



**Regular City Council Meeting**

**Agenda**

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

**February 21, 2024**

**6:00 PM**

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*Be advised, that the meeting location is subject to change. The public is encouraged to visit the City's website, [www.rivierabch.com](http://www.rivierabch.com) , for up to date information on meeting location and information.*

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**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

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### **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.

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### **Public Comments Information**

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

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

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

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

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

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

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

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## **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**

### **2. Board Appointments**

### **3. Resolutions on Consent**

- 3.a **Resolution Number 24-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Authorizing Settlement in the case of Sue Donaldson, as the Personal Representative for the Estate of Danielle Bell, Deceased v. the City of Riviera Beach, Ambridge Partners LLC, Brit Global Specialty USA, Underwriters at Lloyd's of London, Preferred Governmental Claim Solutions and Carl Johnson; Authorizing Preferred Governmental Claim Solutions to make payment in the amount of One Hundred Thousand Dollars and Zero Cents (\$100,000.00) as full and final settlement; and providing an effective date.**

Dawn Wynn, City Attorney, 561-845-4069

Staff recommends a Motion to approve Resolution Number 24-24.

[Cover Page](#)

[Release -Danielle Bell Claim No. 416482.pdf](#)

[Resolution No.024-24.pdf](#)

- 3.b **Resolution Number 22-24: A Resolution of the City Council of the City of**

**Riviera Beach, Palm Beach County, Florida, announcing the award of the Blight Prevention Through Demolition grant from Solid Waste Authority in the amount of \$87,500 to perform demolition of Police Headquarters located at 600 West Blue Heron Boulevard, Riviera Beach, Florida. Legally identified as property control number 56-43-42-28-25-030-0020. Further, Authorizing the Mayor and Interim City Clerk to execute an Interlocal Grant Agreement with Solid Waste Authority of Palm Beach County, authorizing the Finance Director to establish a budget; and providing an effective date.**

Michael Coleman, Chief of Police, (561) 845-4159

Staff recommends a Motion to approve Resolution Number 22-24.

[Cover Page](#)

[Resolution Number 22-24 - Blighted and Distressed Property Cleanup and Beautification Grant.docx](#)

[Blighted Grant Awardee Notification-RIVIERA BEACH.pdf](#)

[Blighted Grant ILA-\(FINAL\)Riviera Beach.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 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 Number 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](#)

[Riviera Beach business-impact-estimate-Community Residences Ordinance.pdf](#)

[Proof of Notice for 2.21.24 Meeting- Community Residences.pdf](#)

- 8.b **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](#)

[Ad Proof 2.21.24 MeetingOrder\\_Confirmation\\_Liners - 2024-02-05T222057.119.pdf](#)

- 8.c **Ordinance Number 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 (A) Uses Permitted; approving a text amendment application to permit townhouse reviews as a permitted use by right 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](#)

[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 Notice for 2.21.24 Meeting- RM-15 Text Amendment.pdf](#)

- 8.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. FOUND CARE.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 - FOUND CARE ZONING MAP AMENDMENT.docx](#)

[Affidavit of Mailed Notice.pdf](#)

[Order\\_Confirmation\\_Liners - 2024-02-05T221820.340.pdf](#)

[Affidavit of Installation of Notification Signs.pdf](#)

- 8.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.

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[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](#)  
[E. Affidavit re Abandonment w 35th street row.pdf](#)  
[D. Agent Authorization.pdf](#)  
[G. LEGAL DESCRIPTION. FOUND CARE.pdf](#)  
[Riviera Beach business-impact-estimate-Ordinance 4254 - FOUND CARE ABANDONMENT.docx](#)  
[Affidavit of Mailed Notice.pdf](#)  
[Order\\_Confirmation\\_Liners - 2024-02-05T221820.340.pdf](#)  
[Affidavit of Installation of Notification Signs.pdf](#)

- 8.f **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 Simons, Director of Development Services, AICP, (561) 845-4062

Staff recommends a Motion to approve Ordinance Number 4256.

[Cover Page](#)

[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. FOUND CARE.pdf](#)

[I. Survey. Foundcare.pdf](#)

[J. Plat. Foundcare.pdf](#)

[K. Site Plan. Foundcare.pdf](#)

[Riviera Beach business-impact-estimate-Ordinance 4256 - FOUND CARE FLU MAP AMENDMENT.docx](#)

[Affidavit of Mailed Notice.pdf](#)

[Order\\_Confirmation\\_Liners - 2024-02-05T221820.340.pdf](#)

**9. Ordinances on First Reading**

**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 26-24: 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.**

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

Staff recommends a Motion to approve Resolution Number 26-24.

[Cover Page](#)

[Resolution Foundcare Site Plan.docx](#)

[Foundcare Staff Report to City Council.docx](#)

[Combined Submittal Packet.pdf](#)

[K. Site Plan. Foundcare.pdf](#)

[P1. Building Elevations. Foundcare.pdf](#)

[P2. Building Elevations.foundcare.pdf](#)

[Q. Landscape.Foundcare.pdf](#)

[Affidavit of Mailed Notice.pdf](#)

[Order\\_Confirmation\\_Liners - 2024-02-05T221820.340.pdf](#)

[Affidavit of Installation of Notification Signs.pdf](#)

- 11.b **Resolution Number 30-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, Authorizing the Mayor and City Clerk to execute an agreement to allocate additional funding for the professional services agreement with C.A.P. Government, Inc (CAP) a Florida Corporation (the “Contractor), authorized by Resolution 085-023 to**



**provide building inspections, plan review, permit technician, and building official services ending November 15, 2027; and providing an effective date.**

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

Staff recommends a Motion to approve Resolution Number 30-24.

[Cover Page](#)

[Resolution 30-24 2024 Budget Transfer for CAP Contract.docx](#)

[CONTRACT AMENDMENT 1.pdf](#)

[CAP Professional Services Contract](#)

[PBC Contract Number 22-080\\_LI.pdf](#)

- 11.c **Resolution Number 23-24: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida awarding the Statement of Work (SOW) in the amount of \$161,877.00 to The BG Group, LLC, to demolish the Police Station Headquarters located 600 W Blue Heron Boulevard as agreed under ITB-1003-20-4, authorizing the Director of Finance and Administrative Services to make payment from project number 23017 and providing an effective date.**

Tanisha Boynton, Senior Procurement Specialist

Terrence Bailey, City Engineer, (561) 845-3479

Staff recommends a Motion to approve Resolution Number 23-24.

[Cover Page](#)

[RESOLUTION NUMBER 23-24.pdf](#)

[Exhibit A - SOW-1123-24-2 Solicitation.pdf](#)

[Exhibit B - The BG Group LLC Submittal.PDF](#)

[Exhibit C - The BG Group LLC Executed Contract and Renewal.pdf](#)

- 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.*