. - Delinquent parking violations; additional fees.

(a) Municipal parking violations fines and penalties for which full payment is not received within forty-five (45) calendar days from the date of issuance will be subject to no more than an additional twenty-five percent (25%) cost.

(b) Pursuant to F.S. § 938.35, parking violations, fines and penalties for which full payment is not received within ninety (90) calendar days from the date of issuance will also be subject to an additional collection fee, if the account is referred to a private attorney who is a member in good standing of the Florida Bar or to a collection agent who is registered and in good standing pursuant to F.S. ch. 559, each retained by the city pursuant to its applicable procurement practices to pursue the collection of such unpaid financial obligations. The amount of such collection fee shall not exceed twenty-five percent (25%) of the amount owed at the time the account is referred to the attorney or agents for collection, or in the actual amount charged by such private attorney or agents for collection, whichever is less.

(c) In the case of overpayment of a municipal parking violation fine and penalty, no refund shall be made if payment of any other delinquent citation is due and owing on any vehicle owned by the same registered owner of the vehicle, and if such citation is not under appeal. The city shall apply such credit balance to the oldest outstanding delinquent parking violation first.

Sec. 19-108. - Administrative review process; voiding of citations; waiver of late fees; imposition of administrative fees.

(a) The city's parking administrator is authorized to dismiss/void a municipal parking citation, impose administrative fees, or waive late fees under the following circumstances:

Defective meters or other devices. If a person who has received a parking citation for overtime parking believes the parking meter or other device used to determine the overtime parking violation is defective or malfunctioning, such person shall notify the city's parking administrative office in writing of the alleged defect or malfunction within seventy-two (72) hours of the time of issuance of the parking citation by completing an on-line form.

(1) If the meter or other device is found to be functioning properly, the person who contacted the city shall be notified in writing by email or phone by the city's parking administrative office, and all fines and penalties shall be due and payable within fifteen (15) calendar days of the date of the notification.

(2) If the meter or other device is found to be defective or malfunctioning, the person who contacted the city shall be notified in writing by email or phone by the city's parking administrative office and the parking citation shall be deemed to be invalid and all fines and penalties shall be removed.

(3) Those other circumstances listed in the adopted parking policy and procedure manual or in the schedule of fees and charges for services allowing the parking administrator to void citations and waive late fees.

(b) An administrative fee may be assessed for voiding parking citations as set forth in the schedule of fees and charges for services.

(c) An administrative fee may be assessed when payments are presented in person at the city, if such fee is provided for in the schedule of fees and charges for services.

ARTICLE IV. -TOWING, IMPOUNDING, AND IMMOBILIZATION.

~~DIVISION 4~~8. IMPOUNDING VEHICLES

Sec. 19-109. - Enforcement.

Except where specifically allowed, this chapter may be enforced by a duly authorized city representative. A "duly authorized city representative" shall consist of, but not be limited to, employees of the city's police department, city code compliance officers, parking enforcement employees, and city authorized contractors.

Sec. 19-110. - Immobilizing of motor vehicles.

(a) A duly authorized city representative is authorized to attach a device that is capable of immobilizing a motor vehicle so that it cannot be moved under its own power without damage to the motor vehicle:

(1) When three (3) or more citations for unlawful or illegal parking involving any vehicle bearing the license plate that has been cited, have been outstanding for more than fifteen (15) days and have not been disposed of by payment of the fine or cancellation of the citations by the city or by requesting an appeal hearing as provided in this chapter; or

(2) When the motor vehicle is not lawfully displaying a license plate in accordance with section 316.605, Florida Statutes, or the vehicle identification number is covered in such a manner as to prohibit a duly authorized city representative from reading it.

(b) The immobilizing device shall be attached to the motor vehicle at the location where the motor vehicle is parked, except that no motor vehicle shall be immobilized within the traveled portion of a street or on a portion of a street when immobilization at that location would create a hazard to the public or to traffic on the street. At the same time the

immobilizing device is attached to the motor vehicle, a notice shall be affixed to the windshield or other prominent place on the motor vehicle stating that the immobilizing device has been so attached, cautioning the operator not to attempt to operate the motor vehicle while the immobilizing device is still attached, informing the owner or operator of the motor vehicle of the number of total fines and charges assessable under the citations for which the motor vehicle is immobilized (including the removal charge, as set forth by city resolution, for removal of the immobilizing device and all citations that are outstanding and incurred at the time of immobilization), and informing the owner or operator of the location where he/she must go in order to pay the fines and charges and have the immobilizing device removed from the motor vehicle.

(c) The immobilizing device shall be removed, by a duly authorized city representative, from the motor vehicle upon correction of any violation and payment to the city of the total fine and charges for which the motor vehicle is immobilized. It shall be unlawful for a person, except for a duly authorized city representative, to remove or cause to be removed the immobilizing device. Alternatively, if an authorized city vendor is utilized to immobilize vehicles and the vendor has an automated process for payment of delinquent amounts and automated removal of the immobilizing device upon receipt of payment, the authorized city vendor may utilize such automated process for the removal of the immobilizing device.

(d) The duly authorized city representative may tow or cause to be towed and impounded a motor vehicle immobilized under this division if fines and charges have not been paid or satisfactory arrangements in lieu thereof have not been obtained within twenty-four (24) hours of attaching the immobilization device to the motor vehicle. A duly authorized city representative may also tow or cause to be towed and impounded a motor vehicle that has been immobilized under this article if the immobilizing device has been removed without the authorization set forth in this article. Under certain circumstances, such as the driver or owner threatening to remove the immobilizing device, a duly authorized city representative shall have the option of towing the vehicle at the time the vehicle is immobilized. All expenses for towing or impounding shall not exceed the rates set forth by Palm Beach County, and shall be borne by the owner of the motor vehicle. All expenses for immobilization shall be set forth by resolution, adopted by the city council, and shall be borne by the owner of the motor vehicle. Such expenses may include fines, administrative costs, and costs of repair or replacement to an immobilization device. All towing, impounding or immobilization shall be carried out in accordance with this article.

Sec. 19-111. - Tow-away zones; removal of motor vehicles; designation of no-parking zones; notice.

(a) *Tow away zones; removal of motor vehicles.* A duly authorized city representative is hereby authorized to remove, or cause the removal of and impoundment of, vehicles to a storage area designated or maintained by the city (or its towing contractor) or by the city's law enforcement agency, or to move such vehicles or cause such vehicles to be moved, or to require the owner or operator of the vehicle to move such vehicles to a position which would not be an obstruction or in violation of any ordinance under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any street, bridge, roadway, or where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a street is so disabled that it obstructs traffic, or the operator of the vehicle is by reason of physical injury incapacitated to such an extent that the operator is unable to remove the vehicle.

(3) When any vehicle, parked in the public right-of-way or on publicly owned property, is in violation of prior notices to remove the vehicle due to work/special events using the right-of-way or publicly owned property.

(4) When any vehicle, parked in the public right-of-way or on publicly owned property, is left unattended continuously for more than twenty-four (24) hours, after being cited.

(5) When the driver of such vehicle is taken into custody by a law enforcement agency and such vehicle would thereby be left unattended upon a street, bridge, roadway or where such vehicle would constitute an obstruction to traffic.

(6) When removal is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.

(7) When a vehicle is parked in violation of a parking control device or sign which informs the vehicle operator that the area in which the vehicle is parked is an official tow away zone or other prohibited area requiring removal of the vehicle.

(8) When any vehicle is parked or stopped or engaged in loading or unloading merchandise or passengers in an area designated as a "no loading" or "no parking" zone.

(9) When otherwise authorized under this chapter or code.

(b) *Designation of "no parking"/"tow-away" zones.* The city manager, or designee, may designate from time to time certain areas (i.e., roads, streets, rights-of-way, publicly owned property), or portions thereof, as "no parking" zones for such hours, days or periods of time as determined by the city manager, or designee, and designate such areas as a "tow-away" zone for vehicles parked in violation thereof. The city manager, or designee, shall provide for the posting of signs and/or parking control devices in the designated areas identifying such areas as "no parking" for the time periods in which no parking provisions are enforced, and further identifying such area as a designated "tow-away" zone.

The existence of such signs, signals, markers, or traffic control devices at any place within the corporate limits of the city shall be prima facie evidence that such signs, signals, markers, or traffic control devices were erected or placed in accordance with the provisions of this article.

(c) *Notice on illegally parked vehicles.* Whenever any vehicle, without driver, is found to be parked, stopped or standing in violation of any of the provisions of this code, a duly authorized city representative shall conspicuously affix to such a vehicle a written citation on an appropriate form. This section shall not be construed to prohibit or restrict the issuance of a citation in any other appropriate circumstance.

Sec. 19-112. - Maintenance of storage places for impounded vehicles.

The city may maintain a storage place for motor vehicles impounded pursuant to this division or the city may authorize storage of the impounded motor vehicles at another location that is maintained by the city's towing contractor.

Sec. 19-113. - Notice of impoundment.

(a) *When owner present.* When a duly authorized city representative intends to impound a vehicle pursuant to this division and the owner of the vehicle is present, the duly authorized city representative shall, before the vehicle is removed, provide the owner with a notice, in a form prescribed by the city, that the vehicle is being impounded, that towing and storage charges will be assessed against the impounded vehicle, that the owner may claim and regain possession of the impounded vehicle at the location to which it is being removed for storage upon the payment of towing and storage charges as well as any charges due to the city. The notice shall state the location where the impounded vehicle will be stored and that the owner may appeal the charges. The notice shall also state, in prominent language, that failure by the owner to request an appeal within the appropriate time period may result in the placing of a lien against the vehicle for the towing and storage charges without further notice to the owner.

(b) *When owner not present.* When a duly authorized city representative impounds and removes a vehicle pursuant to this division and the owner of the vehicle is not present at the time of the impoundment, the duly authorized city representative shall provide notice in accordance with state statute.

(c) *Failure or refusal to sign notice.* If a person who is required by this section to sign a notice of impoundment willfully fails or refuses to do so, or if the person cannot be located, the duly authorized city representative shall note this fact on the face of the notice, which shall constitute prima facie evidence of delivery or service of notice as required by this section.

(d) *City to send notice to any lienholders; notice to entity providing temporary tag.* In addition to the notice required herein, when the duly authorized city representative impounds and removes a vehicle pursuant to this article, he/she shall also send a similar notice of such impoundment, in writing within seven (7) days of the date of such impoundment, to any and all lienholders of record (as appears on the motor vehicle registration or as disclosed by the records in the State Department of Highway Safety and Motor Vehicles). In the event the impounded vehicle has a temporary license tag affixed to it, the city shall provide, if possible, the same notice required herein to the entity to which a temporary license tag was issued.

(e) *No notice by city necessary if provided by a towing contractor.* Notwithstanding any provisions to the contrary contained in this division, it shall not be necessary for the city to provide to the owner or lienholder of an impounded motor vehicle notice of impoundment or storage as required by this article if such notice is to be or has been provided by the towing contractor storing the vehicle pursuant to the notification required by law.

Sec. 19-114. - Release of vehicle from impoundment.

The owner of an impounded vehicle may secure the release of the vehicle from impoundment upon requesting the release and presenting proof of ownership such as, but not limited to, vehicle title, current registration, notarized release from vehicle owner, insurance card with owner name and VIN, licensed dealer with auction buyer's invoice and notarized bill of sale for non-titled vehicles. The custodian shall release the vehicle to the owner or the owner's agent upon payment of the accrued parking citation fees and charges and towing and storage charges. Such payment shall be in the form of cash, cashier's check or money order or as otherwise authorized to be accepted by the city or the city's authorized contractor.

Sec. 19-115. - Towing, storage and immobilization charges/fees.

Towing and storage charges shall be in accordance with the rates set forth by Palm Beach County and as they may be amended. Charges for immobilization shall be as set forth by the city council by resolution. Administrative fees charged for towing, storage and immobilization shall be as set forth by the city council by resolution.

Sec. 19-116. - Towing, storage and/or immobilization charges and parking fines to constitute lien; notice requirements; limitations.

The towing, storage and/or immobilization charges and parking fines occasioned by the immobilization/impoundment of a vehicle pursuant to this division shall be and constitute a lien upon the immobilized/impounded vehicle, except as provided in this section. If, upon appeal, the special magistrate finds that the immobilization/impoundment was improper and if the special magistrate determines that the city shall bear part or all of the towing and storage charges and parking fines, the lien created by this section shall be discharged. If the special magistrate finds that the immobilization/impoundment was proper but that the towing, storage and/or immobilization charges and parking fines should be in an amount less than the amount of the lien, the lien created by this section shall be discharged to the extent that it exceeds the amount established by the special magistrate.

Sec. 19-117 - Statutory procedures.

The procedures established by Florida Statutes for the collection of unpaid towing and storage charges shall apply.

Sec. 19- 118. - Limitation of liability.

The city specifically disclaims liability for any damages, injuries, or losses caused by or resulting from the use of an immobilization device and/or from towing and impoundment as used in the provisions hereof.

Sec. 19-119. - Appeals.

(a) Any person who is the owner of a vehicle on which an immobilization device has been attached and/or is the owner of a vehicle that has been towed and impounded for parking violations under this chapter, hereinafter referred to as the appellant, may file an appeal to establish if the vehicle had the immobilization device improperly attached or if the vehicle

was improperly towed due to the failure to meet the provisions of this article. The appeal shall be heard by the city's special magistrate appointed to hear code compliance cases.

(b) An appeal must be submitted in writing by the appellant within three (3) days from the time an immobilization device was attached to the vehicle and/or the vehicle was towed and impounded. The filing of an appeal requires the payment of the outstanding parking citation amounts and the immobilization and/or towing charges due to the city.

(c) A hearing date shall be scheduled by the city upon receipt of the appeal. The appellant shall be given at least ten (10) days' notice of the time and place of the hearing by mailing the notice to the appellant's address listed on the appellant's appeal.

(d) At the conclusion of the hearing, the special magistrate shall make a final and conclusive determination whether the immobilization and/or towing/impoundment were proper and in accordance the provisions of this article. The determination shall be reduced to writing and signed by the special magistrate and filed in the office of the city clerk, and a copy shall be mailed to the appellant.

(e) The decision of the special magistrate shall be effective when filed with the city clerk.

(f) If the special magistrate rules in favor of the appellant, all fees, fines and penalties paid by the appellant to the city regarding the attachment of immobilization device, and/or towing/impoundment shall be returned to the appellant as soon as reasonably practicable including the appeal fee.

(g) If the special magistrate rules against the appellant, the city shall retain all fees, fines and penalties paid including the appeal fee.

Sec. 19-110. - Immobilization of vehicles on private property.

(a) *Business tax receipt required.* No property owner or immobilization contractor shall engage in the business of immobilization of motor vehicles parked on private property without permission or authority unless such property owner or immobilization contractor shall first obtain a business tax receipt in accordance with the procedures set out in this code. For purposes of this section, the term "property owner" shall include and refer to the owner, lessee, or controller, person or entity otherwise in control of real property, their agents, servants, or employees. The immobilization contractor shall sometimes be referred to in this section as the "contractor." The term "premises" shall mean the private property owned, controlled or used by a property owner for the parking of motor vehicles at its business or auxiliary to its business.

(b) *Immobilization license required.* No property owner or contractor shall engage in the business of immobilization of motor vehicles which are parked on private property without permission or authority unless such property owner or immobilization contractor shall first apply for and obtain an immobilization license.

(c) *Requirements for immobilization license.* No property owner or immobilization contractor shall be issued an immobilization license under this section unless there is proof of compliance with each of the following requirements:

(1) *Notice.*

i. Notice must be prominently placed at each driveway access or curb allowing vehicular access to the property, within five feet from the public right-of-way line.

ii. The notice must clearly indicate on a sign which meets the identical physical requirements mandated in this article that parking is reserved for customers only and unauthorized vehicles will be subject to immobilization and/or towing at the owner's expense.

iii. The notice must also provide the name and telephone number of the person or firm immobilizing the vehicle, the fee for the removal of the immobilization device, such fee not to exceed a maximum rate as established by resolution of the city council and on file in the city clerk's office, unless modified pursuant to the procedures indicated in this article. Acceptable methods of payment shall include cash, check payable in United States funds and credit card. The maximum fee for the removal of the immobilization device shall be effective from the date of adoption of the ordinance from which this section is derived.

iv. The notices shall read substantially as follows (with the designated information to be inserted at the indicated spaces):

ALERT! IMMOBILIZATION/TOW-AWAY ZONE ENTERING PRIVATE PROPERTY PARKING PERMITTED FOR (insert name of property owner) CUSTOMERS ONLY. IF YOU PARK YOUR VEHICLE AND LEAVE THE PREMISES, YOUR VEHICLE WILL BE IMMEDIATELY IMMOBILIZED SUBJECT TO A (insert fee) FEE TO RELEASE VEHICLE OR TOWED AT YOUR EXPENSE. IMMOBILIZATION PERFORMED BY: (Insert name, address and telephone number to call).

v. If the property is being operated as a parking lot business, the notice language in subsection (c)(1)d of this section should be modified to provide that immobilization shall result in the event that the vehicle is parked in the parking lot without payment of the parking fee.

vi. The sign structure containing the required notices must be permanently installed with the words "Alert. Immobilization/Tow-Away Zone." The sign shall meet the physical requirements contained in this article.

(2) *Inspection of real property where immobilization is used to enforce parking restrictions.* The property owner shall provide access to city personnel in order to inspect the required signs on premises where immobilization is used to enforce parking restrictions.

(3) *Method of immobilization.* Immobilization shall be accomplished by placing a steel boot to the front wheel on the driver's side of the motor vehicle. The steel boot may be placed on any other wheel if placement on the front wheel on the driver's side is not feasible.

(4) *Warning sign requirement.* Upon immobilization, the property owner shall affix a warning notice written in English, Spanish, Portuguese, German and French, on the

driver's side window of the vehicle, indicating that the vehicle is immobilized and that any attempt to move it will cause damage, and shall provide a local telephone number to contact for release of the immobilization device, and the fee for its removal. The city shall provide the property owner or immobilization contractor with a form copy of the warning sign simultaneously with the issuance of its immobilization license.

(5) *Availability and response time.* The property owner or immobilization contractor shall make available on a 24-hour, seven-days-a-week basis, attendants and equipment for the timely release of the immobilization device. The immobilization contractor is required to remove the immobilization device from the vehicle within 30 minutes of a call for such service by the owner of the immobilized vehicle provided payment to remove the device has been made.

(6) *Record of contracts.* The property owner or immobilization contractor shall file and maintain on record at all times with the clerk or designee a list of any and all current written contracts for immobilization services on private real property within the city limits. The list shall be kept current and shall provide the city with (i) the address of the real property; (ii) the date of the agreement; (iii) a contact name and telephone number at the premises.

(7) *Towing/removal requirements.* An immobilized vehicle shall not remain immobilized on private property for more than 24 hours. After such period of time has expired, the vehicle shall be released from the steel boot and may be towed or removed.

(8) *Insurance.* The property owner or immobilization contractor shall file with the city's risk management division and have in effect an insurance policy or certificates of insurance in lieu thereof, which shall indemnify or insure the property owner or immobilization contractor for all claims of damage to property resulting from any action or operation in connection with the service performed, such amount not to be less than $20,000.00 for each incident.

(9) *Recordkeeping procedures.* The property owner or immobilization contractor shall keep an immobilization log with information including but not limited to: date and time the vehicle was observed illegally parked, compliance with subsection (c)(3) of this section, the date and time of immobilization, the location/address of the real property where the immobilization took place, make, model, color and license tag number of the vehicle immobilized. In addition, the immobilization contractor shall include in the log the following release information: verification of vehicle ownership, the name of the person removing the steel boot and the name of the person requesting tow service, if applicable. All files, records, and logs shall be available for inspection at the subject premises during normal working hours by the city, upon reasonable notice to the property owner or immobilization contractor.

(10) *Ethics and conduct.* The property owner and immobilization contractor shall conduct their business in an orderly, ethical, and business-like manner at all times, and shall use every means to obtain and keep the confidence of the motoring public. All public contact shall be in a courteous and orderly manner.

(d) *Enforcement.* If at any time a property owner or immobilization contractor fails or refuses to comply with, or violates any of the provisions of this section, such property owner engaging the services of the immobilization contractor shall be subject to prosecution under the city's code enforcement system. Additionally, the city may seek injunctive relief and/or follow procedures to revoke and/or suspend the occupational license as set forth in this Code.

(e) *Exemptions.* Nothing in this section shall affect the rules and regulations governing any person or firm engaged in the towing and removal of vehicles parked on private property within the city.

(f) *Rebates.* The rebate or payment of money or any other valuable consideration, directly or indirectly from the individual or firm immobilizing or removing vehicles to the owners or operators of the premises from which the vehicles are immobilized or removed, for the privilege of immobilizing or removing those vehicles, is prohibited.

(g) *Identification.* The immobilization contractor's employees or agents shall wear identification tags stating the full name of the contractor and the name of the employee or agent; no identification worn by contractor's employees or agents shall use the words "enforcement," "department" or "police." Such identification tags shall be prominently displayed on the front left side of the employee's or agent's shirt. Contractor's employees or agents shall not wear uniforms that bear resemblance to law enforcement officers. No badges that bear resemblance to law enforcement officers may be worn by immobilization contractor or staff. All contractor vehicles shall display the company name (or name of joint venture or individual owner or other entity ownership) on the driver and passenger side of the vehicle in letters at least three inches high. The company's address (or address of joint venture, or individual owner or other entity ownership) and telephone number shall be displayed on the driver and passenger side of the vehicle in letters at least one inch high. No contractor shall use the words "enforcement," "department" or "police" in its company name (or name of joint venture, fictitious name, or entity name).

(h) *Citizen complaints.* The immobilization contractor shall respond in writing to any complaints received by the mayor or his designee, concerning misconduct on the part of contractor or its employees or agents, such as excessive charges, poor business practices, discourteous service, damage to vehicles or failure to give notice as required by this section. The **city** shall notify the contractor of any complaints within five business days from receipt of the citizen complaint. The contractor shall provide any additional explanation or information with respect to the particular complaint within five days upon notification. A written disposition of the complaint will be forwarded to the contractor and the citizen complainant upon completion of the investigation.

~~**19-146. When impoundment authorized.**~~

~~Police officers of the city are hereby authorized to remove a vehicle from a street or public right-of-way to the nearest garage or other place of safety or to a garage designated or impoundment area maintained by the police department or city when:~~

(1) Any vehicle is left unattended upon any bridge, viaduct, causeway or tunnel, where such vehicle constitutes an obstruction to traffic.

(2) A vehicle upon a street is so disabled as to constitute an obstruction to traffic or the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.

(3) A vehicle is found being operated upon the streets and is not in proper condition.

(4) Any vehicle is parked continuously upon a street for more than 72 hours.

(5) Any vehicle is left unattended upon a street or public right-of-way and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of pedestrian or vehicular traffic.

(6) The driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street.

(7) Removal is necessary in the interest of public safety because of fire, flood, storm or other emergency reason.

Sec. 19-147. Notice to owner.

(a) Whenever a police officer removes a vehicle from a street as authorized by section 19-146 and when the police officer knows or is able to ascertain the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and the place to which such vehicle has been removed. In the event of such vehicle being stored in a commercial garage, a copy of such notice shall be given to the proprietor of such garage.

(b) Whenever a police officer removes a vehicle from a street under this division and does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner, and if the vehicle is not returned to the owner within a period of three days, then the police officer shall immediately send or cause to be sent a written report of such removal by mail to the state department of highway safety and motor vehicles and shall file a copy of such notice with the proprietor of any commercial garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal and the name of the garage or place where the vehicle is stored.

Sec. 19-148. Charges and fees.

No vehicle impounded shall be released until the charges for towing such vehicle and storage charges have been paid. The charge for towing or removal of any such vehicle and storage charges will be reasonable and customary charges prevailing in the city for such services.

Sec. 19-149. Right of owner to take possession of vehicle prior to sale; reimbursement of expenses.

The owner or any person having a lien upon an impounded vehicle may take possession of the same at any time prior to the sale provided for in section 19-150, but such person shall

~~reimburse the city for all reasonable expenses for removal, storage, advertising or other expense incurred in connection therewith.~~

~~Sec. 19-150. Sale; certificate of sale.~~

~~(a) If the residence or address of the owner or any person holding a lien upon an impounded vehicle cannot be ascertained, or if the owner or person holding a lien upon the vehicle fails to take possession of the vehicle within ten days after the mailing of the notice provided in section 19-147, such vehicle shall be sold at public outcry by the police department at some place within the city. A notice shall be published prior to the sale in a newspaper published in the county and circulated in the city. Publication shall be at least ten days prior to the date of sale. Such notice shall give the time and place of sale and describe the motor vehicle to be sold.~~

~~(b) A copy of such notice shall be mailed to the owner and each person holding a lien on such motor vehicle, if their addresses are known, at least ten days before the date of such sale.~~

~~(c) The city shall not guarantee title to such vehicle or to deliver a title of ownership, but shall furnish the purchaser a certificate in substantially the following form:~~

~~Certificate No.~~

~~CERTIFICATE OF SALE~~

~~Riviera Beach Police Department, Riviera Beach, Florida.~~

~~THIS IS TO CERTIFY that the following described motor vehicle was abandoned on the public highway of Riviera Beach, Florida, and was placed in the custody of the police department, where it was held for 20 days, after which time, having been impossible to find the owner of the same, or if found, such owner failed to repossess same, this motor vehicle was sold to the highest bidder after legal advertisement.~~

~~This certificate of sale is therefore issued to:~~

~~_____ residing at~~

~~Make:~~

~~Year:~~

~~Engine No.~~

~~Identification No.~~

~~Chassis No.~~

~~Dated at Riviera Beach, Florida, this _____ day of _____, 19___.~~

	~~Title of Police Officer and Name~~

~~(d) This form shall be in duplicate. The original shall be given to the purchaser and the duplicate bound in a book of record.~~

Sec. 19-151. Proceeds of sale to be deposited in the fines and forfeitures account.

If any motor vehicle shall be sold as provided in this division, the proceeds of such sale, after paying all the costs actually expended for advertising or otherwise in such sale, shall be deposited in the fine and forfeitures account.

Sec. 19-152. Proceeds not to be expended for 90 days; right of owner to proceeds upon proof of ownership.

The proceeds of any sale of an impounded vehicle paid to the fines and forfeitures account shall not be expended or disbursed for 90 days after the date of such sale. At any time during such period, the owner or any person having an interest in the motor vehicle evidenced by documentary written evidence may, upon making proof of such ownership or interest, recover back from the fines and forfeitures account the proceeds of the sale, less all the expenses incurred including removal, storage, advertising and a commission of five percent on the gross sales price of such vehicle for the cost of making such sale.

ARTICLE IV. BICYCLES

DIVISION 1. GENERALLY

Sec. 19-166. Riding on sidewalk.

It shall be unlawful for any person or persons to ride a bicycle or other nonself-propelled vehicle upon the public sidewalks located within the territorial limits of the city.

Sec. 19-167. Weekly reports by vendors.

Each person engaged in the business of buying or selling new or secondhand bicycles within the city shall make a report to the chief of police each week of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof and the number of license plate, if any, found thereon.

DIVISION 2. LICENSES

Sec. 19-176. Required.

No person who resides within this city shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate is attached thereto as provided herein.

Sec. 19-177. Application; fee.

Application for a bicycle license and license plate shall be made upon a form provided by the city and shall be made to the chief of police. A fee of $0.25 shall be paid to the city before each license or license plate is granted.

~~**Sec. 19-178. Issuance; records.**~~

~~(a) The chief of police upon receiving proper application therefor is authorized to issue a bicycle license which shall be permanently effective.~~

~~(b) The chief of police shall not issue a license for any bicycle when he knows or has reasonable grounds to believe that the applicant is not the owner of or entitled to the possession of such bicycle.~~

~~(c) The chief of police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued and the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him.~~

~~**Sec. 19-179. Issuance; attachment; removal of license plate.**~~

~~(a) The chief of police upon issuing a bicycle license shall also issue a license plate bearing the license number assigned to the bicycle and other appropriate information.~~

~~(b) Such license plate shall be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.~~

~~(c) No person shall remove a license plate from a bicycle during the period for which issued except upon a transfer of ownership or if the bicycle is dismantled and no longer operated upon any street in this city.~~

~~**Sec. 19-180. Surrender on sale or transfer of bicycle; assignment to another bicycle.**~~

~~Upon the sale or other transfer of a licensed bicycle, the licensee shall remove the license plate and shall either surrender it to the chief of police or may upon proper application, but without payment of additional fee, have the plate assigned to another bicycle owned by the applicant.~~

ARTICLE V. PARADES AND PROCESSIONS

Sec. 19-201. Permits required; exception.

(a) No funeral or procession or parade containing 200 or more persons or 50 or more vehicles excepting the forces of the United States Army, Navy or Air Force, the military forces of this state and the forces of the police and fire departments shall occupy, march or proceed along any street except in accordance with a permit issued by the city manager and such other regulations as are set forth herein which may apply.

(b) Whenever the city manager gives a permit for any parade, public gathering or celebration, he may order any street or portion of street to be cleared of all vehicles during the parade, public gathering or celebration.

Sec. 19-202. Driving in processions.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicle ahead as close as practical and is safe.

Sec. 19-203. Driving through processions.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

Sec. 19-204. Identification of funeral processions.

A funeral composed of a procession of vehicles shall be identified as such by lighted headlights or by the display upon the outside of each vehicle of a pennant of a type designated by the police department.

***

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This Ordinance shall become and be made a part of the City of Riviera Beach Code of Ordinances; that the articles, divisions, and sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 6. The provisions of this Ordinance shall become effective upon adoption.

PASSED AND APPROVED on the first reading this _____ day of _____ 2024

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2024.

APPROVED:

_____	_____
Ronnie L. Felder	**Douglas A. Lawson**
Mayor	**Chairperson**
	_____
ATTEST:	**Shirley D. Lanier**
	Chair Pro Tem

Tawanna Smith, CMC
Certified Municipal Clerk
City Clerk

Tradrick McCoy
Councilperson

KaShamba Miller-Anderson
Councilperson

Reviewed as to Legal Sufficiency:

Dawn S. Wynn
City Attorney

Julia A. Botel, Ed. D
Councilmember

Date: _____

1ST READING

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY ___

K. MILLER-ANDERSON ___

S. LANIER ___

J. BOTEL ___

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY ___

K. MILLER-ANDERSON ___

S. LANIER ___

J. BOTEL ___

D. LAWSON ___ **D. LAWSON** ___

PROPOSED PARKING ORDINANCE 4250 – POLICY DECISIONS HIGHLIGHTED
(CLEAN – EASY-READING FORMAT)

CHAPTER 19 – TRAFFIC AND MOTOR VEHICLES

ARTICLE I. IN GENERAL

Sec. 19-1. Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in F.S. § 316.003, except where a different definition may be provided or the context clearly indicates a different meaning.

Sec. 19-2. Powers and duties of chief of police and police department to regulate traffic.

(a) The chief of police, with the consent of the city manager, except as otherwise directed by this chapter and except as otherwise directed by the city council and city manager, and as approved by the engineering department, shall have power and the chief of police is hereby authorized to regulate the operation and parking of vehicles within the city by requesting the erection or placing of signs, signals, markers, markings and other authorized traffic control devices in the following specified instances with respect to streets and highways under the city's jurisdiction:

(1) Designation of areas where parking is prohibited or limited.
(2) Designation of one-way streets, through streets, stop streets, "U" turns, play streets, school zones, hospital zones, quiet zones, hazardous traffic areas, crosswalks, and safety zones. Truck routes may be established as set forth in Division 4 of this Article.
(3) Installation and proper timing and maintenance of traffic control devices.
(4) Marking off of traffic lanes indicating the flow of traffic.
(5) Closing of streets to vehicular or pedestrian traffic for temporary periods of time.
(6) Regulation of traffic during emergencies, notwithstanding other regulations.
(7) Designation of reserved and/or limited-hours loading zones, which may be accomplished through signage, markings, and other authorized traffic control devices and through digital and/or electronic applications for reserving such zones.

(b) The police department, under direction of the city manager, shall have full power and be charged with all duties in relation to the management of vehicular traffic.

(c) At the recommendation of the chief of police, the city manager may adopt a policy and procedures manual (PPM) to establish standard operating policies and procedures for the implementation, operation, and enforcement of this chapter. The PPM may include, but shall not be limited to, policies and procedures governing vehicle operations and parking, the city's parking system, appeals, enforcement, and a city parking garage(s), which are consistent with and/or supplementary to this chapter and other applicable laws, codes and regulations. After adoption by the city manager, the PPM may be amended from time to time based upon recommendations by the chief of police, the city's parking administrator, and approval by the city manager. The PPM shall have the same force and effect as a city ordinance for purposes of enforcement.

Sec. 19-3. Obedience to police officers.

Drivers must at all times comply with any direction by voice or hand of any member of the police force as to stopping, starting, approaching or departing from any place, the manner of taking up or setting down passengers or loading or unloading goods in any place. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.

Sec. 19-4. Hitchhiking.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

ARTICLE II. OPERATION OF VEHICLES

DIVISION 1. GENERALLY

Sec. 19-21. Driving through corner properties prohibited.

(a) When a filling station or other property provides for its use as a driveway or other similar facility which is located on a corner in the city, it shall be unlawful for the driver of any vehicle to use such driveway or similar facility for the purpose of making any type of turn at such corner.

(b) It shall be unlawful for any driver of any vehicle to cut through such driveway or other similar facility as described in subsection (a) of this section to gain access to another street or alley.

(c) It shall be unlawful for any driver of any vehicle to cut through such driveway or other similar facility as described in subsection (a) of this section to avoid a traffic light or traffic control sign at such corner.

Sec. 19-22. Vehicles emitting smoke.

It shall be unlawful for any motor vehicle to be operated upon the streets or avenues of the city which creates an unusual or exorbitant amount of smoke.

Sec. 19-23. One-way streets.

Vehicular traffic on one-way streets shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

Sec. 19-24. Quiet zone.

Whenever authorized signs are erected indicating a zone for quiet, no person operating a vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

DIVISION 2. BATHING BEACH AREAS

Sec. 19-36. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized emergency vehicle means vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of city departments, or private ambulance companies, or such others as may be authorized by city authority.

Bathing beach or *beach area* means that area which is on the ocean front, and which is subject to high or low tides, and also that area lying adjacent thereto and westerly thereof commonly referred to as sand dunes and soft sand. It shall also include the area as above described which lies within the north and south boundary lines of the city limits and extended eastward to the low water mark of the Atlantic Ocean, and extended westward to the east boundary line of the coastal construction setback line. Such area is designated restricted area, excepting therefrom the municipal beach parking area.

Driver means every person who drives or is in actual physical control of a vehicle.

Licensed person means persons holding special permits to carry on business in such areas.

Motor driven cycle means every motorcycle, including every motor scooter, with a motor and every bicycle with a motor attached.

Motor vehicle or vehicle means all vehicles propelled by power, other than muscular power, trailers, semi-trailers, coaches or other similar devices, or vehicles.

Owner means any person, association of persons, firms or corporations in whose name the title to a motor vehicle is registered.

Pedestrian means any person on foot.

Police officer means every officer of the city police department or any such person authorized to direct or regulate traffic or to make arrests.

Possession includes and means the person in charge of, the caretaker of or sitting in such vehicle.

Sec. 19-37. Vehicular traffic prohibited in restricted area; exception.

It shall be unlawful for any person to drive any motor driven cycle or motor vehicle on the beach area or bathing beach and herein defined as the restricted area at any time, except that authorized emergency vehicles are permitted thereon while attending to their duties.

Sec. 19-38. Operators of vehicles prohibited in restricted area.

Neither the owner nor any person employing or otherwise directing the driver of any motor vehicle shall require or knowingly permit the operation of such vehicle upon or in such restricted area.

Sec. 19-39. Seizure and impounding of vehicles~~—Redemption; payment of fines, costs.~~

It shall be unlawful for any motor vehicle to be in or on such restricted area at any time and shall be subject to seizure if found thereon and shall be impounded by the city pursuant to this chapter.

Sec. 19-40. Violation of provisions—Guilty party defined.

Every person who commits, attempts to commit, conspires to commit or aids or abets in the committing of any act declared herein to be a violation of this division, whether individually or in connection with one or more other persons, or as principal, agent or accessory, shall be guilty of such offense, and every person who, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provisions of this division is likewise guilty of such offense.

Sec. 19-41. Same—Prima facie evidence of vehicle ownership within restricted area; penalty.

Any person in possession of a motor vehicle within the restricted area shall be deemed to have driven such vehicle into or onto such restricted area and shall be subject to arrest for the violation hereof.

Sec. 19-42. Same—Penalty.

It shall be unlawful for any person to drive a motor vehicle except emergency vehicles within or on the restricted area at any time. Any person found violating the terms of this division shall be subject to arrest and, if found guilty, may be fined not more than $500.00 or imprisoned for a term not exceeding 60 days. Any fine imposed under this provision shall be paid in addition to any immobilization and/or impoundment charges.

DIVISION 3. RAILROAD CROSSINGS

Sec. 19-47. Automatic electric signal devices and crossing gates.

(a) All railroad companies operating within the city shall build, construct, maintain, and keep in good condition all railroad crossings pursuant to F.S. chapters 357 and 338, and all rules and regulations of the department of transportation adopted thereto and by agreements with the city.

(b) At each street crossing where the streets of the city intersect at grade level, railroad tracks which are not main or passing tracks, such railroad companies shall either install automatic electric signal devices of the type herein specified or use a flagman to give warning to the approach of every train to such crossing.

Sec. 19-48. Speed of trains.

(a) *CSX system.* Except for authorized high-speed trains, it shall be unlawful to operate within the city any locomotive, train, track motor car or other vehicle self-propelled or otherwise traveling along and upon the CSX system railroad tracks at a speed in excess of:

Rate of Speed	Area
45 miles per hour	Between Silver Beach Road and Port Road

(b) *Florida east coast.* Except for authorized high-speed trains, it shall be unlawful to operate within the city any locomotive, train, track motor car or other vehicle self-propelled or otherwise traveling along and upon the Florida east coast railroad tracks at a speed in excess of 45 miles per hour.

Sec. 19-49. Track motor cars, handcars, etc., to stop at railroad crossings.

Every track motor car, handcar or other vehicle so constructed as to be incapable of activating automatic safety gates and automatic crossing signal devices operating upon railroad tracks shall stop at every railroad crossing within the city where a city street intersects a railroad track at grade level and shall yield the right-of-way to traffic traveling along such intersecting street and shall not proceed across such intersection until the movement can be made with reasonable safety.

Sec. 19-50. Blocking of railroad crossings.

(a) The following crossings where the streets of the city intersect a railroad track at grade level are hereby designated as "emergency crossings" and are to remain unblocked by railroad traffic at all times except by moving trains.

(1) Such streets which intersect the Florida east coast railroad tracks are as follows:
Blue Heron Boulevard
Silver Beach Road
13th Street
Port Road
Australian Avenue (north of 13th Street or Avenue M)
State Road 5 at the Port of Palm Beach
State Road at the Port of Palm Beach
State Road 710 east of Avenue S

(2) Such streets which intersect the Seaboard Coast Line Railroad Company tracks are as follows:
Military Trail at State Road 710

(b) No public street or vehicular crossing in the city shall be blocked, closed, or obstructed by a train, locomotive or other railroad vehicle for a period of more than ten minutes except in emergencies and except for the following times as specifically stated:

(1) No railroad locomotive, railroad car, train or other railroad vehicle shall block, obstruct or close any public street or vehicular crossing in the city for longer than five minutes, between the hours of:
5:45 a.m. to 8:30 a.m.; 2:20 p.m. to 4:30 p.m.; and 5:00 p.m. to 6:00 p.m.
Monday through Friday, except as set forth in paragraph (2) herein below.

(2) The Port Road crossing at Port Road and the Old Dixie Highway crossing, because of its location immediately adjacent to the Port of Palm Beach and its railroad switching operations necessary to carry out its shipping operations, are exempted from the provisions of subsections (a) and (b) for blocking a crossing for a reasonable time for necessary switching operations during 7:00 p.m. and 7:00 a.m.; for periods of up to ten minutes each between the hours of 8:30 a.m. to 1:00 p.m.; for reasonable periods of time; and for periods of up to ten minutes each between the hours of 4:00 p.m. and 6:00 p.m. At no time will switching operations close the Blue Heron crossing or interfere with traffic flow at the Blue Heron crossing.

Sec. 19-51. Railroad crossings to be cleared for emergency vehicles.

Railroad trains or equipment shall be separated, cut or moved to clear the railroad track crossing any public road or street within the city upon the approach of an emergency vehicle upon notification or by the sounding of sirens, flashing of lights, waving of flags or any other warning sufficient to attract attention to such emergency vehicle defined as follows:

(1) An ambulance responding to an emergency call or transporting a person under emergency conditions;

(2) A fire engine or other emergency vehicle engaged in the saving of life, property or responding to any other public peril;

(3) Any other emergency vehicle or any other vehicle when operated as an emergency vehicle defined as a vehicle which is engaged in the saving of life, property or responding to a public peril.

Sec. 19-52. Railroad personnel or Port of Palm Beach personnel liable for violations of this division.

The personnel of any railroad company operating or in charge of the operation of any train, railroad car or railroad equipment in violation of this division except in cases of emergency, shall be liable when it is due to the sole fault of such personnel and at all other times the railroad or Port of Palm Beach shall be responsible.

Sec. 19-53. Liability of railroad company or Port of Palm Beach for violation of this division by its agents and employees.

The railroad company of Port of Palm Beach shall be responsible for the acts of its agents or employees for the violation of this division unless such agent's employees are acting beyond the scope of their authority.

Sec. 19-54. Sounding train horns and whistles at signalized railroad crossings prohibited; city to erect warning signs for motorists.

It shall be unlawful for a railroad train, approaching a public at-grade crossing having train-activated automatic traffic-control devices, including flashing lights, bells and crossing gates, to emit an audible warning signal in advance of said intersection between the hours of 10:00 p.m. and 6:00 a.m. This prohibition shall not apply to any such intersection where the city has failed to erect traffic signs in accordance with state law announcing to motorists that railroad train horns and whistles will not be sounded during the said hours.

DIVISION 4. TRUCK ROUTES

Sec. 19-55. Definitions.

As used in this division, the following terms shall have the following meanings:

Truck shall mean any vehicle designed or operated for the transportation of property, which either:

(1) Is over 80 inches in width; or
(2) Has 6 tires or more; or
(3) Has a weight capacity of 10,000 pounds or more (net weight plus carrying capacity) as specified by the vehicle’s manufacturer.

Truck carrying hazardous materials means every vehicle that has a cargo regulated by Title 49, Code of Federal Regulations, Part 172, as it may be periodically amended which includes but is not limited to flammable or radioactive material or poisonous gas, which in its transportable state would be injurious to humans, animals or plants.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, street or pathway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Truck route shall mean a public street or road, as designated in this division, over and along which trucks shall operate.

Sec. 19-56. Map to be established.

The city council at the recommendation of the city manager is hereby authorized to establish by resolution a regulated truck route map for the city or portions of the city. The Regulated Truck Route map shall indicate the streets and roadways to be used as primary and/or secondary truck routes and no other streets or roadways shall be used for truck traffic within the corporate limits of the city except as otherwise provided in this division. The Regulated Truck Route map shall at all times be on file with the office of the city clerk.

Sec. 19-57. Observance required; exceptions.

(a) All trucks within the city shall be operated only over and along the truck routes established pursuant to this division, except as otherwise provided in this division.

(b) *Hazardous material*. Every truck carrying hazardous material is prohibited from using any local city street or any street designated as a secondary truck route, unless necessary to the conduct of business, construction or maintenance operations at a destination point along that roadway segment.

(c) This division shall not prohibit:

(1) *Operation on street of destination.* The operation of trucks upon any street where necessary to the conduct of business at a destination point, if streets on which truck traffic is permitted are used until reaching the intersection nearest the destination point. Upon leaving the destination point a deviating truck shall return to the truck route by the shortest permissible route.

(2) *Authorized emergency vehicles.* The operation of authorized emergency vehicles upon any street in the city.

(3) *City, public vehicles.* The operation of trucks owned or operated by the city, public utilities, waste-hauler engaged by the city or otherwise authorized by law, any contractor or materialman while engaged in the repair, maintenance, or construction of streets, street improvements or street utilities within the city, except as may be restricted in a development order or building permit.

(4) *Detoured trucks.* The operation of a truck upon any officially established detour in any case where the truck could lawfully be operated upon the street for which the detour is established.

Sec. 19-58. Hours of operation.

Trucks shall be able to travel upon truck routes at all hours of the day and night unless duly authorized signs are installed limiting hours of use on a particular street or portion of a street.

Sec. 19-59. Police chief authorized to install signs.

In accordance with the provisions of this division, the chief of police is authorized to have appropriate signage installed in the city to control truck operations once the city council approves a Regulated Truck Route(s) map by resolution. Such signage shall be enforceable as official traffic control devices pursuant to Chapter 316, Florida Statutes, as amended.

Sec. 19-60. Violations; penalty.

(a) It shall be unlawful to operate a truck on any street within the city other than as is provided in this division. Any person driving or in charge or control of any regulated truck deviating from the designated truck route system or in violation of the posted signage shall be prepared to present for the inspection of police officers the truck's logbook, weight slips, delivery slips, or other written evidence of the regulated truck's origin and destination to justify the deviation from the designated truck route system.

(b) A violation of this division shall constitute an irreversible and irreparable violation and will result in the immediate issuance of a notice of violation in accordance with the provisions of Chapter 2, Article VI, Division 2, code compliance of this code, and/or a noncriminal violation and subject by a fine pursuant to Chapter 318.18, Florida Statutes, as amended, and all other local and state laws, ordinances, and regulations.

(c) If this division is enforced through Chapter 2, Article VI, Division 2, code compliance of this code, the city council may establish a designated account for the deposit of all recovered penalties and charges, which account may be used to fund signage and physical road improvements including, but not limited to, pedestrian and bicycle safety.

Sec. 19-61. Vehicles not to damage hard-surface or paved roads.

It is unlawful to operate on any hard-surfaced or paved roads in the city, any bulldozer, concrete mix truck, tractor, or other heavy equipment vehicle, unless equipped with pneumatic rubber tires; and steel-tired vehicle, or any other vehicle or machine that is likely to damage a hard-surfaced or paved road except ordinary wear and tear on the road.

ARTICLE III. STOPPING, STANDING AND PARKING

DIVISION 1. PARKING ADMINISTRATION

Sec. 19-62. – Administration generally.

(a) The city's parking system shall be a self-supporting parking enterprise fund. Parking system revenues shall be used for the operation and maintenance of the city's parking system and mobility systems, including but not limited to the operation of the parking division and its services; the acquisition or leasing of parking equipment or systems; the acquisition, construction, improvement, maintenance and operation of public parking facilities, and mobility systems, as the city council and/or the city manager shall, from time to time, direct.

(b) There is hereby established a mobility benefit account as a subsidiary fund of the parking enterprise fund. The mobility benefit account may be funded with parking system revenues in excess of those funds needed for the regular operation, repair, maintenance, and upgrade of the city's parking system. The mobility benefit account may be used to fund capital purchases and operating expenses for the city's mobility systems, including supporting improvements such as trolley/bus stops, park and ride facilities, wayfinding for parking and mobility systems, marketing for parking and mobility systems, software or applications supporting city parking or mobility systems, staffing that supports mobility systems, and other

parking and mobility associated improvements that either decrease the need for parking or increase parking capacity as approved by the city manager.

(c) The city may, from time to time, issue parking revenue bonds whose collateral and payments for debt service may be from the parking enterprise fund. The bond proceeds may be used to acquire or lease parking equipment or systems; acquire or lease property, design and construct parking facilities; design and reconstruct public roads to add on-street parking and biking lanes; or, acquire or lease public transportation capital assets, including mobility system assets.

(d) Administration of parking in the city is delegated by the chief of police and city manager to the parking administrator. The parking administrator shall have such duties and responsibilities as set forth in this division or as may otherwise be directed by the chief of police and/or the city manager. In the absence of the parking administrator, his or her designee may act. The parking administrator may be an employee of the city or an independent contractor.

Sec. 19-63. - Rates and fees.

(a) Parking rates for the city's parking system shall be set by resolution of the city council. Enforcement of the rates may be by any legal method available to the city including without limitation sending delinquent amounts to collections.
(b) Depending on demand, the parking administrator, with the approval of the city manager, may temporarily increase or decrease rates for selected city parking garages and metered spaces by no more than 25 percent, for a period not to exceed 30 days.
(c) During city-sponsored special events, the parking administrator may temporarily increase or decrease rates for selected city parking locations.
(d) Permit fees and other mobility and parking system fees shall be set by resolution of the city council.

Sec. 19-64. – Purpose and authority.

This article shall be deemed and construed to be an exercise of the police power of the city for the preservation and protection of public safety, and all of its provisions shall be liberally construed with a view to the effectuation of this purpose.

Sec. 19-65. - Application.

The provisions of this article prohibiting the stopping, standing, or parking of a vehicle shall apply city-wide (unless otherwise clearly stated), at all times or at those times herein stated or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

Sec. 19-66. - Nonmoving violations deemed ordinance violations.

(a) Any and all traffic violations as described in the "Florida Uniform Traffic Control Law" (Chapter 316, Florida Statutes) which shall be classified as nonmoving in nature, or are so declared by either legislative or judicial determination, shall be deemed municipal parking ordinance violations in violation of this article. To this end, all such traffic violations are incorporated herein and prohibited hereby.

(b) This section shall not be deemed to limit or in any way affect prosecutions under state law.

Sec. 19-67. - Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Inoperable vehicle is any vehicle which has any of its wheels or tires dismantled or deflated, is missing any part or valid registration and/or license plate required by law for travel on public streets, or is in such condition as to render it incapable of normal operation under its own power, including being supported above existing grade level by such means as concrete blocks, jacks, hoists, or similar devices. Included in this definition is any partially wrecked, inoperative, or dismantled vehicle.

Limited access facility. A street or highway specifically designed for through traffic.

Loading zone. Unless otherwise specifically stated, a loading zone shall include the following:

(1) *Curb loading zone.* A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(2) *Freight loading zone.* A space adjacent to a curb or other area reserved for the exclusive use of vehicles during the loading or unloading of freight.

(3) *Passenger loading zone.* A space adjacent to a curb or other area reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Municipal parking violation. A noncriminal, non-moving violation which is not punishable by incarceration and for which there is no right to a trial by jury or a right to court-appointed counsel.

Municipal parking citation or parking citation. A citation issued by a parking enforcement officer for a municipal parking violation.

Operator. Any person who is in actual control of a motor vehicle upon a street, highway, or other roadway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Owner. A person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee, lessee, or mortgagor shall be deemed the owner for the purposes of this article.

Park or *parking.* The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this article.

Parking enforcement officer. A law enforcement officer or other person designated by the city to enforce this division.

Private road or *driveway.* Any privately-owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Sidewalk. That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

Stand or *standing.* The halting of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this article.

Stop or *stopping.* When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a Law Enforcement Officer or traffic-control sign or signal.

Street or *highway*. The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic and includes, but is not limited to, developed and undeveloped public rights-of-way.

Taxi stand or *taxicab stand.* A fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers or for other ride-share vehicles to stand or wait for passengers.

Vehicle or motor vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices used exclusively upon stationary rails or tracks.

DIVISION 2. – PARKING REGULATIONS

Sec. 19-68. - Marked spaces.

(a) Yellow paint or markings on any street or curbing shall mean parking is prohibited in that area so marked. Areas marked with yellow paint and designated as a loading zone shall be permitted to be used for that purpose or for whatever purpose so designated.

(b) The existence of such signs, signals, markers or markings at any place within the city shall be prima facie evidence that such signs or markers were erected or placed by and at the direction of the chief of police and city manager and in accordance with the provisions of this article.

(c) Any person failing or refusing to comply with the directions indicated or any sign or marker erected or placed in accordance with the provisions of this chapter shall be deemed in violation.

Sec. 19-69. - Standing or parking close to curb.

(a) No person shall stand or park a vehicle in a street, highway or roadway other than parallel with the edge of the roadway headed in the direction of the traffic, and with the curbside wheels of the vehicle within 12 inches of the edge of the roadway, except as provided in the following:

(1) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign.

(2) In places where and at hours when stopping for the loading or unloading of merchandise or material is permitted, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads.

(b) It shall be unlawful for any person to park, stop or station any ~~automobile, truck or any other~~ vehicle of any description whatsoever upon any public street or alley in the city in front of, or so as to interfere with, any driveway or entrance from the street upon private property, or to place any material of any description in such a manner as to obstruct such driveway.

Sec. 19-70. Unlawful parking.

No person shall stand or park a vehicle upon any street or roadway for the principal purpose of advertising any place of business or service, of displaying the vehicle for sale, of washing, greasing, or repairing the vehicle, except repairs necessary for meeting an emergency, or of selling merchandise from the vehicle, except at a duly established, marked place or when so authorized or licensed under the code or other ordinances of the city.

Sec. 19-71. Restrictions on vehicles in excess of one (1) ton.

It shall be unlawful for any person to park, store, stop, or station any vehicle in excess of one (1) ton maximum gross weight and/or load capacity in any public right-of-way.

Sec. 19-72. Standing for loading only.

(a) Except as specifically authorized herein, no person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during the hours when the regulations applicable to such passenger loading zone are effective, and then only for a period not to exceed three (3) minutes.

(b) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a curb loading zone during hours when the provisions applicable to curb loading zones are in effect. In no case shall the stop for loading and unloading of materials exceed 20 minutes or such other time as may be specifically posted.

Sec. 19-73. Bus, taxicab, and ride share stands.

(a) The driver of a bus, ride share or taxicab shall not stand or park upon any street in the city at any place other than at a designated bus stop, ride share, or taxicab stand, respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

(b) No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab or other ride share vehicle in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

Sec. 19-74. Moving cars from parked positions.

Cars parked shall move out in the direction headed, or if they are parked at an angle with the curb they shall back out on that angle until they have cleared the other cars and shall proceed in the direction they are most nearly headed. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

Sec. 19-75. Maximum parking time.

No person who owns or has possession, custody or control of any vehicle shall park such vehicle on any street or highway of this city for more than a consecutive period of 60 hours.

Sec. 19-76. Backing to curb.

In no case shall any vehicle remain backed up to the curb, except when actually loading or unloading.

Sec. 19-77. - Improper and prohibited parking.

It shall be unlawful for any person to stand or park a motor vehicle in the manner hereinafter described, except when necessary to avoid conflict with other traffic or when so directed by a police officer:

(a) On the roadway side of another vehicle stopped at the edge of a street (double parking);
(b) On a sidewalk (in whole or in part);
(c) In or within twenty (20) feet of a street intersection;
(d) Outside a designated parking space, or in two (2) or more spaces;
(e) Parallel parking with the wheels more than twelve (12) inches from curb or street edge;
(f) Facing against closest traffic flow;
(g) In an angle space with back of vehicle to the curb;
(h) Where signs, street or curb markings prohibit;
(i) On a bicycle path;
(j) Parking more than two (2) motorcycles, scooters or mopeds in a designated space;
(k) On any railroad tracks;
(l) Within a fire lane which has been designated as such by appropriate pavement markings, sign(s) or other traffic control devices;
(m) On the highway or shoulder of a limited access facility except as provided by regulation of the State Department of Transportation or on the paved portion of a connecting ramp; however, a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or accident may be parked on such a shoulder for a period not to exceed six (6) hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a police officer or to a person stopping a vehicle in compliance with applicable traffic laws.
(n) No person shall park any vehicle upon a street in a manner or under conditions as to leave available less than twelve (12) feet of width of the roadway for free movement of vehicular traffic. Where streets are not completely paved or curbs provided, the parking of a car shall be in a manner as not to obstruct the free movement of traffic or block a driveway or private road (in whole or in part).

Sec. 19-78. – Prohibited stopping, standing and parking.

(a) No person shall stop, stand or park a vehicle for the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.

(b) No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(1) In front of a public or private driveway.
(2) Within fifteen (15) feet of a fire hydrant.
(3) Within twenty (20) feet of a crosswalk at an intersection.
(4) Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic-control signal located at the side of a roadway.
(5) Within thirty (30) feet of the driveway entrance to any fire station.
(6) On an exclusive bicycle lane.
(7) At any place where official traffic-control devices prohibit standing.

(c) No person shall park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading freight, material, merchandise or passengers:
(1) Within fifty (50) feet of the nearest rail of a railroad crossing unless the State Department of Transportation establishes a different distance due to unusual circumstances.
(2) At any place where official signs prohibit parking.

(d) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

Sec. 19-79. - Parking and storage in all residential land zoning districts; certain parking prohibited.

(a) All vehicles permitted to be parked or stored on any residential premises, as provided in this section, must be primarily operated by a resident of the premises or a guest, or business invitee of the said resident.

(b) All vehicles permitted to be parked in any residential zoning districts shall comply with this code and the supplemental regulations as set forth in chapter 31 of this code, as amended from time to time. Further, the following vehicles shall not be parked overnight in any residential land use district:
(1) More than one taxi, car service vehicle, or limousine, but not including stretch limousines on a single-family residential lot;
(2) Stretch limousines;
(3) Boom or bucket trucks;
(4) Swamp buggies and half-tracks;
(5) Any vehicle that exceeds the roof height of the principal building on the property or fourteen (14) feet, whichever is less.

Sec. 19-80. - Parking and storage in all non-residential land zoning districts.

All vehicles permitted to be parked or stored in any non-residential zoning districts shall comply with this code and the supplemental regulations as set forth in chapter 31 of this code, as amended from time to time.

Sec. 19-81 - Hazardous parking.

It shall be unlawful for any person to stand or park a vehicle in the manner hereinafter described, except when necessary to avoid conflict with other traffic or when so directed by a police officer:

(a) On railroad tracks, or within fifty (50) feet of a railroad crossing (unless otherwise designated by appropriate markings);

(b) Within twenty (20) feet of a driveway for a fire station;

(c) On a bridge, underpass or overpass; or,

(d) In a lane or way for moving traffic so as to obstruct traffic.

Sec. 19-82. - Paid or free-for-limited-time parking.

(a) The city council may establish and provide parking spaces and facilities open to the public on a pay-for-time or a free-for-limited-time basis. Parking spaces so limited may be regulated by time zones with the maximum time limits for free parking stated on posted signs, or by parking meters, pay stations or other electronic parking monitoring technology that regulate the individual spaces. The signage shall clearly set forth the time limitations and/or rates to advise the public accordingly.

(b) Signage shall indicate by appropriate means when the parking space is expired or what time is remaining at a space.

(c) It shall be unlawful to park in a time zone for a duration of time longer than the maximum time established or posted. Where applicable, it shall be unlawful for any person to park in a metered parking space, or at a numbered space regulated by a pay station when the meter or pay station regulating such space shall indicate that parking in such space is an overtime violation.

(d) It shall be unlawful to alter or duplicate, damage or destroy a parking pay station receipt, permit, tag, placard or decal used for parking control issued by the city or to make any attempt thereof to defraud the city.

(e) It shall be unlawful to stop, stand or park in city owned or operated parking lots, or other city properties that are reserved for hourly, daily, or monthly parking without properly displaying appropriate documentation of payment for parking privileges for the current period, where applicable.

Sec. 19-83. - Public parking on private land.

(a) The city and/or its community redevelopment agency may lease land from a private owner for the purpose of providing public parking, and all regulations in this chapter regarding parking in city garages, lots, and facilities stated in this chapter shall apply equally to such leased lots.

(b) Special events.

(1) No person shall provide special event parking on private land, either unimproved or improved, not normally used for parking purposes, without obtaining a permit for special event parking on private land.
(2) Application for a permit for special event parking on private land may be obtained from the parking division and shall not exceed 30 days.
(3) Permit fees for special event parking on private land shall be established by resolution of the city council.
(4) Owners and operators of private land used for event parking shall not utilize immobilization devices as a means of enforcement unless a special event permit has been issued by the city and the property displays prominently a sign that indicates to a parking customer: (1) the daily parking rate; (2) that immobilization may be utilized to enforce payment; (3) the telephone number to whom a vehicle user may call for removal of the boot; and (4) the cost of the immobilization device removal.

Sec. 19-84. - Hours for parks and public property.

(a) It shall be unlawful for any person to enter and go upon any park or public property grounds in the city during times when said grounds are not opened for public use. The park and public property grounds to be closed and the hours of closing shall be established by resolution of the city council subject to amendment from time to time in the discretion of the city council.
(b) Entry onto park or public property grounds during hours at which such park or public property is closed shall be deemed a trespass in violation of this article and punishable under the provisions of section 1-11 of this Code.
(c) Park and public property hours shall be adequately posted on the park and public property grounds. It shall not be a defense to a prosecution under this section that the person charged had no actual knowledge of the park or public property hours.

Sec. 19-85. - Observance of more restrictive requirements.

Any provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping. standing or parking of vehicles in specified places or at specified times.

Sec. 19-86. - Temporary use of loading zones.

The driver of a vehicle may stop temporarily at a place marked as a curb or passenger loading zone for the purpose of, and while actually engaged in, loading or unloading passengers when the stopping does not interfere with any vehicle used for the transportation of materials which is waiting to enter or about to enter the loading zone. The foregoing shall not apply if the loading zone is specifically reserved as a freight loading zone or other signage restricts use of the loading zone or prohibits use of the loading zone for passenger loading.

Sec. 19-87. - Disabled parking space violations.

Except for vehicles displaying a valid and proper displayed disabled person parking plate or placard, no vehicle shall be stopped, standing, obstructing or parked in those spaces specifically reserved for disabled person parking. A violation of this provision shall be punished by a civil penalty as set by resolution of the city council. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in

any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking.

Sec. 19-88. – Leaving vehicle unattended.

No person driving or in charge of any motor vehicle except a licensed delivery truck or other delivery vehicle while making deliveries shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key. No vehicle shall be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

Sec. 19-89. – Inoperable vehicle prohibited.

No person shall park or store an inoperable vehicle on any street or roadway in the city. Inoperable vehicles parked on public property shall be deemed abandoned property and handled in accordance with section 705.103, Florida Statutes, as amended from time to time, or as may be otherwise authorized by this code or Florida Statutes. Inoperable vehicles parked on private property shall be handled in accordance with the motor vehicles division of Chapter 11 of this code and/or through code compliance.

DIVISION 3. HAZARDOUS TRAFFIC AREAS

Sec. 19-90. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this division, except where the context clearly indicates a different meaning:
Hazardous traffic areas mean:

(1) The adjacent road right-of-way on the west side of State Road A1A-703 between Cabana Road and the northern city limits.
(2) The adjacent road right-of-way on the east side of State Road A1A-703 between Ocean Avenue and the northern city limits.
(3) Such other areas designated by resolution of the city council.

Prohibited areas means publicly or privately owned vacant lands lying on the east side of State Road A1A-703 between Ocean Avenue and the northern city limits.

Sec. 19-91. Intent and purpose.

This division is enacted as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations and for the protection of the public rights in the use of city streets and thoroughfares.

Sec. 19-92. Parking prohibited.

Parking of any vehicle in the hazardous traffic area or prohibited area is prohibited.

Sec. 19-93. Enforcement by removal and impounding.

Any vehicle parked in the hazardous traffic area or in the prohibited area without lawful authority shall be deemed a public nuisance and the department of police or any other agent of the city granted power to enforce city ordinances is hereby authorized to remove or cause to be

removed at the sole cost and expense of the owner or violator. Such police authority shall have the power and is hereby authorized to remove the vehicle by either private or governmental equipment to the city pound, or privately operated pound, or else as may be deemed advisable consistent with the regulations set forth in this chapter for impounding vehicles.

Sec. 19-94. Rules and regulations.

The city council may promulgate such regulations by resolution, as are necessary to effectuate the provisions of this division, including provisions for the recovery of the administrative costs of the program by the city.

Sec. 19-95. Posting of signs.

The city manager is authorized and directed to post appropriate signs designating the hazardous traffic area and the prohibited area at the north and south entrances to the hazardous traffic area and the prohibited area, giving notice to the public at large, and upon the posting of such signs this division shall be enforced.

DIVISION 4. - BEACH PARKING.

Sec. 19-96. - Definitions.

For the purpose of interpreting this division, the following words and phrases shall have the following meanings:

Municipal beach area means that area lying within the municipal boundaries of the city lying east of Park Avenue, west of the Atlantic Ocean, south of 2700 N. Ocean Drive and north of Palm Beach Shores.

Beach area parking lots means the city-owned or city-operated surface parking lots, including public on-street parking spaces, serving the municipal beach area.

Bus shall mean and include buses, shuttles, motor coaches or other similar vehicles used for the transportation of over ten (10) persons.

Resident or beach tenant employee parking areas means those beach area parking lots and/or spaces designated and reserved for the exclusive use of individuals who satisfy the requirements provided herein for year-round residents, seasonal residents or beach tenant employees that possess and display the required decal or other designated authorization from the city.

Sec. 19-97. - Parking generally.

(a) Parking in the municipal beach area is first come, first serve basis. It shall be unlawful, and a municipal parking violation punishable in accordance with this chapter or state law as a nonmoving violation for any person to park a motor vehicle, as described in this chapter or in F.S. ch. 316, at the municipal beach area along the roadside or in any area not located within one of the municipal beach area parking lots.

(b) No operator of any motor vehicle shall park any motor vehicle in the beach area parking lots unless the vehicle is within a designated area and marked single parking space. An operator of a motor vehicle may use more than one (1) space if the size or shape of the vehicle makes compliance of this section impossible, but must pay for all spaces.

(c) All operators of motor vehicles who park in a space in the beach area parking lots must pay for the spot in accordance with the designated rates. No more than two (2) motorcycles, mopeds or scooters shall be allowed to occupy a single designated parking space.

(d) All roadways, streets, lanes or other public rights-of-way in the municipal beach area not designated and marked for public parking shall be kept open and free of parked vehicles at all times.

(e) The right granted to a motor vehicle under this division to stop or stand a vehicle for purposes of loading or unloading of passengers shall not extend beyond three (3) minutes. Any motor vehicle unloading or loading passengers must be attended to at all times.

(f) It shall be a municipal parking violation for any person to park a motor vehicle, as described in F.S. ch. 316, where the vehicle is backed into the parking space and the back of the vehicle blocks, encroaches or otherwise impedes the use of a sidewalk or other pedestrian passage right-of-way in any manner.

(g) It shall be a municipal parking violation for any person to park a motor vehicle, as described in F.S. § 316.605, obscuring the word "Florida", the vehicle's registration decal, and/or the alphanumeric designation on the license plate in a manner that restricts the license plate from being plainly visible and legible at all times twenty (20) feet from the rear or front.

Sec. 19-98. - Prohibited and restricted parking.

(a) It shall be a municipal parking violation for any person to park any recreational vehicles including but not limited to a mobile home, motor home, travel trailer, camping trailer, truck camper or slide-in camper, as such vehicles are described in F.S. ch. 320, in the municipal beach area. Also prohibited from parking in the municipal beach area are trucks or other oversized vehicles of a one-ton capacity and greater.

(b) The city's parking administrator or designee may authorize in writing, the temporary parking of the aforementioned vehicles and commercial vehicles in the beach area parking lot if such temporary parking is necessary and related to a city-sponsored event; is necessary and related to authorized use of city owned or leased facilities in the municipal beach area; or, if necessary and pursuant to a written agreement for the provision of services in the municipal beach area or at nearby beaches.

(1) The right granted under this section to stop or stand a vehicle for purposes of loading, unloading or delivery of goods, or materials to authorized users of city owned or leased facilities at the municipal beach area, shall apply only to commercial vehicles and shall not extend beyond the time necessary therefore and in no event for more than twenty (20) minutes unless prior approval is obtained from the city.

(c) Buses in the municipal beach area shall only load or discharge passengers at the designated loading zone areas, except the parking administrator or designee may, for good cause shown, from time to time, and in specific cases only, upon prior notice, allow the loading and discharge of passengers at some other location. The discharging and loading of passengers from such vehicles shall not block any roadway, lane or other right-of-way. If no other option is available, such loading and discharging may occur if limited to a reasonable and necessary time to facilitate such transfer. After the loading or discharging of passengers is complete the vehicle must either legally park or leave the beach parking lot. In no instance shall the operators of said vehicles allow the motors to be stationary and running unless legally parked when the bus is not moving or preparing to move, nor shall

the bus be left unattended. Such vehicles shall only park within any parallel spaces available and capable of accommodating vehicles of such size and length.

Sec. 19 -99. - Overnight lodging in vehicle.

It shall be unlawful for any person to use a mobile home, or other motor vehicle designed or modified for living or sleeping use, for overnight lodging at the municipal beach area. No person shall be charged with a violation of this section until he or she has been warned of the prohibition herein, and has willfully refused to comply therewith.

Sec. 19-100. - Designation and use of resident and beach tenant employee parking areas.

(a) Vehicles displaying a resident or beach tenant employee parking decal issued by the city (or other city authorized designation) shall be permitted to park in the resident parking areas, which includes the year-round and seasonal residents, or beach tenant employee parking areas as hereinafter provided. Resident and beach tenant employee parking areas may be established by resolution of the city council. If an area is designated for resident parking only, a resident parking decal shall be displayed. If an area is designated for beach tenant employee parking only, a beach tenant employee parking decal shall be displayed. If an area is designated for both resident and beach tenant employee parking, either a resident parking decal or beach tenant employee parking decal must be displayed.

(b) A parking decal as required by this section shall be issued to year-round and seasonal residents who meet the following criteria:

(1) A year-round resident of the city shall furnish proof of such residency by producing one (1) of the following items of current, documentary evidence:

i. Declaration of domicile;
ii. Homestead exemption qualification card;
iii. Ad valorem property tax payment receipt;
iv. Voter registration card;
v. A lease agreement with notarized signatures or a notarized letter from a property owner or management company that provides that the person is renting the property and it is within the municipal limits of the city;
vi. City of Riviera Beach utilities bill, in the name of the applicant, containing waste removal charges.

(2) A seasonal resident of the city shall furnish proof of such residency by producing one (1) of the following items of current, documentary evidence:

i. Ad valorem real property tax payment receipt reflecting an address within the city limits;
ii. Mobile home registration reflecting an address within the city limits;
iii. A lease agreement with notarized signatures or a notarized letter from the property owner or management company that provides that the person is renting the property and it is within the municipal limits of the city; or
iv. City of Riviera Beach utilities bill, in the name of the applicant, containing waste removal charges.

(3) Both year-round and seasonal residents shall additionally furnish a current, valid motor vehicle registration for each vehicle for which a parking decal is sought, a valid driver's license and one (1) other item of personal identification which reflects a Riviera Beach city address. If the vehicle is registered in a company name, the

person seeking the decal shall be referred to the city attorney or designee for a determination of eligibility. With respect to year-round residents, the documents required by subsection (1) and the first sentence of this subsection shall reflect the same city address. A year-round resident who leases a vehicle for which a parking decal is sought shall additionally furnish a notarized copy of the lease in his or her name.

(d) All persons applying for a resident parking decal shall execute an affidavit, under oath, setting forth any of the foregoing facts or any other facts requested by the city. Said resident executing this affidavit will be advised that if any statement in the affidavit is false, the affiant will be prosecuted for perjury.

(e) All year-round residents shall pay to the city a fee set forth by resolution for the parking decal which shall be valid for a period of one (1) year commencing on May 1 and expiring the following April 30.

(f) All seasonal residents shall pay to the city a fee set forth by resolution for the parking decal which shall be valid for a period of one (1) year commencing on May 1 and expiring the following April 30.

(g) The resident parking decal shall be permanently affixed by the resident to the vehicle in the lower left corner of the windshield on the driver's side as directed by the city. The vehicle upon which the decal is permanently displayed shall be the same vehicle for which registration is exhibited to the city as required herein. Decals are not allowed to be transferred to other vehicles.

(h) In case of replacement of a vehicle for which a parking decal has been issued, a replacement parking decal shall be issued upon the payment of a replacement fee as established by city resolution and upon production of a vehicle registration certificate for a replacement vehicle and either the old parking decal or an affidavit, executed under oath, stating that the old parking decal has been lost, stolen or destroyed.

(i) In addition to all other requirements contained herein, all unmarried minor persons applying for a resident parking decal shall furnish the affidavit provided for in subsection (4), which shall be co-signed by a parent or natural or court-appointed guardian. Proof of guardianship or marriage may be required by the issuing authority.

(j) In case of a dispute, the city attorney or designee shall have the authority to make a determination of issuance or non-issuance of the resident parking decal.

(k) Upon payment of the fee set by city resolution, any beach tenant employee who is employed by an authorized tenant of the municipal beach area shall be issued a beach tenant employee parking decal. The decal shall be permanently affixed in the lower left corner of the windshield on the driver's side as directed by the city. A replacement decal shall be issued upon the payment of a replacement fee as set by city resolution and upon production of either the old parking decal or an affidavit, executed under oath, stating that the old decal has been lost, stolen or destroyed. The decal shall be valid for the period specified by city resolution. Tenant employee decals are city property and must be returned upon termination of employment or non-payment as set by city resolution.

(l) It shall be a municipal parking violation for any person to park a motor vehicle which does not display a resident or beach tenant employee parking decal as herein provided or pay the metered fee in the resident and beach tenant employee parking areas. A violation of this section shall be punished by a civil penalty set forth by city resolution.

(m) It shall be a misdemeanor of the second degree for any person to temporarily affix in any manner, such as though the use of adhesive tape, a resident beach parking decal or beach tenant employee parking decal to any motor vehicle. Furthermore, it shall be a misdemeanor of the second degree for any person to be in the possession of a motor vehicle on which is temporarily displayed in any manner a resident beach parking decal or beach tenant employee parking decal.

(n) It shall be a misdemeanor of the second degree for any person to forge, duplicate or reproduce in any manner a resident beach parking decal or beach tenant employee parking decal.

(o) It shall be a misdemeanor of the second degree for any person to display in any manner a forged, duplicated or otherwise reproduced resident beach parking decal or beach tenant employee parking decal on any motor vehicle.

(p) Furthermore, it shall be a misdemeanor of the second degree for any person to be in the possession of a motor vehicle on which is displayed a forged, duplicated or otherwise reproduced resident beach parking decal or beach tenant employee parking decal.

(q) Except to the extent that decal parking is allowed pursuant to this article, the rates for metered municipal beach parking shall be set by city resolution.

(r) A resident parking permit shall not guarantee or reserve to the holder of the permit a parking space within a designated parking lot or beach access easement.

(s) The city is authorized to revoke the resident parking permit of any permittee found to be in violation of this division and, upon written notification thereof, the permittee shall surrender such permit to the city. Failure, when so requested, to surrender a resident parking permit so revoked shall constitute a violation of this division.

(t) Residents will be issued no more than one (1) parking permit per bedroom and, at a maximum, no more than three (3) parking permits per dwelling.

(u) Parking Permits issued under this division may only be utilized during the hours set by resolution of the city council.

DIVISION 5. - CITY PARKING GARAGES.

Sec. 19-101. - Parking in city parking garages.

(a) Parking in the city's parking garages is on a first-come, first-served basis. No parking spaces shall be reserved except as may be designated by the parking administrator or designee.

(b) Parking in city parking garages shall be at rates established by resolution of the city council.

(c) Monthly permits. Monthly permits allowing use of city parking garages may be issued at the discretion of the parking administrator or designee. Monthly permits grant access to a designated area of the applicable parking garage; but do not reserve or guarantee the availability of spaces.

Sec. 19-102. - Overnight parking.

City parking garage facilities are not intended for long term unattended parking/storage of vehicles. Although overnight parking is permitted, no privately owned vehicle is allowed to be parked/stored in any city parking facility for more than five (5) consecutive business days without exiting the facility. Any privately owned vehicle parked/stored in a city-owned parking facility over five (5) consecutive business days will be subjected to towing at the vehicle owner's expense.

Sec. 19-103. - Parking in city garages during a hurricane or highly inclement weather.

The declaration of a local state of emergency issued by city council, may provide that the city's parking garages may remain open without charge for vehicles to be stored for their protection. The declaration shall have a starting day and time and an ending day and time during which period there is no charge of parking fees to the public. However, if a vehicle is parked prior to beginning of the period and/or after the end of the period, such vehicles must pay the established parking rates for the time parked, excluding the declared emergency period. Use of the city parking garages during the emergency period shall be limited to two vehicles per resident, visitor or business. Vehicles parked illegally may be towed upon approval by the parking administrator or designee.

DIVISION 6. - ENFORCEMENT.

Sec. 19-104. - Enforcement procedure.

(a) Whenever a vehicle is deemed to be in violation of this article, the city's parking enforcement officer locating such vehicle shall endeavor to identify the owner thereof, and shall deliver to the violator, or affix to the vehicle, a municipal parking citation describing the same and the civil penalty therefore. If the violator drives the vehicle away from or in any manner leaves the site of the violation while the parking enforcement officer is preparing the parking citation, or refuses service of the parking citation and drives away from or in any manner leaves the site of the violation, this fact shall be duly noted in the parking system. This shall constitute prima facie evidence that the parking citation was issued and that an attempt at service thereof was made in accordance with the provisions of this article.

(b) The violator shall have fifteen (15) calendar days to pay the stated penalty, or to request an appeal hearing for the municipal parking citation issued by the city. In the event the violator does not pay the stated penalty or a signed and completed appeal form is not received by the city within the fifteen (15) calendar day period, the civil penalty prescribed for the alleged violation shall double in amount and tender of payment of a lesser amount shall not be accepted. The city must have received the payment or the request for appeal prior to the close of business on the 15th day in order to be in compliance with this section. In those cases where the citation is mailed to the violator, the city's parking administrator is authorized to waive the doubling of the civil penalty based upon good cause.

(c) Alternatively, whenever a vehicle is deemed to be in violation of this article and the violation is discovered through an authorized city vendor charged with parking management and/or enforcement, the city vendor may utilize any legal process the city vendor utilizes to enforce this article including, but not limited to, assessing fines and penalties and sending delinquencies to collections. In addition, the city or the police department may utilize any other legal process available to the city or the police department to enforce the provisions of this article.

(d) The city's parking administrator with the approval of the city manager shall establish a parking enforcement policy and procedures manual to further implement these enforcement procedures including, but not limited to, a procedure for hearing municipal parking citation appeals.

Sec. 19-105. - Withholding of license plates and validation stickers.

(a) Violations shall be supplied to the State of Florida Department of Highway Safety and Motor Vehicles (DHSMV) with a magnetically encoded computer tape reel or cartridge which is machine readable by the installed computer system at DHSMV, listing persons who have three (3) or more outstanding parking citations.

(b) If a person's name appears on the list referred to in subsection (a) above, no license plate or revalidation sticker shall be issued to such person until such person's name no longer appears on said list or until such person presents a receipt showing that such parking citations have been paid. The tax collector shall be entitled to receive monthly, as costs for implementing and administering this subsection, ten percent (10%) of the civil penalties and fines covered from such persons.

(c) If a person's name appears on the list referred to in subsection (a) above, the civil penalty or fine for each parking citation that contributed to the appearance of the person's name on the list will increase by fifteen percent (15%), and tender of payment of a lesser amount will not be accepted.

Sec. 19-106. - Penalties.

The fines for a violation of this article shall be established by resolution of the city council. Any fine imposed under this chapter shall be paid in addition to any immobilization and/or impoundment charges.

Sec. 19-107. - Delinquent parking violations; additional fees.

(a) Municipal parking violations fines and penalties for which full payment is not received within forty-five (45) calendar days from the date of issuance will be subject to no more than an additional twenty-five percent (25%) cost.

(b) Pursuant to F.S. § 938.35, parking violations, fines and penalties for which full payment is not received within ninety (90) calendar days from the date of issuance will also be subject to an additional collection fee, if the account is referred to a private attorney who is a member in good standing of the Florida Bar or to a collection agent who is registered and in good standing pursuant to F.S. ch. 559, each retained by the city pursuant to its applicable procurement practices to pursue the collection of such unpaid financial obligations. The amount of such collection fee shall not exceed twenty-five percent (25%) of the amount owed at the time the account is referred to the attorney or agents for collection, or in the actual amount charged by such private attorney or agents for collection, whichever is less.

(c) In the case of overpayment of a municipal parking violation fine and penalty, no refund shall be made if payment of any other delinquent citation is due and owing on any vehicle owned by the same registered owner of the vehicle, and if such citation is not under appeal. The city shall apply such credit balance to the oldest outstanding delinquent parking violation first.

Sec. 19-108. - Administrative review process; voiding of citations; waiver of late fees; imposition of administrative fees.

(a) The city's parking administrator is authorized to dismiss/void a municipal parking citation, impose administrative fees or waive late fees under the following circumstances:

Defective meters or other devices. If a person who has received a parking citation for overtime parking believes the parking meter or other device used to determine the overtime parking violation is defective or malfunctioning, such person shall notify the

city's parking administrative office in writing of the alleged defect or malfunction within seventy-two (72) hours of the time of issuance of the parking citation by completing an on-line form.

(1) If the meter or other device is found to be functioning properly, the person who contacted the city shall be notified in writing by email or phone by the city's parking administrative office, and all fines and penalties shall be due and payable within fifteen (15) calendar days of the date of the notification.

(2) If the meter or other device is found to be defective or malfunctioning, the person who contacted the city shall be notified in writing by email or phone by the city's parking administrative office and the parking citation shall be deemed to be invalid and all fines and penalties shall be removed.

(3) Those other circumstances listed in the adopted parking policy and procedure manual or in the schedule of fees and charges for services allowing the parking administrator to void citations and waive late fees.

(b) An administrative fee may be assessed for voiding parking citations as set forth in the schedule of fees and charges for services.

(c) An administrative fee may be assessed when payments are presented in person at the city, if such fee is provided for in the schedule of fees and charges for services.

ARTICLE IV. -TOWING, IMPOUNDING, AND IMMOBILIZATION.

Sec. 19-109. - Enforcement.

Except where specifically allowed, this chapter may be enforced by a duly authorized city representative. A “duly authorized city representative” shall consist of, but not be limited to, employees of the city's police department, city code compliance officers, parking enforcement employees, and city authorized contractors.

Sec. 19-110. - Immobilizing of motor vehicles.

(a) A duly authorized city representative is authorized to attach a device that is capable of immobilizing a motor vehicle so that it cannot be moved under its own power without damage to the motor vehicle:

(1) When three (3) or more citations for unlawful or illegal parking involving any vehicle bearing the license plate that has been cited, have been outstanding for more than fifteen (15) days and have not been disposed of by payment of the fine or cancellation of the citations by the city or by requesting an appeal hearing as provided in this chapter; or

(2) When the motor vehicle is not lawfully displaying a license plate in accordance with section 316.605, Florida Statutes, or the vehicle identification number is covered in such a manner as to prohibit a duly authorized city representative from reading it.

(b) The immobilizing device shall be attached to the motor vehicle at the location where the motor vehicle is parked, except that no motor vehicle shall be immobilized within the traveled portion of a street or on a portion of a street when immobilization at that location would create a hazard to the public or to traffic on the street. At the same time the immobilizing device is attached to the motor vehicle, a notice shall be affixed to the windshield or other prominent place on the motor vehicle stating that the immobilizing

device has been so attached, cautioning the operator not to attempt to operate the motor vehicle while the immobilizing device is still attached, informing the owner or operator of the motor vehicle of the number of total fines and charges assessable under the citations for which the motor vehicle is immobilized (including the removal charge, as set forth by city resolution, for removal of the immobilizing device and all citations that are outstanding and incurred at the time of immobilization), and informing the owner or operator of the location where he/she must go in order to pay the fines and charges and have the immobilizing device removed from the motor vehicle.

(c) The immobilizing device shall be removed, by a duly authorized city representative, from the motor vehicle upon correction of any violation and payment to the city of the total fine and charges for which the motor vehicle is immobilized. It shall be unlawful for a person, except for a duly authorized city representative, to remove or cause to be removed the immobilizing device. Alternatively, if an authorized city vendor is utilized to immobilize vehicles and the vendor has an automated process for payment of delinquent amounts and automated removal of the immobilizing device upon receipt of payment, the authorized city vendor may utilize such automated process for the removal of the immobilizing device.

(d) The duly authorized city representative may tow or cause to be towed and impounded a motor vehicle immobilized under this division if fines and charges have not been paid or satisfactory arrangements in lieu thereof have not been obtained within twenty-four (24) hours of attaching the immobilization device to the motor vehicle. A duly authorized city representative may also tow or cause to be towed and impounded a motor vehicle that has been immobilized under this article if the immobilizing device has been removed without the authorization set forth in this article. Under certain circumstances, such as the driver or owner threatening to remove the immobilizing device, a duly authorized city representative shall have the option of towing the vehicle at the time the vehicle is immobilized. All expenses for towing or impounding shall not exceed the rates set forth by Palm Beach County, and shall be borne by the owner of the motor vehicle. All expenses for immobilization shall be set forth by resolution, adopted by the city council, and shall be borne by the owner of the motor vehicle. Such expenses may include fines, administrative costs, and costs of repair or replacement to an immobilization device. All towing, impounding or immobilization shall be carried out in accordance with this article.

Sec. 19-111. - Tow-away zones; removal of motor vehicles; designation of no-parking zones; notice.

(a) *Tow away zones; removal of motor vehicles.* A duly authorized city representative is hereby authorized to remove, or cause the removal of and impoundment of, vehicles to a storage area designated or maintained by the city (or its towing contractor) or by the city's law enforcement agency, or to move such vehicles or cause such vehicles to be moved, or to require the owner or operator of the vehicle to move such vehicles to a position which would not be an obstruction or in violation of any ordinance under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any street, bridge, roadway, or where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a street is so disabled that it obstructs traffic, or the operator of the vehicle is by reason of physical injury incapacitated to such an extent that the operator is unable to remove the vehicle.

(3) When any vehicle, parked in the public right-of-way or on publicly owned property, is in violation of prior notices to remove the vehicle due to work/special events using the right-of-way or publicly owned property.
(4) When any vehicle, parked in the public right-of-way or on publicly owned property, is left unattended continuously for more than twenty-four (24) hours, after being cited.
(5) When the driver of such vehicle is taken into custody by a law enforcement agency and such vehicle would thereby be left unattended upon a street, bridge, roadway or where such vehicle would constitute an obstruction to traffic.
(6) When removal is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.
(7) When a vehicle is parked in violation of a parking control device or sign which informs the vehicle operator that the area in which the vehicle is parked is an official tow away zone or other prohibited area requiring removal of the vehicle.
(8) When any vehicle is parked or stopped or engaged in loading or unloading merchandise or passengers in an area designated as a "no loading" or "no parking" zone.
(9) When otherwise authorized under this chapter or code.

(b) *Designation of "no parking"/"tow-away" zones.* The city manager, or designee, may designate from time to time certain areas (i.e., roads, streets, rights-of-way, publicly owned property), or portions thereof, as "no parking" zones for such hours, days or periods of time as determined by the city manager, or designee, and designate such areas as a "tow-away" zone for vehicles parked in violation thereof. The city manager, or designee, shall provide for the posting of signs and/or parking control devices in the designated areas identifying such areas as "no parking" for the time periods in which no parking provisions are enforced, and further identifying such area as a designated "tow-away" zone. The existence of such signs, signals, markers, or traffic control devices at any place within the corporate limits of the city shall be prima facie evidence that such signs, signals, markers, or traffic control devices were erected or placed in accordance with the provisions of this article.

(c) *Notice on illegally parked vehicles.* Whenever any vehicle, without driver, is found to be parked, stopped or standing in violation of any of the provisions of this code, a duly authorized city representative shall conspicuously affix to such a vehicle a written citation on an appropriate form. This section shall not be construed to prohibit or restrict the issuance of a citation in any other appropriate circumstance.

Sec. 19-112. - Maintenance of storage places for impounded vehicles.

The city may maintain a storage place for motor vehicles impounded pursuant to this division or the city may authorize storage of the impounded motor vehicles at another location that is maintained by the city's towing contractor.

Sec. 19-113. - Notice of impoundment.

(a) *When owner present.* When a duly authorized city representative intends to impound a vehicle pursuant to this division and the owner of the vehicle is present, the duly authorized city representative shall, before the vehicle is removed, provide the owner with a notice, in

a form prescribed by the city, that the vehicle is being impounded, that towing and storage charges will be assessed against the impounded vehicle, that the owner may claim and regain possession of the impounded vehicle at the location to which it is being removed for storage upon the payment of towing and storage charges as well as any charges due to the city. The notice shall state the location where the impounded vehicle will be stored and that the owner may appeal the charges. The notice shall also state, in prominent language, that failure by the owner to request an appeal within the appropriate time period may result in the placing of a lien against the vehicle for the towing and storage charges without further notice to the owner.

(b) *When owner not present.* When a duly authorized city representative impounds and removes a vehicle pursuant to this division and the owner of the vehicle is not present at the time of the impoundment, the duly authorized city representative shall provide notice in accordance with state statute.

(c) *Failure or refusal to sign notice.* If a person who is required by this section to sign a notice of impoundment willfully fails or refuses to do so, or if the person cannot be located, the duly authorized city representative shall note this fact on the face of the notice, which shall constitute prima facie evidence of delivery or service of notice as required by this section.

(d) *City to send notice to any lienholders; notice to entity providing temporary tag.* In addition to the notice required herein, when the duly authorized city representative impounds and removes a vehicle pursuant to this article, he/she shall also send a similar notice of such impoundment, in writing within seven (7) days of the date of such impoundment, to any and all lienholders of record (as appears on the motor vehicle registration or as disclosed by the records in the State Department of Highway Safety and Motor Vehicles). In the event the impounded vehicle has a temporary license tag affixed to it, the city shall provide, if possible, the same notice required herein to the entity to which a temporary license tag was issued.

(e) *No notice by city necessary if provided by a towing contractor.* Notwithstanding any provisions to the contrary contained in this division, it shall not be necessary for the city to provide to the owner or lienholder of an impounded motor vehicle notice of impoundment or storage as required by this article if such notice is to be or has been provided by the towing contractor storing the vehicle pursuant to the notification required by law.

Sec. 19-114. - Release of vehicle from impoundment.

The owner of an impounded vehicle may secure the release of the vehicle from impoundment upon requesting the release and presenting proof of ownership such as, but not limited to, vehicle title, current registration, notarized release from vehicle owner, insurance card with owner name and VIN, licensed dealer with auction buyer's invoice and notarized bill of sale for non-titled vehicles. The custodian shall release the vehicle to the owner or the owner's agent upon payment of the accrued parking citation fees and charges and towing and storage charges. Such payment shall be in the form of cash, cashier’s check or money order or as otherwise authorized to be accepted by the city or the city’s authorized contractor.

Sec. 19-115. - Towing, storage and immobilization charges/fees.

Towing and storage charges shall be in accordance with the rates set forth by Palm Beach County and as they may be amended. Charges for immobilization shall be as set forth by the city

council by resolution. Administrative fees charged for towing, storage and immobilization shall be as set forth by the city council by resolution.

Sec. 19-116. - Towing, storage and/or immobilization charges and parking fines to constitute lien; notice requirements; limitations.

The towing, storage and/or immobilization charges and parking fines occasioned by the immobilization/impoundment of a vehicle pursuant to this division shall be and constitute a lien upon the immobilized/impounded vehicle, except as provided in this section. If, upon appeal, the special magistrate finds that the immobilization/impoundment was improper and if the special magistrate determines that the city shall bear part or all of the towing and storage charges and parking fines, the lien created by this section shall be discharged. If the special magistrate finds that the immobilization/impoundment was proper but that the towing, storage and/or immobilization charges and parking fines should be in an amount less than the amount of the lien, the lien created by this section shall be discharged to the extent that it exceeds the amount established by the special magistrate.

Sec. 19-117 - Statutory procedures.

The procedures established by Florida Statutes for the collection of unpaid towing and storage charges shall apply.

Sec. 19- 118. - Limitation of liability.

The city specifically disclaims liability for any damages, injuries, or losses caused by or resulting from the use of an immobilization device and/or from towing and impoundment as used in the provisions hereof.

Sec. 19-119. - Appeals.

(a) Any person who is the owner of a vehicle on which an immobilization device has been attached and/or is the owner of a vehicle that has been towed and impounded for parking violations under this chapter, hereinafter referred to as the appellant, may file an appeal to establish if the vehicle had the immobilization device improperly attached or if the vehicle was improperly towed due to the failure to meet the provisions of this article. The appeal shall be heard by the city's special magistrate appointed to hear code compliance cases.

(b) An appeal must be submitted in writing by the appellant within three (3) days from the time an immobilization device was attached to the vehicle and/or the vehicle was towed and impounded. The filing of an appeal requires the payment of the outstanding parking citation amounts and the immobilization and/or towing charges due to the city.

(c) A hearing date shall be scheduled by the city upon receipt of the appeal. The appellant shall be given at least ten (10) days' notice of the time and place of the hearing by mailing the notice to the appellant's address listed on the appellant's appeal.

(d) At the conclusion of the hearing, the special magistrate shall make a final and conclusive determination whether the immobilization and/or towing/impoundment were proper and in accordance the provisions of this article. The determination shall be reduced to writing and signed by the special magistrate and filed in the office of the city clerk, and a copy shall be mailed to the appellant.

(e) The decision of the special magistrate shall be effective when filed with the city clerk.

(f) If the special magistrate rules in favor of the appellant, all fees, fines and penalties paid by the appellant to the city regarding the attachment of immobilization device, and/or towing/impoundment shall be returned to the appellant as soon as reasonably practicable including the appeal fee.

(g) If the special magistrate rules against the appellant, the city shall retain all fees, fines and penalties paid including the appeal fee.

Sec. 19-120. - Immobilization of vehicles on private property.

(a) *Business tax receipt required.* No property owner or immobilization contractor shall engage in the business of immobilization of motor vehicles parked on private property without permission or authority unless such property owner or immobilization contractor shall first obtain a business tax receipt in accordance with the procedures set out in this code. For purposes of this section, the term "property owner" shall include and refer to the owner, lessee, or controller, person or entity otherwise in control of real property, their agents, servants, or employees. The immobilization contractor shall sometimes be referred to in this section as the "contractor." The term "premises" shall mean the private property owned, controlled or used by a property owner for the parking of motor vehicles at its business or auxiliary to its business.

(b) *Immobilization license required.* No property owner or contractor shall engage in the business of immobilization of motor vehicles which are parked on private property without permission or authority unless such property owner or immobilization contractor shall first apply for and obtain an immobilization license.

(c) *Requirements for immobilization license.* No property owner or immobilization contractor shall be issued an immobilization license under this section unless there is proof of compliance with each of the following requirements:

(1) *Notice.*

i. Notice must be prominently placed at each driveway access or curb allowing vehicular access to the property, within five feet from the public right-of-way line.

ii. The notice must clearly indicate on a sign which meets the identical physical requirements mandated in this article that parking is reserved for customers only and unauthorized vehicles will be subject to immobilization and/or towing at the owner's expense.

iii. The notice must also provide the name and telephone number of the person or firm immobilizing the vehicle, the fee for the removal of the immobilization device, such fee not to exceed a maximum rate as established by resolution of the city council and on file in the city clerk's office, unless modified pursuant to the procedures indicated in this article. Acceptable methods of payment shall include cash, check payable in United States funds and credit card. The maximum fee for the removal of the immobilization device shall be effective from the date of adoption of the ordinance from which this section is derived.

iv. The notices shall read substantially as follows (with the designated information to be inserted at the indicated spaces):

ALERT! IMMOBILIZATION/TOW-AWAY ZONE ENTERING PRIVATE PROPERTY PARKING PERMITTED FOR (insert name of property owner) CUSTOMERS ONLY. IF YOU PARK YOUR VEHICLE AND LEAVE THE PREMISES, YOUR VEHICLE WILL BE IMMEDIATELY IMMOBILIZED SUBJECT TO A (insert fee) FEE TO RELEASE VEHICLE OR TOWED AT YOUR EXPENSE. IMMOBILIZATION PERFORMED BY: (Insert name, address and telephone number to call).

v. If the property is being operated as a parking lot business, the notice language in subsection (c)(1)d of this section should be modified to provide that immobilization shall result in the event that the vehicle is parked in the parking lot without payment of the parking fee.

vi. The sign structure containing the required notices must be permanently installed with the words "Alert. Immobilization/Tow-Away Zone." The sign shall meet the physical requirements contained in this article.

(2) *Inspection of real property where immobilization is used to enforce parking restrictions.* The property owner shall provide access to city personnel in order to inspect the required signs on premises where immobilization is used to enforce parking restrictions.

(3) *Method of immobilization.* Immobilization shall be accomplished by placing a steel boot to the front wheel on the driver's side of the motor vehicle. The steel boot may be placed on any other wheel if placement on the front wheel on the driver's side is not feasible.

(4) *Warning sign requirement.* Upon immobilization, the property owner shall affix a warning notice written in English, Spanish, Portuguese, German and French, on the driver's side window of the vehicle, indicating that the vehicle is immobilized and that any attempt to move it will cause damage, and shall provide a local telephone number to contact for release of the immobilization device, and the fee for its removal. The city shall provide the property owner or immobilization contractor with a form copy of the warning sign simultaneously with the issuance of its immobilization license.

(5) *Availability and response time.* The property owner or immobilization contractor shall make available on a 24-hour, seven-days-a-week basis, attendants and equipment for the timely release of the immobilization device. The immobilization contractor is required to remove the immobilization device from the vehicle within 30 minutes of a call for such service by the owner of the immobilized vehicle provided payment to remove the device has been made.

(6) *Record of contracts.* The property owner or immobilization contractor shall file and maintain on record at all times with the clerk or designee a list of any and all current written contracts for immobilization services on private real property within the city limits. The list shall be kept current and shall provide the city with (i) the address of the real property; (ii) the date of the agreement; (iii) a contact name and telephone number at the premises.

(7) *Towing/removal requirements.* An immobilized vehicle shall not remain immobilized on private property for more than 24 hours. After such period of time

has expired, the vehicle shall be released from the steel boot and may be towed or removed.

(8) *Insurance.* The property owner or immobilization contractor shall file with the city's risk management division and have in effect an insurance policy or certificates of insurance in lieu thereof, which shall indemnify or insure the property owner or immobilization contractor for all claims of damage to property resulting from any action or operation in connection with the service performed, such amount not to be less than $20,000.00 for each incident.

(9) *Recordkeeping procedures.* The property owner or immobilization contractor shall keep an immobilization log with information including but not limited to: date and time the vehicle was observed illegally parked, compliance with subsection (c)(3) of this section, the date and time of immobilization, the location/address of the real property where the immobilization took place, make, model, color and license tag number of the vehicle immobilized. In addition, the immobilization contractor shall include in the log the following release information: verification of vehicle ownership, the name of the person removing the steel boot and the name of the person requesting tow service, if applicable. All files, records, and logs shall be available for inspection at the subject premises during normal working hours by the city, upon reasonable notice to the property owner or immobilization contractor.

(10) *Ethics and conduct.* The property owner and immobilization contractor shall conduct their business in an orderly, ethical, and business-like manner at all times, and shall use every means to obtain and keep the confidence of the motoring public. All public contact shall be in a courteous and orderly manner.

(d) *Enforcement.* If at any time a property owner or immobilization contractor fails or refuses to comply with, or violates any of the provisions of this section, such property owner engaging the services of the immobilization contractor shall be subject to prosecution under the city's code enforcement system. Additionally, the city may seek injunctive relief and/or follow procedures to revoke and/or suspend the occupational license as set forth in this Code.

(e) *Exemptions.* Nothing in this section shall affect the rules and regulations governing any person or firm engaged in the towing and removal of vehicles parked on private property within the city.

(f) *Rebates.* The rebate or payment of money or any other valuable consideration, directly or indirectly from the individual or firm immobilizing or removing vehicles to the owners or operators of the premises from which the vehicles are immobilized or removed, for the privilege of immobilizing or removing those vehicles, is prohibited.

(g) *Identification.* The immobilization contractor's employees or agents shall wear identification tags stating the full name of the contractor and the name of the employee or agent; no identification worn by contractor's employees or agents shall use the words "enforcement," "department" or "police." Such identification tags shall be prominently displayed on the front left side of the employee's or agent's shirt. Contractor's employees or agents shall not wear uniforms that bear resemblance to law enforcement officers. No badges that bear resemblance to law enforcement officers may be worn by immobilization contractor or staff. All contractor vehicles shall display the company name (or name of joint venture or individual owner or other entity ownership) on the driver and passenger side of the vehicle in letters at least three inches high. The company's address (or address

of joint venture, or individual owner or other entity ownership) and telephone number shall be displayed on the driver and passenger side of the vehicle in letters at least one inch high. No contractor shall use the words "enforcement," "department" or "police" in its company name (or name of joint venture, fictitious name, or entity name).

(h) *Citizen complaints.* The immobilization contractor shall respond in writing to any complaints received by the mayor or his designee, concerning misconduct on the part of contractor or its employees or agents, such as excessive charges, poor business practices, discourteous service, damage to vehicles or failure to give notice as required by this section. The city shall notify the contractor of any complaints within five business days from receipt of the citizen complaint. The contractor shall provide any additional explanation or information with respect to the particular complaint within five days upon notification. A written disposition of the complaint will be forwarded to the contractor and the citizen complainant upon completion of the investigation**.**

ARTICLE V. PARADES AND PROCESSIONS

Sec. 19-201. Permits required; exception.

(a) No funeral or procession or parade containing 200 or more persons or 50 or more vehicles excepting the forces of the United States Army, Navy or Air Force, the military forces of this state and the forces of the police and fire departments shall occupy, march or proceed along any street except in accordance with a permit issued by the city manager and such other regulations as are set forth herein which may apply.

(b) Whenever the city manager gives a permit for any parade, public gathering or celebration, he may order any street or portion of street to be cleared of all vehicles during the parade, public gathering or celebration.

Sec. 19-202. Driving in processions.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicle ahead as close as practical and is safe.

Sec. 19-203. Driving through processions.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

Sec. 19-204. Identification of funeral processions.

A funeral composed of a procession of vehicles shall be identified as such by lighted headlights or by the display upon the outside of each vehicle of a pennant of a type designated by the police department.

ORDINANCE NUMBER 4250

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUBSTANTIALLY AMENDING CHAPTER 19, "TRAFFIC AND MOTOR VEHICLES", TO CREATE A NEW TRUCK ROUTE PROCEDURE WHICH AUTHORIZES THE CITY COUNCIL TO ESTABLISH AREAS IN THE CITY WHERE CERTAIN TRUCK TRAFFIC IS PROHIBITED; TO CREATE A NEW CITY-WIDE PARKING ADMINISTRATION SYSTEM AND ENTERPRISE FUND WHICH SYSTEM'S RATES AND FEES SHALL BE SET BY RESOLUTION OF THE CITY COUNCIL; TO ADD NEW AND CLARIFY EXISTING PARKING REGULATIONS THROUGHOUT THE CITY; CREATING NEW MUNICIPAL BEACH AREA PARKING REGULATIONS AND PARKING REGULATIONS FOR CITY PARKING GARAGES; CREATING A NEW PARKING ENFORCEMENT PROCEDURE; CREATING A NEW TOWING, IMPOUNDING, AND IMMOBILIZATION PROCESS; REMOVING PROVISIONS WHICH ARE OUTDATED AND/OR NO LONGER ENFORCED; AND FOR OTHER PURPOSES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City's Code of Ordinances, at Chapter 19, "Traffic and Motor Vehicles" sets forth the City's general regulations regarding traffic, parking, stopping and standing, and parking meters; and

WHEREAS, the general regulations need to be updated to be consistent with changes in the City's municipal parking systems, state law, and enforcement, and to remove the civil penalties out of the city code so that the penalties may be adjusted as necessary by resolution of the city council; and

WHEREAS, the City Council for the City of Riviera Beach has reviewed the recommended revisions to Chapter 19, "Traffic and Motor Vehicles", and has determined that it is

in the best interest of the public health, safety, and general welfare of the City to amend Chapter 19 as set forth in this Ordinance.

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

SECTION 1. The foregoing recitals are incorporated by reference into this Ordinance as true and correct statements of the City Council of the City of Riviera Beach.

SECTION 2. Chapter 19, entitled "Traffic and Motor Vehicles", is hereby amended as follows (underlined language is added and strike-through language is deleted):

ARTICLE I. IN GENERAL

Sec. 19-1. Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in F.S. § 316.003, except where a different definition may be provided or the context clearly indicates a different meaning.

Sec. 19-2. Powers and duties of chief of police and police department to regulate traffic.

(a) The chief of police, with the consent of the city manager, except as otherwise directed by this chapter and except as otherwise directed by the city council and city manager, and as approved by the engineering department, shall have power and the chief of police is hereby authorized to regulate the operation and parking of vehicles within the city by requesting the erection or placing of signs, signals, markers, markings and other authorized traffic control devices in the following specified instances with respect to streets and highways under the city's jurisdiction:

(1) Designation of areas where parking is prohibited or limited.

(2) Designation of one-way streets, through streets, stop streets, "U" turns, play streets, school zones, hospital zones, quiet zones, hazardous traffic areas, crosswalks, and safety zones. Truck routes may be established as set forth in Division 4 of this Article.

(3) Installation and proper timing and maintenance of traffic control devices.

(4) Marking off of traffic lanes indicating the flow of traffic.

(5) Closing of streets to vehicular or pedestrian traffic for temporary periods of time.

(6) Regulation of traffic during emergencies, notwithstanding other regulations.

(7) Designation of reserved and/or limited-hours loading zones, which may be accomplished through signage, markings, and other authorized traffic control devices and through digital and/or electronic applications for reserving such zones.

(b) The police department, under direction of the city manager, shall have full power and be charged with all duties in relation to the management of vehicular traffic.

(c) At the recommendation of the chief of police, the city manager may adopt a policy and procedures manual (PPM) to establish standard operating policies and procedures for the

implementation, operation, and enforcement of this chapter. The PPM may include, but shall not be limited to, policies and procedures governing vehicle operations and parking, the city's parking system, and a city parking garage(s), which are consistent with and/or supplementary to this chapter and other applicable laws, codes and regulations. After adoption by the city manager, the PPM may be amended from time to time based upon recommendations by the chief of police and approval by the city manager. The PPM shall have the same force and effect as a city ordinance for purposes of enforcement.

Sec. 19-3. Obedience to police officers.

Drivers must at all times comply with any direction by voice or hand of any member of the police force as to stopping, starting, approaching or departing from any place, the manner of taking up or setting down passengers or loading or unloading goods in any place. No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer.

Sec. 19-4. Hitchhiking~~; selling merchandise in streets~~.

No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle~~ or for the purpose of selling any merchandise or agricultural products~~.

~~**Sec. 19-5. Combat auto theft program.**~~

~~(a) The Florida Uniform Traffic Control Law authorizes counties and municipalities to enact ordinances to establish "Combat Auto Theft" (CAT) programs, whereby vehicle owners may enroll their vehicles, giving advance written consent to law enforcement officers to stop their enrolled vehicles if they are being operated between the hours of 1:00 a.m. and 5:00 a.m., provided the CAT decal is properly displayed in the lower left corner of the vehicle's rear window.~~

~~(b) A "Combat Auto Theft (CAT)" program, as authorized under the Florida Uniform Traffic Control Law, is hereby established in the city. The program shall include:~~

~~(1) Consent forms to be executed by motor vehicle owners who enroll vehicles in the program.~~

~~(2) CAT program decals which conform to the specifications, colors and design of the uniform CAT decal established by the department of law enforcement for use throughout the state.~~

~~(3) All other provisions of the "Combat Auto Theft" program as provided for in the Florida Uniform Traffic Control Law. Administration of the program shall be conducted by the chief of police.~~

~~(c) In order to provide for the cost of administering the program, a fee of $2.00 for each decal is hereby established. The city clerk shall collect the decal fees and remit them to the city.~~

ARTICLE II. OPERATION OF VEHICLES

DIVISION 1. GENERALLY

~~**Sec. 19-21. U-turns.**~~

~~The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.~~

~~**Sec. 19-22. Play streets.**~~

~~Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area and then any such driver shall exercise the greatest care in driving upon the street or portion thereof.~~

Sec. 19-21~~3~~. Driving through corner properties prohibited.

(a) When a filling station or other property provides for its use as a driveway or other similar facility which is located on a corner in the city, it shall be unlawful for the driver of any vehicle to use such driveway or similar facility for the purpose of making any type of turn at such corner.

(b) It shall be unlawful for any driver of any vehicle to cut through such driveway or other similar facility as described in subsection (a) of this section to gain access to another street or alley.

(c) It shall be unlawful for any driver of any vehicle to cut through such driveway or other similar facility as described in subsection (a) of this section to avoid a traffic light or traffic control sign at such corner.

Sec. 19-22~~3~~4. Vehicles emitting smoke.

It shall be unlawful for any motor vehicle to be operated upon the streets or avenues of the city which creates an unusual or exorbitant amount of smoke.

Sec. 19-23~~4~~5. One-way streets.

Vehicular traffic on one-way streets shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited.

Sec. 19-24~~6~~7. Quiet zone.

Whenever authorized signs are erected indicating a zone for quiet, no person operating a vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

DIVISION 2. BATHING BEACH AREAS

Sec. 19-36. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authorized emergency vehicle means vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of city departments, or private ambulance companies, or such others as may be authorized by city authority.

Bathing beach or *beach area* means that area which is on the ocean front, and which is subject to high or low tides, and also that area lying adjacent thereto and westerly thereof commonly referred to as sand dunes and soft sand. It shall also include the area as above described which lies within the north and south boundary lines of the city limits and extended eastward to the low water mark of the Atlantic Ocean, and extended westward to the east boundary line of the coastal construction setback line. Such area is designated restricted area, excepting therefrom the municipal beach parking area.

Driver means every person who drives or is in actual physical control of a vehicle.

Licensed person means persons holding special permits to carry on business in such areas.

Motor driven cycle means every motorcycle, including every motor scooter, with a motor and every bicycle with a motor attached.

Motor vehicle <u>*or vehicle*</u> means all vehicles propelled by power, other than muscular power, trailers, semi-trailers, coaches or other similar devices, or vehicles.

Owner means any person, association of persons, firms or corporations in whose name the title to a motor vehicle is registered.

Pedestrian means any person on foot.

Police officer means every officer of the city police department or any such person authorized to direct or regulate traffic or to make arrests.

Possession includes and means the person in charge of, the caretaker of or sitting in such vehicle.

Sec. 19-37. Vehicular traffic prohibited in restricted area; exception.

It shall be unlawful for any person to drive any motor driven cycle or motor vehicle on the beach area or bathing beach and herein defined as the restricted area at any time, except that authorized emergency vehicles are permitted thereon while attending to their duties.

Sec. 19-38. Operators of vehicles prohibited in restricted area.

Neither the owner nor any person employing or otherwise directing the driver of any motor vehicle shall require or knowingly permit the operation of such vehicle upon or in such restricted area.

Sec. 19-39. Seizure and impounding of vehicles~~—Redemption; payment of fines, costs.~~

It shall be unlawful for any motor vehicle to be in or on such restricted area at any time and shall be subject to seizure if found thereon and shall be impounded by the city pursuant to this chapter. ~~The owner may redeem the motor vehicle by paying any fine, if any, imposed upon the person in possession of the motor vehicle, when so seized, plus the costs incurred in such impounding. The costs shall include transportation, storage and care thereof and the recording of such seizure. Such costs shall be set by resolution of the city councilnot exceed $75.00. The fine is not included in such costs.~~

~~**Sec. 19-29~~40. ~~Same—Notice to owner.~~**

~~Whenever a vehicle is impounded, as authorized by section 19-39, notice of such action shall be sent to the owner that the vehicle has been so impounded and the reasons why it was impounded.~~

~~**Sec. 19-30~~41. ~~Same—Removal of vehicle by police.~~**

~~Members of the police department and all members of the city council are hereby authorized to remove any vehicle from the restricted area to a place of safety and there to be kept until the case is satisfactorily disposed of and all costs and fines connected therewith are paid.~~

~~**Sec. 19-31~~42. ~~Exemptions.~~**

~~(a) The provisions of this division shall not apply to licensed persons who have been conducting a business and driving on the beach carrying on such business as of August 28, 1963, provided they abide by and comply with this section of this division and:~~

~~(1) They first obtain from the city manager a special permit authorizing such activity.~~

~~(2) That in the carrying on of such business, while moving on the beach, they do not drive more than 15 miles per hour, and provided further they drive as close to the edge of the water as the tides permit. It is intended by this subsection that driving on the soft sand is prohibited except in crossing back and forth to go onto or to come off the beach area.~~

~~(b) It shall be unlawful for any person now carrying on such business to continue to carry on such business, after the expiration date above stated without first obtaining a special license.~~

Sec. 19-40~~43~~. Violation of provisions—Guilty party defined.

Every person who commits, attempts to commit, conspires to commit or aids or abets in the committing of any act declared herein to be a violation of this division, whether individually or in connection with one or more other persons, or as principal, agent or accessory, shall be guilty of such offense, and every person who, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provisions of this division is likewise guilty of such offense.

Sec. 19-41~~44~~. Same—Prima facie evidence of vehicle ownership within restricted area; penalty.

Any person in possession of a motor vehicle within the restricted area shall be deemed to have driven such vehicle into or onto such restricted area and shall be subject to arrest for the violation hereof.

Sec. 19-4245. Same—Penalty.

It shall be unlawful for any person to drive a motor vehicle except emergency vehicles within or on the restricted area at any time. Any person found violating the terms of this division shall be subject to arrest and, if found guilty, may be fined not more than $500.00 or imprisoned for a term not exceeding 60 days. Any fine imposed under this provision shall be paid in addition to any immobilization and/or impoundment charges.

DIVISION 3. RAILROAD CROSSINGS

Sec. 19-47. Automatic electric signal devices and crossing gates.

(a) All railroad companies operating within the city shall build, construct, maintain, and keep in good condition all railroad crossings pursuant to F.S. chapters 357 and 338, and all rules and regulations of the department of transportation adopted thereto and by agreements with the city.

(b) At each street crossing where the streets of the city intersect at grade level, railroad tracks which are not main or passing tracks, such railroad companies shall either install automatic electric signal devices of the type herein specified or use a flagman to give warning to the approach of every train to such crossing.

Sec. 19-48. Speed of trains.

(a) *CSX system.* Except for authorized high-speed trains, it shall be unlawful to operate within the city any locomotive, train, track motor car or other vehicle self-propelled or otherwise traveling along and upon the CSX system railroad tracks at a speed in excess of:

Rate of Speed	Area
45 miles per hour	Between Silver Beach Road and Port Road

(b) *Florida east coast.* Except for authorized high-speed trains, it shall be unlawful to operate within the city any locomotive, train, track motor car or other vehicle self-propelled or otherwise traveling along and upon the Florida east coast railroad tracks at a speed in excess of 45 miles per hour.

Sec. 19-49. Track motor cars, handcars, etc., to stop at railroad crossings.

Every track motor car, handcar or other vehicle so constructed as to be incapable of activating automatic safety gates and automatic crossing signal devices operating upon railroad tracks shall stop at every railroad crossing within the city where a city street intersects a railroad track at grade level and shall yield the right-of-way to traffic traveling along such intersecting street and shall not proceed across such intersection until the movement can be made with reasonable safety.

Sec. 19-50. Blocking of railroad crossings.

(a) The following crossings where the streets of the city intersect a railroad track at grade level are hereby designated as "emergency crossings" and are to remain unblocked by railroad traffic at all times except by moving trains.

(1) Such streets which intersect the Florida east coast railroad tracks are as follows:

Blue Heron Boulevard

Silver Beach Road

13th Street

Port Road

Australian Avenue (north of 13th Street or Avenue M)

State Road 5 at the Port of Palm Beach

State Road at the Port of Palm Beach

State Road 710 east of Avenue S

(2) Such streets which intersect the Seaboard Coast Line Railroad Company tracks are as follows:

Military Trail at State Road 710

(b) No public street or vehicular crossing in the city shall be blocked, closed, or obstructed by a train, locomotive or other railroad vehicle for a period of more than ten minutes except in emergencies and except for the following times as specifically stated:

(1) No railroad locomotive, railroad car, train or other railroad vehicle shall block, obstruct or close any public street or vehicular crossing in the city for longer than five minutes, between the hours of:

5:45 a.m. to 8:30 a.m.; 2:20 p.m. to 4:30 p.m.; and 5:00 p.m. to 6:00 p.m.

Monday through Friday, except as set forth in paragraph (2) herein below.

(2) The Port Road crossing at Port Road and the Old Dixie Highway crossing, because of its location immediately adjacent to the Port of Palm Beach and its railroad switching operations necessary to carry out its shipping operations, are exempted from the provisions of subsections (a) and (b) for blocking a crossing for a reasonable time for necessary switching operations during 7:00 p.m. and 7:00 a.m.; for periods of up to ten minutes each between the hours of 8:30 a.m. to 1:00 p.m.; for reasonable periods of time; and for periods of up to ten minutes each between the hours of 4:00 p.m. and 6:00 p.m. At no time will switching operations close the Blue Heron crossing or interfere with traffic flow at the Blue Heron crossing.

Sec. 19-51. Railroad crossings to be cleared for emergency vehicles.

Railroad trains or equipment shall be separated, cut or moved to clear the railroad track crossing any public road or street within the city upon the approach of an emergency vehicle upon notification or by the sounding of sirens, flashing of lights, waving of flags or any other warning sufficient to attract attention to such emergency vehicle defined as follows:

(1) An ambulance responding to an emergency call or transporting a person under emergency conditions;

(2) A fire engine or other emergency vehicle engaged in the saving of life, property or responding to any other public peril;

(3) Any other emergency vehicle or any other vehicle when operated as an emergency vehicle defined as a vehicle which is engaged in the saving of life, property or responding to a public peril.

Sec. 19-52. Railroad personnel or Port of Palm Beach personnel liable for violations of this division.

The personnel of any railroad company operating or in charge of the operation of any train, railroad car or railroad equipment in violation of this division except in cases of emergency, shall be liable when it is due to the sole fault of such personnel and at all other times the railroad or Port of Palm Beach shall be responsible.

Sec. 19-53. Liability of railroad company or Port of Palm Beach for violation of this division by its agents and employees.

The railroad company of Port of Palm Beach shall be responsible for the acts of its agents or employees for the violation of this division unless such agent's employees are acting beyond the scope of their authority.

Sec. 19-54. Sounding train horns and whistles at signalized railroad crossings prohibited; city to erect warning signs for motorists.

It shall be unlawful for a railroad train, approaching a public at-grade crossing having train-activated automatic traffic-control devices, including flashing lights, bells and crossing gates, to emit an audible warning signal in advance of said intersection between the hours of 10:00 p.m. and 6:00 a.m. This prohibition shall not apply to any such intersection where the city has failed to erect traffic signs in accordance with state law announcing to motorists that railroad train horns and whistles will not be sounded during the said hours.

DIVISION 4. TRUCK ROUTES

Sec. 19-55. Definitions.

As used in this division, the following terms shall have the following meanings:

Truck shall mean any vehicle designed or operated for the transportation of property, which either:

(1) Is over 80 inches in width; or
(2) Has 6 tires or more; or
(3) Has a weight capacity of 10,000 pounds or more (net weight plus carrying capacity) as specified by the vehicle’s manufacturer.

Truck carrying hazardous materials means every vehicle that has a cargo regulated by Title 49, Code of Federal Regulations, Part 172, as it may be periodically amended which includes but is not limited to flammable or radioactive material or poisonous gas, which in its transportable state would be injurious to humans, animals or plants.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, street or pathway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Truck route shall mean a public street or road, as designated in this division, over and along which trucks shall operate.

Sec. 19-56. Map to be established.

The city council at the recommendation of the city manager is hereby authorized to establish by resolution a regulated truck route map for the city or portions of the city. The Regulated Truck Route map shall indicate the streets and roadways to be used as primary and/or secondary truck routes and no other streets or roadways shall be used for truck traffic within the corporate limits of the city except as otherwise provided in this division. The Regulated Truck Route map shall at all times be on file with the office of the city clerk.

Sec. 19-57. Observance required; exceptions.

(a) All trucks within the city shall be operated only over and along the truck routes established pursuant to this division, except as otherwise provided in this division.

(b) *Hazardous material*. Every truck carrying hazardous material is prohibited from using any local city street or any street designated as a secondary truck route, unless necessary to the conduct of business, construction or maintenance operations at a destination point along that roadway segment.

(c) This division shall not prohibit:

(1) *Operation on street of destination.* The operation of trucks upon any street where necessary to the conduct of business at a destination point, if streets on which truck traffic is permitted are used until reaching the intersection nearest the destination point. Upon leaving the destination point a deviating truck shall return to the truck route by the shortest permissible route.

(2) *Authorized emergency vehicles.* The operation of authorized emergency vehicles upon any street in the city.

(3) *City, public vehicles.* The operation of trucks owned or operated by the city, public utilities, waste-hauler engaged by the city or otherwise authorized by law, any contractor or materialman while engaged in the repair, maintenance, or construction of streets, street improvements or street utilities within the city, except as may be restricted in a development order or building permit.

(4) *Detoured trucks.* The operation of a truck upon any officially established detour in any case where the truck could lawfully be operated upon the street for which the detour is established.

Sec. 19-58. Hours of operation.

Trucks shall be able to travel upon truck routes at all hours of the day and night unless duly authorized signs are installed limiting hours of use on a particular street or portion of a street.

Sec. 19-59. Police chief authorized to install signs.

In accordance with the provisions of this division, the chief of police is authorized to have appropriate signage installed in the city to control truck operations once the city council approves a Regulated Truck Route(s) map by resolution. Such signage shall be enforceable as official traffic control devices pursuant to Chapter 316, Florida Statutes, as amended.

Sec. 19-60. Violations; penalty.

(a) It shall be unlawful to operate a truck on any street within the city other than as is provided in this division. Any person driving or in charge or control of any regulated truck deviating from the designated truck route system or in violation of the posted signage shall be prepared to present for the inspection of police officers the truck's logbook, weight slips, delivery slips, or other written evidence of the regulated truck's origin and destination to justify the deviation from the designated truck route system.

(b) A violation of this division shall constitute an irreversible and irreparable violation and will result in the immediate issuance of a notice of violation in accordance with the provisions of Chapter 2, Article VI, Division 2, code compliance of this code, and/or a noncriminal violation and subject by a fine pursuant to Chapter 318.18, Florida Statutes, as amended, and all other local and state laws, ordinances, and regulations.

(c) If this division is enforced through Chapter 2, Article VI, Division 2, code compliance of this code, the city council may establish a designated account for the deposit of all recovered penalties and charges, which account may be used to fund signage and physical road improvements including, but not limited to, pedestrian and bicycle safety.

Sec. 19-61. Vehicles not to damage hard-surface or paved roads.

It is unlawful to operate on any hard-surfaced or paved roads in the city, any bulldozer, concrete mix truck, tractor, or other heavy equipment vehicle, unless equipped with pneumatic rubber tires; and steel-tired vehicle, or any other vehicle or machine that is likely to damage a hard-surfaced or paved road except ordinary wear and tear on the road.

ARTICLE III. STOPPING, STANDING AND PARKING

DIVISION 1. PARKING ADMINISTRATION

Sec. 19-62. – Administration generally.

(a) The city's parking system shall be a self-supporting parking enterprise fund. Parking system revenues shall be used for the operation and maintenance of the city's parking system and mobility systems, including but not limited to the operation of the parking division and its services; the acquisition or leasing of parking equipment or systems; the acquisition, construction, improvement, maintenance and operation of public parking facilities, and mobility systems, as the city council and/or the city manager shall, from time to time, direct.

(b) There is hereby established a mobility benefit account as a subsidiary fund of the parking enterprise fund. The mobility benefit account may be funded with parking system revenues in excess of those funds needed for the regular operation, repair, maintenance, and upgrade

of the city's parking system. The mobility benefit account may be used to fund capital purchases and operating expenses for the city's mobility systems, including supporting improvements such as trolley/bus stops, park and ride facilities, wayfinding for parking and mobility systems, marketing for parking and mobility systems, software or applications supporting city parking or mobility systems, staffing that supports mobility systems, and other parking and mobility associated improvements that either decrease the need for parking or increase parking capacity as approved by the city manager.

(c) The city may, from time to time, issue parking revenue bonds whose collateral and payments for debt service may be from the parking enterprise fund. The bond proceeds may be used to acquire or lease parking equipment or systems; acquire or lease property, design and construct parking facilities; design and reconstruct public roads to add on-street parking and biking lanes; or, acquire or lease public transportation capital assets, including mobility system assets.

(d) Administration of parking in the city is delegated by the chief of police and city manager to the parking administrator. The parking administrator shall have such duties and responsibilities as set forth in this division or as may otherwise be directed by the chief of police and/or the city manager. In the absence of the parking administrator, his or her designee may act. The parking administrator may be an employee of the city or an independent contractor.

Sec. 19-63. - Rates and fees.

(a) Parking rates for the city's parking system shall be set by resolution of the city council. Enforcement of the rates may be by any legal method available to the city including without limitation sending delinquent amounts to collections.

(b) Depending on demand, the parking administrator, with the approval of the city manager, may temporarily increase or decrease rates for selected city parking garages and metered spaces by no more than 25 percent, for a period not to exceed 30 days.

(c) During city-sponsored special events, the parking administrator may temporarily increase or decrease rates for selected city parking locations.

(d) Permit fees and other mobility and parking system fees shall be set by resolution of the city council.

Sec. 19-64. – Purpose and authority.

This article shall be deemed and construed to be an exercise of the police power of the city for the preservation and protection of public safety, and all of its provisions shall be liberally construed with a view to the effectuation of this purpose.

Sec. 19-65. - Application.

The provisions of this article prohibiting the stopping, standing, or parking of a vehicle shall apply city-wide (unless otherwise clearly stated), at all times or at those times herein stated or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

Sec. 19-66. - Nonmoving violations deemed ordinance violations.

(a) Any and all traffic violations as described in the "Florida Uniform Traffic Control Law" (Chapter 316, Florida Statutes) which shall be classified as nonmoving in nature, or are so declared by either legislative or judicial determination, shall be deemed municipal parking ordinance violations in violation of this article. To this end, all such traffic violations are incorporated herein and prohibited hereby.

(b) This section shall not be deemed to limit or in any way affect prosecutions under state law.

Sec. 19-67. - Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Inoperable vehicle is any vehicle which has any of its wheels or tires dismantled or deflated, is missing any part or valid registration and/or license plate required by law for travel on public streets, or is in such condition as to render it incapable of normal operation under its own power, including being supported above existing grade level by such means as concrete blocks, jacks, hoists, or similar devices. Included in this definition is any partially wrecked, inoperative, or dismantled vehicle.

Limited access facility. A street or highway specifically designed for through traffic.

Loading zone. Unless otherwise specifically stated, a loading zone shall include the following:

(1) *Curb loading zone.* A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(2) *Freight loading zone.* A space adjacent to a curb or other area reserved for the exclusive use of vehicles during the loading or unloading of freight.

(3) *Passenger loading zone.* A space adjacent to a curb or other area reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Municipal parking violation. A noncriminal, non-moving violation which is not punishable by incarceration and for which there is no right to a trial by jury or a right to court-appointed counsel.

Municipal parking citation or parking citation. A citation issued by a parking enforcement officer for a municipal parking violation.

Operator. Any person who is in actual control of a motor vehicle upon a street, highway, or other roadway, or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Owner. A person who holds the legal title of a vehicle, or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee, lessee, or mortgagor shall be deemed the owner for the purposes of this article.

Park or *parking.* The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law under this article.

Parking enforcement officer. A law enforcement officer or other person designated by the city to enforce this division.

Private road or *driveway.* Any privately-owned way or place used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Sidewalk. That portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

Stand or *standing.* The halting of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of, and while actually engaged in, receiving or discharging passengers, as may be permitted by law under this article.

Stop or *stopping.* When prohibited, any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or to comply with the directions of a Law Enforcement Officer or traffic-control sign or signal.

Street or *highway*. The entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic and includes, but is not limited to, developed and undeveloped public rights-of-way.

Taxi stand or *taxicab stand.* A fixed area in the roadway parallel and adjacent to the curb set aside for taxicabs to stand or wait for passengers or for other ride-share vehicles to stand or wait for passengers.

Vehicle or motor vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices used exclusively upon stationary rails or tracks.

DIVISION ~~1~~2. – PARKING REGULATIONS ~~GENERALLY~~

Sec. 19-~~68~~56. - Marked spaces.

(a) Yellow paint or markings on any street or curbing shall mean parking is prohibited in that area so marked. Areas marked with yellow paint and designated as a loading zone shall be permitted to be used for that purpose or for whatever purpose so designated.

(b) The existence of such signs, signals, markers or markings at any place within the city shall be prima facie evidence that such signs or markers were erected or placed by and at the direction of the chief of police and city manager and in accordance with the provisions of this article.

(c) Any person failing or refusing to comply with the directions indicated or any sign or marker erected or placed in accordance with the provisions of this chapter shall be deemed in violation. ~~section when so placed or erected shall be guilty of a misdemeanor and punished as provided in section 1-11 of this Code.~~

Sec. 19-~~58~~69~~57~~. - Standing or parking close to curb.

(a) No person shall stand or park a vehicle in a street, highway or roadway other than parallel with the edge of the roadway headed in the direction of the traffic, and with the curbside wheels of the vehicle within 12 inches of the edge of the roadway, except as provided in the following:

(1) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such mark or sign.

(2) In places where and at hours when stopping for the loading or unloading of merchandise or material is permitted, vehicles used for the transportation of merchandise or materials may back into the curb to take on or discharge loads.

(b) It shall be unlawful for any person to park, stop or station any ~~automobile, truck or any other~~ vehicle of any description whatsoever upon any public street or alley in the city in front of, or so as to interfere with, any driveway or entrance from the street upon private property, or to place any material of any description in such a manner as to obstruct such driveway.

Sec. 19-~~58~~70. Unlawful parking.

No person shall stand or park a vehicle upon any street or roadway for the principal purpose of advertising any place of business or service, of displaying the vehicle for sale, of washing, greasing, or repairing the vehicle, except repairs necessary for meeting an emergency, or of selling merchandise from the vehicle, except at a duly established, marked place or when so authorized or licensed under the code or other ordinances of the city.

~~No person shall stand or park a vehicle upon any roadway for the principal purpose of:~~

~~(1) Displaying it for sale; or~~

~~(2) Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency.~~

Sec. 19-~~59~~71. Restrictions on vehicles in excess of ~~three-quarters~~ one (1) ton.

It shall be unlawful for any person to park, store, stop, or station any ~~truck, bus or commercial~~ vehicle in excess of ~~three-quarters~~ one (1) ton maximum gross weight and/or load capacity in any public right-of-way ~~or within the front yard lines, other than a driveway in any residential zoning district within the city~~.

~~**Sec. 19-60. Handicapped parking.**~~

~~(a) It is prohibited for any person to park a vehicle in a properly designated handicapped parking space in violation of the provisions of F.S. § 316.1955 or F.S. § 316.1956. It shall be prima facie evidence that the vehicle was parked and left in the space by the person in whose name the vehicle is registered and licensed according to the records of the division of motor vehicles. Persons violating any provisions of this section shall be guilty of an infraction, for which the fine shall be $250.00.~~

~~(b) In accordance with F.S. § 316.008(4)(a)(b), one-third of the fines collected shall be used to defray expenses for the administration of this section and the provisions of the Florida Statutes regarding disabled parking violations. Two-thirds of the fines collected shall be used to provide funds to improve accessibility and equal opportunity to qualified physically disabled~~

~~persons in the city and to provide funds to conduct public awareness programs in the city concerning physically disabled persons.~~

~~Sec. 19-61. Parking on right side of street.~~

~~All motor vehicles parking on any street or highway within the city shall be parked on the driver's right hand side of the street.~~

~~Sec. 19-62. Parking prohibited on west side of beach street.~~

~~The parking of motor vehicles is prohibited on the west side of the street extending from the north boundary of the municipal beach property southerly to the south boundary of the municipal beach property, the street being the most easterly street on the municipal beach property within the city.~~

~~Sec. 19-63. Parking on state highway number five.~~

~~(a) Parking of motor vehicles shall be limited to the period of one hour on state highway number five between Blue Heron Boulevard and 23rd Street and between the hours of 9:00 a.m. and 6:00 p.m. Parking of motor vehicles shall be limited to the period of one hour on state highway number five in the block between 11th and 12th Streets within the city.~~

~~(b) All vehicles parking on state highway number five within the city shall be parked parallel to the sidewalk.~~

~~© The parking of trucks is prohibited on the east side of state highway number five beginning at the southern limits of the city and extending a distance of 181 feet to the north, and on the west side of state highway number five beginning at the southern limits of the city and extending a distance of 211 feet to the north.~~

~~Sec. 19-64. Stopping or parking near hazardous or congested places.~~

~~When signs are erected upon approach to hazardous or congested places, no person shall stop, stand or park a vehicle in any such designated place.~~

~~Sec. 19-65. Parking adjacent to schools.~~

~~When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place.~~

Sec. 19-~~66~~72. Standing for loading only.

(a) Except as specifically authorized herein, n~~N~~o person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during the hours when the regulations applicable to such passenger loading zone are effective, and then only for a period not to exceed three (3) minutes.

(b) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a curb loading zone during hours when the provisions applicable to curb loading zones are

in effect. In no case shall the stop for loading and unloading of materials exceed 2~~3~~0 minutes or such other time as may be specifically posted.

~~**Sec. 19-67. Allowance for free movement for vehicular traffic.**~~

~~(a) No person shall stop, stand or park any vehicle upon a street, other than an alley in such manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.~~

~~(b) No person shall park a vehicle within an alley for over 15 minutes unless there is left available not less than eight feet of the width of the roadway for the free movement of vehicular traffic.~~

Sec. 19-~~68~~73. Bus, ~~and~~ taxicab, and ride share stands.

(a) The driver of a bus, ride share or taxicab shall not stand or park upon any street in the city ~~any business district~~ at any place other than at a designated bus stop, ride share, or taxicab stand, respectively, except that this provision shall not prevent the driver of any such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading or unloading passengers.

(b) No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab or other ride share vehicle in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

Sec. 19-~~69~~74. Moving cars from parked positions.

Cars parked shall move out in the direction headed, or if they are parked at an angle with the curb they shall back out on that angle until they have cleared the other cars and shall proceed in the direction they are most nearly headed. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

Sec. 19-~~70~~75. Maximum parking time.

No person who owns or has possession, custody or control of any vehicle shall park such vehicle on any street or highway ~~alley~~ of this city for more than a consecutive period of 60 hours.

Sec. 19-~~71~~76. Backing to curb.

In no case shall any vehicle remain backed up to the curb, except when actually loading or unloading.

Sec. 19-77. - Improper and prohibited parking.

It shall be unlawful for any person to stand or park a motor vehicle in the manner hereinafter described, except when necessary to avoid conflict with other traffic or when so directed by a police officer:

(a) On the roadway side of another vehicle stopped at the edge of a street (double parking);

(b) On a sidewalk (in whole or in part);

(c) In or within twenty (20) feet of a street intersection;

(d) Outside a designated parking space, or in two (2) or more spaces;

(e) Parallel parking with the wheels more than twelve (12) inches from curb or street edge;

(f) Facing against closest traffic flow;

(g) In an angle space with back of vehicle to the curb;

(h) Where signs, street or curb markings prohibit;

(i) On a bicycle path;

(j) Parking more than two (2) motorcycles, scooters or mopeds in a designated space;

(k) On any railroad tracks;

(l) Within a fire lane which has been designated as such by appropriate pavement markings, sign(s) or other traffic control devices;

(m) On the highway or shoulder of a limited access facility except as provided by regulation of the State Department of Transportation or on the paved portion of a connecting ramp; however, a vehicle which is disabled or in a condition improper to be driven as a result of mechanical failure or accident may be parked on such a shoulder for a period not to exceed six (6) hours. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle in obedience to the directions of a police officer or to a person stopping a vehicle in compliance with applicable traffic laws.

(n) No person shall park any vehicle upon a street in a manner or under conditions as to leave available less than twelve (12) feet of width of the roadway for free movement of vehicular traffic. Where streets are not completely paved or curbs provided, the parking of a car shall be in a manner as not to obstruct the free movement of traffic or block a driveway or private road (in whole or in part).

Sec. 19-78. – Prohibited stopping, standing and parking.

(a) No person shall stop, stand or park a vehicle for the purpose of loading or unloading a passenger on the paved roadway or shoulder of a limited access facility or on the paved portion of any connecting ramp. This provision is not applicable to a person stopping a vehicle to render aid to an injured person or assistance to a disabled vehicle.

(b) No person shall stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(1) In front of a public or private driveway.
(2) Within fifteen (15) feet of a fire hydrant.
(3) Within twenty (20) feet of a crosswalk at an intersection.
(4) Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic-control signal located at the side of a roadway.

(5) Within thirty (30) feet of the driveway entrance to any fire station.
(6) On an exclusive bicycle lane.
(7) At any place where official traffic-control devices prohibit standing.

(c) No person shall park a vehicle, whether occupied or not, except temporarily for the purpose of, and while actually engaged in, loading or unloading freight, material, merchandise or passengers:

(1) Within fifty (50) feet of the nearest rail of a railroad crossing unless the State Department of Transportation establishes a different distance due to unusual circumstances.
(2) At any place where official signs prohibit parking.

(d) No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

Sec. 19-79. - Parking and storage in all residential land zoning districts; certain parking prohibited.

(a) All vehicles permitted to be parked or stored on any residential premises, as provided in this section, must be primarily operated by a resident of the premises or a guest, or business invitee of the said resident.

(b) All vehicles permitted to be parked in any residential zoning districts shall comply with this code and the supplemental regulations as set forth in chapter 31 of this code, as amended from time to time. Further, the following vehicles shall not be parked overnight in any residential land use district:

(1) More than one taxi, car service vehicle, or limousine, but not including stretch limousines on a single-family residential lot;

(2) Stretch limousines;

(3) Boom or bucket trucks;

(4) Swamp buggies and half-tracks;

(5) Any vehicle that exceeds the roof height of the principal building on the property or fourteen (14) feet, whichever is less.

Sec. 19-80. - Parking and storage in all non-residential land zoning districts.

All vehicles permitted to be parked or stored in any non-residential zoning districts shall comply with this code and the supplemental regulations as set forth in chapter 31 of this code, as amended from time to time.

Sec. 19-81 - Hazardous parking.

It shall be unlawful for any person to stand or park a vehicle in the manner hereinafter described, except when necessary to avoid conflict with other traffic or when so directed by a police officer:

(a) On railroad tracks, or within fifty (50) feet of a railroad crossing (unless otherwise designated by appropriate markings);

(b) Within twenty (20) feet of a driveway for a fire station;

(c) On a bridge, underpass or overpass; or,

(d) In a lane or way for moving traffic so as to obstruct traffic.

Sec. 19-82. - Paid or free-for-limited-time parking.

(a) The city council may establish and provide parking spaces and facilities open to the public on a pay-for-time or a free-for-limited-time basis. Parking spaces so limited may be regulated by time zones with the maximum time limits for free parking stated on posted signs, or by parking meters, pay stations or other electronic parking monitoring technology that regulate the individual spaces. The signage shall clearly set forth the time limitations and/or rates to advise the public accordingly.

(b) Signage shall indicate by appropriate means when the parking space is expired or what time is remaining at a space.

(c) It shall be unlawful to park in a time zone for a duration of time longer than the maximum time established or posted. Where applicable, it shall be unlawful for any person to park in a metered parking space, or at a numbered space regulated by a pay station when the meter or pay station regulating such space shall indicate that parking in such space is an overtime violation.

(d) It shall be unlawful to alter or duplicate, damage or destroy a parking pay station receipt, permit, tag, placard or decal used for parking control issued by the city or to make any attempt thereof to defraud the city.

(e) It shall be unlawful to stop, stand or park in city owned or operated parking lots, or other city properties that are reserved for hourly, daily, or monthly parking without properly displaying appropriate documentation of payment for parking privileges for the current period, where applicable.

Sec. 19-83. - Public parking on private land.

(a) The city and/or its community redevelopment agency may lease land from a private owner for the purpose of providing public parking, and all regulations in this chapter regarding parking in city garages, lots, and facilities stated in this chapter shall apply equally to such leased lots.

(b) Special events.

(1) No person shall provide special event parking on private land, either unimproved or improved, not normally used for parking purposes, without obtaining a permit for special event parking on private land.

(2) Application for a permit for special event parking on private land may be obtained from the parking division and shall not exceed 30 days.

(3) Permit fees for special event parking on private land shall be established by resolution of the city council.

(4) Owners and operators of private land used for event parking shall not utilize immobilization devices as a means of enforcement unless a special event permit has been issued by the city and the property displays prominently a sign that indicates to a parking customer: (1) the daily parking rate; (2) that immobilization may be utilized to enforce payment; (3) the telephone number to whom a vehicle user may call for removal of the boot; and (4) the cost of the immobilization device removal.

Sec. 19-84. - Hours for parks and public property.

(a) It shall be unlawful for any person to enter and go upon any park or public property grounds in the city during times when said grounds are not opened for public use. The park and public property grounds to be closed and the hours of closing shall be established by resolution of the city council subject to amendment from time to time in the discretion of the city council.

(b) Entry onto park or public property grounds during hours at which such park or public property is closed shall be deemed a trespass in violation of this article and punishable under the provisions of section 1-11 of this Code.

(c) Park and public property hours shall be adequately posted on the park and public property grounds. It shall not be a defense to a prosecution under this section that the person charged had no actual knowledge of the park or public property hours.

Sec. 19-85. - Observance of more restrictive requirements.

Any provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping. standing or parking of vehicles in specified places or at specified times.

Sec. 19-86. - Temporary use of loading zones.

The driver of a vehicle may stop temporarily at a place marked as a curb or passenger loading zone for the purpose of, and while actually engaged in, loading or unloading passengers when the stopping does not interfere with any vehicle used for the transportation of materials which is waiting to enter or about to enter the loading zone. The foregoing shall not apply if the loading zone is specifically reserved as a freight loading zone or other signage restricts use of the loading zone or prohibits use of the loading zone for passenger loading.

Sec. 19-87. - Disabled parking space violations.

Except for vehicles displaying a valid and proper displayed disabled person parking plate or placard, no vehicle shall be stopped, standing, obstructing or parked in those spaces specifically reserved for disabled person parking. A violation of this provision shall be punished by a civil penalty as set by resolution of the city council. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading a disabled person. No penalty shall be imposed upon the driver for such momentary parking.

Sec. 19-88. – Leaving vehicle unattended.

No person driving or in charge of any motor vehicle except a licensed delivery truck or other delivery vehicle while making deliveries shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key. No vehicle shall be permitted to stand unattended upon any perceptible grade without stopping the engine and effectively setting the brake thereon and turning the front wheels to the curb or side of the street.

Sec. 19-89. – Inoperable vehicle prohibited.

No person shall park or store an inoperable vehicle on any street or roadway in the city. Inoperable vehicles parked on public property shall be deemed abandoned property and handled in accordance with section 705.103, Florida Statutes, as amended from time to time, or as may be otherwise authorized by this code or Florida Statutes. Inoperable vehicles parked on private property shall be handled in accordance with the motor vehicles division of Chapter 11 of this code and/or through code compliance.

~~**Sec. 19-72. Failure to comply with notice or citation attached to vehicle; follow-up notice; prosecution in county court; penalty imposed.**~~

~~(a) A user or owner who violates any of the restrictions on stopping, standing or parking imposed by ordinance or code in response to such notice or citation affixed to such motor vehicle may pay to the city, the sum of $25.00 within five business days to avoid a late fee.~~

~~(b) If such user or owner shall fail to pay such citation within five business days excluding weekends and holidays, the following late fee shall be imposed: If payment is postmarked after 96 hours of due date, add $10.00, after 30 days, add $25.00, plus original payment affixed to citation. Such violator(s) shall have the right to appeal or request a court hearing and if such user or owner is found guilty of such violation in county court, such user or owner shall be fined a minimum of $50.00 per violation plus court costs.~~

~~(c) The violator, upon satisfactorily complying with the applicable code, shall be issued a parking violation payment verification by the City of Riviera Beach Parking Citation Division.~~

~~(d) If persons fail to pay three or more fines in accordance with the aforementioned sections, or in accordance with section 19-60, the city will report such failure to the clerk of the court who will furnish the department of motor vehicles a list of violators for the purpose of withholding license plates or revalidation stickers until all fines have been paid.~~

~~**Sec. 19-72.1. Failure to comply with section 19-72 or 19-60.**~~

~~The clerk of the court shall supply the department of highway safety and motor vehicles with a computer tape or cartridge which is machine readable by the computer system installed at the DHSMV listing persons who have three or more outstanding parking violations, including violations of F.S. § 316.1955 or 316.1956.~~

DIVISION ~~2~~3. HAZARDOUS TRAFFIC AREAS

Sec. 19-90~~86~~. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this division~~section~~, except where the context clearly indicates a different meaning:

Hazardous traffic areas mean:

(1) The adjacent road right-of-way on the west side of State Road A1A-703 between Cabana Road and the northern city limits.

(2) The adjacent road right-of-way on the east side of State Road A1A-703 between Ocean Avenue and the northern city limits.

(3) Such other areas designated by resolution of the city council.

Prohibited areas means publicly or privately owned vacant lands lying on the east side of State Road A1A-703 between Ocean Avenue and the northern city limits.

Sec. 19-91~~87~~. Intent and purpose.

This division is enacted as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations and for the protection of the public rights in the use of city streets and thoroughfares.

Sec. 19-92~~88~~. Parking prohibited.

Parking of any vehicle in the hazardous traffic area or prohibited area is prohibited.

Sec. 19-~~8~~93. Enforcement by removal and impounding.

Any vehicle parked in the hazardous traffic area or in the prohibited area without lawful authority shall be deemed a public nuisance and the department of police or any other agent of the city granted power to enforce city ordinances is hereby authorized to remove or cause to be removed at the sole cost and expense of the owner or violator. Such police authority shall have the power and is hereby authorized to remove the vehicle by either private or governmental equipment to the city pound, or privately operated pound, or else as may be deemed advisable consistent with the regulations set forth in this chapter for impounding vehicles.

~~**Sec. 19-90. Notice to owner.**~~

~~Whenever the department of police has impounded a vehicle as described in section 19-89, a notice of such removal and the storage place of such vehicle shall be mailed to the last registered owner of such vehicle if the name and address of such owner can be ascertained with reasonable diligence. Such notice shall state that if the owner fails to reclaim such vehicle within 60 days from the date of mailing, title to such vehicle will vest in the city and such vehicle will be sold at public auction to be held not sooner than 30 days after the expiration of the 60-day period contained in the notice.~~

~~Sec. 19-91. Owner responsibility.~~

~~The registered owner of a vehicle shall be presumed to be the owner at the time of violation and shall be severally responsible for the offenses and the impoundment, except where the use of the vehicle was secured by the operator without the owner's consent.~~

~~Sec. 19-92. Records.~~

~~(a) It shall be the duty of the police department to safely keep any impounded vehicle until such vehicle shall have been repossessed by the owner or person legally entitled to possession thereof or otherwise disposed of as provided in this section. The police department shall cause to be kept an accurate record of the description of such vehicle including:~~

~~(1) The name of the police officer from whom such a vehicle was received.~~

~~(2) The police officer employed to tow or have delivered the same to the pound or authorized garage.~~

~~(3) The date and time when received.~~

~~(4) The place where found, seized or taken possession of.~~

~~(5) The make and color of car, style or body, kind or power, motor number, serial number, number of cylinders, year built, state license number, if any, equipment and general description.~~

~~(6) The name and address of the person redeeming the vehicle and the date of redemption.~~

~~(7) The manner and date of disposal of the vehicle in case it shall not be redeemed.~~

~~(8) The cost of outstanding summonses and the towing and storage charges.~~

~~(b) This record shall be in the form prescribed by the chief of police.~~

~~Sec. 19-93. Release of vehicle.~~

~~(a) Vehicles impounded pursuant to this division will be released to their lawful owners or person entitled to possession upon showing adequate evidence of a right to its possession and paying the payment of all accrued fines and costs, any outstanding unpaid summons or each violation for which there is an outstanding or otherwise unsettled traffic violation notice or warrant and the charges for towing and storage. The release should be signed by an authorized officer.~~

~~(b) No vehicle impounded pursuant to this division will be released if there is a certification from a court or administrative bureau that the vehicle has outstanding unpaid summonses charging such vehicle was parked, stopped or standing in violation of any law or ordinance of the city until the owner or person entitled to possession provides proof from the court or administrative bureau that such summonses have been disposed of in accordance with law.~~

~~Sec. 19-94. Sale of vehicle.~~

~~(a) Whenever any vehicle impounded shall remain unclaimed by the owner or other person legally entitled to possession for a period of 60 days from the day notice was mailed, it shall be the duty of the police department to sell such vehicle at public auction to the highest bidder for cash. The time and place of such sale shall be published at least once in a newspaper of general circulation in the city, not less than ten nor more than 15 days from expiration of the~~

~~60 days. The notice shall contain a full description of the vehicle to be sold and at the time and place of sale. Any vehicle not sold at the first sale may be offered for sale and sold at any subsequent sale without further notice or publication.~~

~~(b) The proceeds of such sale after paying all liens and deducting all reasonable charges and expenses incurred by such officer charged with the keeping of the pound, including the fees and charges herein specified in receiving, towing, keeping, preparing and giving notices, advertising for sale or selling or otherwise disposing of such vehicle, shall be paid to the director of finance.~~

~~(c) Whenever any such vehicle shall remain unsold for a period of 180 days from and including the day when it shall have been delivered to any vehicle pound as provided in this division, any such vehicle may be given to the use of any department of the city or other governmental agency desiring it or may be removed for dismantling. No member of the department of police, nor any other employee of the city, directly or indirectly, shall purchase or participate in the bidding for or purchase of any vehicle offered for sale.~~

~~(d) Notice to owners of vehicles deemed by the chief of police to be of no value or of insufficient value to warrant storage and sale shall provide that:~~

~~(1) The owner shall appear to redeem such valueless vehicle within 60 days after the mailing of notice of its removal.~~

~~(2) The vehicle is deemed to be of no value or of insufficient value to warrant storage and sale; and if such owner does not appear, it is the intention of the city to dispose or destroy such vehicle.~~

~~The notice shall be sent to any owner whose name and address can be ascertained with reasonable diligence or by publishing such notice in a newspaper of general circulation in the city once at least five days before its destruction or other disposition. Such vehicle as above provided shall be conclusively deemed of no value and to be abandoned property, and there shall be no claim against the city, chief of police nor any of their agents or employees by reason of any such destruction or disposition.~~

Sec. 19-94~~5~~. Rules and regulations.

The city council may promulgate such regulations by resolution, as are necessary to effectuate the provisions of this division, including provisions for the recovery of the administrative costs of the program by the city.

Sec. 19-95~~6~~. Posting of signs.

The city manager is authorized and directed to post appropriate signs designating the hazardous traffic area and the prohibited area at the north and south entrances to the hazardous traffic area and the prohibited area, giving notice to the public at large, and upon the posting of such signs this division shall be enforced.

DIVISION 4. - BEACH PARKING.

Sec. 19-96. - Definitions.

For the purpose of interpreting this division, the following words and phrases shall have the following meanings:

Municipal beach area means that area lying within the municipal boundaries of the city lying east of Park Avenue, west of the Atlantic Ocean, south of 2700 N. Ocean Drive and north of Palm Beach Shores.

Beach area parking lots means the city-owned or city-operated surface parking lots, including public on-street parking spaces, serving the municipal beach area.

Bus shall mean and include buses, shuttles, motor coaches or other similar vehicles used for the transportation of over ten (10) persons.

Resident or beach tenant employee parking areas means those beach area parking lots and/or spaces designated and reserved for the exclusive use of individuals who satisfy the requirements provided herein for year-round residents, seasonal residents or beach tenant employees that possess and display the required decal or other designated authorization from the city.

Sec. 19-97. - Parking generally.

(a) Parking in the municipal beach area is first come, first serve basis. It shall be unlawful, and a municipal parking violation punishable in accordance with this chapter or state law as a nonmoving violation for any person to park a motor vehicle, as described in this chapter or in F.S. ch. 316, at the municipal beach area along the roadside or in any area not located within one of the municipal beach area parking lots.

(b) No operator of any motor vehicle shall park any motor vehicle in the beach area parking lots unless the vehicle is within a designated area and marked single parking space. An operator of a motor vehicle may use more than one (1) space if the size or shape of the vehicle makes compliance of this section impossible, but must pay for all spaces.

(c) All operators of motor vehicles who park in a space in the beach area parking lots must pay for the spot in accordance with the designated rates. No more than two (2) motorcycles, mopeds or scooters shall be allowed to occupy a single designated parking space.

(d) All roadways, streets, lanes or other public rights-of-way in the municipal beach area not designated and marked for public parking shall be kept open and free of parked vehicles at all times.

(e) The right granted to a motor vehicle under this division to stop or stand a vehicle for purposes of loading or unloading of passengers shall not extend beyond three (3) minutes. Any motor vehicle unloading or loading passengers must be attended to at all times.

(f) It shall be a municipal parking violation for any person to park a motor vehicle, as described in F.S. ch. 316, where the vehicle is backed into the parking space and the back of the vehicle blocks, encroaches or otherwise impedes the use of a sidewalk or other pedestrian passage right-of-way in any manner.

(g) It shall be a municipal parking violation for any person to park a motor vehicle, as described in F.S. § 316.605, obscuring the word "Florida", the vehicle's registration decal, and/or the alphanumeric designation on the license plate in a manner that restricts the license plate from being plainly visible and legible at all times twenty (20) feet from the rear or front.

Sec. 19-98. - Prohibited and restricted parking.

(a) It shall be a municipal parking violation for any person to park any recreational vehicles including but not limited to a mobile home, motor home, travel trailer, camping trailer, truck camper or slide-in camper, as such vehicles are described in F.S. ch. 320, in the municipal beach area. Also prohibited from parking in the municipal beach area are trucks or other oversized vehicles of a one-ton capacity and greater.

(b) The city's parking administrator or designee may authorize in writing, the temporary parking of the aforementioned vehicles and commercial vehicles in the beach area parking lot if such temporary parking is necessary and related to a city-sponsored event; is necessary and related to authorized use of city owned or leased facilities in the municipal beach area; or, if necessary and pursuant to a written agreement for the provision of services in the municipal beach area or at nearby beaches.

(1) The right granted under this section to stop or stand a vehicle for purposes of loading, unloading or delivery of goods, or materials to authorized users of city owned or leased facilities at the municipal beach area, shall apply only to commercial vehicles and shall not extend beyond the time necessary therefore and in no event for more than twenty (20) minutes unless prior approval is obtained from the city.

(c) Buses in the municipal beach area shall only load or discharge passengers at the designated loading zone areas, except the parking administrator or designee may, for good cause shown, from time to time, and in specific cases only, upon prior notice, allow the loading and discharge of passengers at some other location. The discharging and loading of passengers from such vehicles shall not block any roadway, lane or other right-of-way. If no other option is available, such loading and discharging may occur if limited to a reasonable and necessary time to facilitate such transfer. After the loading or discharging of passengers is complete the vehicle must either legally park or leave the beach parking lot. In no instance shall the operators of said vehicles allow the motors to be stationary and running unless legally parked when the bus is not moving or preparing to move, nor shall the bus be left unattended. Such vehicles shall only park within any parallel spaces available and capable of accommodating vehicles of such size and length.

Sec. 19 -99. - Overnight lodging in vehicle.

It shall be unlawful for any person to use a mobile home, or other motor vehicle designed or modified for living or sleeping use, for overnight lodging at the municipal beach area. No person shall be charged with a violation of this section until he or she has been warned of the prohibition herein, and has willfully refused to comply therewith.

Sec. 19-100. - Designation and use of resident and beach tenant employee parking areas.

(a) Vehicles displaying a resident or beach tenant employee parking decal issued by the city (or other city authorized designation) shall be permitted to park in the resident parking

areas, which includes the year-round and seasonal residents, or beach tenant employee parking areas as hereinafter provided. Resident and beach tenant employee parking areas may be established by resolution of the city council. If an area is designated for resident parking only, a resident parking decal shall be displayed. If an area is designated for beach tenant employee parking only, a beach tenant employee parking decal shall be displayed. If an area is designated for both resident and beach tenant employee parking, either a resident parking decal or beach tenant employee parking decal must be displayed.

(b) A parking decal as required by this section shall be issued to year-round and seasonal residents who meet the following criteria:

(1) A year-round resident of the city shall furnish proof of such residency by producing one (1) of the following items of current, documentary evidence:

i. Declaration of domicile;
ii. Homestead exemption qualification card;
iii. Ad valorem property tax payment receipt;
iv. Voter registration card;
v. A lease agreement with notarized signatures or a notarized letter from a property owner or management company that provides that the person is renting the property and it is within the municipal limits of the city;
vi. City of Riviera Beach utilities bill, in the name of the applicant, containing waste removal charges.

(2) A seasonal resident of the city shall furnish proof of such residency by producing one (1) of the following items of current, documentary evidence:

i. Ad valorem real property tax payment receipt reflecting an address within the city limits;
ii. Mobile home registration reflecting an address within the city limits;
iii. A lease agreement with notarized signatures or a notarized letter from the property owner or management company that provides that the person is renting the property and it is within the municipal limits of the city; or
iv. City of Riviera Beach utilities bill, in the name of the applicant, containing waste removal charges.

(3) Both year-round and seasonal residents shall additionally furnish a current, valid motor vehicle registration for each vehicle for which a parking decal is sought, a valid driver's license and one (1) other item of personal identification which reflects a Riviera Beach city address. If the vehicle is registered in a company name, the person seeking the decal shall be referred to the city attorney or designee for a determination of eligibility. With respect to year-round residents, the documents required by subsection (1) and the first sentence of this subsection shall reflect the same city address. A year-round resident who leases a vehicle for which a parking decal is sought shall additionally furnish a notarized copy of the lease in his or her name.

(d) All persons applying for a resident parking decal shall execute an affidavit, under oath, setting forth any of the foregoing facts or any other facts requested by the city. Said resident executing this affidavit will be advised that if any statement in the affidavit is false, the affiant will be prosecuted for perjury.

(e) All year-round residents shall pay to the city a fee set forth by resolution for the parking decal which shall be valid for a period of one (1) year commencing on May 1 and expiring the following April 30.

(f) All seasonal residents shall pay to the city a fee set forth by resolution for the parking decal which shall be valid for a period of one (1) year commencing on May 1 and expiring the following April 30.

(g) The resident parking decal shall be permanently affixed by the resident to the vehicle in the lower left corner of the windshield on the driver's side as directed by the city. The vehicle upon which the decal is permanently displayed shall be the same vehicle for which registration is exhibited to the city as required herein. Decals are not allowed to be transferred to other vehicles.

(h) In case of replacement of a vehicle for which a parking decal has been issued, a replacement parking decal shall be issued upon the payment of a replacement fee as established by city resolution and upon production of a vehicle registration certificate for a replacement vehicle and either the old parking decal or an affidavit, executed under oath, stating that the old parking decal has been lost, stolen or destroyed.

(i) In addition to all other requirements contained herein, all unmarried minor persons applying for a resident parking decal shall furnish the affidavit provided for in subsection (4), which shall be co-signed by a parent or natural or court-appointed guardian. Proof of guardianship or marriage may be required by the issuing authority.

(j) In case of a dispute, the city attorney or designee shall have the authority to make a determination of issuance or non-issuance of the resident parking decal.

(k) Upon payment of the fee set by city resolution, any beach tenant employee who is employed by an authorized tenant of the municipal beach area shall be issued a beach tenant employee parking decal. The decal shall be permanently affixed in the lower left corner of the windshield on the driver's side as directed by the city. A replacement decal shall be issued upon the payment of a replacement fee as set by city resolution and upon production of either the old parking decal or an affidavit, executed under oath, stating that the old decal has been lost, stolen or destroyed. The decal shall be valid for the period specified by city resolution. Tenant employee decals are city property and must be returned upon termination of employment or non-payment as set by city resolution.

(l) It shall be a municipal parking violation for any person to park a motor vehicle which does not display a resident or beach tenant employee parking decal as herein provided or pay the metered fee in the resident and beach tenant employee parking areas. A violation of this section shall be punished by a civil penalty set forth by city resolution.

(m) It shall be a misdemeanor of the second degree for any person to temporarily affix in any manner, such as though the use of adhesive tape, a resident beach parking decal or beach tenant employee parking decal to any motor vehicle. Furthermore, it shall be a

misdemeanor of the second degree for any person to be in the possession of a motor vehicle on which is temporarily displayed in any manner a resident beach parking decal or beach tenant employee parking decal.

(n) It shall be a misdemeanor of the second degree for any person to forge, duplicate or reproduce in any manner a resident beach parking decal or beach tenant employee parking decal.

(o) It shall be a misdemeanor of the second degree for any person to display in any manner a forged, duplicated or otherwise reproduced resident beach parking decal or beach tenant employee parking decal on any motor vehicle.

(p) Furthermore, it shall be a misdemeanor of the second degree for any person to be in the possession of a motor vehicle on which is displayed a forged, duplicated or otherwise reproduced resident beach parking decal or beach tenant employee parking decal.

(q) Except to the extent that decal parking is allowed pursuant to this article, the rates for metered municipal beach parking shall be set by city resolution.

(r) A resident parking permit shall not guarantee or reserve to the holder of the permit a parking space within a designated parking lot or beach access easement.

(s) The city is authorized to revoke the resident parking permit of any permittee found to be in violation of this division and, upon written notification thereof, the permittee shall surrender such permit to the city. Failure, when so requested, to surrender a resident parking permit so revoked shall constitute a violation of this division.

(t) Residents will be issued no more than one (1) parking permit per bedroom and, at a maximum, no more than three (3) parking permits per dwelling.

(u) Parking Permits issued under this division may only be utilized during the hours set by resolution of the city council.

DIVISION 5. - CITY PARKING GARAGES.

Sec. 19-101. - Parking in city parking garages.

(a) Parking in the city's parking garages is on a first-come, first-served basis. No parking spaces shall be reserved except as may be designated by the parking administrator or designee.

(b) Parking in city parking garages shall be at rates established by resolution of the city council.

(c) Monthly permits. Monthly permits allowing use of city parking garages may be issued at the discretion of the parking administrator or designee. Monthly permits grant access to a designated area of the applicable parking garage; but do not reserve or guarantee the availability of spaces.

Sec. 19-102. - Overnight parking.

City parking garage facilities are not intended for long term unattended parking/storage of vehicles. Although overnight parking is permitted, no privately owned vehicle is allowed to be parked/stored in any city parking facility for more than five (5) consecutive business days without

exiting the facility. Any privately owned vehicle parked/stored in a city-owned parking facility over five (5) consecutive business days will be subjected to towing at the vehicle owner's expense.

Sec. 19-103. - Parking in city garages during a hurricane or highly inclement weather.

The declaration of a local state of emergency issued by city council, may provide that the city's parking garages may remain open without charge for vehicles to be stored for their protection. The declaration shall have a starting day and time and an ending day and time during which period there is no charge of parking fees to the public. However, if a vehicle is parked prior to beginning of the period and/or after the end of the period, such vehicles must pay the established parking rates for the time parked, excluding the declared emergency period. Use of the city parking garages during the emergency period shall be limited to two vehicles per resident, visitor or business. Vehicles parked illegally may be towed upon approval by the parking administrator or designee.

~~DIVISION 3~~6~~. PARKING METERS~~

~~**Sec. 19-116. Definitions.**~~

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Parking meter* means and includes any mechanical device or meter not inconsistent with this division placed or erected for the regulation of parking by authority of this division. Each parking meter installed shall indicate by proper legend the legal parking time established by the city and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking.~~

~~*Parking meter space* means any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or on the surface in the area adjacent to or adjoining the parking meters.~~

~~*Parking meter zone* means and includes any area upon which parking meters are installed and in operation.~~

~~**Sec. 19-117. Authority to designate zones and spaces and install meters.**~~

~~The city council is hereby authorized and directed to establish as it may deem best, and from time to time hereafter as traffic conditions require, zones to be known as parking meter zones upon such streets or other areas in the city as are selected for the location of such zones. In such parking meter zones the city council shall cause parking meters to be installed when necessary and shall cause parking meter spaces to be designated as hereinafter provided.~~

~~**Sec. 19-118. Installation, location, condition, violation legend of meters.**~~

~~The city council shall provide for installation of meters, including curb, street or other area marking lines, regulation and operation thereof, and shall cause such meters to be maintained in good workable condition. Meters shall be placed upon the curb or other areas chosen next to individual parking places. Meters shall be so constructed as to display a signal showing legal parking upon deposit of the proper coin of the United States as indicated by instructions of such~~

~~meter, and for a period of time conforming to the parking limits of the city, as indicated on such meter. Such signal shall remain in evidence until expiration of such parking period so designated, at which time a change of signal or some other mechanical operation shall indicate expiration of the parking period.~~

~~Sec. 19-119. Agreements for installation and payment.~~

~~The city is hereby vested with the authority to enter into contracts for the purchase and installation of parking meters and to provide payment therefor exclusively from the receipts obtained by the city from their operation. Such means of payment shall be in addition to any other purchasing powers heretofore granted the city by its charter or by the laws of the state.~~

~~Sec. 19-120. Manner of parking, depositing coins.~~

~~(a) When any vehicle shall be parked next to a parking meter, the owner or operator of such vehicle shall park within the area designated by the curb, streets or other area marking lines as indicated for parallel or diagonal parking. Upon entering such parking space, the owner or operator shall immediately deposit in the meter the proper coin or coins, as indicated by instructions on such meter. It shall be unlawful for any person to fail to park within such designated area or fail or neglect to so deposit the proper coin or coins as aforesaid.~~

~~(b) Such parking space may then be used by such vehicle during the legal parking limit provided by the ordinances of the city. Such vehicle shall be considered as unlawfully parked if it remains in such space beyond the legal parking limit and/or when such parking meter displays a signal showing such illegal parking.~~

~~(c) It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section.~~

~~Sec. 19-121. Evidence of ownership of vehicle.~~

~~Proof of registration of a motor vehicle and proof of a violation of this division shall be construed as prima facie proof that the registered owner of such motor vehicle was the user or operator at the time of the violation charged.~~

~~Sec. 19-122. Extending time beyond limit.~~

~~It shall be unlawful for any person to deposit or cause to be deposited in a parking meter more coins for the purpose of extending the parking time beyond the maximum time fixed by the ordinances of the city.~~

~~Sec. 19-123. Depositing slugs.~~

~~It shall be unlawful to deposit or cause to be deposited in any parking meter, any slug, device or a metallic substitute for a coin of the United States.~~

~~Sec. 19-124. Tampering with, injuring.~~

~~It shall be unlawful for any person to tamper with, open, wilfully break or destroy any parking meter.~~

~~Sec. 19-125. Duties of police as to violators—Collecting fines.~~

~~(a) It shall be the duty of police officers or other persons acting in accordance with instructions issued by the chief of police, to report:~~

~~(1) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this division.~~

~~(2) The state license number of such vehicle.~~

~~(3) The length of time during which such vehicle is known to have been parked in violation of any of the provisions of this division.~~

~~(4) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~(b) Each such police officer or person shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of the provisions of this division and instructing such owner to report at the police station in regard to such violations.~~

~~(c) Each such owner may pay to the desk sergeant at the police station, as a penalty for and in full satisfaction of such violation, the sum of $10.00 if paid within ten days of the time when such notice was attached to such vehicle. The failure of the owner to make such payments within such ten-day period shall render the owner guilty of a violation of this division.~~

~~(d) Moneys paid to and received by the police department shall be transferred and paid over by the department to the director of finance on the first weekday next succeeding the collection thereof.~~

~~Sec. 19-126. Same—Complaint against violators.~~

~~It shall be the duty of traffic officers so instructed to take the parking meter number and the state vehicle tag number of all persons violating the provisions of this division and make complaint therefor in court when settlement is not made.~~

~~Sec. 19-127. Use of proceeds.~~

~~The coins required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets and to cover the cost of the supervision, inspection, installation, operation, maintenance, control and use of the parking spaces and parking meters described herein and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby.~~

~~Sec. 19-128. Maximum time on Ocean Drive at municipal beach.~~

~~The maximum time limit for parking meters on Ocean Drive fronting on the municipal beach shall be three hours.~~

~~Sec. 19-129. Division cumulative.~~

~~This division shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of prior or existing ordinances, but shall be an additional provision for the regulation of traffic and parking in those zones provided for herein.~~

DIVISION 6. - ENFORCEMENT.

Sec. 19-104. - Enforcement procedure.

(a) Whenever a vehicle is deemed to be in violation of this article, the city's parking enforcement officer locating such vehicle shall endeavor to identify the owner thereof, and shall deliver to the violator, or affix to the vehicle, a municipal parking citation describing the same and the civil penalty therefore. If the violator drives the vehicle away from or in any manner leaves the site of the violation while the parking enforcement officer is preparing the parking citation, or refuses service of the parking citation and drives away from or in any manner leaves the site of the violation, this fact shall be duly noted in the parking system. This shall constitute prima facie evidence that the parking citation was issued and that an attempt at service thereof was made in accordance with the provisions of this article.

(b) The violator shall have fifteen (15) calendar days to pay the stated penalty, or to request an appeal hearing for the municipal parking citation issued by the city. In the event the violator does not pay the stated penalty or a signed and completed appeal form is not received by the city within the fifteen (15) calendar day period, the civil penalty prescribed for the alleged violation shall double in amount and tender of payment of a lesser amount shall not be accepted. The city must have received the payment or the request for appeal prior to the close of business on the 15th day in order to be in compliance with this section. In those cases where the citation is mailed to the violator, the city's parking administrator is authorized to waive the doubling of the civil penalty based upon good cause.

(c) Alternatively, whenever a vehicle is deemed to be in violation of this article and the violation is discovered through an authorized city vendor charged with parking management and/or enforcement, the city vendor may utilize any legal process the city vendor utilizes to enforce this article including, but not limited to, assessing fines and penalties and sending delinquencies to collections. In addition, the city or the police department may utilize any other legal process available to the city or the police department to enforce the provisions of this article.

(d) The city's parking administrator with the approval of the city manager shall establish a parking enforcement policy and procedures manual to further implement these enforcement procedures including, but not limited to, a procedure for hearing municipal parking citation appeals.

Sec. 19-105. - Withholding of license plates and validation stickers.

(a) Violations shall be supplied to the State of Florida Department of Highway Safety and Motor Vehicles (DHSMV) with a magnetically encoded computer tape reel or cartridge which is machine readable by the installed computer system at DHSMV, listing persons who have three (3) or more outstanding parking citations.

(b) If a person's name appears on the list referred to in subsection (a) above, no license plate or revalidation sticker shall be issued to such person until such person's name no longer appears on said list or until such person presents a receipt showing that such parking

citations have been paid. The tax collector shall be entitled to receive monthly, as costs for implementing and administering this subsection, ten percent (10%) of the civil penalties and fines covered from such persons.

(c) If a person's name appears on the list referred to in subsection (a) above, the civil penalty or fine for each parking citation that contributed to the appearance of the person's name on the list will increase by fifteen percent (15%), and tender of payment of a lesser amount will not be accepted.

Sec. 19-106. - Penalties.

The fines for a violation of this article shall be established by resolution of the city council. Any fine imposed under this chapter shall be paid in addition to any immobilization and/or impoundment charges.

Sec. 19-107. - Delinquent parking violations; additional fees.

(a) Municipal parking violations fines and penalties for which full payment is not received within forty-five (45) calendar days from the date of issuance will be subject to no more than an additional twenty-five percent (25%) cost.

(b) Pursuant to F.S. § 938.35, parking violations, fines and penalties for which full payment is not received within ninety (90) calendar days from the date of issuance will also be subject to an additional collection fee, if the account is referred to a private attorney who is a member in good standing of the Florida Bar or to a collection agent who is registered and in good standing pursuant to F.S. ch. 559, each retained by the city pursuant to its applicable procurement practices to pursue the collection of such unpaid financial obligations. The amount of such collection fee shall not exceed twenty-five percent (25%) of the amount owed at the time the account is referred to the attorney or agents for collection, or in the actual amount charged by such private attorney or agents for collection, whichever is less.

(c) In the case of overpayment of a municipal parking violation fine and penalty, no refund shall be made if payment of any other delinquent citation is due and owing on any vehicle owned by the same registered owner of the vehicle, and if such citation is not under appeal. The city shall apply such credit balance to the oldest outstanding delinquent parking violation first.

Sec. 19-108. - Administrative review process; voiding of citations; waiver of late fees; imposition of administrative fees.

(a) The city's parking administrator is authorized to dismiss/void a municipal parking citation, impose administrative fees, or waive late fees under the following circumstances:

Defective meters or other devices. If a person who has received a parking citation for overtime parking believes the parking meter or other device used to determine the overtime parking violation is defective or malfunctioning, such person shall notify the city's parking administrative office in writing of the alleged defect or malfunction within seventy-two (72) hours of the time of issuance of the parking citation by completing an on-line form.

(1) If the meter or other device is found to be functioning properly, the person who contacted the city shall be notified in writing by email or phone by the city's parking administrative office, and all fines and penalties shall be due and payable within fifteen (15) calendar days of the date of the notification.

(2) If the meter or other device is found to be defective or malfunctioning, the person who contacted the city shall be notified in writing by email or phone by the city's parking administrative office and the parking citation shall be deemed to be invalid and all fines and penalties shall be removed.

(3) Those other circumstances listed in the adopted parking policy and procedure manual or in the schedule of fees and charges for services allowing the parking administrator to void citations and waive late fees.

(b) An administrative fee may be assessed for voiding parking citations as set forth in the schedule of fees and charges for services.

(c) An administrative fee may be assessed when payments are presented in person at the city, if such fee is provided for in the schedule of fees and charges for services.

ARTICLE IV. -TOWING, IMPOUNDING, AND IMMOBILIZATION.

~~DIVISION 4~~8. IMPOUNDING VEHICLES

Sec. 19-109. - Enforcement.

Except where specifically allowed, this chapter may be enforced by a duly authorized city representative. A "duly authorized city representative" shall consist of, but not be limited to, employees of the city's police department, city code compliance officers, parking enforcement employees, and city authorized contractors.

Sec. 19-110. - Immobilizing of motor vehicles.

(a) A duly authorized city representative is authorized to attach a device that is capable of immobilizing a motor vehicle so that it cannot be moved under its own power without damage to the motor vehicle:

(1) When three (3) or more citations for unlawful or illegal parking involving any vehicle bearing the license plate that has been cited, have been outstanding for more than fifteen (15) days and have not been disposed of by payment of the fine or cancellation of the citations by the city or by requesting an appeal hearing as provided in this chapter; or

(2) When the motor vehicle is not lawfully displaying a license plate in accordance with section 316.605, Florida Statutes, or the vehicle identification number is covered in such a manner as to prohibit a duly authorized city representative from reading it.

(b) The immobilizing device shall be attached to the motor vehicle at the location where the motor vehicle is parked, except that no motor vehicle shall be immobilized within the traveled portion of a street or on a portion of a street when immobilization at that location would create a hazard to the public or to traffic on the street. At the same time the

immobilizing device is attached to the motor vehicle, a notice shall be affixed to the windshield or other prominent place on the motor vehicle stating that the immobilizing device has been so attached, cautioning the operator not to attempt to operate the motor vehicle while the immobilizing device is still attached, informing the owner or operator of the motor vehicle of the number of total fines and charges assessable under the citations for which the motor vehicle is immobilized (including the removal charge, as set forth by city resolution, for removal of the immobilizing device and all citations that are outstanding and incurred at the time of immobilization), and informing the owner or operator of the location where he/she must go in order to pay the fines and charges and have the immobilizing device removed from the motor vehicle.

(c) The immobilizing device shall be removed, by a duly authorized city representative, from the motor vehicle upon correction of any violation and payment to the city of the total fine and charges for which the motor vehicle is immobilized. It shall be unlawful for a person, except for a duly authorized city representative, to remove or cause to be removed the immobilizing device. Alternatively, if an authorized city vendor is utilized to immobilize vehicles and the vendor has an automated process for payment of delinquent amounts and automated removal of the immobilizing device upon receipt of payment, the authorized city vendor may utilize such automated process for the removal of the immobilizing device.

(d) The duly authorized city representative may tow or cause to be towed and impounded a motor vehicle immobilized under this division if fines and charges have not been paid or satisfactory arrangements in lieu thereof have not been obtained within twenty-four (24) hours of attaching the immobilization device to the motor vehicle. A duly authorized city representative may also tow or cause to be towed and impounded a motor vehicle that has been immobilized under this article if the immobilizing device has been removed without the authorization set forth in this article. Under certain circumstances, such as the driver or owner threatening to remove the immobilizing device, a duly authorized city representative shall have the option of towing the vehicle at the time the vehicle is immobilized. All expenses for towing or impounding shall not exceed the rates set forth by Palm Beach County, and shall be borne by the owner of the motor vehicle. All expenses for immobilization shall be set forth by resolution, adopted by the city council, and shall be borne by the owner of the motor vehicle. Such expenses may include fines, administrative costs, and costs of repair or replacement to an immobilization device. All towing, impounding or immobilization shall be carried out in accordance with this article.

Sec. 19-111. - Tow-away zones; removal of motor vehicles; designation of no-parking zones; notice.

(a) *Tow away zones; removal of motor vehicles.* A duly authorized city representative is hereby authorized to remove, or cause the removal of and impoundment of, vehicles to a storage area designated or maintained by the city (or its towing contractor) or by the city's law enforcement agency, or to move such vehicles or cause such vehicles to be moved, or to require the owner or operator of the vehicle to move such vehicles to a position which would not be an obstruction or in violation of any ordinance under the circumstances hereinafter enumerated:

(1) When any vehicle is left unattended upon any street, bridge, roadway, or where such vehicle constitutes an obstruction to traffic.

(2) When a vehicle upon a street is so disabled that it obstructs traffic, or the operator of the vehicle is by reason of physical injury incapacitated to such an extent that the operator is unable to remove the vehicle.

(3) When any vehicle, parked in the public right-of-way or on publicly owned property, is in violation of prior notices to remove the vehicle due to work/special events using the right-of-way or publicly owned property.

(4) When any vehicle, parked in the public right-of-way or on publicly owned property, is left unattended continuously for more than twenty-four (24) hours, after being cited.

(5) When the driver of such vehicle is taken into custody by a law enforcement agency and such vehicle would thereby be left unattended upon a street, bridge, roadway or where such vehicle would constitute an obstruction to traffic.

(6) When removal is necessary in the interest of public safety because of fire, flood, storm, or other emergency reason.

(7) When a vehicle is parked in violation of a parking control device or sign which informs the vehicle operator that the area in which the vehicle is parked is an official tow away zone or other prohibited area requiring removal of the vehicle.

(8) When any vehicle is parked or stopped or engaged in loading or unloading merchandise or passengers in an area designated as a "no loading" or "no parking" zone.

(9) When otherwise authorized under this chapter or code.

(b) *Designation of "no parking"/"tow-away" zones.* The city manager, or designee, may designate from time to time certain areas (i.e., roads, streets, rights-of-way, publicly owned property), or portions thereof, as "no parking" zones for such hours, days or periods of time as determined by the city manager, or designee, and designate such areas as a "tow-away" zone for vehicles parked in violation thereof. The city manager, or designee, shall provide for the posting of signs and/or parking control devices in the designated areas identifying such areas as "no parking" for the time periods in which no parking provisions are enforced, and further identifying such area as a designated "tow-away" zone.

The existence of such signs, signals, markers, or traffic control devices at any place within the corporate limits of the city shall be prima facie evidence that such signs, signals, markers, or traffic control devices were erected or placed in accordance with the provisions of this article.

(c) *Notice on illegally parked vehicles.* Whenever any vehicle, without driver, is found to be parked, stopped or standing in violation of any of the provisions of this code, a duly authorized city representative shall conspicuously affix to such a vehicle a written citation on an appropriate form. This section shall not be construed to prohibit or restrict the issuance of a citation in any other appropriate circumstance.

Sec. 19-112. - Maintenance of storage places for impounded vehicles.

The city may maintain a storage place for motor vehicles impounded pursuant to this division or the city may authorize storage of the impounded motor vehicles at another location that is maintained by the city's towing contractor.

Sec. 19-113. - Notice of impoundment.

(a) *When owner present.* When a duly authorized city representative intends to impound a vehicle pursuant to this division and the owner of the vehicle is present, the duly authorized city representative shall, before the vehicle is removed, provide the owner with a notice, in a form prescribed by the city, that the vehicle is being impounded, that towing and storage charges will be assessed against the impounded vehicle, that the owner may claim and regain possession of the impounded vehicle at the location to which it is being removed for storage upon the payment of towing and storage charges as well as any charges due to the city. The notice shall state the location where the impounded vehicle will be stored and that the owner may appeal the charges. The notice shall also state, in prominent language, that failure by the owner to request an appeal within the appropriate time period may result in the placing of a lien against the vehicle for the towing and storage charges without further notice to the owner.

(b) *When owner not present.* When a duly authorized city representative impounds and removes a vehicle pursuant to this division and the owner of the vehicle is not present at the time of the impoundment, the duly authorized city representative shall provide notice in accordance with state statute.

(c) *Failure or refusal to sign notice.* If a person who is required by this section to sign a notice of impoundment willfully fails or refuses to do so, or if the person cannot be located, the duly authorized city representative shall note this fact on the face of the notice, which shall constitute prima facie evidence of delivery or service of notice as required by this section.

(d) *City to send notice to any lienholders; notice to entity providing temporary tag.* In addition to the notice required herein, when the duly authorized city representative impounds and removes a vehicle pursuant to this article, he/she shall also send a similar notice of such impoundment, in writing within seven (7) days of the date of such impoundment, to any and all lienholders of record (as appears on the motor vehicle registration or as disclosed by the records in the State Department of Highway Safety and Motor Vehicles). In the event the impounded vehicle has a temporary license tag affixed to it, the city shall provide, if possible, the same notice required herein to the entity to which a temporary license tag was issued.

(e) *No notice by city necessary if provided by a towing contractor.* Notwithstanding any provisions to the contrary contained in this division, it shall not be necessary for the city to provide to the owner or lienholder of an impounded motor vehicle notice of impoundment or storage as required by this article if such notice is to be or has been provided by the towing contractor storing the vehicle pursuant to the notification required by law.

Sec. 19-114. - Release of vehicle from impoundment.

The owner of an impounded vehicle may secure the release of the vehicle from impoundment upon requesting the release and presenting proof of ownership such as, but not limited to, vehicle title, current registration, notarized release from vehicle owner, insurance card with owner name and VIN, licensed dealer with auction buyer's invoice and notarized bill of sale for non-titled vehicles. The custodian shall release the vehicle to the owner or the owner's agent upon payment of the accrued parking citation fees and charges and towing and storage charges. Such payment shall be in the form of cash, cashier's check or money order or as otherwise authorized to be accepted by the city or the city's authorized contractor.

Sec. 19-115. - Towing, storage and immobilization charges/fees.

Towing and storage charges shall be in accordance with the rates set forth by Palm Beach County and as they may be amended. Charges for immobilization shall be as set forth by the city council by resolution. Administrative fees charged for towing, storage and immobilization shall be as set forth by the city council by resolution.

Sec. 19-116. - Towing, storage and/or immobilization charges and parking fines to constitute lien; notice requirements; limitations.

The towing, storage and/or immobilization charges and parking fines occasioned by the immobilization/impoundment of a vehicle pursuant to this division shall be and constitute a lien upon the immobilized/impounded vehicle, except as provided in this section. If, upon appeal, the special magistrate finds that the immobilization/impoundment was improper and if the special magistrate determines that the city shall bear part or all of the towing and storage charges and parking fines, the lien created by this section shall be discharged. If the special magistrate finds that the immobilization/impoundment was proper but that the towing, storage and/or immobilization charges and parking fines should be in an amount less than the amount of the lien, the lien created by this section shall be discharged to the extent that it exceeds the amount established by the special magistrate.

Sec. 19-117 - Statutory procedures.

The procedures established by Florida Statutes for the collection of unpaid towing and storage charges shall apply.

Sec. 19- 118. - Limitation of liability.

The city specifically disclaims liability for any damages, injuries, or losses caused by or resulting from the use of an immobilization device and/or from towing and impoundment as used in the provisions hereof.

Sec. 19-119. - Appeals.

(a) Any person who is the owner of a vehicle on which an immobilization device has been attached and/or is the owner of a vehicle that has been towed and impounded for parking violations under this chapter, hereinafter referred to as the appellant, may file an appeal to establish if the vehicle had the immobilization device improperly attached or if the vehicle

was improperly towed due to the failure to meet the provisions of this article. The appeal shall be heard by the city's special magistrate appointed to hear code compliance cases.

(b) An appeal must be submitted in writing by the appellant within three (3) days from the time an immobilization device was attached to the vehicle and/or the vehicle was towed and impounded. The filing of an appeal requires the payment of the outstanding parking citation amounts and the immobilization and/or towing charges due to the city.

(c) A hearing date shall be scheduled by the city upon receipt of the appeal. The appellant shall be given at least ten (10) days' notice of the time and place of the hearing by mailing the notice to the appellant's address listed on the appellant's appeal.

(d) At the conclusion of the hearing, the special magistrate shall make a final and conclusive determination whether the immobilization and/or towing/impoundment were proper and in accordance the provisions of this article. The determination shall be reduced to writing and signed by the special magistrate and filed in the office of the city clerk, and a copy shall be mailed to the appellant.

(e) The decision of the special magistrate shall be effective when filed with the city clerk.

(f) If the special magistrate rules in favor of the appellant, all fees, fines and penalties paid by the appellant to the city regarding the attachment of immobilization device, and/or towing/impoundment shall be returned to the appellant as soon as reasonably practicable including the appeal fee.

(g) If the special magistrate rules against the appellant, the city shall retain all fees, fines and penalties paid including the appeal fee.

Sec. 19-110. - Immobilization of vehicles on private property.

(a) *Business tax receipt required.* No property owner or immobilization contractor shall engage in the business of immobilization of motor vehicles parked on private property without permission or authority unless such property owner or immobilization contractor shall first obtain a business tax receipt in accordance with the procedures set out in this code. For purposes of this section, the term "property owner" shall include and refer to the owner, lessee, or controller, person or entity otherwise in control of real property, their agents, servants, or employees. The immobilization contractor shall sometimes be referred to in this section as the "contractor." The term "premises" shall mean the private property owned, controlled or used by a property owner for the parking of motor vehicles at its business or auxiliary to its business.

(b) *Immobilization license required.* No property owner or contractor shall engage in the business of immobilization of motor vehicles which are parked on private property without permission or authority unless such property owner or immobilization contractor shall first apply for and obtain an immobilization license.

(c) *Requirements for immobilization license.* No property owner or immobilization contractor shall be issued an immobilization license under this section unless there is proof of compliance with each of the following requirements:

(1) *Notice.*

i. Notice must be prominently placed at each driveway access or curb allowing vehicular access to the property, within five feet from the public right-of-way line.

ii. The notice must clearly indicate on a sign which meets the identical physical requirements mandated in this article that parking is reserved for customers only and unauthorized vehicles will be subject to immobilization and/or towing at the owner's expense.

iii. The notice must also provide the name and telephone number of the person or firm immobilizing the vehicle, the fee for the removal of the immobilization device, such fee not to exceed a maximum rate as established by resolution of the city council and on file in the city clerk's office, unless modified pursuant to the procedures indicated in this article. Acceptable methods of payment shall include cash, check payable in United States funds and credit card. The maximum fee for the removal of the immobilization device shall be effective from the date of adoption of the ordinance from which this section is derived.

iv. The notices shall read substantially as follows (with the designated information to be inserted at the indicated spaces):

ALERT! IMMOBILIZATION/TOW-AWAY ZONE ENTERING PRIVATE PROPERTY PARKING PERMITTED FOR (insert name of property owner) CUSTOMERS ONLY. IF YOU PARK YOUR VEHICLE AND LEAVE THE PREMISES, YOUR VEHICLE WILL BE IMMEDIATELY IMMOBILIZED SUBJECT TO A (insert fee) FEE TO RELEASE VEHICLE OR TOWED AT YOUR EXPENSE. IMMOBILIZATION PERFORMED BY: (Insert name, address and telephone number to call).

v. If the property is being operated as a parking lot business, the notice language in subsection (c)(1)d of this section should be modified to provide that immobilization shall result in the event that the vehicle is parked in the parking lot without payment of the parking fee.

vi. The sign structure containing the required notices must be permanently installed with the words "Alert. Immobilization/Tow-Away Zone." The sign shall meet the physical requirements contained in this article.

(2) *Inspection of real property where immobilization is used to enforce parking restrictions.* The property owner shall provide access to city personnel in order to inspect the required signs on premises where immobilization is used to enforce parking restrictions.

(3) *Method of immobilization.* Immobilization shall be accomplished by placing a steel boot to the front wheel on the driver's side of the motor vehicle. The steel boot may be placed on any other wheel if placement on the front wheel on the driver's side is not feasible.

(4) *Warning sign requirement.* Upon immobilization, the property owner shall affix a warning notice written in English, Spanish, Portuguese, German and French, on the

driver's side window of the vehicle, indicating that the vehicle is immobilized and that any attempt to move it will cause damage, and shall provide a local telephone number to contact for release of the immobilization device, and the fee for its removal. The city shall provide the property owner or immobilization contractor with a form copy of the warning sign simultaneously with the issuance of its immobilization license.

(5) *Availability and response time.* The property owner or immobilization contractor shall make available on a 24-hour, seven-days-a-week basis, attendants and equipment for the timely release of the immobilization device. The immobilization contractor is required to remove the immobilization device from the vehicle within 30 minutes of a call for such service by the owner of the immobilized vehicle provided payment to remove the device has been made.

(6) *Record of contracts.* The property owner or immobilization contractor shall file and maintain on record at all times with the clerk or designee a list of any and all current written contracts for immobilization services on private real property within the city limits. The list shall be kept current and shall provide the city with (i) the address of the real property; (ii) the date of the agreement; (iii) a contact name and telephone number at the premises.

(7) *Towing/removal requirements.* An immobilized vehicle shall not remain immobilized on private property for more than 24 hours. After such period of time has expired, the vehicle shall be released from the steel boot and may be towed or removed.

(8) *Insurance.* The property owner or immobilization contractor shall file with the city's risk management division and have in effect an insurance policy or certificates of insurance in lieu thereof, which shall indemnify or insure the property owner or immobilization contractor for all claims of damage to property resulting from any action or operation in connection with the service performed, such amount not to be less than $20,000.00 for each incident.

(9) *Recordkeeping procedures.* The property owner or immobilization contractor shall keep an immobilization log with information including but not limited to: date and time the vehicle was observed illegally parked, compliance with subsection (c)(3) of this section, the date and time of immobilization, the location/address of the real property where the immobilization took place, make, model, color and license tag number of the vehicle immobilized. In addition, the immobilization contractor shall include in the log the following release information: verification of vehicle ownership, the name of the person removing the steel boot and the name of the person requesting tow service, if applicable. All files, records, and logs shall be available for inspection at the subject premises during normal working hours by the city, upon reasonable notice to the property owner or immobilization contractor.

(10) *Ethics and conduct.* The property owner and immobilization contractor shall conduct their business in an orderly, ethical, and business-like manner at all times, and shall use every means to obtain and keep the confidence of the motoring public. All public contact shall be in a courteous and orderly manner.

(d) *Enforcement.* If at any time a property owner or immobilization contractor fails or refuses to comply with, or violates any of the provisions of this section, such property owner engaging the services of the immobilization contractor shall be subject to prosecution under the city's code enforcement system. Additionally, the city may seek injunctive relief and/or follow procedures to revoke and/or suspend the occupational license as set forth in this Code.

(e) *Exemptions.* Nothing in this section shall affect the rules and regulations governing any person or firm engaged in the towing and removal of vehicles parked on private property within the city.

(f) *Rebates.* The rebate or payment of money or any other valuable consideration, directly or indirectly from the individual or firm immobilizing or removing vehicles to the owners or operators of the premises from which the vehicles are immobilized or removed, for the privilege of immobilizing or removing those vehicles, is prohibited.

(g) *Identification.* The immobilization contractor's employees or agents shall wear identification tags stating the full name of the contractor and the name of the employee or agent; no identification worn by contractor's employees or agents shall use the words "enforcement," "department" or "police." Such identification tags shall be prominently displayed on the front left side of the employee's or agent's shirt. Contractor's employees or agents shall not wear uniforms that bear resemblance to law enforcement officers. No badges that bear resemblance to law enforcement officers may be worn by immobilization contractor or staff. All contractor vehicles shall display the company name (or name of joint venture or individual owner or other entity ownership) on the driver and passenger side of the vehicle in letters at least three inches high. The company's address (or address of joint venture, or individual owner or other entity ownership) and telephone number shall be displayed on the driver and passenger side of the vehicle in letters at least one inch high. No contractor shall use the words "enforcement," "department" or "police" in its company name (or name of joint venture, fictitious name, or entity name).

(h) *Citizen complaints.* The immobilization contractor shall respond in writing to any complaints received by the mayor or his designee, concerning misconduct on the part of contractor or its employees or agents, such as excessive charges, poor business practices, discourteous service, damage to vehicles or failure to give notice as required by this section. The **city** shall notify the contractor of any complaints within five business days from receipt of the citizen complaint. The contractor shall provide any additional explanation or information with respect to the particular complaint within five days upon notification. A written disposition of the complaint will be forwarded to the contractor and the citizen complainant upon completion of the investigation.

~~**19-146. When impoundment authorized.**~~

~~Police officers of the city are hereby authorized to remove a vehicle from a street or public right-of-way to the nearest garage or other place of safety or to a garage designated or impoundment area maintained by the police department or city when:~~

(1) Any vehicle is left unattended upon any bridge, viaduct, causeway or tunnel, where such vehicle constitutes an obstruction to traffic.

(2) A vehicle upon a street is so disabled as to constitute an obstruction to traffic or the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody and removal.

(3) A vehicle is found being operated upon the streets and is not in proper condition.

(4) Any vehicle is parked continuously upon a street for more than 72 hours.

(5) Any vehicle is left unattended upon a street or public right-of-way and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of pedestrian or vehicular traffic.

(6) The driver of such vehicle is taken into custody by the police department and such vehicle would thereby be left unattended upon a street.

(7) Removal is necessary in the interest of public safety because of fire, flood, storm or other emergency reason.

Sec. 19-147. Notice to owner.

(a) Whenever a police officer removes a vehicle from a street as authorized by section 19-146 and when the police officer knows or is able to ascertain the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and the place to which such vehicle has been removed. In the event of such vehicle being stored in a commercial garage, a copy of such notice shall be given to the proprietor of such garage.

(b) Whenever a police officer removes a vehicle from a street under this division and does not know and is not able to ascertain the name of the owner or for any other reason is unable to give the notice to the owner, and if the vehicle is not returned to the owner within a period of three days, then the police officer shall immediately send or cause to be sent a written report of such removal by mail to the state department of highway safety and motor vehicles and shall file a copy of such notice with the proprietor of any commercial garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal and the name of the garage or place where the vehicle is stored.

Sec. 19-148. Charges and fees.

No vehicle impounded shall be released until the charges for towing such vehicle and storage charges have been paid. The charge for towing or removal of any such vehicle and storage charges will be reasonable and customary charges prevailing in the city for such services.

Sec. 19-149. Right of owner to take possession of vehicle prior to sale; reimbursement of expenses.

The owner or any person having a lien upon an impounded vehicle may take possession of the same at any time prior to the sale provided for in section 19-150, but such person shall

~~reimburse the city for all reasonable expenses for removal, storage, advertising or other expense incurred in connection therewith.~~

~~Sec. 19-150. Sale; certificate of sale.~~

~~(a) If the residence or address of the owner or any person holding a lien upon an impounded vehicle cannot be ascertained, or if the owner or person holding a lien upon the vehicle fails to take possession of the vehicle within ten days after the mailing of the notice provided in section 19-147, such vehicle shall be sold at public outcry by the police department at some place within the city. A notice shall be published prior to the sale in a newspaper published in the county and circulated in the city. Publication shall be at least ten days prior to the date of sale. Such notice shall give the time and place of sale and describe the motor vehicle to be sold.~~

~~(b) A copy of such notice shall be mailed to the owner and each person holding a lien on such motor vehicle, if their addresses are known, at least ten days before the date of such sale.~~

~~(c) The city shall not guarantee title to such vehicle or to deliver a title of ownership, but shall furnish the purchaser a certificate in substantially the following form:~~

~~Certificate No.~~

~~CERTIFICATE OF SALE~~

~~Riviera Beach Police Department, Riviera Beach, Florida.~~

~~THIS IS TO CERTIFY that the following described motor vehicle was abandoned on the public highway of Riviera Beach, Florida, and was placed in the custody of the police department, where it was held for 20 days, after which time, having been impossible to find the owner of the same, or if found, such owner failed to repossess same, this motor vehicle was sold to the highest bidder after legal advertisement.~~

~~This certificate of sale is therefore issued to:~~

~~_____ residing at~~

~~Make:~~

~~Year:~~

~~Engine No.~~

~~Identification No.~~

~~Chassis No.~~

~~Dated at Riviera Beach, Florida, this _____ day of _____, 19___.~~

	~~Title of Police Officer and Name~~

~~(d) This form shall be in duplicate. The original shall be given to the purchaser and the duplicate bound in a book of record.~~

Sec. 19-151. Proceeds of sale to be deposited in the fines and forfeitures account.

If any motor vehicle shall be sold as provided in this division, the proceeds of such sale, after paying all the costs actually expended for advertising or otherwise in such sale, shall be deposited in the fine and forfeitures account.

Sec. 19-152. Proceeds not to be expended for 90 days; right of owner to proceeds upon proof of ownership.

The proceeds of any sale of an impounded vehicle paid to the fines and forfeitures account shall not be expended or disbursed for 90 days after the date of such sale. At any time during such period, the owner or any person having an interest in the motor vehicle evidenced by documentary written evidence may, upon making proof of such ownership or interest, recover back from the fines and forfeitures account the proceeds of the sale, less all the expenses incurred including removal, storage, advertising and a commission of five percent on the gross sales price of such vehicle for the cost of making such sale.

ARTICLE IV. BICYCLES

DIVISION 1. GENERALLY

Sec. 19-166. Riding on sidewalk.

It shall be unlawful for any person or persons to ride a bicycle or other nonself-propelled vehicle upon the public sidewalks located within the territorial limits of the city.

Sec. 19-167. Weekly reports by vendors.

Each person engaged in the business of buying or selling new or secondhand bicycles within the city shall make a report to the chief of police each week of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof and the number of license plate, if any, found thereon.

DIVISION 2. LICENSES

Sec. 19-176. Required.

No person who resides within this city shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate is attached thereto as provided herein.

Sec. 19-177. Application; fee.

Application for a bicycle license and license plate shall be made upon a form provided by the city and shall be made to the chief of police. A fee of $0.25 shall be paid to the city before each license or license plate is granted.

~~**Sec. 19-178. Issuance; records.**~~

~~(a) The chief of police upon receiving proper application therefor is authorized to issue a bicycle license which shall be permanently effective.~~

~~(b) The chief of police shall not issue a license for any bicycle when he knows or has reasonable grounds to believe that the applicant is not the owner of or entitled to the possession of such bicycle.~~

~~(c) The chief of police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued and the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him.~~

~~**Sec. 19-179. Issuance; attachment; removal of license plate.**~~

~~(a) The chief of police upon issuing a bicycle license shall also issue a license plate bearing the license number assigned to the bicycle and other appropriate information.~~

~~(b) Such license plate shall be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.~~

~~(c) No person shall remove a license plate from a bicycle during the period for which issued except upon a transfer of ownership or if the bicycle is dismantled and no longer operated upon any street in this city.~~

~~**Sec. 19-180. Surrender on sale or transfer of bicycle; assignment to another bicycle.**~~

~~Upon the sale or other transfer of a licensed bicycle, the licensee shall remove the license plate and shall either surrender it to the chief of police or may upon proper application, but without payment of additional fee, have the plate assigned to another bicycle owned by the applicant.~~

ARTICLE V. PARADES AND PROCESSIONS

Sec. 19-201. Permits required; exception.

(a) No funeral or procession or parade containing 200 or more persons or 50 or more vehicles excepting the forces of the United States Army, Navy or Air Force, the military forces of this state and the forces of the police and fire departments shall occupy, march or proceed along any street except in accordance with a permit issued by the city manager and such other regulations as are set forth herein which may apply.

(b) Whenever the city manager gives a permit for any parade, public gathering or celebration, he may order any street or portion of street to be cleared of all vehicles during the parade, public gathering or celebration.

Sec. 19-202. Driving in processions.

Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practical and follow the vehicle ahead as close as practical and is safe.

Sec. 19-203. Driving through processions.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this chapter. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers.

Sec. 19-204. Identification of funeral processions.

A funeral composed of a procession of vehicles shall be identified as such by lighted headlights or by the display upon the outside of each vehicle of a pennant of a type designated by the police department.

***

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This Ordinance shall become and be made a part of the City of Riviera Beach Code of Ordinances; that the articles, divisions, and sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 6. The provisions of this Ordinance shall become effective upon adoption.

PASSED AND APPROVED on the first reading this _____ day of _____ 2024

PASSED AND ADOPTED on second and final reading this ____ day of _____ 2024.

APPROVED:

_____	_____
Ronnie L. Felder	**Douglas A. Lawson**
Mayor	**Chairperson**
	_____
ATTEST:	**Shirley D. Lanier**
	Chair Pro Tem

Tawanna Smith, CMC
Certified Municipal Clerk
City Clerk

Tradrick McCoy
Councilperson

KaShamba Miller-Anderson
Councilperson

Reviewed as to Legal Sufficiency:

Dawn S. Wynn
City Attorney

Julia A. Botel, Ed. D
Councilmember

Date: _____

1ST READING

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY ___

K. MILLER-ANDERSON ___

S. LANIER ___

J. BOTEL ___

2ND & FINAL READING

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY ___

K. MILLER-ANDERSON ___

S. LANIER ___

J. BOTEL ___

D. LAWSON ___ **D. LAWSON** ___

City of Riviera Beach

Proposed Parking Ordinance

Christy L. Goddeau, Esq.
Board Certified City, County, and Local Government Attorney
Torcivia, Donlon, Goddeau & Rubin, P.A.
(561) 686-8700
CHRISTY@tORCIVIALAW.COM

Current Parking Ordinance

- Chapter 19: Traffic and Motor Vehicles

- Primarily the same ordinance since 1957

- Contains dated programs, language, and provisions

Current Parking Ordinance

Five Articles:

I. In General (Power of Police Chief and Police Department)

II. Operation of Vehicles (general restrictions, beach bathing areas, and railroad crossings)

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding)

IV. Bicycles

V. Parades

Current Parking Ordinance

In addition to Chapter 19, the City's Land Development Code (Chapter 31) contains supplemental parking regulations at section 31-579:

I. Residential and non-residential zoning districts
II. Exemptions (e.g., government, churches, day care, nursing homes, and adult care living facilities)
III. Waivers (variance criteria)
III. Penalties

Proposed Parking Ordinance

Five Articles:

I. In General (Power of Police Chief and Police Department) **PRIMARILY THE SAME**

II. Operation of Vehicles (general restrictions, beach bathing areas, and railroad crossings) **MINOR CHANGES TO GENERAL RESTRICTIONS**

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) **MOST CHANGES**

IV. Bicycles **REPEALED**

V. Parades **REMAINS THE SAME**

Proposed Parking Ordinance

I. In General (Power of Police Chief and Police Department) **PRIMARILY THE SAME**

(draft sections 19-1 to 19-4)

- Clarifies Chief of Police Power to regulate operation and parking of vehicles with traffic control devices (e.g., signs)

- **Authorizes the creation of a policy & procedures manual by CM with amendments by CM**

- Repeals Combat Auto Theft program (as not utilized by Police Department)

Proposed Parking Ordinance

II. Operation of Vehicles (general restrictions, beach bathing areas, and railroad crossings) MINOR CHANGES TO GENERAL RESTRICTIONS AND ADDS NEW TRUCK ROUTE DIVISION

(draft sections 19-21 to 19-61)

- Removes provisions that can be governed with traffic control devices

- Restriction on driving on beach remains but removed dated language on impounding vehicles

- Railroad restrictions remain with changes reflecting high speed trains (section updated in 2001)

- New Truck Route division authorizes City Council to establish Regulated Truck Route Map

Proposed Parking Ordinance

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) **MOST CHANGES**

- Adds new Division 1 for Parking Administration (draft sections 19-62 to 19-67):

- Creates self-supporting parking enterprise fund to operate and maintain parking system and mobility systems

- Provides City Council ability to set rates and fees by resolution

- Provides authority, application, and definitions to govern Article III.

Proposed Parking Ordinance

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) MOST CHANGES

- Adds new Division 2 for Parking Regulations (draft sections 19-68 to 19-89):

  - Updates language for current parking restrictions

  - Adds/clarifies parking restrictions throughout city's residential and non-residential areas

  - Supplements Chapter 31 on specific parking restrictions and parking requirements in all zoning districts

Proposed Parking Ordinance

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) **MOST CHANGES**

- Continuation of **new Division 2 for Parking Regulations (draft sections 19-67 to 19-89):**

  - Creates ability to add paid or free-for-limited time parking areas

  - Creates ability to provide public parking on private land during City or CRA events

Proposed Parking Ordinance

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) **MOST CHANGES**

Division 3 (draft sections 19-90 to 19-95):

- Leaves hazardous traffic areas (AIA) in place

- Allows City Council to add hazardous traffic areas by resolution

- Removes dated impounding language for hazardous traffic areas

Proposed Parking Ordinance

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) **MOST CHANGES**

-Creates new Division 4 for Beach Parking (draft sections 19-96 to 19-100)

- Adds beach parking restrictions

- Allows for designation of resident and/or beach tenant employee parking areas

Proposed Parking Ordinance

III. Stopping, Standing, and Parking (general parking restrictions, hazardous traffic areas, parking meters, and impounding) **MOST CHANGES**

- **Creates new Division 5 for Parking Garage (draft sections 19-101 to 19-103)**

- **Creates new Division 6 for Enforcement - local process to be established and utilized (draft sections 19-104 to 19-108) or third-party administrator process to be utilized**

Proposed Parking Ordinance

Articles:

IV. Bicycles REPEALED

- Replaced with new Towing, Impounding, and Immobilization provisions

(draft sections 19-109 to 19-120)

- Consistent with State Law
- Allows for appeals procedure

V. Parades REMAINS THE SAME

Proposed Parking Ordinance

- Updates Chapter 19

- Gives authority to City Council for flexibility with parking systems and regulations

- Details forthcoming on implementation, rates, and policies and procedures development

Proposed Parking Ordinance

- Comments & Questions

Thank you

SERVICE CONTRACT BETWEEN
THE CITY OF RIVIERA BEACH AND ONE PARKING, INC.

This Contract is made as of this _ day of _____, 2024, by and between the **City of Riviera Beach**, a municipal corporation existing under the laws of the State of Florida, by and through its City Council, hereinafter referred to as the CITY, and **One Parking, Inc.**, a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONTRACTOR, whose Federal I.D. number is 20-2051457.

In consideration of the mutual promises contained herein, the CITY and the CONTRACTOR agree as follows:

ARTICLE 1 - SERVICES

The CONTRACTOR shall perform professional services similar to those identified in the scope of services, which is specifically incorporated herein by reference and further detailed in Exhibit A. The exact scope/requirements may vary each year, so prior to work commencement, the Contractor shall provide a detailed proposal outlining the services to be provided. as more specified in the Scope of Services detailed in Attachment "A".

The CITY's representative/liaison during the performance of this Contract shall be Randy Sherman, Director of Finance and Administrative Services, who may be contacted at 561-845-4045, and CONTRACTOR'S contact Mark Pratt who may be contacted at (317) 716-6016.

ARTICLE 2 – TERM

The term of this agreement shall begin on February 8, 2024 and end on February 7, 2029.

All prices, terms, and conditions shall remain fixed for the entire period of the contract. There will be no allowable price escalations throughout the contract period. There are no renewal options for this contract.

ARTICLE 3 - PAYMENTS TO CONTRACTOR

A. Generally - The CITY agrees to compensate the CONTRACTOR in accordance with Schedule "B". The CITY shall not reimburse the CONTRACTOR for any travel costs incurred as a direct result of the CONTRACTOR providing deliverables to the CITY.

B. Invoices received from the CONTRACTOR pursuant to this Contract will be reviewed and approved by the CITY's representative, indicating that services have been rendered in conformity with the Contract. Invoices will then be sent to the Finance Department for payment and will normally be paid within thirty (30) days following the CITY representative's approval.

C. All requests for payment of expenses eligible for reimbursement under the terms of this Contract shall include copies of receipts, invoices, or other documentation acceptable to the Finance Department.

D. Final Invoice: In order for both parties herein to close their books and records, the CONTRACTOR will clearly state "Final Invoice" on the CONTRACTOR's final/last billing to the CITY. This certifies that all services have been properly performed and all charges and costs have been invoiced to the CITY. Since this account will thereupon be closed, any and other further charges, if not properly included in this final invoice, are waived by the CONTRACTOR and the CITY shall have no obligations for any other costs or expenses thereafter.

E. Payments to the CONTRACTOR shall be sent to:

One Parking, Inc.
477 South Rosemary Avenue, Suite 216
West Palm Beach, FL 33401
ATTN: Mark Pratt mpratt@oneparking.com

ARTICLE 4 - TRUTH-IN NEGOTIATION CERTIFICATE

Signature of this Contract by the CONTRACTOR shall also act as the execution of a truth-in-negotiation certificate certifying that the wage rates, over-head charges, and other costs used to determine the compensation provided for in this Contract are accurate, complete and current as of the date of the Contract and no higher than those charged to the CONTRACTOR's most favored customer for the same or substantially similar service.

The said rates and costs shall be adjusted to exclude any significant sums should the CITY determine that the rates and costs were increased due to inaccurate, incomplete or noncurrent wage rates or due to inaccurate representations of fees paid to outside consultants. The CITY shall exercise its right under this Article within three (3) years following final payment.

ARTICLE 5 – TERMINATION

This Contract may be terminated by the CONTRACTOR upon thirty (30) days prior written notice to the CITY's representative in the event of substantial failure by the CITY to perform in accordance with the terms of this Contract through no fault of the CONTRACTOR; provided the CITY fails to cure same within that thirty (30) day period. It may also be terminated, in whole or in part, by the CITY, with or without cause, immediately upon written notice to the CONTRACTOR. Unless the CONTRACTOR is in breach of this Contract, the CONTRACTOR shall be paid for services rendered to the CITY's satisfaction through the date of termination which shall include reimbursement of the unamoritized capital costs to install enforcement equipment, in particular License Plate Recognition (LPR) technology, signage, payment devices and fencing. After receipt of a Termination Notice and except as otherwise directed by the CITY, the CONTRACTOR shall:

A. Stop work on the date and to the extent specified.

B. Terminate and settle all orders and subcontracts relating to the performance of the terminated work.

C. Transfer all work in progress, completed work, and other materials related to the terminated work to the CITY.

D. Continue and complete all parts of the work that have not been terminated.

ARTICLE 6 - PERSONNEL

The CONTRACTOR represents that it has, or will secure at its own expense, all necessary personnel required to perform the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with the CITY.

All of the services required hereunder shall be performed by the CONTRACTOR or under its supervision, and all personnel engaged in performing the services shall be fully qualified and, if required, authorized or permitted under state and local law to perform such services.

The CONTRACTOR warrants that all services shall be performed by skilled properly licensed and competent personnel to the highest professional standards in their respective field(s).

The CONTRACTOR agrees that it is fully responsible to the CITY for the negligent acts and omissions of subcontractors, sub consultants, and of persons either directly or indirectly employed by the CONTRACTOR (hereinafter "subcontractor" or "subcontractors"). Nothing contained herein shall create any contractual relationship between any subcontractor and the CITY.

All of the CONTRACTOR's personnel and all of the CONTRACTOR's subcontractors will comply with all CITY requirements governing conduct, safety, and security while on or utilizing CITY premises/property.

ARTICLE 7 - SUBCONTRACTING

The CITY reserves the right to accept the use of a subcontractor or to reject the selection of a particular subcontractor and to inspect all facilities of any subcontractor in order to make a determination as to the capability of the subcontractor to perform properly under this Contract. The CONTRACTOR is encouraged to seek minority and women business enterprises for participation in subcontracting opportunities.

If a subcontractor fails to perform or make progress, as required by this Contract, and it is necessary to replace the subcontractor to complete the work in a timely fashion, the CONTRACTOR shall promptly do so, subject to acceptance of the new subcontractor by the CITY.

If subcontractor(s) are used, the CONTRACTOR shall use only licensed and insured subcontractor(s), and shall require any subcontractor, as may be applicable, to provide a payment bond. All subcontractors shall be required to promptly make payments to any person who, directly or indirectly, provides services or supplies under this Contract.

The CONTRACTOR shall be responsible for the performance of all subcontractors.

ARTICLE 8 – SBE PARTICIPATION

The City's Procurement Ordinance has a Small Business Enterprises (SBE) participation component which may apply to this Contract. If it is determined by CITY staff that it applies, the CONTRACTOR agrees to abide by the provisions of the SBE section of the procurement code. The CONTRACTOR further agrees to maintain all relevant records and information necessary to document compliance with the Ordinance, and agrees to allow the CITY to inspect such records and provide such records to the CITY upon request.

ARTICLE 9 - FEDERAL AND STATE TAX

The CITY is exempt from payment of Florida State Sales and Use Tax. The CITY will sign an exemption certificate submitted by the CONTRACTOR. The CONTRACTOR shall not be exempted from paying sales tax to its suppliers for materials used to fill contractual obligations with the CITY, nor is the CONTRACTOR authorized to use the CITY's Tax Exemption Number in securing such materials.

The CONTRACTOR shall be responsible for payment of its own and its share of its employees' payroll, payroll taxes, and benefits with respect to this Contract.

ARTICLE 10 - AVAILABILITY OF FUNDS

The CITY's performance and obligation to pay under this Contract is contingent upon annual appropriations being made by the City of Riviera Beach City Council.

ARTICLE 11 - INSURANCE

A. Prior to execution of this Contract by the CITY, the CONTRACTOR shall provide certificates evidencing insurance coverage as required hereunder. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The Certificates shall clearly indicate that the CONTRACTOR has obtained insurance of the type, amount, and classification as required for strict compliance with this Article and that no material change or cancellation of the insurance shall be effective without thirty (30) days prior written notice to the CITY's representative. Compliance with the foregoing requirements shall not relieve the CONTRACTOR of its liability and obligations under this Contract.

B. The CONTRACTOR shall maintain during the term of this Contract, standard Professional Liability Insurance in the minimum amount of $1,000,000.00 per occurrence.

C. The CONTRACTOR shall maintain, during the life of this Contract, commercial general liability, including contractual liability insurance in the amount of $1,000,000.00 per occurrence, $2,000,000.00 annual aggregate to protect the CONTRACTOR from claims for damages for bodily and personal injury, advertising injury including wrongful death, as well as $1,000,000.00 per occurrence from claims of property damages, $2,000,000.00 products and completed operations coverage which may arise from any operations under this Contract, whether such operations be by the CONTRACTOR or by anyone directly or indirectly employed by or contracting with the CONTRACTOR.

D. The CONTRACTOR shall maintain, during the life of this Contract, comprehensive automobile liability insurance in the minimum amount of $1,000,000.00 combined single limit for bodily injury and property damages liability to protect the CONTRACTOR from claims for damages for bodily and personal injury, including death, as well as from claims for property damage, which may arise from the ownership, use, or maintenance of owned and non-owned automobiles, including, but not limited to, leased and rented automobiles whether such operations be by the CONTRACTOR or by anyone, directly or indirectly, employed by the CONTRACTOR.

E. The parties to this Contract shall carry Workers' Compensation Insurance and Employer's Liability Insurance for all employees as required by Florida Statutes. In the event that a party does not carry Workers' Compensation Insurance and chooses not to obtain same, such party shall then, in accordance with Section 440.05, Florida Statutes, apply for and obtain an exemption authorized by the Department of Insurance and shall provide a copy of such exemption to the CITY.

F. The CONTRACTOR shall maintain, during the life of this Contract, pollution liability coverage, in the minimum amount of $1,000,000.00 per claim arising out of this Contract, including but not limited to, all hazardous materials identified under the Contract.

F. All insurance, other than Professional Liability and Workers' Compensation, to be maintained by the CONTRACTOR shall specifically include the CITY as an "Additional Insured."

ARTICLE 12 - INDEMNIFICATION

To the extent allowed by Florida law, the CONTRACTOR shall indemnify and hold harmless the CITY, its agents, officers, and employees from and against any and all claims, liabilities, losses, costs, and/or causes of action which may arise from any negligent act, recklessness, or intentional wrongful conduct of the CONTRACTOR, its agents, officers, or employees in the performance of services under this Contract.

The CONTRACTOR further agrees to indemnify and hold harmless the CITY, its agents, officers, and employees from and against any claim, demand or cause of action of whatsoever kind or nature arising out of any conduct or misconduct of the CONTRACTOR not included in the paragraph above and for which the CITY, its agents, officers or employees are alleged to be liable.

The CONTRACTOR shall pay all claims, losses, liens, fines, settlements or judgments of any nature whatsoever in connection with the foregoing indemnifications including, but not limited to, all costs, expert witness fees, reasonable attorney's fees, and court and/or arbitration costs. These indemnifications shall survive the term of this Contract or any renewal thereof.

Nothing contained in this Article shall be construed or interpreted as consent by the CITY to be sued, nor as a waiver of sovereign immunity beyond the waiver provided in Section 768.28, Florida Statutes.

ARTICLE 13 - SUCCESSORS AND ASSIGNS

The CITY and the CONTRACTOR each binds itself and its partners, successors, executors, administrators, and assigns to the other party of this Contract and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of this Contract. Except as above, neither the CITY nor the CONTRACTOR shall assign, sublet, convey or transfer its interest in this Contract without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of the CITY which may be a party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the CITY and the CONTRACTOR.

ARTICLE 14 - VENUE

This Contract and any dispute, disagreement, or issue of construction or interpretation arising hereunder whether relating to its execution, its validity, the obligations provided therein, performance or breach shall be governed and interpreted according to laws of the State of Florida. Venue for any and all legal action necessary to enforce the Contract will be held within Palm Beach County.

ARTICLE 15 - REMEDIES

No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

ARTICLE 16 - CONFLICT OF INTEREST

The CONTRACTOR represents that it presently has no interest and shall acquire no interest, either direct or indirect, which would conflict in any manner with the performance or services required hereunder, as provided for in Section 112.311, Florida Statutes. The CONTRACTOR further represents that no person having any such conflicting interest shall be employed for said performance.

The CONTRACTOR shall promptly notify the CITY's representative, in writing, by certified mail, of all potential conflicts of interest for any prospective business association, interest or other circumstance, which may influence or appear to influence the CONTRACTOR's judgment or quality of services being provided hereunder. Such written notification shall identify the prospective business association, interest or circumstance, the nature of work that the CONTRACTOR may undertake and request an opinion of the CITY as to whether the association, interest or circumstance would, in the opinion of the CITY, constitute a conflict of interest if entered into by the CONTRACTOR. The CITY agrees to notify the CONTRACTOR of its opinion by certified mail within thirty (30) days of receipt of notification by the CONTRACTOR. If, in the opinion of the CITY, the prospective business association, interest or circumstance would not constitute a conflict of interest by the CONTRACTOR, the CITY shall so state in the notification and the CONTRACTOR shall, at its option, enter into said association, interest or circumstance and it shall be deemed not in conflict of interest with respect to services provided to the CITY by the CONTRACTOR under the terms of this Contract.

Further, please be advised, in accordance with Section 112.313, Florida Statutes, and pertinent Opinions of the Florida Commission on Ethics, that if you or certain representatives of your company are a member of a city board, including an advisory board, you may be ineligible to enter into a contract/agreement with the CITY. If you are a member of a city board, including an advisory board, prior to executing this contract, please contact the Florida Commission on Ethics at (850) 488-7864 to secure an informal advisory opinion regarding your eligibility to enter into this contract.

ARTICLE 17 – DELAYS AND EXTENSION OF TIME

The CONTRACTOR shall not be considered in default by reason of any failure in performance if such failure arises out of causes reasonably beyond the control of the CONTRACTOR or its subcontractors and without their fault or negligence. Such causes include, but are not limited to: acts of God; natural or public health emergencies; labor disputes; freight embargoes; pandemics; epidemics; and abnormally severe and unusual weather conditions.

Upon the CONTRACTOR's request, the CITY shall consider the facts and extent of any failure to perform the work and, if the CONTRACTOR's failure to perform was without it or its subcontractors' fault or negligence the Contract Schedule and/or any other affected provision of this Contract shall be revised accordingly; subject to the CITY's rights to change, terminate, or stop any or all of the work at any time as set forth herein.

If the CONTRACTOR is delayed at any time in the process of the work by any act or neglect of the CITY or its employees, or by any other consultant employed by the CITY, or by changes ordered by the CITY or in an unusual delay in transportation, unavoidable casualties, or any causes beyond the CONTRACTOR's control, or by delay authorized by the CITY pending negotiation or by any cause which the CITY shall decide justifies the delay, then the time of completion shall be extended for any reasonable time the CITY may decide. No extension shall be made for delay occurring more than seven (7) days before claim therefore is made in writing to the CITY. In the case of continuing cause of delay, only one (1) claim is necessary.

This Article does not exclude the recovery of damages for delay by either party under other provisions in the Contract.

ARTICLE 18 - INDEBTEDNESS

The CONTRACTOR shall not pledge the CITY's credit or make it a guarantor of payment or surety for any contract, debt, obligation, judgment, lien, or any form of indebtedness. The CONTRACTOR further warrants

and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms of this Contract.

ARTICLE 19 - DISCLOSURE AND OWNERSHIP OF DOCUMENTS

The CONTRACTOR shall deliver to the CITY's representative for approval and acceptance, and before being eligible for final payment of any amounts due, all documents and materials prepared by and for the CITY under this Contract.

All written and oral information not in the public domain or not previously known, and all information and data obtained, developed, or supplied by the CITY or at its expense will be kept confidential by the CONTRACTOR and will not be disclosed to any other party, directly or indirectly, without the CITY's prior written consent unless required by a lawful order. All drawings, maps, sketches, programs, data base, reports or similar and other data developed, or purchased, under this Contract for or at the CITY's expense shall be and remain the CITY's property and may be reproduced and reused at the discretion of the CITY.

All covenants, agreements, representations and warranties made herein, or otherwise made in writing by any party pursuant hereto, including but not limited to any representations made herein relating to disclosure or ownership of documents, shall survive the execution and delivery of this Contract and the consummation of the transactions contemplated hereby.

The CONTRACTOR shall comply with Florida's Public Records Act, Chapter 119, Florida Statutes, and, if determined to be acting on behalf of the CITY as provided under Section 119.011(2), Florida Statutes, specifically agrees to:

a. Keep and maintain public records required by the CITY to perform the service.

b. Upon request from the CITY's custodian of public records or designee, provide the CITY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

c.Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Contract and following completion of this Contract if the CONTRACTOR does not transfer the records to the City.

d Upon completion of this Contract, transfer, at no cost, to the CITY all public records in possession of the CONTRACTOR or keep and maintain public records required by the CITY to perform the service. If the CONTRACTOR transfers all public records to the CITY upon completion of the Contract, the CONTRACTOR shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the CONTRACTOR keeps and maintains public records upon completion of the Contract, the CONTRACTOR shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CITY, upon request from the CITY's custodian of public records or designee, in a format that is compatible with the information technology systems of the CITY.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE CITY CLERK'S OFFICE,

CITY OF RIVIERA BEACH, 600 WEST BLUE HERON BLVD., RIVIERA BEACH, FL. 33404, BY EMAIL AT CITYCLERK@RIVIERABEACH.ORG OR BY TELEPHONE 561-845-4090.

ARTICLE 20 - INDEPENDENT CONTRACTOR RELATIONSHIP

The CONTRACTOR is, and shall be, in the performance of all work services and activities under this Contract, an Independent Contractor, and not an employee, agent, or servant of the CITY. All persons engaged in any of the work or services performed pursuant to this Contract shall at all times, and in all places, be subject to the CONTRACTOR's sole direction, supervision, and control. The CONTRACTOR shall exercise control over the means and manner in which it and its employees perform the work, and in all respects the CONTRACTOR's relationship and the relationship of its employees to the CITY shall be that of an Independent Contractor and not as employees or agents of the CITY.

The CONTRACTOR does not have the power or authority to bind the CITY in any promise, agreement or representation other than as specifically provided for in this Contract.

ARTICLE 21 - CONTINGENT FEES

The CONTRACTOR warrants that has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR to solicit or secure this Contract and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the CONTRACTOR, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this Contract.

ARTICLE 22 - ACCESS AND AUDITS

The CONTRACTOR shall maintain adequate records to justify all charges, expenses, and costs incurred in estimating and performing the work for at least three (3) years after completion of this Contract. The CITY shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at the CONTRACTOR's place of business.

ARTICLE 23 – COMMERCIAL NONDISCRIMINATION

The CONTRACTOR represents and warrants that it will comply with the City of Riviera Beach's Commercial Nondiscrimination Policy as described in Ordinance No. 4180 (Chapter 16.5, Division 4), as amended. As part of such compliance, the CONTRACTOR shall not discriminate on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, disability, or genetic information in the solicitation, selection, hiring or commercial treatment of subcontractors, vendors, suppliers, or commercial customers, nor shall the CONTRACTOR retaliate against any person for reporting instances of such discrimination. The CONTRACTOR shall provide equal opportunity for subcontractors, sub-consultants vendors and suppliers to participate in all of its public sector and private sector subcontracting and supply opportunities, provided that nothing contained in this clause shall prohibit or limit otherwise lawful efforts to remedy the effects of marketplace discrimination that have occurred or are occurring in the City's relevant marketplace. The CONTRACTOR understands and agrees that a material violation of this clause shall be considered a material breach of contract and may result in termination of the contract, disqualification or debarment of the Vendor from participating in County contracts, or other sanctions. This clause is not enforceable by or for the benefit of, and creates no obligation to, any third party.

ARTICLE 24 - ENFORCEMENT COSTS

All parties shall be responsible for their own attorney's fees, court costs and expenses if any legal action or other proceeding is brought for any dispute, disagreement, or issue of construction or interpretation arising hereunder whether relating to the Contract's execution, validity, the obligations provided therein, or performance of this Contract, or because of an alleged breach, default or misrepresentation in connection with any provisions of this Contract.

ARTICLE 25 - AUTHORITY TO PRACTICE

The CONTRACTOR hereby represents and warrants that it has and will continue to maintain all licenses and approvals which are legally required to conduct its business, and that it will at all times conduct its business activities in a reputable manner. Proof of such licenses and approvals shall be submitted to the CITY upon request.

The CONTRACTOR shall be solely responsible for obtaining and complying with all necessary permits, licenses, approvals and authorizations required for any work done pursuant to this Contract from any federal, state, regional, county or city agency.

ARTICLE 26 - SEVERABILITY

If any term or provision of this Contract, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this Contract, or the application of such terms or provisions, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Contract shall be deemed valid and enforceable to the extent permitted by law.

ARTICLE 27 - PUBLIC ENTITY CRIMES

As provided in Section 287.132-133, Florida Statutes by entering into this Contract or performing any work in furtherance hereof, the CONTRACTOR certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the thirty-six (36) months immediately preceding the date hereof. This notice is required by Section 287.133(3)(a), Florida Statutes.

ARTICLE 28 - MODIFICATIONS OF WORK

The CITY reserves the right to make changes in the Scope of Work, including alterations, reductions therein or additions thereto. Upon receipt by the CONTRACTOR of the CITY's notification of a contemplated change, the CONTRACTOR shall, in writing: (1) provide a detailed estimate for the increase or decrease in cost due to the contemplated change, (2) notify the CITY of any estimated change in the completion date, and (3) advise the CITY if the contemplated change shall affect the CONTRACTOR'S ability to meet the completion dates or schedules of this Contract.

If the CITY so instructs in writing, the CONTRACTOR shall suspend work on that portion of the Scope of Work affected by the contemplated change, pending the CITY's decision to proceed with the change.

If the CITY elects to make changes, the CITY shall initiate a Contract Amendment and the CONTRACTOR shall not commence work on any such change until such written amendment is signed by the CONTRACTOR and approved by the CITY COUNCIL FOR THE CITY OF RIVIERA BEACH or its designated representative.

ARTICLE 29 - NOTICE

All notices required in this Contract shall be sent by certified mail, return receipt requested, and also via email. If sent to the CITY shall be mailed to:

City of Riviera Beach
ATTN: Randy Sherman
Director of Finance and Administrative Services
600 West Blue Heron Blvd.
Riviera Beach, FL 33404

If sent to the CONTRACTOR shall be mailed to:

One Parking, Inc.
ATTN: Mark Pratt
477 South Rosemary Avenue, Suite 216
West Palm Beach, FL 33401

ARTICLE 30 - ENTIRETY OF CONTRACTUAL AGREEMENT

The CITY and the CONTRACTOR agree that this Contract and any attachments hereto or other documents as referenced in the Contract sets forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Contract may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto in accordance with Article 29 - Modifications of Work.

ARTICLE 31 – PROTECTION OF WORK AND PROPERTY

If applicable, the CONTRACTOR shall continuously maintain adequate protection of all work from damage, and shall protect the CITY's property from injury or loss arising in connection with the Contract. Except for any such damage, injury, or loss, except that which may be directly due to
errors caused by the CITY or employees of the CITY, the CONTRACTOR shall provide any necessary materials to maintain such protection.

ARTICLE 32 – TIME

Time is of the essence in all respects under this Contract. The CITY and CONTRACTOR shall work in an expeditious manner to complete this contract.

ARTICLE 33 - TERMINOLOGY AND CAPTIONS

All pronouns, singular, plural, masculine, feminine or neuter, shall mean and include the person, entity, firm or corporation to which they relate as the context may require. Wherever the context may require, the singular shall mean and include the plural and the plural shall mean and include the singular. The term "Contract" as used herein, as well as the terms "herein", "hereof", "hereunder", "hereinafter" and the like mean this Contract in its entirety and all exhibits, amendments and addenda attached hereto and made a part hereof. The captions and paragraph headings are for reference and convenience only and do not enter into or become a part of the context of this Contract, nor shall such headings affect the meaning or interpretation of this Contract.

ARTICLE 34 - WAIVER

Failure of the City to enforce or exercise any right(s) under this Contract shall not be deemed a waiver of CITY's right to enforce or exercise said right(s) at any time thereafter.

ARTICLE 35 - PREPARATION

This Contract shall not be construed more strongly against either party regardless of who was more responsible for its preparation.

ARTICLE 36 - MATERIALITY

All provisions of the Contract shall be deemed material, in the event CONTRACTOR fails to comply with any of the provisions contained in this Contract or exhibits, amendments and addenda attached hereto, said failure shall be deemed a material breach of this Contract and CITY may at its option and without notice terminate this Contract as set forth herein.

ARTICLE 37 - REPRESENTATIONS/BINDING AUTHORITY

CONTRACTOR has full power, authority and legal right to execute and deliver this Contract and perform all of its obligations under this Contract. By signing this, Mark Pratt hereby represents to the CITY that Mark Pratt has the authority and full legal power to execute this Contract and any and all documents necessary to effectuate and implement the terms of this Contract on behalf of the party for whom he is signing and to bind and obligate such party with respect to all provisions contained in this Contract.

ARTICLE 38 - EXHIBITS

Each exhibit referred to in this Contract forms an essential part of this Contract. The exhibits, if not physically attached, should be treated as part of this Contract and are incorporated herein by reference.

ARTICLE 39 - CONTRACT DOCUMENTS AND CONTROLLING PROVISIONS

This Contract consists of this Contract and all exhibits attached hereto. The CONTRACTOR agrees to be bound by all the terms and conditions set forth in this Contract. To the extent that a conflict exists between this Contract and the exhibits, the terms, conditions, covenants, and/or provisions of this Contract shall prevail. Wherever possible, the provisions of such documents shall be construed in such a manner as to avoid conflicts between provisions of the various documents.

ARTICLE 40 - LEGAL EFFECT

This Contract shall not become binding and effective until approved by the City Council of the City of Riviera Beach, for which such approval CONTRACTOR shall be promptly notified.

ARTICLE 41 - NOTICE OF COMPLAINTS OR SUITS

Each party will promptly notify the other of any complaint, claim, suit or cause of action threatened or commenced against it which arises out of or relates, in any manner, to the performance of this Contract. Each party agrees to cooperate with the other in any investigation either may conduct, the defense of any claim or

suit in which either party is named, and shall do nothing to impair or invalidate any applicable insurance coverage.

ARTICLE 42 – SURVIVABILITY

Any provision of this Contract which is of a continuing nature or imposes an obligation which extends beyond the term of this Contract shall survive its expiration or earlier termination.

ARTICLE 43 - DEFAULT

Notwithstanding anything contained in this Contract to the contrary, the parties agree that the occurrence of any of the following shall be deemed a material event of default and shall be grounds for termination:

a. The filing of a lien by any subcontractor or third tier subcontractor including, but not limited to materialmen, suppliers, or laborers, upon any property, right of way, easement, other interest in land or right to use such land within the territorial boundaries of the CITY which lien is not satisfied, discharged or contested in a court of law within thirty (30) days from the date of notice to the CONTRACTOR;

b. The filing of any judgment lien against the assets of the CONTRACTOR related to the performance of this Contract which is not satisfied, discharged or contested in a court of law within thirty (30) days from the date of notice to the CONTRACTOR; or

c. The filing of a petition by or against the CONTRACTOR for relief under the Bankruptcy Code, or for its reorganization or for the appointment of a receiver or trustee of the CONTRACTOR or the CONTRACTOR's property; or an assignment by the CONTRACTOR for the benefit of creditors; or the taking possession of the property of the CONTRACTOR by any governmental officer or agency pursuant to statutory authority for the dissolution or liquidation the CONTRACTOR; or if a temporary or permanent receiver or trustee shall be appointed for the CONTRACTOR or for the CONTRACTOR's property and such temporary or permanent receiver or Trustee shall not be discharged within thirty (30) days from the date of appointment.

The CONTRACTOR shall provide written notice to the CITY of the occurrence of any event of default within ten (10) days of the CONTRACTOR's receipt of notice of any such default.

ARTICLE 44 - WAIVER OF SUBROGATION

The CONTRACTOR hereby waives any and all rights to Subrogation against the CITY, its officers, employees and agents for each required policy. When required by the insurer, or should a policy condition not permit an insured to enter into a pre-loss agreement to waive subrogation without an endorsement, then the CONTRACTOR shall agree to notify the insurer and request the policy be endorsed with a Waiver of Transfer of Rights of Recovery Against Others, or its equivalent. This Waiver of Subrogation requirement shall not apply to any policy, which a condition to the policy specifically prohibits such an endorsement, or voids coverage should the CONTRACTOR enter into such an agreement on a pre-loss basis.

ARTICLE 45 - RIGHT TO REVIEW

The CITY, by and through its Risk Management Division, in cooperation with the contracting/monitoring department, reserves the right to review, reject or accept any required policies of insurance, including limits, coverages, or endorsements, therein from time to time throughout the term of this Contract. The CITY reserves the right, but not the obligation, to review and reject any insurer providing coverage because of poor financial condition or failure to operate legally.

ARTICLE 46 – WAIVER OF TRIAL BY JURY

IN THE EVENT OF LITIGATION ARISING FROM THIS CONTRACT, CITY AND CONTRACTOR KNOWINGLY, VOLUNTARILY AND INTENTIONALLY WAIVE ANY RIGHT TO A TRIAL BY JURY. CITY AND INDEPENDENT CONTRACTOR HEREBY ACKNOWLEDGE THAT THIS WAIVER PROVISION IS A MATERIAL INDUCEMENT FOR EACH PARTY AGREEING TO ENTER INTO THIS CONTRACT.

ARTICLE 47 – PALM BEACH COUNTY INSPECTOR GENERAL

In accordance with Palm Beach County ordinance number 2011-009 as codified in 2-421 through 2-440 of the County's Code, the CONTRACTOR acknowledges that this Contract may be subject to investigation and/or audit by the Palm Beach County Inspector General. The CONTRACTOR has reviewed the ordinance and is aware of its rights and/or obligations under such ordinance.

This Contract is subject to any and all applicable conflict of interest provisions found in the CITY procurement ordinance, Chapter 16.5, the Palm Beach County Code of Ethics and Ch. 112, Part III, Florida Statutes. During the term of this Contract and any renewals or extensions thereof, the Independent Contractor shall continue to disclose to the CITY any possible conflicts of interests. The CONTRACTOR's duty to disclose is of a continuing nature and any conflict of interest shall be immediately brought to the attention of the CITY.

ARTICLE 48 - E-VERIFY - EMPLOYMENT ELIGIBILITY

CONTRACTOR warrants and represents that it is in compliance with Section 448.095, Florida Statutes, as may be amended, and that it: (1) is registered with the E-Verify System (E-Verify.gov), and beginning January 1, 2021, uses the E-Verify System to electronically verify the employment eligibility of all newly hired workers; and (2) has verified that all of CONTRACTOR's sub-consultants performing the duties and obligations of this CONTRACT are registered with the E-Verify System, and beginning January 1, 2021, use the E-Verify System to electronically verify the employment eligibility of all newly hired workers.

CONTRACTOR shall obtain from each of its sub-consultants an affidavit stating that the sub-consultant does not employ, contract with, or subcontract with an Unauthorized Alien, as that term is defined in Section 448.095(1)(k), Florida Statutes, as may be amended. CONTRACTOR shall maintain a copy of any such affidavit from a sub-consultant for, at a minimum, the duration of the subcontract and any extension thereof. This provision shall not supersede any provision of this CONTRACT which requires a longer retention period.

CITY shall terminate this CONTRACT if it has a good faith belief that CONTRACTOR has knowingly violated Section 448.09(1), Florida Statutes, as may be amended. If CITY has a good faith belief that CONSULTANT'S sub-consultant has knowingly violated Section 448.09(1), Florida Statutes, as may be amended, CITY shall notify CONTRACTOR to terminate its contract with the sub-consultant and CONSULTANT shall immediately terminate its contract with the sub-consultant. If CITY terminates this CONTRACT pursuant to the above, CONTRACTOR shall be barred from being awarded a future contract by CITY for a period of one (1) year from the date on which this CONTRACT was terminated. In the event

of such contract termination, CONTRACTOR shall also be liable for any additional costs incurred by CITY as a result of the termination.

ARTICLE 49 - SCRUTINIZED COMPANIES

a. As provided in Section. 287.135, Florida Statutes, by entering into this Contract or performing any work in furtherance hereof, the CONTRACTOR certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the Scrutinized Companies that boycott Israel List, or is engaged in a boycott of Israel, pursuant to Section 215.4725, Florida Statutes. Pursuant to Section 287.135(3)(b), Florida Statutes, if CONTRACTOR is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel, this Contract may be terminated at the option of the CITY.

b. **When contract value is greater than $1 million:** As provided in Section. 287.135, Florida Statutes, by entering into this Contract or performing any work in furtherance hereof, the CONTRACTOR certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the Scrutinized Companies With Activities in Sudan List or Scrutinized Companies With Activities in The Iran Petroleum Energy Sector List created pursuant to Section.215.473, Florida Statutes or is engaged in business operations in Cuba or Syria.

If the CITY determines, using credible information available to the public, that a false certification has been submitted by CONTRACTOR, this Contract may be terminated and a civil penalty equal to the greater of $2 million or twice the amount of this Contract shall be imposed, pursuant to Section. 287.135, Florida Statutes. Said certification must also be submitted at the time of Contract renewal, if applicable.

SIGNATURES ON FOLLOWING PAGE

CONTRACT WITH THE CITY OF RIVIERA BEACH

IN WITNESS WHEREOF, the Parties unto this Contract have set their hands and seals on the day and date first written above.

CORPORATE SEAL

CITY OF RIVIERA BEACH

BY: _____
Ronnie L. Felder
Mayor

COMPANY NAME

BY: _____
Mark Pratt
President

ATTEST:

BY: _____
Debrah Hall-McCullon, CMC, FCRM
Certified Municipal Clerk
City Clerk

APPROVED AS TO TERMS AND CONDITIONS

BY: _____
Randy M. Sherman
Director of Finance and Administrative Services

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: _____
Dawn S. Wynn
City Attorney

Date: _____

Purchasing initials _____

ONE PARKING INC WILL PROVIDE CITY OF RIVIERA BEACH SPECIFIC EXHIBITS A & B

SCHEDULE A

SCOPE OF WORK

I. Services Provided

Manager will provide parking enforcement and collection services including, but not limited to, technology design and installation, informational / payment directions signage, enforcement vehicle operation related to the enforcement of the parking rules at the locations shown below:

- Ocean View Retail Lot 24/7/365
- Ocean View Beach Premium Lot 24/7/365
- Marina North and South Lots 24/7/365
- Marina Sands Lots 24/7/365

Manager will maintain, at all times, an adequate staff of experienced and qualified employees to ensure efficient performance and first-rate customer service.

Manager's employees will perform services in a professional and workmanlike manner in accordance with good industry practices. Manager's employees must be able to communicate effectively and relate well with customers and co-workers and demonstrate a high level of customer service.

II. Personnel Management

Manager's personnel who provide enforcement services must have a valid driver's license at all times and have the ability to operate both automatic and standard transmission vehicles.

Manager must conduct background checks and driving record checks on all employees.

Manager will maintain an on-site personnel file on each employee.

Manager will designate a representative who will have the authority to represent Manager in all matters pertaining to this agreement including, but not limited to, matters relating to Manager's personnel, quality control issues, issue resolution, and scheduling assignments.

Manager will designate competent manager(s) who shall oversee the activities of personnel.

Manager shall provide emergency telephone number(s) of contact personnel who shall be available on a 24 hour per day, 7 day per week basis.

III. Revenue Handling

Manager will collect and deposit daily all of the gross revenue from the operation of services.

Manager will provide a detailed statement of revenue collected and calculation of Manager's fees to City with its monthly statement to Owner.

IV. Supplies/Equipment

Manager represents that all materials, supplies, and equipment used in performing the services hereunder, or stored on the Premises, shall be of good quality and will not damage or cause harm to property and/or persons.

Should this Agreement terminate, Owner will reimburse Manager for the unamortized cost of any equipment purchased by Manager on behalf of Owner

Manager shall furnish the following equipment and supplies necessary to perform the services hereunder:

- License Plate Recognition and Capture technology at certain points within certain parking lots, as agreed to by the appropriate City representative,
- Informational / directional signage which shall describe how parking patrons make payment for parking,
- Fencing necessary to control the perimeter on certain parking facilities,
- All personnel and back-office staff needed for collections efforts

Manager will utilize its own credit card processor, provide its own credit card processing equipment and/or software.

V. Meetings/Reports

Manager will attend monthly meetings to discuss issues regarding services. Meetings may be conducted on a more frequent basis as necessary.

Manager will provide monthly reports by the 10th of the following month as requested by Owner. These reports will include, but are not limited to:

Revenue Collection Reports
Expense Reports

VI. Special Event Parking

Manager will provide services for special events as requested by Owner. This may require additional personnel and supervision, dependent upon the size and scheduling of the event. Manager will be notified prior to the event with pertinent information for coordination purposes. The costs will be billed directly to the requestor of such services.

VII. Vehicle Damage/Theft Claims

Manager will not be responsible for the theft of any articles left in the vehicles of any parking patron on any of the designated parking lots.

VIII. City Responsibilities

City will provide 110V power to all points required for installation and operation of LPR cameras.

City will work with Manager to enclose certain lots in order to foster a funneling effect so that cars driver past the installed LPR camera technology, specifically at the Mall property.

IX. Overall Service Description

Manager will provide parking enforcement via installation of LPR technology cameras backed by a robust enforcement system. Once the LPR cameras are installed they will capture the plates of all vehicles that enter the parking lots. That information is stored in the tech cloud. Those patrons have two options to pay the fees associated with the lot: they may used their cellphones to hover over the QR code that is show on the informational / directional signage posted throughout the lot, which takes them to a payment portal where they can make payment for the visit to the lot. Or they may proceed to a Pay-on-Foot device (if available) and pay through that device. If they make the appropriate payment, it is also stored in our tech cloud and that payment is compared to the plates that have entered the parking lot. Payments are sorted and associated with plates recorded via LPR and those vehicles are shown on the PAID register. Plates in the system that do not show a corresponding payment for parking are placed on the UNPAID SESSIONS LIST. If a vehicle that is on that list leaves the lot without paying, they are escalated to the CITATIONS listing. The LPR cameras record plates as the vehicles enter and exit the lot and those photos, and a time stamp of the visit to the lot, are affixed to a citation that will be sent to the parker. Our company tracks and collects those citations, remitting payment for the parking charge associated with the visit to the City.

Revenue collected for parking charges that are paid outright are accumulated and remitted to the City on a monthly basis, by the 5th of the following month. Revenue collected for citations is accumulated and remitted to the city at the same time.

Manager pay all operating expenses out of the accumulated revenue collected and remit the remaining profits to the City by the 5th of the following month. Manager is not seeking an up-front operating advance for the roughly $135,000 in annual operating expenses but will instead accumulate those expenses throughout the month, deduct from revenue, and remit the remaining profits to the City.

SCHEDULE B

COMPENSATION OF CONTRACTOR

Contractor shall be paid a management fee of $42,000 annually or 2% of the gross revenue, whichever is greater. Manager to be paid $3,500 in base fee each month. At the end of each contract year, total revenue will be calculated and multiplied by 2%. If that sum is greater than the $42,000 base management fee paid throughout the year, City will remit that amount to Contractor within 60 days OR grant Contractor permission to retain that amount from the operating profits due the City.

SCHEDULE C

CITY'S EXPENSES AND RESPONSIBILITIES

(i) Bringing 110V power to the point of installation of all LPR cameras

(ii) The normal, routine upkeep of all lots, including striping, asphalt and concrete patching, painting and landscaping requirements

(iii) Utilities charges

(iv) Real and personal property taxes, if any, of City property

Resolution Number 3-24

A Resolution of the City of Riviera Beach, Palm Beach County, Florida establishing the rates, fees and penalties associated with Parking Code of Ordinance pertaining to the City's parking system; authorizing the City Manager to amend rates from time to time; and providing and effective date.

Whereas, The Code of Ordinance provides for various parking system related rates, fees and penalties to be established by Resolution; and

Whereas, a financially sound parking system and properly maintained parking facilities are essential to the continuing redevelopment of the City of Riviera Beach and to the many citizens and visitors who use those facilities; and

Whereas, the revenues earned by the parking system shall be adequate to provide for continuing operation without subsidies from other sources; and

Whereas, the parking consultant has studied this matter and set forth the recommended rates attached herein (Exhibit "A"); and

Whereas, market conditions may require parking rates to be amended from time to time.

Now, Therefore, be it resolved by the City Council of the City of Riviera Beach, Florida that:

Section 1. The City Council adopts the rate schedule attached herein (Exhibit "A").

Section 2. The City Council authorizes the City Manager, after consultation with the City's parking consultant and/or parking management contractor, to amend rates from time to time.

Section 3. This Resolution shall take effect upon its passage and approval by the City Council.

Passed and Approved this___day of _____, 2024.

[The remainder of this page is intentionally left blank]

APPROVED:

Ronnie L. Felder
Mayor

Attest:

Debrah Hall-McCullon
Certified Municipal Clerk
Acting City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

Dawn S. Wynn, City Attorney

DATE: _____

Motioned By: _____
Seconded By: _____

T. McCoy: _____
K. Miller-Anderson: _____
S. Lanier: _____
J. Botel: _____
D. Lawson: _____

EXHIBIT A

Initial Parking Rates Anticipated

Ocean View Retail

0 - 1 hour	$	2.00
1 - 2 hours	$	4.00
2 - 3 hours	$	6.00
3 - 4 hours	$	8.00
4+ hours	$	15.00
8+ hours	$	30.00

Ocean View Beach Premium

0 - 1 hours	$	3.00
1 - 2 hours	$	5.00
2 - 3 hours	$	7.00
3 - 4 hours	$	9.00
4 - 8 hours	$	20.00
8+ hours	$	40.00

Marina Lot North and South

0 - 2 hours	$	5.00
2 - 3 hours	$	10.00
3+ hours	$	15.00

Marina Sands Lots

0 -2 hours	$	2.00
2 - 4 hours	$	4.00
4 - 6 hours	$	6.00
6 - 8 hours	$	8.00
8+ hours	$	10.00

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Hon. Mayor, Chairperson and City Council

From: Steve Shields, Risk Manager

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 11-24: Liability Insurance Renewal 2023-24**

Date: January 17, 2024

CC: General Public

Background:

City staff, along with Arthur J. Gallagher Risk Management Services, LLC, has made measurable commitment to safety and best practices. As many of us know natural disasters have significantly impacted the insurance market; especially the property market from approximately $165 billion dollars lost due to natural disasters in the U.S. in 2022 and over $57 billion in 2023 plus, frequent and serious earthquakes and fires world-wide. The fact that the City carries various lines of protection, our broker approaches the market in the following ways to provide the best outcome for the City.

- Negotiate with current carriers
- Negotiate with new market players
- Negotiate with viable and responsive carriers

With this process, over 80 companies/programs were approached and over twenty-five (25) quotes/indications for various lines and layers of coverage were received.

Renewal of the City's property, liability, and workers' compensation insurance program for the period December 15, 2023 through December 2023 purchased through the City's broker,

Arthur J. Gallagher Risk Management Services, LLC, is for a total cost not-to-exceed $7,299,165.

The projected 2023-2024 insurance program renewal premiums reflect a total cost not-to-exceed $3,299,165 representing an approximate 2.8% premium increase over the expiring program's cost of $3,207,746*. *(The not-to-exceed premium is for the coverage included in the City's December 15, 2023 Insurance Renewal and excludes any addition of new properties/increase in values, and/or payroll audit)* The total cost also includes a 21.8% increase in the City's Loss Fund from $3,285,000 to $4,000,000. This loss fund increase is due to the City's claim experience, market losses and the requirement from the insurance carriers that the City assume more financial responsibility. The overall increase for the program is 12.4%. Any monies we don't pay from our Loss Fund for our self-insured retentions, stay with the City to be used elsewhere.

*The annualized premium for the 2022-2023 year of $3,207,746, demonstrates additional premium paid over the $2,976,627 requested last year. This is due to the additional premiums for new buildings and the adjustment up for the Workers' Comp payroll.

The amount of property insurance purchased contemplates probable maximum loss modeling of various possible loss scenarios and includes a $100,000 deductible/six percent (6%) - $250,000 minimum named windstorm deductible for municipal properties as well as a $50,000 deductible/five percent (5%) - $500,000 minimum named windstorm deductible for the Utilities' properties. The program will also include excess liability insurance covering $2,650,000 in excess of a $350,000 self-insured retention (SIR) per occurrence, and excess Workers' Compensation insurance excess of a $325,000 SIR per occurrence. All state mandated surcharges and assessments are contained within the estimated cost. Sufficient funds are budgeted in FY 2024 for this coverage. The program also includes various ancillary insurance policies covering Equipment Breakdown, Special Risk, Pollution Liability, and Workplace Violence.

Based on the City's increase in exposures (i.e. property values and payroll), claims experience, and current market conditions, including the claims related to police actions, Human Resources / Risk Management is recommending approval of the resolution.

A Gallagher representative will attend the meeting and provide a brief presentation, if requested.

City Goals:

The goal is to provide superior liability insurance coverage to the City.

Fiscal/Budget Impact:

The fiscal impact is $7,299,165.00 which is incorporated into the Cityâ€™s budget.

Recommendation:

Staff recommends that the City Council approves the renewal of the liability insurance through Arthur J. Gallagher Risk Management Services, LLC, Resolution Number 11-24.

Attachments:

1. Resolution 11-24.pdf
2. Liability Insurance Renewal Letter_Res No_11-24.pdf

Resolution Number 11-24

A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the renewal of liability insurance coverage through Arthur J. Gallagher Risk Management Services, LLC, and authorizing the Director of Finance to make payment from various City Department accounts in the estimated amount of $7,299,165.00 for liability insurance and providing an effective date.

WHEREAS, the City is in need of Workers' Compensation, liability and Property/Casualty protected insurance coverages; and

WHEREAS, City staff recommends renewal of liability coverage through Arthur J. Gallagher Risk Management Services, LLC, for the year of 2023-2024.

Now, therefore, be it resolved, by the City Council of the City of Riviera Beach, Palm Beach County, Florida, as Follows:

SECTION 1. That staff is hereby authorized to bind coverage for liability insurances with Arthur J. Gallagher Risk Management Services, LLC, for a period of one (1) year commencing December 15, 2023 through December 14, 2024.

SECTION 2. That the Director of Finance is authorized to make payment from various departmental accounts in the total of $7,299,165.00.

SECTION 3. That this resolution shall take effect immediately upon its passage and approval by the City Council.

PASSED AND APPROVED this_____day of January, 2024.

The remainder of this page is intentionally left blank.

APPROVED:

_____
Ronnie L. Felder
Mayor
ATTEST:

_____
Debrah Hall-McCullon, CMC, FCRM
Certified Municipal Clerk
Acting City Clerk

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY: _____

K. MILLER-ANDERSON: _____

S. LANIER: _____

J. BOTEL: _____

D. LAWSON: _____

REVIEWED AS TO LEGAL SUFFICIENCY

_____
DAWN S. WYNN, CITY ATTORNEY

DATE: _____

"The Best Waterfront City in Which to Live, Work and Play."

CITY OF RIVIERA BEACH – MEMORANDUM

To: Hon. Mayor, Chairperson and City Council

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

From: STEVE SHIELDS, RISK MANAGER

TO: MS. JACQUELINE BARTLEY, HUMAN RESOURCES DIRECTOR

SUBJECT: **LIABILITY INSURANCE RENEWAL 2023-24**

DATE: WEDNESDAY, JANUARY 17, 2024

CC: GENERAL PUBLIC

City staff, along with Arthur J. Gallagher Risk Management Services, LLC, has made measurable commitment to safety and best practices. As many of us know natural disasters have significantly impacted the insurance market; especially the property market from approximately $165 billion dollars lost due to natural disasters in the U.S. in 2022 and over $57 billion in 2023 plus, frequent and serious earthquakes and fires world-wide. The fact that the City carries various lines of protection, our broker approaches the market in the following ways to provide the best outcome for the City.

1. Negotiate with current carriers
2. Negotiate with new market players
3. Negotiate with viable and responsive carriers

With this process, over 80 companies/programs were approached and over twenty-five (25) quotes/indications for various lines and layers of coverage were received.

Renewal of the City's property, liability, and workers' compensation insurance program for the period December 15, 2023 through December 2023 purchased through the City's broker, Arthur

J. Gallagher Risk Management Services, LLC, is for a total cost not-to-exceed $7,299,165.

The projected 2023-2024 insurance program renewal premiums reflect a total cost not-to-exceed $3,299,165 representing an approximate 2.8% premium increase over the expiring program's cost of $3,207,746*. *(The not-to-exceed premium is for the coverage included in the City's December 15, 2023 Insurance Renewal and excludes any addition of new properties/increase in values, and/or payroll audit)* The total cost also includes a 21.8% increase in the City's Loss Fund from $3,285,000 to $4,000,000. This loss fund increase is due to the City's claim experience, market losses and the requirement from the insurance carriers that the City assume more financial responsibility. The overall increase for the program is 12.4%. Any monies we don't pay from our Loss Fund for our self-insured retentions, stay with the City to be used elsewhere.

*The annualized premium for the 2022-2023 year of $3,207,746, demonstrates additional premium paid over the $2,976,627 requested last year. This is due to the additional premiums for new buildings and the adjustment up for the Workers' Comp payroll.

The amount of property insurance purchased contemplates probable maximum loss modeling of various possible loss scenarios and includes a $100,000 deductible/six percent (6%) - $250,000 minimum named windstorm deductible for municipal properties as well as a $50,000 deductible/five percent (5%) - $500,000 minimum named windstorm deductible for the Utilities' properties. The program will also include excess liability insurance covering $2,650,000 in excess of a $350,000 self-insured retention (SIR) per occurrence, and excess Workers' Compensation insurance excess of a $325,000 SIR per occurrence. All state mandated surcharges and assessments are contained within the estimated cost. Sufficient funds are budgeted in FY 2024 for this coverage. The program also includes various ancillary insurance policies covering Equipment Breakdown, Special Risk, Pollution Liability, and Workplace Violence.

Based on the City's increase in exposures (i.e. property values and payroll), claims experience, and current market conditions, including the claims related to police actions, Human Resources / Risk Management is recommending approval of the resolution.

A Gallagher representative will attend the meeting and provide a brief presentation, if requested.

Citywide Goal:
The goal is to provide superior liability insurance coverage to the City.

Budget/Fiscal Impact:
The fiscal impact is $7,299,165.00 which is incorporated into the City's budget.

Recommendation:
Staff recommends that the City Council approves the renewal of the liability insurance through Arthur J. Gallagher Risk Management Services, LLC.

Attachments
Resolution Number 11-24

"The Best Waterfront City in Which to Live, Work And Play."

City of Riviera Beach

To: Honorable Mayor, Chairperson and Councilmembers

From: Clarence Sirmons, Director of Development Services, AICP

Through: Jonathan Evans, City Manager, MPA, MBA, ICMA-CM

Subject: **Resolution Number 14-24: A Resolution Of The City Council Of The City Of Riviera Beach, Palm Beach County, Florida, establishing a schedule of building permit, review and other related fees and charges pursuant to Chapter 22, Building And Building Regulations, Article II, Building And Technical Codes, Section 22-33 Schedule Of Permit Fees, of The City Of Riviera Beach Code Of Ordinances and Ch. 163, Florida Statutes, to be effective on February 1, 2024.**

Date: January 17, 2024

CC: General Public

Background:

Florida Statutes 166.222 and 553.80(7) authorizes the governing bodies of local municipalities to provide a schedule of reasonable permit fees in order to defray the cost of inspections and enforcement of the Florida Building Code (FBC). The Building Division's revenue from these fees should, on average over several years, not exceed the costs associated with enforcement activities such as plan review, permit processing, training, and inspections. Some of the activities that are not funded by these fees include zoning, inspection of public buildings, information requests, and enforcement of local ordinances other than the building codes.

The Building Division of the Development Services Department regularly reviews permit revenues, enforcement costs, department workload and fees charged by other jurisdictions. Occasionally the review results in proposed adjustments to the permit fee schedule to be brought before City Council for approval. There are many types of fees on the permit fee

schedule including: a building permit fee based on the value of construction, plan review fees, re-inspection fees, other penalties, and other fees for Building Division services. The most recent amendment to the Building Division Schedule of Fees was adopted through Ordinance 4017 on September 5, 2012.

Ordinance 4253 takes the schedule of permit fees out of the city's municipal code of ordinances by allowing the fees to be adopted by city council through a resolution. Permit fees are not required to be adopted by ordinance and the resolution process is more efficient as it only requires approval at one council meeting and saves the city the cost of codifying the extensive permit fee schedule. After adoption of Ordinance 4253 at second reading, this Resolution adopting a new schedule of permit fees will be presented to council for approval.

City Goals:

The City-wide Goal is to accelerate operational excellence.

Fiscal/Budget Impact:

There will be no fiscal impact from this Item.

Recommendation:

Staff recommends a Motion to approve Resolution Number 14-24.

Attachments:

1. Resolution_14-24-_Schedule_of_Permit_Fees.docx

RESOLUTION 14-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING A SCHEDULE OF BUILDING PERMIT, REVIEW AND OTHER RELATED FEES AND CHARGES PURSUANT TO CHAPTER 22, BUILDING AND BUILDING REGULATIONS, ARTICLE II, BUILDING AND TECHNICAL CODES, SECTION 22-33 SCHEDULE OF PERMIT FEES, OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES AND CH. 163, FLORIDA STATUTES, TO BE EFFECTIVE ON FEBRUARY 1, 2024.

WHEREAS, Chapter 166, Florida Statutes, Section 553.80(7), Florida Statutes, and the City of Riviera Beach Land Development Code authorize the City Council to establish by Resolution a schedule of fees associated with the review, approval, inspection and other related services enforcing the Florida Building Code; and

WHEREAS, the City Manager has recommended to the City Council a fee schedule which should be established.

NOW THEREFORE, be it resolved by the City Council of the City of Riviera Beach that effective February 1, 2024 the revised schedule of permit and other related fees is adopted as follows:

****

Schedule of permit and other related fees.

(a) Permit fees shall be based on the valuation of work, as defined by the most current building valuation data provided by the International Code Council, as amended. The valuation of work shall be utilized with the fee schedule listed in subsection (b) of this section in order to determine the total fee due. Primary or master permits will include the cost of all sub-permits, provided the necessary information is completely detailed on the plans that are submitted for permit and the total cost of such improvements is included in the estimated value.

(b) *Fee schedule.* Base permit fees will utilize a tiered permit fee calculation, meaning that defined valuation of work thresholds carry specific fee percentages due. This tiered system is cumulative, so multiple tiers may apply to a single building permit as well as other applicable fees which are added together to calculate the total permit fee due. The base permit fees are listed below in Table 1: Permit Fee Schedule.

TABLE 1: PERMIT FEE SCHEDULE

	Minimum permit fee (up to $1,000.00 of work valuation):	$75.00
	—OR—	
Tier 1:	For the First $2,500.00 (must be over $1,000):	$100.00

	And if the valuation of work is greater than $2,500.00, see tier 2;	
Tier 2:	From $2,500.00 to $10,000.00 (total in addition to tier above):	× 2.5%
	And if the valuation of work is greater than $10,000.00, see tier 3;	
Tier 3:	From $10,000.00 to $100,000.00 (total in addition to tiers above):	× 2.25%
	And if the valuation of work is greater than $100,000.00, see tier 4;	
Tier 4:	From $100,000.00 to $500,000.00 (total in addition to tiers above):	× 2%
	And if the valuation of work is greater than $500,000.00, see tier 5;	
Tier 5:	From $500,000.00 to $1,000,000.00 (total in addition to tiers above):	× 1.5%
	And if the valuation of work is greater than $1,000,000.00, see tier 6;	
Tier 6:	From $1,000,000.00 to $10,000,000.00 (total in addition to tiers above):	× 1.25%
	And if the valuation of work is greater than $1,000,000.00, see tier 7;	
Tier 7:	Greater than $10,000,000.00 (total in addition to tiers above):	× 1%

(c) Additional fees listed below in Table 2: and are charged as applicable in addition to any base permit fees.

Fee Name	Fee	Minimum
REVIEW FEES		
Fire Plan Review and Inspection	.003 of the total valuation of work	$30
Engineer Plan Review and Inspection	.0025 of the total valuation of work	$50
STATE and LOCAL SURCHARGES		
Riviera Beach Training Surcharge	1% of the total permit fee	$2
State Surcharge DBPR (per FS 553.721 as may be amended)	1% of the permit fee	$2
State Surcharge BCAIB (per FS 468.631 as may be amended)	1.5% of the permit fee	$2
DIGITIZING/SCANNING/COPYING		
Plan Digitizing Miscellaneous		$25
Plan Digitizing New Residential Single Family/ Additions/Remodel		$75
Plan Digitizing Commercial new and Remodel	$40 per $100,000 of the value or any part thereof	$50
Scanning up to 11x17	1st page $1 each additional page $.25	$1
Scanning > 11x17	1st page $10 each additional page $5	$10
Re-stamp Plans	1st page $20 each additional page $2	$20
Copies	8.5x11 to 11x17 $.25 per page	$1
Copies	> 11x17 $10 per page	$10
Duplicate Permit and Inspection Card		$30
RENEWAL, REVISIONS, CERTIFICATES		
Plan Revision	$10 per page	$50

Work Done Without Permit	Up to 3 times permit fee penalty plus permit fee	
Work Done Without Permit (no fee subs)		$75
Permit Re-activation (< 6 months expired)		$50
Permit Re-activation (> 6 months expired)	Up to half original permit fee	$40
Permit Re-activation (> 1 year expired)	Up to full permit fee (new permit may be required)	
Temp Certificate of Occupancy (SF Home)		$200
Temp Certificate of Occupancy (Multi Family)	$150 per unit	
Temp Certificate of Occupancy (Comm)		$500
Renew Temp Certificate of Occupancy		$100
Permit Extension (requested prior to expiration)	1st 90 day extension free, 2nd and thereafter $25	
Change of Contractor/Owner (primary permit)	$25 each	$25
Change of Contractor (sub permit)		$25
Address Correction (primary, subs)		$25
INSPECTIONS		
After Hours Inspections	$75 per hour; 3 hours minimum	$225
Inspections Requested Not Related to a Permit		$80
Re-inspection Fee	1st $50, 2nd $100, 3rd and each thereafter $200	$50
Early Power Release		$125
FPL Service Verification		$80
OTHER FEES		
Annual Facilities Permit		$1,500
Appeal of Building Official Determination		$200
Local Product Approval Review		$500
Research	Per hour or part thereof $50	$50
Bulk Alarm (per FS 553.793 as may be amended)	Per decal	$40
Boarding Certificate		$75
Early Start (per FBC 105.12)		$50

PRIVATE PROVIDER FEES AND DISCOUNTS		
Private provider plan review	25% off amounts above the minimum permit fee	
Private provider inspections	30% off amounts above the minimum permit fee	
Failure to provide notification of pending inspection *		$50
Failure to provide inspection report to Building Division within two days		$50
Violation of FS 713.135(1)(e) (inspection prior to receipt of NOC)*		$100
Failure to turn in required documents with the inspection report * (surveys, elevation certificates, compaction testing, other required documents)		$100

* Repeated violations may result in Building Official revoking the privilege of utilizing the alternate plan review and inspection processes as allowed by FS 553.791 and a complaint being filed with the appropriate state licensing board

(d) New buildings, additions and changes of use may be subject to Palm Beach County Impact Fees per Article 13 of the Palm Beach County Unified Land Development Code as amended.

(e) New buildings, additions and changes of use may be subject to City of Riviera Beach Impact Fees per Ordinance 2977 as amended.

APPROVED:

_____

Ronnie L. Felder
Mayor
ATTEST:

_____

Debrah Hall-McCullon CMC, FCRM
Acting City Clerk

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY: _____

K. MILLER-ANDERSON: _____

S. LANIER: _____

J. BOTEL: _____

D. LAWSON: _____

REVIEWED AS TO LEGAL SUFFICIENCY

_____
DAWN S. WYNN, CITY ATTORNEY

DATE: _____