

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 2, 2014 AT 5:30 P.M.**

(The following may contain inaudible or misunderstood words due to the recording quality.)

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM; PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE BEGINNING OF THE MEETING. MEMBERS OF THE PUBLIC SHALL BE GIVEN A TOTAL OF THREE (3) MINUTES FOR ALL ITEMS LISTED ON THE CONSENT AGENDA. MEMBERS OF THE PUBLIC WILL BE GIVEN THREE (3) MINUTES TO SPEAK ON EACH REGULAR AGENDA ITEM. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

**CITY CLERK CALL TO ORDER**

**CITY CLERK WARD:** The regular City Council Meeting, Riviera Beach, April the 2<sup>nd</sup>, 2014, at 5:30 p.m. now called to order.

**ROLL CALL**

**CITY CLERK WARD:** The roll call: Mayor Thomas -- Mayor Thomas Masters?

**MAYOR MASTERS:** Present.

**CITY CLERK WARD:** Chair Pro Tem Cedrick Thomas?

**COUNCILPERSON THOMAS:** Here.

**CITY CLERK WARD:** Cedrick, please forgive me. Excuse -- I'm trying to read this under here. Chairman Cedrick Thomas?

**COUNCILPERSON THOMAS:** Here.

**CITY CLERK WARD:** Chair Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Present.

**CITY CLERK WARD:** Councilman Bruce Guyton?

**COUNCILPERSON GUYTON:** Here.

**CITY CLERK WARD:** Councilperson Judy Davis?

**CHAIRPERSON J. DAVIS:** Here.

**CITY CLERK WARD:** Councilperson Terence Davis?

**COUNCILPERSON T. DAVIS:** Here.

**CITY CLERK WARD:** City Manager Ruth Jones?

**CITY MANAGER JONES:** Present.

**CITY CLERK WARD:** City Clerk Carrie Ward is present. City Attorney Pamala Ryan?

**CITY ATTORNEY RYAN:** Present.

**CITY CLERK WARD:** You have a quorum. I guess Ms. Clerk.

### **INVOCATION/PLEDGE OF ALLEGIANCE**

**CITY CLERK WARD:** Now we will stand for the invocation and the Pledge of Allegiance led by Mayor Masters.

**MAYOR MASTERS:** Shall we pray? Our Father, we thank You for this moment, this opportunity, this privilege that we have. We ask that You would lead us and guide us, give us perfect peace. Permit that the words that we speak tonight and our actions will all be acceptable in Your sight, that You will have the glory, edification and that men will become better and mankind. This is our prayer. In Your name we pray, amen. (Everyone stood for the Pledge of Allegiance).

### **I. CITY CLERK REQUESTS A MOTION OR NOMINATIONS FOR THE CITY COUNCIL CHAIR.**

**CITY CLERK WARD:** City Council, at this point in time, we are to request a motion or nomination for the City Council Chair. Prior to doing this, I need to indulge upon the City Council to find out one thing. Does this last for one year? Sort of help us through this so staff can make sure that we have our code of ordinances updated. We know we recently changed. We went to the three-year terms and so forth. So if the Council would --

**CHAIR PRO TEM PARDO:** Madam --

**CITY CLERK WARD:** -- have a little dialogue and just so you can let the staff know so this will not be a concern in the future.

**CHAIR PRO TEM PARDO:** Madam Clerk?

**CITY CLERK WARD:** Yes, ma'am.

**CHAIR PRO TEM PARDO:** It is my intention that this position would last one year. And either in March or the first meeting in April, this discussion will come back to us whether or not, you know -- look for nominations for chair and pro tem. That's my position.

**COUNCILPERSON GUYTON:** Madam Chair? I mean, Madam Clerk?

**CITY CLERK WARD:** Yes, sir.

**COUNCILPERSON GUYTON:** But it is my intent, too, for it to be one year. However, I wanted our legal counsel to direct us of how we can amend our codes so that it can reflect that and still comply with our charter. We had a brief discussion, I think, at our last meeting regarding some procedural ways that we might be able to do it. But there was nothing ever decided definitively. So I would like to have legal counsel advise us on how we may do this so that it would be incorporated into our codes and be our guidelines from this point forth.

**CHAIRPERSON J. DAVIS:** Madam Clerk?

**CITY CLERK WARD:** Yes, ma'am, Miss Davis.

**CHAIRPERSON J. DAVIS:** And also, I could not find anywhere in our city charter --

**CITY CLERK WARD:** Uh-huh.

**CHAIRPERSON J. DAVIS:** -- where it dictates that the nominations for chair and vice chair were to be every election. So if Ms. Ryan -- I'll ask Ms. Ryan because I did provide it last meeting -- if she has seen that information in our charter anywhere.

**CITY ATTORNEY RYAN:** Madam Clerk?

**CITY CLERK WARD:** Yes, ma'am, Ms. Ryan.

**CITY ATTORNEY RYAN:** At the last council meeting, the City Council directed that this issue be placed on this agenda. But also directed me to draft a resolution or code -- or ordinance if I -- if I have to do that, which would say what Ms. Pardo said. And I will do that. I didn't take that direction as having that prepared for today so I didn't have it ready for this council meeting. But in the next 30 days I will bring something back and I will confer with the City Clerk so that we are making sure that we're not violating any of the other codes that might be in existence.

**CHAIRPERSON J. DAVIS:** Okay. Well, I concur that it's --

**UNIDENTIFIED SPEAKER:** Can you speak a little louder? We can't really hear anybody.

**UNIDENTIFIED SPEAKER:** That's right. I can't hear.

**UNIDENTIFIED SPEAKER:** I can't hear anything.

**CHAIRPERSON J. DAVIS:** Oh. I concur that it also is on an annual basis.

**MAYOR MASTERS:** That's when we know it's not right. That's why we can't hear.

**COUNCILPERSON GUYTON:** So we have three (inaudible).

**COUNCILPERSON T. DAVIS:** Madam -- Madam -- Madam Clerk?

**CITY CLERK WARD:** Yes, sir.

**COUNCILPERSON T. DAVIS:** So my question is to -- to the attorney, at this point there's nothing in -- in front of us to specify exactly what we legally can do based on our city charter?

**CITY ATTORNEY RYAN:** No. That's not what I'm saying at all. Your charter already provides that you can select a council -- a chairperson whenever you want. But I think the Council is asking now to make sure that we have some document that says you will do it at least once a year at an appointed time. As I said the last meeting, you can change your chair and pro tem chair any time you want.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** It's just a majority vote. You don't have to do it every year.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** You really don't. You can do it whenever you want to do it. But if the Council wants to do it every year, we can put something in place, either in the code or by resolution that says it will be done at least annually. That does not mean that you can't, in the middle of the year, decide that you want to change.

**COUNCILPERSON T. DAVIS:** I -- I understand that. I'll just -- I just wanted to understand what was the intent.

**CITY ATTORNEY RYAN:** So --

**COUNCILPERSON T. DAVIS:** When the charter was first wrote, was it intent to focus on the fact that we had an election each year or --

**CITY ATTORNEY RYAN:** We discussed that as well. That language in the charter predated the last charter amendment. That language was already there so I -- I really don't know what the legislative intent was when it was --

**MAYOR MASTERS:** Practice. It was a practice.

**CITY ATTORNEY RYAN:** -- created. But it is my understanding that the practice has been to elect a new chairperson --

**COUNCILPERSON T. DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** -- after each election --

**COUNCILPERSON T. DAVIS:** Which was each year?

**CITY ATTORNEY RYAN:** -- because there was always a new chair -- there was always -- there was an election -- there weren't always new council members, but the potential for new council members --

**COUNCILPERSON T. DAVIS:** Okay.

**CITY ATTORNEY RYAN:** -- changed every year. So we didn't have that situation this year. This year was unique because we didn't have the situation. There were no council members up for office so no, you know -- there was -- its body was not going to change. You simply had a referendum. But if you want to have it -- and next year you will have -- you will have an election.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** But the year after that we'll be in the same situation, that unless there is a referendum of some sort, you won't have an election at all and you have to make a decision on whether or not you want to change or at least bring to vote the selection of a chairperson and a pro tem.

**COUNCILPERSON T. DAVIS:** Do you know of other municipalities' practice have been when they had a non-election year?

**CHAIR PRO TEM PARDO:** Yeah.

**CITY ATTORNEY RYAN:** I would have -- I have no idea. I would have -- I don't know if Ms. Ward knows. I have no idea what the other cities do.

**COUNCILPERSON T. DAVIS:** Okay. Thank you. That'll be all.

**CITY CLERK WARD:** And the City is at its pleasure to choose however. And as Mrs. Ryan stated, the previous years we've had elections every year. But this -- this coming up, because the people voted for three years and that's what -- that's why we're where we are now. But we do need clarification this night, if the Council doesn't mind, to let staff know, and then we can make sure it's incorporated into the charter -- not the charter. There's no need to place it in the charter.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**CITY CLERK WARD:** Just have a resolution --

**COUNCILPERSON T. DAVIS:** Okay.

**CITY CLERK WARD:** -- a code of ordinances to reflect it in that way. Any time that the City Council see fit to change it, you can change it.

**COUNCILPERSON T. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** Okay.

**CITY CLERK WARD:** That's the only thing we're requesting tonight.

**MAYOR MASTERS:** Madam Clerk?

**CITY CLERK WARD:** Yes, sir, Mayor Masters.

**MAYOR MASTERS:** Thank you. I've actually been very troubled since this discussion came up at the last council meeting. I've been very prayerful about this. I want to say a few things as relates to what the council is preparing to do. And I just -- I want to say this in a way that it won't offend anyone sitting here or anyone in the audience or anyone that may be viewing this. So I'm being very careful and methodical in choosing my words. But there's -- there isn't any other way than to say to me -- Joshua said, "For me and my house," so I'm speaking grammatically incorrect. But for me and my house, I just don't think we're doing this just right.

I don't think it's right. I think that we are doing something that we don't have to do. The Chair and I have had several disagreements. We disagree on politics. Sometimes we disagree on issues. But I don't think we've ever disagreed on what's right and what's wrong. And to me what we're about to do is not right. It's not just. It's not fair. I think -- I don't want to see anybody hurt, period. I've been hurt before. I've been crucified. I've been mistreated up here, everywhere else. And I know the Chair can stand and I know he will stand.

But I don't want to see him hurt by this process tonight. I don't want to see anyone hurt mentally, socially, politically. It -- there's not a need. I haven't heard anything to tell me what is the need? What is the purpose? Why are we doing this? Who's calling for this? What is the intent? What are we trying to do? Is it fair? Is it just? This just popped up out of the clear blue sky. I just don't think it's right. And I have trouble and I have problems with this. I think that this City has just had a referendum. The people spoke loud and clear. Our city is going forward. We've had some wonderful days and this Chair has brought us through some difficult days and difficult times. I'm not saying that there's anyone up here that can do that, and I'm sure there is.

But I don't like changing horses -- and excuse me for saying that, for using that expression -- in the middle of the stream when there's not a purpose. And let me just say this: If it's not broken, what is it to fix? What is the rush? There's going to be an election less than a year. Our practice has always been -- I don't -- you know, the -- the -- the attorney cannot speak to the intent but she's made it clear what the practice has been. The practice has been -- all these years it has always been to select a chair when there was an election. There was a purpose for that. Now, if we have a situation now that that's not the case, it's not the chair's fault. That ought to be fixed but this is not the way to do it.

And I conclude by telling you this: In a few weeks from now, we're going to be celebrating the resurrection. But before the resurrection there was a crucifixion. And there was a man named Pontius Pilate. He -- his wife had a dream and his dream -- she told him the next morning, Do not have anything to do with this because this is an

innocent man. If I had a pail of water, wash -- I will wash my hands literally and tell you I don't want any part of this. Because I feel in my spirit that somebody is doing something for another purpose and another reason, rather than just to have a chair. If you don't want the chair, then you ought to just say that. But I'm not going to play that game. I'm sorry. I will not have any more to say. I will not have anything whatsoever to do with this discussion. I'm going to exit the room. When this discussion is finalized I will be back because it's wrong. And you're hurting a good man in my eyes. Thank you.

**CITY CLERK WARD:** Thank you, Mr. Mayor. This item is -- has been placed on the agenda. For whatever purpose, I have no idea. It's here and it's for Council's consideration. So whatever pleasure that the City Council considers is what -- what we will have.

**COUNCILPERSON GUYTON:** Okay.

**CITY CLERK WARD:** We have a couple of --

**COUNCILPERSON GUYTON:** Oh, go ahead.

**CITY CLERK WARD:** Councilman Guyton, you want to speak?

**COUNCILPERSON GUYTON:** No. If you -- I don't want to interrupt you. Go ahead.

**CITY CLERK WARD:** I was going to call -- we have a couple of -- three Public Comment cards.

**COUNCILPERSON GUYTON:** As they come, yes, I do want to make just a brief comment.

**CITY CLERK WARD:** Okay.

**COUNCILPERSON GUYTON:** You can call the first one up. Go ahead.

**CITY CLERK WARD:** Ms. Norma Duncombe.

**COUNCILPERSON GUYTON:** I just want to say that I'm sitting here completely confused about the Mayor's comments. Let me just put that out there. There was this dissertation to give people the impression that somehow there's some conspiracy up here and he's not going to be a part of it. Not to attack the Mayor but I don't want people to think that somehow this is out of the ordinary. We do this every -- every year. Normally, it's after an election, granted, but it's always been every year. It changes. This is nothing uncommon of -- out of the ordinary. We had a three-year term instituted and the administrative portion about the chair wasn't addressed there.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** That's it. This is not some type of conspiracy that hasn't been done before and, you know, somehow we're fixing to do something under the table. So I just want people to know that this is common practice to address the issue of the chair every year. Thank you.

**NORMA DUNCOMBE:** Norma Duncombe. Mayor in his absence and then the Council, first let me say everybody should be respected in his or her position. And it's important that when citizens look at you -- many of them are not in here. They look at you on TV - they want to feel that you are doing the right thing, that you are following rules and regulations. Now, we had a -- an election on a special referendum. You were the ones who decided that we should have a vote every three years for council members. Now, you don't come up in the middle of the stream and you change the rules and regulations. I want -- and I heard the attorney -- I want her to name one time that there was a change of chairperson in the middle of a term. Because it -- we -- we haven't had an election for council members.

We only had an election for that referendum. It had absolutely nothing to do with the council. And it's only because when they have an election for -- and you've decided that you want it every three years. So if you elect a chairperson, pro tem, then you should be prepared to follow through with what has been the normal thing that you did in the past. And I find it -- and this is not the -- I mean, this council, for whatever reason, you're really unique. You change the rules whenever you feel like changing the rules.

And you know what? You -- I have always -- I have never allowed a person to disrespect you in my presence. I will never disrespect you. But you're disrespecting yourselves. And you're definitely disrespecting the seat of the chair. See, it doesn't matter who's sitting in it. You want to respect that seat. And when you do things like this, you are not respecting that position. And -- and -- and it has nothing -- because, I mean, you know, it doesn't have anything to do with who's in that position now. But I think what we should do is let's respect one another. Let's do what's right. This was not an election for a council member. We have elections for council members every three years. And at that time, that's when you reorganize and have a new chair. Thank you.

**CITY CLERK WARD:** Thank you, Ms. Duncombe. Our next person is Reverend Burrs.

**REVEREND BURRS:** Madam -- Madam Clerk, Chairperson, Council, I assure you I really don't have no dog in this fight. I just have my personal feelings and opinions and thought -- or thinking is. Others have said that when you did change your election time that all would remain the same until the next election, as had been stated by Ms. Duncombe, that we never elected a person for the chairperson in the middle of a term when there was no election or if there was no election.

So -- and I think somebody mentioned about putting their -- on this, a resolution, whatever the case might be, to put that in practice to elect a chairperson every March or April, which I feel, if you did that, that is -- that infringing on the charter. I may be wrong. I'm not an attorney. So according to the charter it states what it states. And if you do anything to change that, then I think you are interfering with what the charter states.

And -- and that mean you might be -- 'cause you all are sworn to uphold the -- the language of the charter. And if you're going to do anything any different from the charter, is that being violating to your -- violating what you're sworn to do and that might mean that what may be malfeasance or malpractice, whatever the case might be, will set you up for impeachment. I don't know. I'm not an attorney.

But I feel that you shouldn't much interfere with trying to change what the charter states. If you want to change your chairperson, or like the charter said, and after six months, the charter says you can do that. But to change anything in that nature, I think it'll be wrong. So far as the chairperson is concerned, I think if anybody want to be chair, says, "I want to be chair or be nominated for chair at this particular time," what, you're going to be there for about nine, about 10 months at the most. So I wouldn't want to -- you know, you want to be there for the whole year, so then why not leave things as it is so you won't cause no more disturbance, unless somebody said you got some undercurrent.

And Bruce said no. I guess I gotta take his word 'cause I don't know, unless there's some undercurrents situation that we don't understand. And sometimes y'all do do some things that we don't understand and don't -- and don't know about. So I feel that I -- and I'm not actually saying this because I -- I expect anything from Councilman Thomas and nobody up there. It doesn't matter. I'm just only speaking that what I feel might be right to do, leave the matters alone until next election and then you can change chairman, whoever you want to be chairperson and move from there.

**CITY CLERK WARD:** Thank you, Reverend Burrs. We have another Public Comment card from Ms. Bonnie Larson but I'm not clear. What would you like to speak on, Ms. Larson?

**BONNIE LARSON:** That? On that issue? No. I -- I -- you had already started that issue so --

**CITY CLERK WARD:** Would you like to speak on this issue? You have a card up here.

**BONNIE LARSON:** I didn't (inaudible).

**COUNCILPERSON GUYTON:** (Inaudible).

**BONNIE LARSON:** I put in one for 6 and 7 and Public Comments.

**CITY CLERK WARD:** Yeah. I have that.

**BONNIE LARSON:** Okay.

**CITY CLERK WARD:** Okay. There are no public -- no other Public Comment cards. So we're going to hear --

**COUNCILPERSON T. DAVIS:** Madam -- Madam Clerk?

**BONNIE LARSON:** But this is --

**CITY CLERK WARD:** Yes?

**BONNIE LARSON:** -- what number is this?

**CITY CLERK WARD:** Yes. Who?

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CITY CLERK WARD:** So if there are no other Public Comment cards --

**COUNCILPERSON T. DAVIS:** Madam Clerk, I --

**CITY CLERK WARD:** -- then we're going to now hear deliberation from the City Council.

**COUNCILPERSON T. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** Madam Clerk?

**CITY CLERK WARD:** Yes, ma'am. Okay. Are we doing nominations now?

**COUNCILPERSON T. DAVIS:** No.

**CITY CLERK WARD:** Councilman Davis?

**COUNCILPERSON T. DAVIS:** I just had something I wanted to say before we get to that -- that stage. I'm -- I'm listening to everyone speak about this process. Later, after this event happened last meeting that we had, realized that the Palm Beach County -- County commissions go through this process annually. That process allow you to see different styles, different techniques and different forms of leadership that you choose to elect as a community. That is the measuring stick. Sometimes your -- your style may be going left. Sometime may go right. But you never know which style work perfect. There is no perfect style.

This allows us to keep from having disproportion of, let's say, friction. If someone wants to nominate or change a chair out to keep from embarrassing someone, you can just wait till the end of next year. I mean, me personally, I would like to state for the record that Chair Thomas has done an excellent job of handling any issues coming forth, even handling order. And I supported him. I -- I've nominated him as chair and I nominated Ms. Pardo as -- as co-chair and I felt really great about that decision. As we move forward, whoever becomes chair and vice chair, I hope that they have great success, as well.

But understand, it's about style. It's about order and it's about doing what's to the greater good for our community, allowing the community to see who they elected, allow them to present their style before the board, before the City, and you can determine if

you want to keep people here as chair or co-chair or even in office, based on this process. So this is nothing -- I'm -- I'm pretty sure -- I hope that it's nothing towards Chair Thomas 'cause like I say, he did a great job this year.

This will allow someone else to get a chance to -- to show what they can do. So I just want to make sure everybody understands that give everybody a chance to -- to show what they can do. If they don't want the chair and they're nominated, they have the right to say, Hey, listen. I don't want this chair. Let someone else have it this time because I'm not ready at this time. So allow the process to move forward and do what it needs to do and -- and trust the actual process and don't focus on each other. Thank you.

**CITY CLERK WARD:** Thank you, Councilman Davis. With that being said, now we're looking for motions or nominations for Chair.

**CHAIR PRO TEM PARDO:** Madam Clerk?

**CITY CLERK WARD:** Yes, ma'am.

**CHAIR PRO TEM PARDO:** All right. I'd like to nominate Judy Davis for City Council Chair.

**COUNCILPERSON T. DAVIS:** Second.

**CITY CLERK WARD:** Any more nominees? No more nominees? Ms. Judy Davis has been elected as City Council Chair. And we're saying this is for one year, correct, Ms. Pardo?

**CHAIR PRO TEM PARDO:** Correct. One year.

**CITY CLERK WARD:** So this goes until the next election?

**CHAIR PRO TEM PARDO:** That's what my --

**CITY CLERK WARD:** March?

**CHAIR PRO TEM PARDO:** -- understanding is.

**CITY CLERK WARD:** The next election is March.

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Okay. So Ms. Davis will be the chair until March of next year.

**CHAIRPERSON J. DAVIS:** Well, the meeting after the election.

**CITY CLERK WARD:** You don't know when it'll be. The next election is scheduled for March. The first week -- second week in March. So at that particular time you know -- you'll know exactly what date.

**CHAIRPERSON J. DAVIS:** That's fine.

**CITY CLERK WARD:** But however, what we're saying now, Ms. Davis has been elected/selected as the council chair for the next year until the next March election is culminated. With that, Ms. Davis, I relinquish the gavel over to you. And congratulations.

**CHAIRPERSON J. DAVIS:** Thank you. Okay. Thank you all very much for your vote of support. We'll now open the floor for --

**UNIDENTIFIED SPEAKER:** Mike, mike, mike, mike.

**CHAIRPERSON J. DAVIS:** -- we'll now open the floor for nominations for vice chair.

## **II. NEWLY ELECTED CITY COUNCIL CHAIR REQUESTS A MOTION OR NOMINATIONS FOR CITY COUNCIL CHAIR PRO-TEM.**

**COUNCILPERSON T. DAVIS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Or chair pro tem. Yes, Mr. Davis?

**COUNCILPERSON T. DAVIS:** I'd like to nominate Dawn Pardo for pro tem.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Any other nominations?

**COUNCILPERSON GUYTON:** Yes. I'd like to nominate Cedrick Thomas.

**CHAIRPERSON J. DAVIS:** Okay. All right. That requires us to -- I'm going to ask for -- are there any other nominations? Okay. We'll close that, the nominations. All in favor of Ms. Pardo as serving as Chair Pro Tem, please raise your hands. Okay. That is three. Myself, Ms. Pardo and Mr. Davis. It looks like you are going to be our next vice chair. Congratulations.

**CHAIR PRO TEM PARDO:** Thank you very much. I look forward to serving.

**CHAIRPERSON J. DAVIS:** Thank you. Okay. Moving forward. Ms. Jones, do we have any additions, deletions or substitutions?

## **AGENDA**

### **APPROVAL: ADDITIONS, DELETIONS, SUBSTITUTIONS**

**CITY MANAGER JONES:** No, Madam Chair.

**CHAIRPERSON J. DAVIS:** Okay. Are there any Disclosures by Council? Okay. We're going to move on to the Adoption of the Agenda. Is there a motion?

**DISCLOSURE BY COUNCIL**

**ADOPTION OF AGENDA**

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON T. DAVIS:** Second.

**CHAIRPERSON J. DAVIS:** Okay. It's been moved and second by Pardo and T. Davis. Madam Clerk?

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson Davis, J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. We'll now move down to our Consent Agenda.

**CONSENT AGENDA**

**CHAIRPERSON J. DAVIS:** I'm -- I'll do things a little bit differently. Anybody who wants to speak on an agenda item, please bring your cards up now and we will have the speakers all at once. I'll give you a few minutes, a minute or two. Do you have any more, Ms. Ward?

**CITY CLERK WARD:** (Inaudible).

**CHAIRPERSON J. DAVIS:** One, two or three?

**CITY CLERK WARD:** (Inaudible).

**CHAIRPERSON J. DAVIS:** (Inaudible).

**CITY CLERK WARD:** No. Uh-uh.

**CHAIRPERSON J. DAVIS:** No?

**CITY CLERK WARD:** Uh-uh.

**CHAIRPERSON J. DAVIS:** Okay. Ms. Larson, you have submitted a card here. You have checked "Consent Agenda" but you didn't specify which item.

**BONNIE LARSON:** Oh. The card seemed a little bit -- I meant Public Comments.

**CHAIRPERSON J. DAVIS:** Okay.

**BONNIE LARSON:** Make that Public Comments. (Inaudible) public (inaudible).

**CHAIRPERSON J. DAVIS:** Okay. We have no speakers on Consent so is there a motion to approve Consent Agenda?

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON T. DAVIS:** Second.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON J. DAVIS:** Okay. It's been moved and seconded. Madam Clerk?

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. There are no Petitions and Communications for Filing. We're now down to Awards and Presentations, item 4.

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

#### **MINUTES**

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, FEBRUARY 19, 2014.**

#### **RESOLUTIONS**

2. **RESOLUTION NO. 26-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE POLICE DEPARTMENT TO PIGGYBACK THE CITY OF DAVIE CONTRACT WITH CRYWOLF FALSE ALARM SOLUTIONS, PSC OF WALDORF, MD; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID CONTRACT, A COPY OF WHICH IS ATTACHED AS EXHIBIT "A"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**
3. **RESOLUTION NO. 27-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO APPROPRIATE \$42,569 FROM THE LAW ENFORCEMENT TRUST FUND FOR THE PURCHASE OF SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT'S NUISANCE ABATEMENT VEHICLE AND TWO ALL TERRAIN VEHICLES; AND PROVIDING AN EFFECTIVE DATE.**

**END OF CONSENT AGENDA**

#### **PETITIONS AND COMMUNICATIONS FOR FILING**

#### **AWARDS AND PRESENTATIONS**

4. **EXECUTIVE DIRECTOR MARK CROSLY AND ASSISTANT EXECUTIVE DIRECTOR JANET ZIMMERMAN FLORIDA INLAND NAVIGATION DISTRICT (F.I.N.D.) AND CHARLIE ISIMINGER (ISIMINGER & STUBBS ENGINEERING) WILL PRESENT THE CITY OF RIVIERA BEACH WITH FINAL PAYMENT IN THE AMOUNT OF \$1.5 MILLION DOLLARS FOR COMPLETION OF MARINA PHASE 1 PROJECT.**

**CHAIRPERSON J. DAVIS:** Is there -- oh, this is from the public? Ms. Jones, are you going to --

**CHARLIE ISIMINGER:** Item 4?

**CHAIRPERSON J. DAVIS:** Okay. Go ahead, sir.

**CHARLIE ISIMINGER:** Madam Chair, Council Members, thank you for having me tonight. I'm Charlie Isiminger. I'm the Florida Inlet Navigation District commissioner for Palm Beach County, generally known as F.I.N.D. F.I.N.D. is the local sponsor of the intracoastal waterway along the state's East Coast. That's 406 miles of waterway on the East Coast and approximately 43 miles in the county. According to an independent study, the intracoastal is responsible for \$1.9 billion in annual sales and over 16,000 jobs.

Our primary responsibility is dredging and maintenance of the 406-mile waterway, including provision of dredge material management areas for our partner, the Corps of Engineers. We do this with a staff of six people. Our administrative overhead is just 2 percent of revenue and the 12 commissioners serve without pay I'm sorry to report. In addition to the dredging work, we give back to local taxpayers by providing matching grants to local governments for projects to increase waterway use and access. And we get a lot of projects, funding requests every year. And I have to tell you that your marina project is the type of project that we support. It's directly on our waterway, the intracoastal waterway. It provides direct access to the waterway, utilization of the waterway for both the citizens of Riviera Beach who are taxpayers of F.I.N.D., as well as citizens from neighboring communities and throughout the state who are taxpayers of F.I.N.D. So we think it's a very direct use of our grant's program.

So with that said -- and I -- I would further like to congratulate all the members of city staff. Ed Legue; John Sprague's here, Bill Sadler, and consulting, everybody who's worked on this. And of course, the -- you know, the -- the manager, the commission, everybody who's worked on it. With that said, I'm very pleased to present a very large check in the amount of \$2.8 million as a matching grant for the Riviera Beach Municipal Marina. This -- this check -- this check represents the first three grants awarded to the City for the marina reconstruction, and F.I.N.D. is also committed to an additional 1.75 million to help complete the marina project over the next few years. So we appreciate the opportunity to work with the City of Riviera Beach and we look forward to working with you on other waterway projects. Thank you very much.

**CHAIRPERSON J. DAVIS:** Wonderful. Thank you very much, sir. I think that calls for all of us going down, taking a picture.

**CITY MANAGER JONES:** You all go take a picture.

**CHAIRPERSON J. DAVIS:** Come on. Let's go take a picture. Is Mr. Sprague --

**CHAIR PRO TEM PARDO:** Can we get John?

**CHAIRPERSON J. DAVIS:** Come on up here, Mr. Sprague. (Inaudible). All right. Thank you so much. Thank you. Okay. Thank you. I'm eager to show this off.

**RICHARD WESTER:** All right, Bruce.

**COUNCILPERSON GUYTON:** No, that wasn't me.

**MAYOR MASTERS:** Oh, God. I'm glad that's over. Phew.

**CHAIRPERSON J. DAVIS:** All right. Moving on. We are -- and -- and I'd like to thank Ms. Pardo. You really reached out to F.I.N.D. and others to help us get these dollars, so thank you for your leadership in that effort. Thank you.

**CHAIR PRO TEM PARDO:** Thank you very much.

**CHAIRPERSON J. DAVIS:** Now we're moving down to item 5, Public Hearings.

## **PUBLIC HEARINGS**

- 5. RESOLUTION NO. 28-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FINDING THAT THE REMOVAL OF CONDITION NUMBER 14 IN THE FLORIDA POWER & LIGHT COMPANY PETROLEUM STORAGE FACILITY DEVELOPMENT OF REGIONAL IMPACT LIMITING FUEL STORAGE TO #6 OIL IS NOT CONSIDERED TO BE A SUBSTANTIAL DEVIATION TO THE DEVELOPMENT OF REGIONAL IMPACT; AND APPROVING AN AMENDMENT TO THE DRI SITE PLAN TO INCLUDE A NEW STORAGE TANK, FUELING BAYS AND STORMWATER RETENTION POND; AND PROVIDING AN EFFECTIVE DATE.**

**COUNCILPERSON GUYTON:** So moved.

**CHAIR PRO TEM PARDO:** Second.

**CHAIRPERSON J. DAVIS:** All right. We have a motion and a second. Ms. Jones?

**CITY MANAGER JONES:** Yes. This item had gone before Planning & Zoning and at this time I would like to ask Mary McKinney, the Director of Community Development, to give you an overview of the project.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Okay. This is a request by FPL to -- for the Council to find a -- that this is a non-substantial deviation to their DRI approval. The DRI approval in 1974 included a condition on the DRI limiting storage to number 6 oil. And then, of course, times have changed and cleaner fuels are now available. And at the same time, some of FPL's power plants are converted to cleaner-burning natural gas. The storage demands for number 6 oil have diminished; therefore, the number 6 oil restriction is no longer viable.

FPL proposes to use its property for storage of alternative fuel, specifically at this time ultra-low sulfur diesel. And the converted ultra-low sulfur diesel fuel tank would allow for FPL's regional emergency operations fuel storage tank facilities to provide a nearby option for fueling FPL's fleet vehicles during emergency operations. During

emergencies, FPL as a first responder must ensure fuel is available for fleet vehicles necessary to restore electrical power and to comply with Florida Department of Environmental Protection Regulations, a second containment wall will be constructed around the ultra-low sulfur diesel tank.

It is also anticipated that the 140-diameter -- 140-foot diameter tank will be filled once each year prior to hurricane season. And over the course of the year, periodic withdrawals will occur for FPL fleet vehicles, leaving enough fuel during hurricane season should an emergency arise. All fuel loading and unloading will occur from tanker trucks. Individual vehicles will not fuel from the facility. The proposed development consists of two phases. Phase one will include retrofitting the existing 140-foot tank to allow for the ultra-low sulfur diesel, the double-wall containment system around the tank, storm water retention pond, new landscape buffer, two fueling bays and modifications to the drive aisles.

Phase two will include the addition of two fueling bays, bringing the total number of fueling bays to four, relocating a storm water pond and construction of additional fuel tank in modification to the internal drive lanes. The City staff and the Planning & Zoning Board recommend approval of the resolution finding that the DRI amendment removing condition 14 does not create a substantial deviation to the approved DRI, and that the site plans, phase one and two, amendment should be approved with the conditions that -- including prior to obtaining building permits for any portion of phase two build-out, FPL will attain all required South Florida Water Management District approvals. Construction must be initiated within 18 months. Landscaping bond (inaudible) percent of the value of the landscaping must be submitted, and all future landscaping must -- I mean, all future advertising must state that development is in the City of Riviera Beach.

The representatives from FPL are here this evening if you have any questions for them. And as I said, City staff and the Planning & Zoning Board voted recommendal [sic] approval to the City Council.

**CHAIRPERSON J. DAVIS:** Okay. Thank you. Any questions or comments from the board?

**COUNCILPERSON T. DAVIS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Davis?

**COUNCILPERSON T. DAVIS:** I have one -- just one question. At what stage will they be providing this board with an environmental study?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Well, they've already done their environmental studies. They have all their permits -- almost all their permits in hand, and they have to submit them to the City before they get building permit.

**COUNCILPERSON T. DAVIS:** Okay. And what was the -- so you have a copy of that at this time?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** We have a copy of all their documentation.

**COUNCILPERSON T. DAVIS:** And who --

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** And anything that we don't have prior to building permit, they will supply to us.

**COUNCILPERSON T. DAVIS:** Would you please e-mail us all a copy of the environmental study?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Okay. Sure.

**COUNCILPERSON T. DAVIS:** Thank you.

**CHAIRPERSON J. DAVIS:** Anyone else from -- with comments or questions? Okay. Madam Clerk?

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. Down to item 6.

6. **RESOLUTION NO. 29-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FOR AN APPLICATION FROM RAPIDS HOLDINGS, LLC, REQUESTING A SITE PLAN AMENDMENT FOR THE RAPIDS WATER PARK, TO INCLUDE THE CONSTRUCTION OF AN 800 SQUARE FOOT, 65 SEAT, TIKI BAR STRUCTURE AND AUTHORIZATION TO SELL ALCOHOL THROUGHOUT THE RAPIDS**

**WATER PARK, LOCATED AT 6566 NORTH MILITARY TRAIL, ON ROUGHLY 24.3 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**COUNCILPERSON GUYTON:** So moved.

**COUNCILPERSON T. DAVIS:** Second.

**CHAIRPERSON J. DAVIS:** Okay. It's been moved and second. We have one Public Comment card before you start, Ms. --

**BONNIE LARSON:** Can I do it after the presentation?

**CHAIRPERSON J. DAVIS:** -- Bonnie Larson?

**BONNIE LARSON:** Can I do it after the presentation?

**CHAIRPERSON J. DAVIS:** No, ma'am. You need to come up now.

**BONNIE LARSON:** Bonnie Larson. We need to change that. We need to hear the presentation first. It's just not fair. Absolutely not fair. So hopefully with the new chair we'll change that.

**CHAIRPERSON J. DAVIS:** Do you want to speak on the item, Ms. Larson?

**BONNIE LARSON:** Yes. I'm going to speak on it right now.

**CHAIRPERSON J. DAVIS:** Okay.

**BONNIE LARSON:** And I will ask to have that put on the agenda. The Rapids Water Park has been there for a long time. They keep making improvements. It's very well attended. They always advertise it's in Riviera Beach, which a lot of places don't do. And it's just a well respected place from -- from what I know. But by allowing alcohol, that's going to change the whole atmosphere of the place. It's a family event. And it's -- it's just not appropriate to -- to have a child's event -- I know adults go there, too, with their children. And maybe they go by themselves. But alcohol -- let's just -- it's just morally wrong to have that in a place which is mostly for children. Parents can go out at dinner, have all the drinks they want.

But by showing their children this is what we do even when we go to a family event, is that what you want? Is that really what you want to do? Show kids that you can have a good time without having alcohol. And this is a great event at which to do it, the Rapids Water Park. It's a wonderful venue. But I think it's going to change the entire atmosphere. And it says "selling alcohol throughout the park," so it's not just going to be in one location. It's going to be throughout the park. Now you've got people who are drinking and in the water. And I just -- it just kind of -- for me it just kind of ruins it. I think we need to teach our children that you can have a good time with your family without alcohol. Thank you.

**CHAIRPERSON J. DAVIS:** Okay. That's the end of Public -- the comments. Anything from the board? I'm sorry, Ms. McKinney, come on up.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Yes, this is a request from the Rapids Holding, LLC, to amend the site plan to include the construction of an 800-square foot, 65-seat tiki bar structure and authorization to sell alcohol throughout the Rapids Water Park located on Military Trail. And currently the Rapids does not sell alcohol. They're -- they're asking for this authorization in order to apply for a 4COP license which is a license issued by the State allowing the Rapids to sell alcoholic beverages, including beer, wine and liquor on the premises.

And the applicant has stated that they find an increasing need for -- they have a demand and request from their patrons to provide this service. City staff has found -- has raised no objections to alcohol at the water park and the Planning & Zoning Board recommended approval with the condition that construction be initiated within 18 months. All future advertising must adhere to the City's code requiring them to advertise in the City of Riviera Beach, and all -- all new lighting elements must be installed in a manner that prevents light trespassed from the property. Thank you.

**CHAIRPERSON J. DAVIS:** Okay. Thank you.

**MAYOR MASTERS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Ms. Pardo?

**CHAIR PRO TEM PARDO:** Okay. I have a question for Miss McKinney. The Planning & Zoning comments were not attached with our backup. So can you give us a little -- or you know, your staff, whoever -- whoever was at the Planning & Zoning meetings, can you tell us what that discussion was about and was it a unanimous vote?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** It was not a unanimous vote. It was a five-to-two vote. Two board members dissented. And the board members had brought up the fact that they had objection to alcohol being sold at the park.

**CHAIR PRO TEM PARDO:** Okay. And then do we know if the -- this new tiki-type operation, the 800-square foot restaurant or whatever, will that be open year round or will it be open just in season when the rest of the water facilities are open?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Oh, it will only be open when the rest of the facility is open.

**CHAIR PRO TEM PARDO:** Okay. And then what about additional security? Will we require additional security? Because now you have people, you know, swimming in the summer in the heat with alcohol. And we all know alcohol and, you know --

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Right. And --

**CHAIR PRO TEM PARDO:** -- or what they say alcohol and water, you know, doesn't mix.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** And our --

**CHAIR PRO TEM PARDO:** And -- and I'm asking that because, God forbid something happens or if there's an increase in, you know, alcohol-related activities, Riviera Beach Fire Rescue will be the first responders. So I just want to make sure that --

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Right.

**CHAIR PRO TEM PARDO:** -- you know, have we looked at that?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Right.

**CHAIR PRO TEM PARDO:** You know, are we putting anything in place to say if we find that, you know -- we'll give you -- I don't know, we'll take a look at you again, you know, after one full summer. And if we find that the Fire Rescue activity has increased compared to previous years, can we put something in there that that would require them to have additional security? Can we make that a requirement of approving this?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** You can. You can make that --

**CHAIR PRO TEM PARDO:** I just -- I don't want our team to be -- to be taxed because of, you know -- I'm sure they're going to be responsible. It is a business and I understand that a hundred percent. I understand why you're doing it. But again, I don't want this to have a negative effect on City services.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Right. And the Council can add conditions for these types of facilities because there are no set parameters for these types of recreation facility, which makes it up to the City Council to decide what kind of conditions they'd like to add. Our police and fire did not request any additional security service. We have had discussions about concern that, yes, with alcohol being present there could be that opportunity for increased demand on our Rescue services and possibly adding the condition of some probation period may be a good idea. But of course, that's up to the Council.

**CHAIR PRO TEM PARDO:** Sure. You know, with our beach, you know, we're in that business, too. We don't allow alcohol for those reasons. You know, we don't want the liability. Did that discussion come up at Planning & Zoning at all?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Yes. They discussed alcohol. Like I said, there were a couple of members who were not in favor of it and voted against it for that reason. And I think the representative from the park is -- is here and he may want to say a few words.

**CHAIR PRO TEM PARDO:** Okay.

**COUNCILPERSON T. DAVIS:** But -- but before he does, Ms. --

**CHAIRPERSON J. DAVIS:** Oh, Mr. Davis?

**COUNCILPERSON T. DAVIS:** -- thank you. Pro Tem Pardo, I shared a lot of the same concerns you did prior to me actually going out to the park and -- and doing a little research, when you're talking about dealing with youth and alcohol. But the first thing I noticed when I went out there, it was in the family environment. The -- the -- the sodas are extremely expensive so I'm looking at how many sodas can you afford versus when the beer prices go above the sodas, you -- it'd be very expensive to get drunk at -- at the Rapids. What I did notice was Walt Disney World sells beer.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**COUNCILPERSON T. DAVIS:** Sea World, Wet 'n Wide -- Wet 'n Wild and Busch Gardens. I'm pretty sure that's a place a lot of our people in our -- in our community have went to before. And those places are pretty nice, you know? I went and sat up in the canopy. You had people sitting -- sitting over there having their Coke watching their kids. But all the places we've been, to Disney Worlds -- I've never seen an issue or seen people actually walking around leaning drunk, hanging over. So by this being a family environment, it's going to draw fathers and mothers with their children, which are usually responsible people.

You will have your occasion, you know, person that consumes a little more. But for the most part, families come to enjoy one another. And this is something that I felt comfortable about after I done the actual research. And this is nothing towards you, Ms. Pardo. But I had a real serious concern 'cause people will tell you I'm strongly -- I love the children. I will continue to support the children. I asked the representative about what he's going to do in place. He talked about they're already working with our police department and if -- if need be, he's willing to beef up security if it get -- got to the point where it shows -- showed that. 'Cause my first question was, "Well, how -- what would happen if we had Spring Breakers coming to the Rapids?"

Then I thought again. I said, Well, Spring Breakers like beach. They don't go to the Rapids water slides to -- to have a nice time. Because one thing about Rapids and water slides, it's a controlled environment enter -- entrance and exit and security. So Spring Breakers want to go somewhere they can have a little bit more freedom. So this is why I will be supporting this item. But maybe we might need to discuss some provision as to, Well, we might have to come back next year and take a look at this and see if there is a problem that we can address. And I -- I will support any decision that this board does moving forward with that.

**CHAIR PRO TEM PARDO:** Ms. --

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** Oh, I'm sorry.

**COUNCILPERSON GUYTON:** Mr. Davis, are you done?

**COUNCILPERSON T. DAVIS:** Yes, ma'am.

**COUNCILPERSON GUYTON:** Okay. I heard Ms. Pardo, and then you, Mr. Guyton.

**CHAIR PRO TEM PARDO:** Yeah. You know what I just remembered, Ms. McKinney? We do have a certificate of use.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Yes.

**CHAIR PRO TEM PARDO:** So if we find that there is increased police activity or increased activity, you know, utilizing our Fire Rescue, we could always use that and just pull the certificate of use. So I guess we could monitor the activity. Instead of saying we're going to come back in a year, which would really put a hindrance on the gentleman moving forward with building the tiki, but we could use that, correct?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** I -- I believe so.

**COUNCILPERSON T. DAVIS:** Well, that's cool.

**CHAIR PRO TEM PARDO:** Okay. All right.

**CHAIRPERSON J. DAVIS:** Okay. And Mr. Guyton, before you speak --

**CHAIR PRO TEM PARDO:** Thank you, Madam --

**CHAIRPERSON J. DAVIS:** -- I just want to make sure we include police in that, also. Because, you know, it might impact them, also.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Uh-huh.

**CHAIRPERSON J. DAVIS:** Okay, Mr. Guyton.

**COUNCILPERSON GUYTON:** Thank you, Madam Chair. I had a long discussion with the owner, very fruitful discussion, most of which was on the alcohol. And I conveyed to him this is my hometown. Some of our kids look older than what they are. And we have the tendency to want to act in a manner that adults act. And my question to him was how would he monitor that. He said, "Oh, we're going to card." And then I said, "Well, they're going to have on bathing suits. Where are they going to keep it?" And his reply to me was, "They're going to have to go back to the locker at some point and get it, because we're not going to serve it without proper ID." That I want to make sure happens.

Everyone that is issued alcohol need to have the proper ID. I'm not against it. As Mr. Davis indicated, there are other water parks around our state that have it and they're doing well. There are no major problems that I know of. And as he also indicated, occasionally there will be people that try to abuse it.

**MAYOR MASTERS:** Right.

**COUNCILPERSON GUYTON:** But my concern was carding and monitoring who actually is sold the alcohol. The other thing Ms. Pardo -- Vice Chair Pardo, excuse me, made -- made a couple of good points as it relates to security. That is one thing that I didn't speak in detail about. And I don't know if you know. I'd like to ask the owner if there would be security on site during the hours of operation.

**CHAIRPERSON J. DAVIS:** Okay. Sir, please state your name for the record.

**KIERAN BURKE:** My name is Kieran Burke and I'm the owner of the Rapids Water Park, which we purchased the long-term lease to in June 2012. So this is our third season. There will be -- there is significant security at the Rapids currently and that will continue and maybe I would address that. I -- I do want to -- if I could, without spending too much time, provide some additional background to the Council and to the public at large about the reason that we're applying for a liquor license and why it's important for our business and the manner in which we're going to operate it.

I would start just very quickly with my own background. I've been in the theme park and water park business for nearly 25 years. I was the chairman and CEO of the Six Flags Group. I began in the business in the mid '80s with one park in Oklahoma City, built up a chain of independent parks throughout the country. We were a public company and I purchased the Six Flags Group from Time Warner in 1998. And we continued to develop. Our company changed our name to Six Flags. We were listed on the New York Stock Exchange. And from that one park in Oklahoma through 2005, we ended up with 40 parks in eight countries serving over 40 million people a year. I don't say any of that in any way to puff myself but it -- it -- I think it's important for you to understand that as the owner of this facility, I have significant experience in some of the largest parks in the world.

We built and operated more water parks than any company in the world. And -- and our corporate staff, there are at least several members, including my chief operating officer, who were key executives for me when I was running Six Flags. Left Six Flags in 2005. I had non-compete agreements for two or three years, came back into the industry in 2009. And I built up a chain of privately owned parks. We currently own 11 parks throughout the United States. We have four Wet 'n Wild water parks, one in Phoenix, one in Hawaii, one in Palm Springs, and one in Houston. We also operate the Elitch combination theme park and water park in Denver.

We have water parks in Nashville, Virginia Beach, New Jersey. And so we're extensively in the business. And I can tell you that every one of the 40 parks I operated when I owned Six Flags can -- when I ran Six Flags, had a liquor license. Every one of

my other 11 parks, all 10 of those parks have liquor licenses. And I think as Councilman Davis was observing, every single park that I compete with in the State of Florida has full liquor license. That would include all Disney parks, including all their water parks. That would include all the Universal parks, including their water parks. That would include Wet 'n Wild in -- in Orlando. And so this is not something new in our industry. This is not something that detracts from the family character of the business.

I can tell you that we're not asking for the liquor license or the tiki bar because we want to change the character of the Rapids. It's quite the contrary. I probably have the biggest vested interest in keeping this pristine family culture at that park as I strove to do at every park I operated throughout my career. We are, however, in a competitive environment. We were fortunate to acquire the Rapids. The former owners did an excellent job building the business but they didn't have a focus on certain aspects of the business. No interest in tourism. No interest in group business. The park never had a brochure. The park didn't have billboards on Route 95. The park didn't have group pavilions.

We take a different approach. We're in a highly competitive situation. Orlando is growing significantly. And we're now in a position where we're not only competing with them, but there are other water parks being built in the communities around us. Nearly every hotel is adding water attractions.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**KIERAN BURKE:** And so to be in a position where we're the only ones that don't have a liquor license puts us at a disadvantage. Even Lion Safari and the zoo who we will compete with for -- I know it sounds funny but we -- we compete with them for group business.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**KIERAN BURKE:** And so when I have my sales reps go to a corporation -- and we are trying to attract corporations beyond Palm Beach County -- and they say, Yeah, we want to have an event in your beautiful park and your beautiful pavilions and we want to have beer and wine or whatever, and I say, "Well, I can't 'cause I don't have the license," well, they're going to be going over to the Lion Safari or the zoo. So that's important. We really want to elevate the image of the park. We did, in fact, build beautiful cabanas where we can have waitress service. And so it -- it's very important for us to be on an even playing field. I would also point out that this park had a liquor license in the 1990s and operated without incident. I think everyone would attest to the fact that this park has had an unblemished record, has had a remarkable relationship with both the City and all of its agencies, police, fire, etc.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**KIERAN BURKE:** In fact, we hire police detail for our security.

**CHAIRPERSON J. DAVIS:** Oh, that was one of my questions.

**KIERAN BURKE:** And we currently have two officers on most days. But when we know that we're going to have a busy day, we increase that.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Burke, we -- we -- we need to move forward.

**KIERAN BURKE:** Okay.

**MAYOR MASTERS:** Madam Chair?

**KIERAN BURKE:** All right.

**CHAIRPERSON J. DAVIS:** Thank you, sir.

**KIERAN BURKE:** Okay.

**CHAIRPERSON J. DAVIS:** We -- we -- I think we pretty much got the message. Mr. Mayor?

**MAYOR MASTERS:** Thank you. Ms. McKinney? I'd like to ask a question of Ms. McKinney, please.

**CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** Thank you. In the -- first of all, let me say I support the applicant's desire for this license because it -- it is common practice in America. I come from California, the state that has more amusement parks and water parks than any state in the country. And they do sell liquor to those that -- that want to drink appropriately. But my question is, was the police department in this process consulted?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Definitely. And the police department's memo was included in the agenda packet.

**MAYOR MASTERS:** Thank you.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** And it says the police department has no comments on that site plan.

**MAYOR MASTERS:** So does that mean the police department doesn't -- does the police department support this is my question.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** The police department had no comments.

**MAYOR MASTERS:** Well, the chief is here. I would be --

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** Yeah.

**MAYOR MASTERS:** -- I'm concerned to know that is there any problem with our police department? We've got officers already there so I'm sure that there's -- he will support it. May I ask the chief, Madam Manager? Mr. Chief, you support this?

**POLICE CHIEF WILLIAMS:** Madam Chair, Mr. Mayor, the police department has enjoyed, as has the other city services that are provided at this location, we've enjoyed an excellent --

**MAYOR MASTERS:** Thank you --

**POLICE CHIEF WILLIAMS:** -- private/public partnership in making this --

**CHAIRPERSON J. DAVIS:** Excuse me, sir. Do I hear a --

**POLICE CHIEF WILLIAMS:** -- better. Yes. It's fine with the police department.

**CHAIRPERSON J. DAVIS:** -- Mr. -- excuse me.

**POLICE CHIEF WILLIAMS:** It's not mine.

**CHAIRPERSON J. DAVIS:** Does someone have a cell phone going off? Would you please turn it off? Thank you, Ms. Havener. Okay. Go ahead, Chief.

**POLICE CHIEF WILLIAMS:** And to answer the second part of your -- your question, Mr. Mayor, as in terms of the police department being consulted, you know, we've worked closely with Rapids management. In addition to the off-duty police officers that they employ, we've had our specialists do a -- an analysis of their camera needs and the park has made a commitment to placing those on those -- those areas where we might anticipate problems where monies are transferred and so forth. So --

**MAYOR MASTERS:** So your comment on the record is yes, yes to both? Yes, you support it and the second part, I guess, is yes, too, whatever the second part was?

**POLICE CHIEF WILLIAMS:** Mr. Mayor, I think my -- my comments can be construed as supporting the effort.

**MAYOR MASTERS:** Thank you.

**POLICE CHIEF WILLIAMS:** Based on, you know, our professional input.

**MAYOR MASTERS:** Thank you.

**POLICE CHIEF WILLIAMS:** Thank you.

**MAYOR MASTERS:** Well, I'm -- I support it, then. Especially since we have a good relationship with law enforcement. Also in the meeting with Mr. Kieran, I was very impressed with the fact that you're going to be hiring young people from Riviera Beach during the summer, 'cause I'm very interested in getting our young people to work. And that would be another opportunity. So hopefully the Council will pass this. Thank you.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** There was one question that I did pose to the owner. And if I may, Madam Chair, just a short answer. I have a quick question for him.

**CHAIRPERSON J. DAVIS:** Yes.

**COUNCILPERSON GUYTON:** And that's regarding discounts for Riviera Beach residents. We had a discussion about that and you indicated that you would give that some consideration or had already given that some consideration.

**KIERAN BURKE:** Well, I -- I think the park, under prior ownership, has had quite a good reputation for supporting a wide variety of initiatives in the community. And one of the things that I instructed our general manager, which I think is very important here -- Bryan Megrath, who's with us tonight, has worked at the park for 25 years. It's one of the nice things is I didn't change any of the people that live and work in this community. We've added jobs but we have Bryan running the park. And so I made it very clear we were not only not gonna change any of those, but we were gonna look for other opportunities to be a good corporate citizen. Some of that's happening, by the way, just through our advertising efforts.

I mean, we significantly increased the advertising using billboards on 95, brochures, all of which that have Riviera Beach on them. And we are and will continue to look at ways to make the park more accessible to residents of Riviera Beach. We understand that we are not a cheap date, as a couple of people pointed out. But you know, it's very difficult. You know, our expenses are high. But we also know that we need to find ways in addition to employing youth -- and we're very proud if you come out and you look at our employees, there are lot of, you know (inaudible) --

**COUNCILPERSON GUYTON:** Okay. I -- I don't mean to cut you off but do residents get discounts now?

**KIERAN BURKE:** Residents don't get a specific discount at -- that has never been a policy. So one of the things we want to look at is maybe, you know -- we've gotta just look closely at whether we perhaps do special days for residents, do -- do things in conjunction, perhaps with other activities that are going on. But we -- we've done this --

**COUNCILPERSON GUYTON:** Could you do that and get back to us --

**KIERAN BURKE:** -- in many other places.

**COUNCILPERSON GUYTON:** -- and advise us, 'cause we're gonna have to keep moving with the meeting here?

**KIERAN BURKE:** You -- you bet. You bet.

**COUNCILPERSON GUYTON:** Okay. Thank you.

**MAYOR MASTERS:** Mr. -- Mr. -- Ms. -- Ms. --

**KIERAN BURKE:** Could I just make one comment, too? I -- I -- 'cause someone started to talk about --

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Hold on, Mr. Burke. Let's hear the Mayor.

**MAYOR MASTERS:** I have a question for the attorney. Madam Attorney, can we legally bind a business or any business to offer discounts to residents?

**COUNCILPERSON GUYTON:** That is not what I'm requesting.

**MAYOR MASTERS:** No, I'm -- I'm asking -- I'm asking the attorney.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Guyton, hold on a second.

**MAYOR MASTERS:** I'm just asking a question.

**COUNCILPERSON GUYTON:** (Inaudible). Yeah.

**CITY ATTORNEY RYAN:** Is that a --

**COUNCILPERSON GUYTON:** But I don't --

**MAYOR MASTERS:** I'm just saying that he didn't -- I understand, Mr. Guyton, you didn't -- it wasn't a binding -- I'm just asking for FYI. For -- my question is, can we -- is it legal that --

**CITY ATTORNEY RYAN:** We wouldn't do that.

**MAYOR MASTERS:** -- now, let me ask the question.

**CITY ATTORNEY RYAN:** You've already asked.

**MAYOR MASTERS:** I want to ask the question.

**CITY ATTORNEY RYAN:** (Inaudible).

**MAYOR MASTERS:** 'Cause I'm concerned about legality because we're on the record. My question is, can we legally ask a business -- not this one. I'm talking about businesses in the future, any business -- to offer discounts to Riviera Beach residents? And if they don't, then can we legally not go -- pass something that's before us?

**CHAIR PRO TEM PARDO:** That's pay to play.

**CITY ATTORNEY RYAN:** Right. No. We can't do that.

**MAYOR MASTERS:** Okay.

**CITY ATTORNEY RYAN:** We cannot. That's like an exchange -- an exchange for giving you this permit you have to do this for us. No.

**MAYOR MASTERS:** Okay. I just want it on the record. That's all.

**CITY ATTORNEY RYAN:** (Inaudible). No. It would not be legal to do that.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON J. DAVIS:** Okay.

**MAYOR MASTERS:** Thank you, Madam Chair.

**CHAIRPERSON J. DAVIS:** Mr. Burke, you had one final comment? Please make it short.

**KIERAN BURKE:** Yeah. No, I'm -- I'm good. I think.

**CHAIRPERSON J. DAVIS:** Okay. All right. Now, let me just follow up. Ms. Pardo, is it your -- your intent that you want to revisit it in one year?

**CHAIR PRO TEM PARDO:** No. I don't. Because I think that would hold the gentleman up with getting his permits and it wouldn't be feasible. We do have the certificate of use --

**CHAIRPERSON J. DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** -- in effect. And you know, God forbid, you know, every day we have, you know, five calls over there, we could always pull the certificate of use.

**CHAIRPERSON J. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** So, you know, I'm confident that they're going to do the right thing.

**CHAIRPERSON J. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** And we have those remedies in place here in the City.

**MAYOR MASTERS:** And I am, too.

**CHAIRPERSON J. DAVIS:** Any other questions or comments? Madam Chair -- Madam Clerk?

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. We're now down to our Regular Agenda, item 7.

**COMMENTS FROM THE PUBLIC -7:00 PM NON-AGENDA ITEM SPEAKERS  
(THREE MINUTE LIMITATION)**

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

Public Comments shall begin at 7:00 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; however, if an item is being considered at 7:00 PM, then comments from the public shall begin immediately after the item has been concluded.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Ralph Franklin? Is he here?

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CHAIRPERSON J. DAVIS:** Okay.

**UNIDENTIFIED SPEAKER:** (Inaudible) on the clock.

**CHAIRPERSON J. DAVIS:** Here he is.

**RALPH FRANKLIN:** Good evening.

**COUNCILPERSON T. DAVIS:** Good evening.

**RALPH FRANKLIN:** Can we let Reverend Burrs go first, if you don't mind?

**CHAIRPERSON J. DAVIS:** No, sir. Come on up. You're here.

**RALPH FRANKLIN:** Okay. My name is Ralph Franklin. I'm a retired police major for the City of Riviera Beach Police Department. I started working the police department August the 31<sup>st</sup>, 1969. I retired December 31<sup>st</sup>, 1998. I worked for the City almost 30 years. I never sued the City. I worked hard. I worked seven days a week on my own time trying to make the police department the best it can be.

But before I retired, Major Dave Harris and I was the most two decorated police department -- police officers for the City of Riviera Beach. The word retirement -- "retiree" should be a powerful word. And I don't think it's fair what's going on with this insurance problem. It's just three of us tonight for the police department. I've gotten multiple calls from different retired officers saying, "What's going on here?" When you tell a police officer to sign a waiver, we don't sign no waivers. I don't have no problem with payroll deductible. I'm a big voice who can afford it. I'm speaking for the little voice who can't afford it. To tell someone in a -- to me the word's "coerced." You tell me in a threatening letter, If you don't do payroll deductible, you will no longer be insured by the City of Riviera Beach.

I did 30 hard years. Between the three of us, it's over a hundred years. To tell me that - - and it -- it's not a -- it's not in compliance with the City ordinance you guys passed. If you look at City Ordinance 30-49, it say the City may collect the money from us. May. That's passive. This letter from Ms. Doretha Perry said to us if we don't sign a payroll deductible, we won't no longer be insured by the City of Riviera Beach. That mean we cannot mail our money in. We can't bring it in. We gotta be payroll deductible.

I didn't know a human resource director had more power than a city ordinance, had more power than city council. It's my full understanding -- I spoke to my CPA. She said it's no problem, the payroll deductible. I have no problem with that. In fact, when she sent me the letter and it's in a Riviera Beach envelope here, I read it. But the stranger thing about this little deal here, she derelictly mentioned the waiver. That's a secret, I guess. She said in her letter on paragraphs 2, "Enclosed is an insurance deduction authorization --" wow, is that that fast?

**CHAIRPERSON J. DAVIS:** Yes, sir. Sorry. I'll give you --

**RALPH FRANKLIN:** Make it right.

**CHAIRPERSON J. DAVIS:** -- I'll give you a couple of seconds to finish up.

**RALPH FRANKLIN:** Okay. Thank you. Anyway, thank you very much.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**RALPH FRANKLIN:** It's embarrassing to come before these citizens like this here and have to ask the city council to make something right. I can understand in the future you tell retirees when you retire --

**CHAIRPERSON J. DAVIS:** Okay. Finish.

**RALPH FRANKLIN:** -- you have the payroll deductible. We should be grandfathered in. I've been retired since 1998.

**CHAIRPERSON J. DAVIS:** Okay. You gotta -- you gotta -- you gotta close it up.

**RALPH FRANKLIN:** To tell me and my family -- okay. I think you've gotta make -- make what's right -- what's wrong right. Ms. Perry shouldn't have changed the ordinance.

**CHAIRPERSON J. DAVIS:** Okay.

**RALPH FRANKLIN:** She has no authority to.

**CHAIRPERSON J. DAVIS:** All right. Thank you, sir.

**COUNCILPERSON THOMAS:** Ms. -- Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Thomas?

**COUNCILPERSON THOMAS:** This is the first that I've heard of this and, of course, that happens quite a bit around here for some reason. But can somebody tell me -- because I -- I don't like Ms. Perry getting beat up at the mike because Ms. Perry didn't change anything that she wasn't directed to do. So what I need to find out is can somebody please explain to me exactly what these retirees are talking about?

**RALPH FRANKLIN:** You have a copy of the letter.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Franklin, hold on.

**CITY MANAGER JONES:** What you have -- and there's a letter dated February the 7<sup>th</sup>, 2014, where the Human Resources Department is trying to alleviate having to repeatedly contact over 50 percent of the retirees to get them to pay their health insurance. And so in keep -- us from trying to call them every month, You need to bring your money in -- you've got 50 percent mail it in, pay it on time, no problem. You have another 50 percent that you have to call them, remind them that they need to pay in order to keep them covered.

**COUNCILPERSON THOMAS:** Right. I -- I'm speaking of who directed Human Resources to do this? I mean, because this is clearly a policy decision, I think, in my estimation. And those policy decisions should come from us.

**RALPH FRANKLIN:** That's right.

**DIRECTOR OF HUMAN RESOURCES PERRY:** Doretha Perry, Human Resources Department.

**COUNCILPERSON THOMAS:** Yes, ma'am.

**DIRECTOR OF HUMAN RESOURCES PERRY:** Each month, like Ms. Jones said, we receive delinquent employees' insurance. So we have to contact them each -- each month. Not taking it upon myself as this is administratively, the problem that the retirees are having is a waiver form that was attached to the information. The waiver indicates that it's a tax liability. This afternoon I found out that --

**CHAIRPERSON J. DAVIS:** Tax liability?

**DIRECTOR OF HUMAN RESOURCES PERRY:** -- public safety, especially public safety, if -- they can have a tax exemption for -- through their 457 and they can also have a tax exemption for up to \$3,000 on their taxes. In order for them not to have double dipping, this is why this particular form was included in there. And all we were trying to do is try to allow the City to not have to notify some of these employees about their insurance being delinquent and just not taking them -- taking them off the insurance and not having anything.

**COUNCILPERSON THOMAS:** I -- I understand that, Ms. Perry. My -- my issue is still at a different level. This, in my estimation -- in my estimation, is a policy decision. So when this goes out on the City of Riviera Beach letterhead, even though it says Human Resources and it has your name signed to it, someone would think that this Council approved this or even discussed it. I've never heard of it being discussed. This is the first time I've ever heard of it. I would have liked to have been included in the conversation if this is what we wanted to do.

Me hearing about it here under Public Comment instead of it being actually addressed is what my issue is, because there's no way that we can understand what's -- what's happening with this. If the -- if -- if the City is having trouble collecting that, then I think that that should have been something that was brought to the City Council to say, Listen. We're about to affect several retirees' lifestyle in the way that we're going to instruct them to do this. I just don't think that this should be something that was just done automatically like that.

Now, by no means, you know, am I siding one way or the other. I just would like to know more information about it. Clearly if it's -- if it's time-consuming, if it's trouble trying to get the payments in, then of course we must address that. But on the other side, I don't think that we should have forced anything. Now, if there was some meetings that were held with the retirees, if there was some -- some type of education that was given to them, then I'll stand corrected on that part of it. But it still never reached the policymakers' desk unless it was discussed as a lot of things awfully -- often get done and it didn't get to all of the policymakers. I was one that this did not get to. So this is something that I definitely want to discuss before we effect this type of change on retirees of -- of any nature.

**DIRECTOR OF HUMAN RESOURCES PERRY:** Now, there is an ordinance in effect on -- speaking to non-assignability as it relates to pension deductions for insurance. And it -- in there they say that it may. It says that they -- they may have this amount deducted.

**COUNCILPERSON THOMAS:** I -- I -- I get that. My -- my issue is if we have had common practice where we haven't been doing it and now all of a sudden because it is frustrating to us, the City, I just don't think we should arbitrarily do that just because it's in there. I get it. I understand. But if you have not -- or we -- not you -- if we have not practiced this in years, it's just unfair to just say, Hey, you got it. Swallow it and this is what you're gonna have to deal with. I'm not saying that that may not need to be done.

I'm just saying there's a process and a way that I think that we should do it that would be beneficial to the people who served so many years, you know, here. I -- I just feel like this is, you know, wrong. But of course, we do this -- well, we didn't do this. This was already done. But I would like to do this at this level and at least let's have some dialogue and -- and have the retirees come in and be able to -- to talk about it. That's all, Madam Chair.

**CHAIRPERSON J. DAVIS:** Thank you, sir.

**DIRECTOR OF HUMAN RESOURCES PERRY:** Okay.

**CHAIRPERSON J. DAVIS:** Anyone else?

**CITY MANAGER JONES:** Mr. -- Ms. --

**COUNCILPERSON GUYTON:** Go ahead, Madam.

**CITY MANAGER JONES:** -- this, as I read the letter, does not go into effect until June. So we have time in the month of April to have a session and bring this back and make sure the retirees are invited. And that way we can get your questions answered as well as all of their questions answered. So we'll schedule that in the month of April, early May if that is the desire of Council or we can put it on an agenda.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Guyton?

**COUNCILPERSON GUYTON:** Yes. I, too, like Councilman Thomas, was unaware of this. I was approached today. We were at a hearing downtown, and one of the retirees approached me. And the attorney just happened to be there. And that is the first time I have ever heard of it. I -- I agree that I think this should have come before us to make a determination as to how we want to deal with it, because ultimately, resolving it ends up back here on the dais.

So if that's going to be the case anyway, I would hope that staff would consider the magnitude of the decision and then make a determination whether it should come -- whether it should come before the City Council before anything is initiated to the retirees. They have devoted a lot of time to us and I certainly don't want to impose any

unnecessary stress on them. And that is determined by the individual, how they take certain things. So I'm -- I'm with Mr. Thomas. I think that we need to have a discussion before this is instituted so we can decide if -- if we want to do it this way or a different way.

**CHAIRPERSON J. DAVIS:** And also, you know, as I read the attached waiver, I think when it's brought back, you know, you need to be explaining whatever additional tax liability that you're speaking of in this, because --

**DIRECTOR OF HUMAN RESOURCES PERRY:** Okay.

**CHAIRPERSON J. DAVIS:** -- I -- I'm -- I'm not really getting what -- what you're talking about here. So any other comments from the board?

**MAYOR MASTERS:** Yes, Madam -- Madam Chair?

**CHAIRPERSON J. DAVIS:** Yes, sir.

**MAYOR MASTERS:** Certainly we all cherish our employees and our retirees. But my question is, I guess, to Ms. Perry or whoever. But how do we -- how do you know what to bring to us and what not to bring? Is it -- is it -- are we giving you clear direction or -- I mean, I just -- and you -- you do such a good job and I -- you know, sometimes we all make mistakes and sometimes we think we're doing what is -- we should do and then maybe we shouldn't. And so I just -- I just want to be clear on is there a way of determining what goes before the Council and what doesn't go?

**DIRECTOR OF HUMAN RESOURCES PERRY:** Well, there's a portion in the ordinance that addresses insurance premium deductions from pension checks. So that's in -- in the ordinance which says it may. It may and may not. So that's where we would -- if -- if the Council so desires, we may change the ordinance to address what needs -- what should be done.

**CHAIRPERSON J. DAVIS:** Mr. Mayor, Ms. Jones will get with her and --

**MAYOR MASTERS:** Yeah. I'm good. I -- I just --

**CHAIRPERSON J. DAVIS:** -- and -- and -- and make sure that --

**MAYOR MASTERS:** -- wanted to give Ms. Perry a chance to --

**CHAIRPERSON J. DAVIS:** -- you know, she's -- she's clear on what's being --

**MAYOR MASTERS:** -- address that. Okay.

**CHAIRPERSON J. DAVIS:** -- what needs to be brought back to us.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON J. DAVIS:** Okay?

**DIRECTOR OF HUMAN RESOURCES PERRY:** Uh-huh.

**CHAIRPERSON J. DAVIS:** We'll move on. Reverend Burrs?

**REVEREND BURRS:** Madam Chair, Council. Let me clear -- I didn't instigate this dog fight. I'm just a part of it.

**MAYOR MASTERS:** You're always instigating something, Reverend.

**REVEREND BURRS:** I'm a -- I'm a part of it. I'm the person that I wish it could have been dissolved before it got to this point. But it has not. So I was talking with Ralph Franklin and others who had gotten the same information. Let me clarify. I has no problem with them deducting my insurance from my check. No. And I sympathize with the ones, as Ms. Perry says, who are late. Maybe they have gotten old and can't remember. And maybe something like that could be worked out. But our problem was - - and I'm quite sure, I think, Ralph Franklin and others all agree -- I haven't talked with nobody who don't disagree with having it deducted from their check. But what we disagree with, the waivers that we got to sign and these demands that they're saying that you must if you don't. And they're -- and this is in violation of this -- of this ordinance here where it says 30-49. You know, and these are the things that we are concerned about.

**CHAIRPERSON J. DAVIS:** Okay.

**REVEREND BURRS:** So they say they don't want to have the money deducted from their check, I do. 'Cause I don't pay mines --

**CHAIRPERSON J. DAVIS:** No, we didn't say that.

**REVEREND BURRS:** -- once a month. No. I pay mines every quarterly, you know, so I don't have to be writing no checks. And everybody may not could do that. So that's -- that's my only concern is these demands that were -- and I talked to Ms. Perry personally about it. And -- and -- and I let her know that I don't agree with the -- the -- this -- this -- this waiver and this other letter stating that -- demand if you don't, that your insurance may not be covered. So if I -- if they want to send it directly to the insurance company, it don't matter to me. However you do it. But don't put no demands on me waiving my rights in these kind of things.

**CHAIRPERSON J. DAVIS:** Okay.

**REVEREND BURRS:** That's -- that's our concern.

**CHAIRPERSON J. DAVIS:** Okay.

**REVEREND BURRS:** And thank you.

**CHAIRPERSON J. DAVIS:** Thank you. I think this was the first that all of us heard about it but we'll -- we'll fix it. Mr. Lozman, Fane Lozman?

**FANE LOZMAN:** Fane Lozman. That retired police major, I'm very impressed with his attention to detail. He looked at a document and he realized there were mistakes made and he pointed it out to the Council and the Council addressed it. I asked for something similar a few years ago and I got blown off. And I asked the Court recently to the same thing and they said, We don't have the authority to give you what you want. And that was after I won my U.S. Supreme Court case, I need to be paid to replace it. I don't have my home anymore. The City took my home and destroyed it. And the Court, where it's at now, they said, Even though you won the U.S. Supreme Court, we don't have the authority. This is an admiralty court. Your thing that was destroyed with a house, it wasn't a vessel; go to another court to get relief, which I plan to do.

But that brings back something that I've been looking at all these files the last few months, a very important question. Who authorized on the Council for an outside attorney -- that means the City paid an outside lawyer to go to a U.S. Marshal auction in the Miami steps of the county courthouse in Miami to purchase my floating home at taxpayers' expense and then destroy it? Where would that order given? There wasn't a public meeting where they took a vote, said, Let's go to the courthouse steps to do it. Somebody made a call to that outside law firm and they went there, outbid the public that attended, purchased my home and then destroyed it.

Now, if it hadn't been destroyed and then left alone, I would have been given it back when I won the Supreme Court case. But after I won the Supreme Court case the home is gone. It's been destroyed. So the question is -- and we're going to get to this as discovery proceeds forward in the action it be recovered, to receive the recovery, why did the City buy my home? Why didn't they let a guy who was there buy it and then his money would have gone directly into the City coffers? No one will give me an answer for that. Ms. Ryan won't give an answer. Ms. Ryan said, well, my home was in bad condition and it needed to be destroyed. My home had nothing to do -- my home was lost. It was being auctioned off for the public. Why did the City pay a law firm to go to the auction, buy it and destroy it for \$6,900 and demolition costs?

No one will give me an answer to that. The City didn't have to go to the auction. Somebody else could have bought it. And somebody else tried to buy it and that money would have come to the City. You know, there -- there's a big scam going on. Over \$300,000 in legal fees were given to that same law firm that went to that auction. Their hourly rates are not \$150 an hour as Ms. Ryan said. Their hourly rates that they're billing the City is in the 200 plus hourly range. So there's something that's going on there and that scandal's going to break here in the next few months as that discovery proceeds. And this is something that this Council should investigate, why did they pay to go to that auction.

**CHAIRPERSON J. DAVIS:** Okay. Thank you, sir, for your comments. Norma Duncombe?

**NORMA DUNCOMBE:** You always put that on before I got here. Norma Duncombe. The election is over March 11<sup>th</sup> and election is over. And we will agree to disagree. But I wanted to state why I was so involved with that election. Many, many years ago

before I was born, my father owned a boat that he took people out to fish. And he was deprived the use of the marina even though he was a taxpayer at that time because of his color. And that's why I was so adamant about the City not giving away the marina.

Now, you're going to say it wasn't given away. But let me go back to a paper that was published and the article that was published in the Palm Beach Post on March 15<sup>th</sup>. And they interviewed Mr. Bob Healey, and he talked about he and his brother, how they got started. One was in real estate; the other one was a steelworker. They started their business. They brought a little company and they got started. And he went on to say how they worked themselves up to get where they are now. And they also have included their -- their children and that they were going to do -- they -- they just -- they were just so happy. And you know why they were so happy? He said the marina is a diamond in the rough. So everybody who voted yes, you voted to give them a diamond.

Now, the thing is, what do you have? What do the citizens of this city have? Do you have a slice of that pie? I don't think so. And the thing that gets even worse is the fact that he said he realizes the city is divided in wealth and poverty. He said eventually we will get around to helping those persons who are in poverty. That -- I guess that's you.

And so the thing is, I'm saying we have given away, as he said, a diamond in the rough. And the citizens will not benefit from it. All of those streets down there have already been blocked off. They are privatized. I know of no other city that citizens cannot go on any streets in that city. And guess what? I'm going to lose the place where I voted. I will no longer be able to use Newcomb Park facility because it will no longer be available for citizens. It will be in the hands of private people. So you have given away a diamond. Feel proud of yourselves. You have nothing out of the deal. Thank you.

**CHAIRPERSON J. DAVIS:** Thank you, Ms. Duncombe.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** While -- while the next speaker comes, let me correct something that was very inaccurate. We cannot and will not sell or give away our marina.

**NORMA DUNCOMBE:** You've already done it.

**COUNCILPERSON GUYTON:** It -- it -- it does not -- we don't have the authority to do that. The charter prevents that. We have people in our community that try to pull at the emotional tug of our residents for their own self-serving reasons and say things that are not true. Newcomb Hall is not going anywhere. We are building a new building that will still exist for the use of our people. Some people seem to think that we should be happy living in poverty. I'm not. We can do better. And that is what we are doing with that redevelopment and I make no apologies and no excuses.

Those people who did not agree, they can do like the Committee for a Better Riviera Beach did. We didn't go and file a lawsuit. We took the issue back to the people. We didn't try to overturn the people vote like they're trying to do. So -- but I'll deal with that a little later in this meeting, because I want to address that. But no, that diamond in the rough comment, he didn't say that that's our marina. He recognized that -- if he said that. I don't even know if he said it -- that the whole city is a diamond in the rough and it's time for us as our residents to appreciate that. And that's what we're going to do. Thank you.

**CHAIRPERSON J. DAVIS:** Okay. Thank you, sir. Mr. Wester.

**RICHARD WESTER:** Oh, God. Chief Wester, retired fire chief, City of Riviera Beach.

**MAYOR MASTERS:** Good evening.

**RICHARD WESTER:** Boy, we destroyed Public Comment tonight.

**UNIDENTIFIED SPEAKER:** Yes, we did.

**RICHARD WESTER:** Went back to Council meeting, all these meetings. I want to talk about that Community Benefit. Oh, Mayor, you mentioned Shelby Lowe tonight. You got my attention, but I'm not gonna bring that up tonight. Let's talk about those turkeys, Christmas turkeys again. Mr. Calloway got \$2,400. Him and his organization got \$2,400 for Thanksgiving and \$2,400 for Christmas. He say he gonna do some Thanksgiving gift or something. Mr. Guyton, you were there. He did that. So --

**COUNCILPERSON GUYTON:** He did do that.

**RICHARD WESTER:** -- but those Christmas turkeys, he didn't do. And Mr. Thomas, you said he donated money to you to get some turkeys. Well, I don't understand is how can an organization come here with their hands out looking for money from the City, and then on the other side he fund it back around to a councilperson to buy turkeys? I don't understand that. The reason why I know that was done, 'cause Mr. Thomas said that Mr. Calloway donated money to him for turkeys. And the Mayor came up with something tonight. Donate that money to the taxpayers out there. That's where it's supposed to go, to fix those houses or whatever you was talking about, Mayor.

**MAYOR MASTERS:** Right.

**RICHARD WESTER:** It ain't to be put up to no -- what that Mr. Calloway do with that money? Put it in his coffers? He didn't come -- it didn't come back out of there for no Christmas turkeys 'cause you had to go over there and give those people that -- Mrs. Davis, Mrs. Brabham said, "Are you going to take care of those turkeys or something for those people?"

And now that I got that out of the way, this new police and fire facility. There's two things police and firemen hate: that's drawbridges and railroad tracks. They despise them. And this -- not this City Council but this City has put our police and fire

department in a -- in a bed of railroad tracks. Something that the police, they despise 'cause when them -- when them gates come down and they can't get by, they be having a heart attack in that car and that fire truck. The old -- the bridge, they got rid of the span -- the span over there and put an overhead bridge there. So that problem was corrected. And I ran out of paperwork but I'll get some more pictures made up 'cause -- get a couple -- go out there to Kinko's and make a couple thousand of them and show them that train coming all through there. Okay? Thank you.

**CHAIRPERSON J. DAVIS:** Thank you, sir.

**COUNCILPERSON THOMAS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Thomas?

**COUNCILPERSON THOMAS:** I must correct some inaccurate statements made by the former chief.

**RICHARD WESTER:** (Inaudible).

**COUNCILPERSON THOMAS:** Mr. Calloway never gave me any money for any turkeys.

**RICHARD WESTER:** You said it up there.

**COUNCILPERSON THOMAS:** I'm gonna go ahead and say my piece now if you don't mind, Chief. I said up here that as a part of our turkey giveaway, we donated some turkeys to Mr. Calloway's initiative, is what I said. Mr. Calloway never donated any money. All monies that have been donated to that, there's record for. So I don't want any misnomers to go out about something Mr. Calloway didn't do. His name seems to get beat up a lot for some apparent reason. I -- I don't know why. But I know for a fact that he does do a lot that even we don't know about.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**COUNCILPERSON THOMAS:** And any initiative that I can do to help him with that, I'm going to continue to do so. But Mr. Calloway did not give me any money for turkeys. In fact, we gave him some of the thousand turkeys that we gave out. And if he needs some more turkeys this upcoming year, I plan to support that initiative, as well. That's all.

**CHAIRPERSON J. DAVIS:** And --

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** -- Mayor Masters?

**MAYOR MASTERS:** I just want to say, too, Chief Wester, I want to thank you for your advocacy as relates to the warehouse. As you know, I -- I was opposed from day one.

I'm opposed now. I think it was a bad decision to move -- to even talk about moving fire and police in the warehouse. And I think time is going to show. I think we're not gonna even have the dollars to even do half of what they thought they were going to do. It was probably a good intent but to split this campus up like this -- we ought to have had a new police department here and a new City Hall right here. I think it was a terrible mistake. Thank you.

**CHAIRPERSON J. DAVIS:** Bonnie Larson? Then Artie Williams and then Dan Taylor are after that.

**BONNIE LARSON:** Hi. A couple of questions. And I was driving down Broadway the other day. I was coming from the north, headed north, which is the only way you can go now that we have all these one-way streets. And it was really bumpy. I was right outside Winn-Dixie. Have you driven down there? I think it's a -- like, a brand new road and it was kind of bumpy. And Ms. Pardo, one time you talked about the manhole covers sticking up on Blue Heron. Well, there were some really tall ones right outside of -- the one I remember specifically was right outside Winn-Dixie and it -- it looked like it was sticking up about that far. It wasn't a big manhole cover but it was those smaller covers. And that's not going to be good for your tires, your alignment, anything to do with your cars. And for a brand new road, I don't know. Please check that out before we sign off our final approvals on anything, 'cause that didn't look -- feel like a brand new road to me.

The chair position, it was discussed tonight whether to do a resolution or a charter change. The suggestion was to do it as a resolution, which again then can be changed from the Council from time to time. I think it would be better -- just a personal opinion -- to do it as a charter change. That way every Council that comes along won't change the rules. And it would be good every March or whatever, the end of March or the -- the March after the election or if there's not an election, I -- make it a particular time. The first Wednesday or second Wednesday or third Wednesday, whatever. Make it a specific time so we don't get into this hassle like we had tonight. Make it something specific and so that each Council cannot change the rules every year.

Ms. Pardo, you -- with your Waste Management money, you put a drinking fountain over on Singer Island. That was a great idea. And what I would like to suggest about that is that the money from Waste Management, let's have more things -- let's spend our money more often on things that have a lasting effect. That water fountain's going to be there for many years. If we have a dinner or a party or something, that's a one-night affair. It's nice that night but then you forget it and you have nothing to show for it. So let's put our money from Waste Management into something that all the citizens can enjoy and it'll be more than just a one-day event.

Something for Singer Island next time you have money in that Waste Management. They used to have over by the -- the beach, they used to have a sign and it would have the time and temperature on it. And it'd be nice to have that again. It's a great photo op to send our relatives who are freezing their buns off, send them an 83-degree snapshot on Christmas Day. It'd be great advertising and it really was nice. We had on there

before a little man with kind of slanted sunglasses. He looked very angry. But if we could do something with palm trees, a beach, fish, something like that, just a great photo op, great advertising for Riviera Beach and it'll be there for many years to come rather than just a one-day event. So just a suggestion for some of the Waste Management money.

I am formally requesting that we have a vote on the speakers when -- when there is an agenda item we're speaking on it, that we be allowed to speak after the presentation. I'd like to hear from every council member if that is their wish. I don't think one person should make that change and then just kind of challenge everybody, Well, if you don't like it, then speak up. No. Let's have it so that everybody on the Council votes that, because it is -- we're -- we're -- we're not being allowed to hear the latest and the greatest changes that are -- that are happening in our city. And our comments may change based on that. Thank you.

**CHAIRPERSON J. DAVIS:** Okay. First, let me answer a couple of questions, that that is not the final paving on U.S. 1. And as for the speakers speaking after a presentation, I agree with Former Chairperson Thomas that if you have questions or comments, you know, you -- you do that first and then we'll have an opportunity to address your comments in the presentation. Okay. Mr. Williams?

**ARTIE WILLIAMS:** Good evening (inaudible). My name is Artie Williams. I'm Vice President of Mothers against Murderers Association. And what I'm here tonight to just ask the entire Council for support financially so we can continue to do what we do in -- in -- here in our community. Just a brief -- what we're about. We was established in 2003 and what we do, we cater to the community as far as anyone who has lost their lives to violence. We help the families heal and we currently have over 265 mothers in our organization and that's not even counting the family members that comes in for counseling. And we also have given away -- oh, I would say it's somewhere around 10,000 kids -- or helped 10,000 kids during their Christmastime in our 11 years of -- of being in existence. And we just want to be able to continue our work here in the community.

We have been, again, basically financing this organization out of our pockets. And I have -- you take the -- you know, we have approximately a \$38,000 yearly budget. And if you do the numbers you can see where that will come up to about in over 10, 11 years. So we do get some -- some financing and some help from certain members of the Council now, and we appreciate that. And we just want to know if we can continue to do that and -- or have every Council member consider us when they do issue out their funds.

We have mothers -- you know, this is not just a Mothers against Murderers problem now. This is a whole community problem. We have a lot of violence that's going on that we need to address and be there for the families that's -- that's going through these crisis. And we're open 24 hours a day, seven days a week. We're getting calls 2, 3, 4:00 in the morning that families need help. And we have never told anybody to come back tomorrow. We get up and do what we have to do. And for us to do that we need

to continue to stay open. So we ask that you be there for us and -- and support us as we support the communities. We have marched to Washington. We have been to Washington, D.C. to fight for laws, gun laws, Tallahassee. You name it. You go on our website. You'll see that we have -- the work that we do and continue will do here in our -- our community.

We love the community. We don't want to go anywhere. We just need more support. And if we can get that, we'll -- and I'm not just talking about the Council. We're talking about the whole -- just the whole community as a whole because we have people coming to our office that sit there and the first thing they say is that, We know a lot about you guys and -- but I never thought I'd be sitting in this seat. See, violence, it doesn't know where it's going to come from and when it's going to hit. But you do know sometime you need help to heal. And by us being the only organization in South Florida -- probably in the United States, that I talk to most people, that we're the only people that do what we do 24/7. So we're here, you know, asking for help and that you consider us and along with Backyard BBQ and Youth Recreation Center with Mr. Calloway we have done some things and we'll continue to do some things and -- and let you know that we're there and we'll continue to be there in this community. Thank you.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Thank you, sir. Mayor Masters.

**MAYOR MASTERS:** Madam Chair? Yes. I -- I just want to quickly add that the First Lady of the United States, Michelle Obama, um, thank you for reaching out to Mothers against Murderers, as well, at -- your sister, Angela -- Angela had a conference -- I mean, a meeting with the First Lady. And she was very, very -- highly supportive of what Mothers against Murderers is doing in our community. And I'm going to always give you as much money as -- as I can, as I have in the past. But I -- I do want to encourage the members of the public to really support this organization on Saturday at McCray's BBQ on 45<sup>th</sup> Street. It's a fundraiser for Mothers against Murderers. I plan to be there to help raise money and to eat some barbecue, as well, with Derrick McCray. Thank you.

**CHAIRPERSON J. DAVIS:** And also I'd like -- I'd just like to say that I remember when you -- you got started. I had not been a contributor but I've already turned in my paperwork for you to get a -- a check. All right? Thank you. Mr. Taylor?

**DANIEL TAYLOR:** Good evening.

**MAYOR MASTERS:** Good evening.

**DANIEL TAYLOR:** My name's Daniel Taylor. I own property in this city at 5281 N. Ocean Drive. Before I get started, I want to -- I've been to three or four of the meetings here in the last couple -- you know, six, seven, eight months. And I keep hearing something about turkeys, not enough turkeys to go around for Christmas and the holidays. I'm going to make a \$1,000 donation for turkeys to be -- to be bought for

turkeys. And I only have one stipulation with that. It's like, I'd like to have a photo op with that with Mary McKinney and I'll hand her the check at that time.

**CHAIRPERSON J. DAVIS:** Well, you -- you -- well, it --

**DANIEL TAYLOR:** And that's the only request I'm making: one -- one 3-by-5 shot and that's what I want.

**CHAIRPERSON J. DAVIS:** Okay --

**DANIEL TAYLOR:** But anyways, Mary's hard to get ahold of but she's a great lady, I hear. Second thing, alcohol and kids at water parks. Not a good idea. I was on my phone just looking at several lawsuits in the year 2013. And I guess y'all have a computer. You can put in water parks, lawsuits and alcohol. It -- I don't think it's a good mix. And there's a reason the previous owner didn't have alcohol. And I think that's not a good idea.

The reason I'm really here is to discuss my property, which I was put on notice by my surveyor, Dailey & Associates. You have 83 light poles that run on N. Ocean Drive from Pine Point Road north. And it seems that about 60 of them are on private property out of the 83. The reason this came to light was because I received a D.O.T. permit for curb cuts on my property, which I intend to do. And I'm in the process now, the application's in front of the City. The problem is one of those lights is on my property, and it's number 40. And it cost about \$5,000 to have it moved. We spoke with D.O.T. and D.O.T.'s attorneys. They had no knowledge of it and they didn't have anything to do with the placement of those poles.

There are no easements based on Dailey & Associates doing the survey for those poles to be there. I'm in the process of making -- not several but I think three acquisitions of other properties along N. Ocean Drive. And I can tell you, I've had them surveyed, and those lights also are on private property and that -- which I don't own those properties now but I will probably in the next 60 to 90 days. So what I will do tomorrow is have my attorney draft a demand letter to have the light pole removed off my private property so you don't, you know -- you don't get it by adverse possession. And I believe they've only been there a couple of years but it does affect my curb cuts and where they're supposed to go. So I'd like to have that light removed. But thank you for your time.

**CHAIRPERSON J. DAVIS:** Okay. Thank you, sir. Okay. And as for your -- your check, we will gladly accept it. But I --

**DANIEL TAYLOR:** And let -- let --

**CHAIRPERSON J. DAVIS:** -- but I -- but -- but I can't guarantee your photo op request.

**DANIEL TAYLOR:** Well, I'll make it \$2,000 if you can make it happen. Is that a fair deal?

**CHAIRPERSON J. DAVIS:** I -- that's really up to Mrs. --

**DANIEL TAYLOR:** Well, she answers to you.

**CHAIRPERSON J. DAVIS:** -- McKinney. Okay.

**DANIEL TAYLOR:** Okay. All right. Thank you.

**CHAIRPERSON J. DAVIS:** All right. Thank you. Ms. Havener?

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CHAIRPERSON J. DAVIS:** Yes, we (inaudible). Ms. Havener.

**MAYOR MASTERS:** Give us \$2,000. It hopefully will be going to Cedrick Thomas. He's the turkey man.

**CHAIRPERSON J. DAVIS:** And then Ms. Shepherd, you're next.

**VIVIAN HAVENER:** I'm here this evening to talk about the -- wait a minute. Here's my paper. The Great American Cleanup.

**MAYOR MASTERS:** Yes.

**VIVIAN HAVENER:** Which is going to take place on April the 12<sup>th</sup> from 8 a.m. to 12 noon at Monroe Height Parks which is on 25<sup>th</sup> Street and Avenue M. Here's my other paper. Mayor Thomas Masters and Councilman Terence Davis are teaming up with Neighbors United, which I'm a member of, to co-host the cleanup. We are currently seeking volunteers of all ages. Students will earn four -- four community service hours. A free T-shirt, all cleanup supplies and a free luncheon will be provided. To register or for information, contact site coordinator Bernice Wooten at 561-309-3370. Does Mayor Masters or Mr. Davis have anything to say about that? Any kind of --

**MAYOR MASTERS:** We're just with you a hundred percent.

**VIVIAN HAVENER:** You're going to be with us?

**MAYOR MASTERS:** Let's do it.

**VIVIAN HAVENER:** You better be there because I'll be out there with the T-shirts and I'll watch you and see if you're going to be there.

**MAYOR MASTERS:** I'm gonna be right next to you.

**VIVIAN HAVENER:** I want to -- we're going to put you to work.

**CHAIRPERSON J. DAVIS:** Okay. Thank you, Mrs. Havener.

**COUNCILPERSON T. DAVIS:** (Inaudible).

**VIVIAN HAVENER:** You're welcome.

**CHAIRPERSON J. DAVIS:** Ms. Shepherd?

**MARGARET SHEPHERD:** Also, Southside Coalition will be really with them as a team. So we thank you for coming out. Thank you.

**CHAIRPERSON J. DAVIS:** Thank you, ma'am.

**VIVIAN HAVENER:** And just one more --

**CHAIRPERSON J. DAVIS:** Okay. That --

**VIVIAN HAVENER:** -- just one more comment for a second. These two young ladies here --

**CHAIRPERSON J. DAVIS:** -- you've still got a minute and 19 seconds. Okay.

**VIVIAN HAVENER:** Pardon me? These two young ladies here have --

**MAYOR MASTERS:** Marian Dozier?

**VIVIAN HAVENER:** -- done an awful lot of work on this. And we do appreciate it. And thank you. Have a good evening.

**CHAIRPERSON J. DAVIS:** Thank you very much, ma'am. All right. That's the end of Public Comments. We are now down to item 8.

**MARGARET SHEPHERD:** Ms. Davis, I have a card.

**CHAIRPERSON J. DAVIS:** I did call your name. I thought you were speaking on that.

**MARGARET SHEPHERD:** No, no. She wants (inaudible).

**CHAIRPERSON J. DAVIS:** Well, come on up.

**MARGARET SHEPHERD:** I'm sorry. I was just standing with her. To the board and everyone, I want to thank everyone for coming out for the vote. I was home recuperating with laryngitis, talking so to the people and trying to make them understand that it was very, very important to come out and vote. So I -- as you can see, I'm still losing my voice. But I want to thank everyone for stopping me on the street, coming by my house, whether I was in the store, doctor's office, thank you very much. I'm here to talk about Stedman Graham will be in town May the 10<sup>th</sup>, I think it is. I left my papers in the car.

**CHAIRPERSON J. DAVIS:** 31<sup>st</sup>.

**MARGARET SHEPHERD:** He will be with --

**CHAIRPERSON J. DAVIS:** May 31<sup>st</sup>.

**MARGARET SHEPHERD:** -- May 31<sup>st</sup>. Somer is a part of that team of raising money. We're getting her letter written up right now. And I hope -- y'all have always supported her. I've -- always have made 4, \$5,000. This year I -- I don't look to do anything any different but to get the letters out and ask you to support her. This is her city. This is her school. This is where she puts her heart in 100 percent. Whatever she can do, she does it. And I -- I'm hoping that Mrs. Banks will find it in her heart to put her somewhere because that little lady loves to work and get her community service hours. And with all that, you know, this Council, she would (inaudible) nothing. So we thank you. We thank the City. We thank the Council and we thank everyone that has supported my family down through the years.

There's just one more thing I want to say, and I said to the people that stop me and I'm going to make it very clear. You all got the clear message. 75 percent. You don't have to sit there anymore and try to say I'm right; you're wrong. 75 percent of the people said you were right. So let's cut it. Number two, the raises. The raises. People are walking up to me, these -- these people that work here in the city, I think it's been six, seven years now. They haven't received a raise. I'm talking about the little people. The gutter people that pick up the grass, that cut your grasses out there in that 100-degree heat. I don't know how they do it, paint your buildings, pick up trash and, you know, they deserve a raise. I don't mean 2 percent, 4 percent, 5 percent. Let's talk between 6 and 7 percent. I know with the marina coming on we will be getting a tax base soon. I understand that. But do they understand it? I don't think so. But let's make them aware. Let's make them aware. And I hope they're listening to me by channel 18 and I'm sure they are, that you have them in mind, as we have you in mind. And therefore, I say let's keep the City moving. Thank you very much.

**CHAIRPERSON J. DAVIS:** Thank you, Ms. Shepherd. Okay. That's the end of Public Comments. We are now at item 8.

**REGULAR**

**7. RESOLUTION NO. 30-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE IMPLEMENTATION OF A CODE ENFORCEMENT AMNESTY PROGRAM TO ENCOURAGE HOME AND PROPERTY MAINTENANCE AND COMPLIANCE WITH CITY CODES AND ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.**

**COUNCILPERSON GUYTON:** So moved.

**COUNCILPERSON T. DAVIS:** Second.

**CHAIRPERSON J. DAVIS:** Is there a second?

**COUNCILPERSON T. DAVIS:** Second.

**CHAIRPERSON J. DAVIS:** I'm sorry?

**COUNCILPERSON T. DAVIS:** Second.

**CHAIRPERSON J. DAVIS:** That's you, Mr. Davis?

**COUNCILPERSON GUYTON:** Councilman Davis, yeah.

**CHAIRPERSON J. DAVIS:** Okay.

**COUNCILPERSON T. DAVIS:** Yeah.

**CHAIRPERSON J. DAVIS:** We have Public Comment cards. Ms. Larson? Is she here?

**BONNIE LARSON:** I'm coming. I'm coming.

**CHAIRPERSON J. DAVIS:** Oh.

**BONNIE LARSON:** (Inaudible). (Inaudible) hours that (inaudible) we've had multiple times in the City and what it does is it -- it makes it possible for people not to have to pay the full amount of their liens. And I think if we could tighten up some of this, read it over. I haven't read the full thing but I see several things in here. What I would like to suggest -- we have a lot in Riviera Beach. We all live next to HUD housing. It's all within walking distance of us. So the taxpayers, we subsidize that. So we subsidize the rent that these people pay for these homes.

A lot of these homes are owned -- and apartments are owned by out-of-city and out-of-state owners. We have a lot of slum landlords. And we have to live next door to them. Now, it's not fair to the people who are renting those, the HUD people, because they're living in a dump. And we're next to them. We're looking at a dump every day. So it's a lose/lose situation.

**UNIDENTIFIED SPEAKER:** I agree.

**BONNIE LARSON:** So by giving them an amnesty program, they have absolutely no incentive to keep up their properties. So what -- if you're going to do this -- and I'm sure you are because it's on the agenda, let's tighten it up and let's make it only for homesteaded property owners. Forget the people who are here in investments. They bought -- and investment is a fine thing but they bought those properties for cheap. They never put a dime into them and the people who have to live in them live in -- in terrible conditions. And like I said, we have to live next door to them. So it's not fair for any of us. If they've ever had an amnesty before, no, you're not eligible again. And again, the big thing is you have to be homesteaded people. Not for their investment properties.

There's no incentive really for -- for owners -- these type of owners to keep up their properties. Because they know at some point they can talk to a council member and say, Let's get an amnesty program going again. So there's no incentive for them to keep up their properties. They pay much less by paying 2 percent of the actual amount

of the liens. That's nothing. We're not getting -- we're not -- we're subsidizing again because we have full-time Code Enforcement staff. They have benefits. They have salary. They have vacations. They have pensions. By paying 2 percent of what those people really owe is nothing. We're not getting our money's worth out of there. We're losing money every time you turn around.

Now, I just -- reading this here and it says something, which this sentence doesn't make sense. "Boarding and securing a vacant lot and home clearing maintenance items are not eligible for this program." However, when you read the -- when you read the actual resolution it tells you how those people can do it. So, you know, the information before is contrary to what it says in the actual resolution. So I think this is not something that needs to be done tonight. Let's look this over, tighten it up and make it something so that we're not in a lose/lose situation all the time.

Anybody who's had it before, no. If you're not a homestead, if you're not living at that place, no. Nothing for you. Clean up the slumlord conditions in Riviera Beach. You're the Council. You -- you've gotta be proud to say I live and work and I'm a councilperson for Riviera Beach, and you can't be proud of Riviera Beach looking at all these rundown places. And of course the rundown places, they bring in other people. They bring in the drugs and they bring in the people who break into your houses.

**CHAIRPERSON J. DAVIS:** Thank you, Ms. Larson.

**BONNIE LARSON:** And the landlords get off scot-free. I'm done, thank you, Ms. Davis.

**CHAIRPERSON J. DAVIS:** Okay. Reverend Burrs?

**REVEREND BURRS:** Madam Chair, Council. Concerning this -- Reverend Burrs. Concerning this issue, I did, with some other ministers -- had a meeting with Councilman Bruce Guyton and the city manager concerning some -- 'cause some concerns that some peoples had relating to Code Enforcement. Personally I has no problem with the Code Enforcement doing their job. And I know there's some people who sometime runs in -- especially elderly people who can't afford sometime to maintain their properly -- property, around the property, and sometimes it get out of hand and they need some assistance.

My only concern is if we -- as far as the lenience. I don't know how you can work it out. I don't want us to -- I wouldn't like to see the City wind up giving millionaires breaks on their -- on their violations like we did the (inaudible) and etc. Because for a senior citizen and others, I -- how you can work around it, I don't know. Maybe you get the legalities or get somebody with a -- who knows more about the law can assist people who may not can afford -- find themselves in a situation where their property have come in violation of the code and cannot afford to bring it up to code and sometime need some assistance, need some lean -- also special time to get it done.

But my only concern and -- is that -- that don't give these fat cats the breaks and to walk away with millions of our dollars like we did the (inaudible). So I -- I -- I support whatever

the Council can do to assist peoples and -- in violation, to help them and give them some special time, extended time to get -- bring their property into compliance.

And -- and I -- and another thing I would like to say to the Council, as well. When the Code Enforcement do their job and if it's me, and I know they done done their job and I'm in violation, and I come to you to get them off my back, you ought to tell me, Go take a jump. Get my property up in compliance, because we do want to see our city really neat and clean and not -- property rundown because if somebody next door to me have their property -- I'm next door to someone else and their -- and my property's not in compliance, then it make the other person property looks bad and their value goes down.

So the Council some way or another got to stop -- I'm not saying y'all are doing it but I know it done in the past when some peoples come to y'all about their property and they're in violation, then you get on the individual because of certain situations. But no, our major concern is don't give these peoples who are coming in and buying these properties and then let them run down and then they wanna sell them and make a big profit and we give them a break because they's in violations. So let's don't fall in the (inaudible) situation again doing this. Thank you very much.

**CHAIRPERSON J. DAVIS:** Thank you, Reverend Burrs. Norma Duncombe?

**NORMA DUNCOMBE:** Norma Duncombe. When I saw this on here, I was glad to see it. Now, I'm not saying I want to see areas that are in disrepair. But I'm thinking in terms of not just doing this, but going beyond this. And the reason I'm saying this is that -- and I'm dealing with those persons, homesteaders. Not -- we have a lot of people who are just barely making it on Social Security and little retirements. And they do need a break. And when they are in violation, I -- I don't know what the City could do. But I thought about the fact that the City who's sitting as the CRA board, borrowed \$29 million for the businesses out there. And I'm saying it has to be something that we can do to help those persons. I'm talking -- and I -- I'm going back to when I thought about -- you talked about the blue tops and what have you. People -- there are people who are just barely surviving.

And I'm saying if we can put all the forces and all the resources behind -- and I -- I want to see things move ahead. But if we can do that for them, we need to figure out what we can do for those persons who have been here all of their lives, have invested and will -- and they're -- they're doing the best that they can, to do what they need to do, but they just can't do it. And physically they can't do it. The next thing is, what can we do about some of these vacant houses so that they are not rental houses?

Have you ever thought about those persons who were born and reared here? If -- if they're there, give it to them and give them a timeline to get it in order. And then put a stipulation that you can't sell for the next 10 or 15 years. To me, that would be better than the slum that you are accumulating because the places are vacant and they're just going down. We have a lot of young people who have come back from college and many of them come back with all kinds of bills, because they had to borrow money to go

to school. Why don't we extend that to that extent and we get rid of some of the slum, as well as we help some of our young people? Thank you.

**CHAIRPERSON J. DAVIS:** Thank you, Ms. Duncombe. Okay, Ms. Jones?

**CITY MANAGER JONES:** The item that you have before you today is a recommendation coming from staff. Like many of our speakers and members of Council, we are first of all concerned about the homesteaded properties and the difficulty that many of our homesteaded properties are having in order -- in paying fines that are -- have been accumulating for years and years and years. Staff worked on this program. It does have three parts for consideration. The first one being for homesteaded properties.

If it is a homesteaded property and they bring it into compliance and make sure that they comply with all of the other requirements knowing that board and seal and some things are not included, then for their administrative fee only, the staff time that has been spent on that project would be charged as it relates to satisfying that particular fine.

We also were encouraged by Councilman Guyton to make sure that before anything happens we also try to identify agencies within the county or surrounding areas that can assist our seniors that have homesteaded properties and cannot bring them up to standard. And we have began to develop that list so that if we do encounter a senior that's in a homesteaded property, we'll be able to have a place in which we can refer them.

If you have any other questions, I have Natalie Moore, our Code Administrator here, as well as Chief Williams of our police department to answer specific questions about the program.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Thank you. First -- first let me make a comment. There was a comment made that the City borrowed \$20 million to help the businesses down in the CRA. That is not an accurate statement. We borrowed \$29 million to do infrastructure down in that area for our redevelopment project. And part of it -- most of it, that is what it was borrowed for.

But as it relates to this code -- this amnesty program, I found from getting calls from some of the residents who are homesteaded, that when they are issued a -- a code violation, sometimes they're not in the position at that time to actually resolve it. As a result, fines start to accumulate on a daily basis, if I'm not mistaken. Or -- and they do have a period to bring it into compliance before the fines start. But if they don't, if they don't have the resources, as we know in our community, many of our people, some of whom live under the poverty line. Some live right above the poverty line. But they've been fortunate enough to have a home. But when the fines accumulate, if I'm not

mistaken, at \$100 a day, Mrs. Jones? What is the amount that it accumulates once the fines start?

**CITY ATTORNEY RYAN:** I believe it varies depending on what the nature of the violation is.

**COUNCILPERSON GUYTON:** Okay.

**CITY ATTORNEY RYAN:** But it can be, depending -- if it's severe enough.

**COUNCILPERSON GUYTON:** Okay. And when they're able to correct the violation, they find themselves in a situation. They've corrected the violation but now, because they didn't have the resources initially, they have this fine that is accumulating daily that they cannot resolve. Code Enforcement is not to penalize people in perpetuity. It's to bring them into compliance. So after they come in to compliance, we have, I think, an obligation for the senior citizens and those who have been here most of their lives and own homes, don't plan on moving -- they're not renting -- to assist them to get that albatross from around their neck which is a lien that sometimes last for the rest of their lives. It's not fair. We know life is not fair but this is not for the big fat cats or someone who comes in and buys up a lot of property and then somehow not take care of their responsibility and look for a way out.

That is not how this program, in my mind, was derived. And when I talked to Ms. Jones, that is not the intent. I see that there are steps, higher percentages for those who may not be homesteaded. Those who may have a commercial property or those who may have rental property, they don't get to pay just the administrative fee. I've spoken to people who have as high as -- homesteaders, a half a million dollars on their property. The property's only worth \$40,000. It's ridiculous.

So it is my intent to have a program -- I would hope that this is done periodically, even if it's restricted to homesteaders, that those who do come in compliance -- that's the key. Once you come into compliance, we will work with you on the astronomical lien. We're - - it's not to penalize you for the rest of your life. All right? This is just come into compliance. We'll work with you and then hopefully you can maintain it from that point forward. So that -- that is how it was derived. And I just want people to know that this is to help our hard-working, struggling people in our community that sometimes fall on hard times, as we all do. So having said that, Madam Chair, I have a couple of questions to the City Manager --

**CHAIRPERSON J. DAVIS:** Go right ahead, sir.

**COUNCILPERSON GUYTON:** -- regarding this. Or -- or Mrs. Moore, whomever may -- may be the appropriate person. As I review the documents, first thing in the -- in the resolution, in -- in the amnesty program here, we have a program duration of May 1<sup>st</sup>, 2014, through July 31<sup>st</sup>, 2014.

**CHAIRPERSON J. DAVIS:** I think it meant March.

**COUNCILPERSON GUYTON:** It says May. And one document in --

**CHAIRPERSON J. DAVIS:** Yeah. It says March here.

**COUNCILPERSON GUYTON:** -- it says March in the resolution. So -- so we -- we need to address the -- the -- the conflict in the dates with the resolution and then the actual program.

**CODE ENFORCEMENT ADMINISTRATOR MOORE:** So noted.

**CITY MANAGER JONES:** We'll make it May.

**COUNCILPERSON GUYTON:** Okay. Got it. Okay. The -- the -- the other thing that -- that jumped out at me, I would like to see -- I -- this period here -- and -- and I'm -- I'm asking my colleagues now, this period be set for the application period to submit your application because if someone doesn't find out about it until July, they only have 30 days to resolve it. It is my hope that from the application date, that the person would have 90 days to resolve it in case they get in or don't find out about it until the tail end of this window that we have here. I -- I don't know how my colleagues feel about that. I'm throwing that out as a suggestion, because there are times when we can advertise things and people just don't hear about it.

**MAYOR MASTERS:** That's right.

**COUNCILPERSON GUYTON:** And they run in at the last week saying, I just heard about this. You know, and then this window is closing on them but I think that would be a little unfair if they understand that from the time that they submit the application, you have 90 days to -- to resolve it. Do -- does any of my colleagues have a problem with that?

**CHAIRPERSON J. DAVIS:** Okay. We'll -- we'll address that in just a minute.

**COUNCILPERSON GUYTON:** Okay. The -- the -- the other thing that -- that I found in the program that I would like to have addressed, in the resolution it addressed "no outstanding utility account balances." Would somebody clarify that for me because it could be a month. It could be two months that a bill is owed. Define for me outstanding balances, because sometime a water bill may run into the second month and they're coming to pay it and we need to clarify what that is so that everybody would understand what an outstanding utility account balance -- it's in the resolution.

**CITY MANAGER JONES:** Yeah.

**COUNCILPERSON GUYTON:** Page 2.

**CITY MANAGER JONES:** So we will clarify that in the resolution. We would not be counting any current billings as outstanding. Water bills or water accounts, as it relates to that.

**COUNCILPERSON GUYTON:** Okay.

**CITY MANAGER JONES:** So when they make application, they need to be current no more than the current month in which the bill is due.

**COUNCILPERSON GUYTON:** Okay.

**CITY MANAGER JONES:** But we'll clarify that.

**COUNCILPERSON GUYTON:** If -- if you can clarify that so that they understand that, as well. Also here, in the -- in the body -- I mean, in the summary, it referenced, "Boarding and securing a vacant lot and home cleaning maintenance liens are not eligible for this program." Home cleaning maintenance. Could somebody clarify that for me?

**CHAIRPERSON J. DAVIS:** Ms. Jones?

**CITY MANAGER JONES:** Home cleaning and -- and boarding, there are times when -- and we have contracts with individuals that it's necessary for them to go in and clean out a particular residence.

**COUNCILPERSON GUYTON:** Oh, okay.

**CITY MANAGER JONES:** Or vacant property that's left.

**COUNCILPERSON GUYTON:** Okay. Okay. Understood.

**CITY MANAGER JONES:** It's a nuisance.

**COUNCILPERSON GUYTON:** Okay. All righty. And the last thing that I have here, how would the word get out to our residents? How we're going to let everybody know that we have a program available --

**MAYOR MASTERS:** Water bill?

**COUNCILPERSON GUYTON:** -- so that they would be able to take advantage of it?

**CODE ENFORCEMENT ADMINISTRATOR MOORE:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Yes, Ms. -- go ahead.

**CODE ENFORCEMENT ADMINISTRATOR MOORE:** Councilperson Guyton, Natalie Moore, Code Enforcement Administrator, City of Riviera Beach. Notification to our residents -- and as we've done in the past, it's done by multiple media sources. We use our channel 18. We've used our water bill. We've also mailed notices to people who have fines and liens on their property. As we do the re-inspections, those people who come up, we send that to them. We've also just gone through our database. If you have a fine and a lien, you get a copy of the amnesty program. I think you've seen also

a flier that we've used in the past so that everyone knows. We put the information out at our local churches, you know, so we make sure that is a multi-media approach.

So again, channel 18. We have it sent to property owners who have fines and liens, and we do that in our office routinely with all new violations. Any collection of outstanding liens, water bill, all of those different type of sources.

**COUNCILPERSON GUYTON:** Okay. Thank you, Madam Chair. That's all I have.

**MAYOR MASTERS:** Madam Chair? Madam Chair?

**CHAIRPERSON J. DAVIS:** Mayor Masters?

**MAYOR MASTERS:** Thank you. First, I want to thank Former Councilman Shelby Lowe for the birth of the whole concept. It may have happened years before but I remember that he was the first one, first people that I know that brought the -- the concept up for amnesty. And the Council at that time passed it. So I want to just say thank you, Shelby.

Secondly, I want to thank Pastor Griffin Davis, the pastor of Hilltop Baptist Church, who is -- have -- has been the advocate from day one concerning this whole issue. He certainly met with myself and Councilman Guyton, the city manager and a group of pastors, and he was very troubled by what we were doing and asked if management and the administration could address it and work it out. I'm certainly thankful to Councilman Guyton for his leadership here making it happen. Having said that, I do agree a hundred percent with -- with Madam -- with Ms. Norma Dunkin -- Duncombe as it relates to looking out for our seniors and others. I was happy to hear the manager say that we were going to reach out to local businesses and others, a moral appeal, to see if they would be interested in helping those who cannot help themselves.

I want to be a part of that process, and reach out to the businesses that we have relationship with through our senior citizen program. We have over 110 businesses who have reached out to our seniors and -- and it's a very good program. But in addition to our seniors, we have struggling single parents. We have veterans. We have disabled and others that certainly ought to be included somehow in the picture.

So my question to the attorney, Attorney Ryan, would be on the record. The Waste Management monies that we all get, would it be -- is it legal that I can use -- and if so, I would use 5,000 -- most of all of my money for this, because it's -- anything to help our residents in this kind of way to me is worth every dime that I would get in Waste Management. So my question is, is it legal that -- that I can use \$7,500 and give it to the City or to a nonprofit organization that may be interested in helping to bring relief to those that cannot afford?

**CITY ATTORNEY RYAN:** Mr. -- Madam Chair? I'm sorry.

**CHAIRPERSON J. DAVIS:** Go ahead, ma'am.

**CITY ATTORNEY RYAN:** Mr. Mayor, you absolutely can. You can give it to any -- definitely you can give it to a City program or a non-profit program. You just couldn't give it to the individual people yourself. But if you gave it to a program and they doled out the money in the way they saw fit without your input, you could definitely do that.

**MAYOR MASTERS:** But it would have to be a non-profit?

**CITY ATTORNEY RYAN:** Or the -- a non-profit or the City, yeah.

**MAYOR MASTERS:** Or the City?

**CITY ATTORNEY RYAN:** Right.

**MAYOR MASTERS:** Madam Manager, do we have anything set up with the City that I could give --

**CHAIRPERSON J. DAVIS:** We don't have (inaudible).

**MAYOR MASTERS:** -- this money to?

**CITY MANAGER JONES:** We don't have an internal program, sir.

**MAYOR MASTERS:** Can you look at the possibility of maybe setting something up within the City that I can give you \$5,000 to help with financing this? Or would you prefer for me to make a moral appeal to a non-profit out there in television land? If you would like to be that non-profit, I'm willing to perhaps give you \$5,000 to do this, to help, because it's -- it's -- it's -- you can't just have it and not have a way to help. So I want to do it.

**UNIDENTIFIED SPEAKER:** (Inaudible) good.

**CITY MANAGER JONES:** Can the -- question: Can the CDC do it?

**MAYOR MASTERS:** I -- I don't know. I don't --

**CITY MANAGER JONES:** Riviera Beach CDC, Ms. Ryan?

**MAYOR MASTERS:** -- you're asking the attorney?

**CITY ATTORNEY RYAN:** Who's on the CDC? Do we know?

**MAYOR MASTERS:** I don't know anything about a C -- I -- I don't --

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CITY ATTORNEY RYAN:** It's not 'cause --

**MAYOR MASTERS:** -- I don't know about a C or a D.

**CHAIR PRO TEM PARDO:** None of the commissioners are.

**CHAIRPERSON J. DAVIS:** The Riviera Beach -- none of the commissioners are.

**CHAIR PRO TEM PARDO:** Right.

**CITY ATTORNEY RYAN:** Okay. I think so, sure.

**CITY MANAGER JONES:** Yeah. It's made up of --

**CHAIRPERSON J. DAVIS:** Citizens.

**CITY MANAGER JONES:** -- citizens.

**CHAIRPERSON J. DAVIS:** And businesspersons.

**CITY MANAGER JONES:** And they do community development within -- currently now in Riviera Beach Heights.

**CITY ATTORNEY RYAN:** Absolutely.

**CITY MANAGER JONES:** And they can work anywhere in the city.

**MAYOR MASTERS:** Okay. But they would have to come up with their own stipulations and regulations as how -- who would qualify for it?

**CITY MANAGER JONES:** (No audible response).

**MAYOR MASTERS:** Okay. Well, I'm going on the record at least 5,000. Thank you.

**CHAIRPERSON J. DAVIS:** Okay. Any other questions or comments? And I have a question. The dates that are being proposed in this document, May 1<sup>st</sup> to July 31<sup>st</sup>, is that acceptable for everybody?

**CHAIR PRO TEM PARDO:** Uff-huh.

**COUNCILPERSON GUYTON:** Yes, it -- Madam --

**CHAIR PRO TEM PARDO:** I'm good.

**CHAIRPERSON J. DAVIS:** Wait a minute, Mr. --

**COUNCILPERSON GUYTON:** Oh.

**CHAIRPERSON J. DAVIS:** -- wait a minute, Mr. Guyton. Is that acceptable?

**CHAIR PRO TEM PARDO:** Yes. I'm good.

**CHAIRPERSON J. DAVIS:** Okay. I don't hear any no's so I'm assuming yes. Mr. Guyton?

**COUNCILPERSON GUYTON:** Yes. I did make a suggestion about that being an application submittal period. And whatever the date of the application is, I was recommending that they would have 90 days from that point to resolve their violation -- or I mean, the -- the -- the -- the lien or whatever the amount is that -- that would be required in order to -- to get a satisfaction of lien.

**CHAIRPERSON J. DAVIS:** Okay. Is that okay with everyone?

**CHAIR PRO TEM PARDO:** Well, Madam Chair?

**CHAIRPERSON J. DAVIS:** Ms. Pardo?

**CHAIR PRO TEM PARDO:** I just want to make sure. Is this the intent of the program to go on in perpetuity or --

**COUNCILPERSON GUYTON:** No.

**CHAIR PRO TEM PARDO:** -- okay. So when would it -- okay. Because if you give someone 90 days, all right, what happens if they hear about the program in -- you know, on July 15<sup>th</sup>? Okay. Now you're going into the Fall.

**COUNCILPERSON GUYTON:** Well, that is the point that I was getting to, that if -- if they hear about this program at the end of the designated period now, and they only had a week to get it resolved, it's my hope that we would allow them -- you have to have your application in within this time period.

**CHAIR PRO TEM PARDO:** Uh-huh.

**COUNCILPERSON GUYTON:** And from the time of your application, you have 90 days to resolve it. So that -- that is what --

**CHAIR PRO TEM PARDO:** Okay. So why don't we put, you know, everything needs to be resolved by September 30<sup>th</sup> so we go into our fiscal year clean? And also, Ms. Moore has been working with the -- the City of West Palm Beach and Lake Worth. And -- and I mentioned this a couple of weeks ago. We're going to have a workshop soon to discuss moving forward with, you know, different options on Code Enforcement. So anyway, I would like to see a drop-dead date. If we could say everything needs to be completed by September 30<sup>th</sup>, just so it doesn't go on and on and on.

**COUNCILPERSON GUYTON:** Madam Chair, I -- I don't have --

**CHAIR PRO TEM PARDO:** And then, you know, maybe --

**COUNCILPERSON GUYTON:** -- a problem.

**CHAIRPERSON J. DAVIS:** Hold on, Mr. --

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM PARDO:** -- October 1<sup>st</sup> we can come back and address it again or maybe another program will be implemented by then.

**CHAIRPERSON J. DAVIS:** (Inaudible).

**CHAIR PRO TEM PARDO:** But I just don't want this to go on and on and on.

**CHAIRPERSON J. DAVIS:** Okay, Mr. --

**CHAIR PRO TEM PARDO:** That's all I'm saying.

**CHAIRPERSON J. DAVIS:** -- Mr. Guyton?

**COUNCILPERSON GUYTON:** No, I was just saying I don't have a problem with the suggestion. I would just like to give them ample time once they submit their application to have the ability to -- to produce the resources. And sometimes they just don't have it and -- and if we gave them 90 days, I thought that would help. But whatever drop-dead date, I would just like to see some type of program in place so that our residents can have an opportunity to satisfy their lien, especially those with 2, 3, \$400,000 on them.

**CHAIRPERSON J. DAVIS:** Okay. So if I am understanding this correctly, the application period's May 1<sup>st</sup> through July 31<sup>st</sup> and then 60 days after that to comply and get their lien straightened out. So the drop-dead date is 9/30/2014. Is that okay --

**COUNCILPERSON GUYTON:** Yes. I'm -- that's --

**CHAIRPERSON J. DAVIS:** -- with everyone?

**COUNCILPERSON GUYTON:** -- okay with me.

**CHAIRPERSON J. DAVIS:** Okay. All right. Nothing else from the board? Madam Clerk?

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. We're now down to Public Comments.

**8. RESOLUTION NO. 31-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT WITH THE NUMBER ONE (1) RANKED FIRM, MCKINLEY INSURANCE SERVICES, INC., OF FORT LAUDERDALE, FLORIDA, TO SERVE AS AGENT OF RECORD FOR THE CITY'S EMPLOYEE GROUP INSURANCE PLANS; AND PROVIDING AN EFFECTIVE DATE.**

**CHAIRPERSON J. DAVIS:** Is there a motion? Is there a motion?

**COUNCILPERSON THOMAS:** So moved.

**CHAIRPERSON J. DAVIS:** Is there a second? I'll pass the gavel and second. Miss -- could you pass that down, please?

**CHAIR PRO TEM PARDO:** Okay. Do we have a second?

**CHAIRPERSON J. DAVIS:** Yes.

**CHAIR PRO TEM PARDO:** Okay. Properly moved and second. Okay. Does staff want to give us a presentation?

**CITY MANAGER JONES:** What you have before you are the results of a public solicitation that the Council asked us to conduct. This -- the -- it actually started and was advertised in the Palm Beach Post on October the 6<sup>th</sup>, 2013. You have before you the four -- information on the four responsive -- responsible bidders, their rankings and their scores. As a result of the scores and the interviews, the committee is recommending that we be authorized to negotiate with McKinley Insurance Services, Incorporated as our broker of -- agent of record for health insurance.

**CHAIR PRO TEM PARDO:** Okay. So that's the entire presentation? That's it.

**CITY MANAGER JONES:** (Inaudible). Unless you want (inaudible).

**PURCHASING DIRECTOR GUY:** I'll -- I'll answer any questions that the committee --

**CHAIR PRO TEM PARDO:** Okay. Do we have any Public Comment cards?

**PURCHASING DIRECTOR GUY:** -- I -- I mean, sorry, that City Council may have regarding the committee recommendation.

**CHAIR PRO TEM PARDO:** Okay. Do we have anything from our Council? Any questions?

**COUNCILPERSON THOMAS:** Yes. I do.

**CHAIR PRO TEM PARDO:** Mr. Thomas?

**COUNCILPERSON THOMAS:** I have a few concerns as well as questions.

**PURCHASING DIRECTOR GUY:** Okay.

**COUNCILPERSON THOMAS:** So often the selection committee that's put together, they rank these firms and then they just say, This is how we rank these firms. And from time to time I believe that, you know, Purchasing tries to get with us and individually, you know, ask if we have any questions or concerns or tell us what their process was. But I've seen this over a number of times over the past RFPs that we don't actually get a chance to hear from these firms. We don't get a chance to see these firms unless there's a protest or it's not a protest or in these last few cases, they can't afford the process.

I'm concerned that I haven't really heard about the other firms. I know that we're asking to -- to negotiate with the number one ranked firm, but can you tell me about the other firms that was there and what was the numbers of the rankings of these firms and some other things about them? Maybe their -- their public participation in terms of local -- any of those things about these -- these firms?

**PURCHASING DIRECTOR GUY:** Okay. What I'll be glad to do is I can go over some of the elements of the recommendation report. Generally, as a purchasing director, I don't actually sit on the evaluation committees. We have the members. We have a representative from Purchasing that manages the process and they're -- they're responsible for compiling the recommendation report. Now, with regards to your question, we actually had four companies respond to the RFP. If -- if you will, Ms. Marie Sullin, our Risk Manager who actually was a member of the committee, will discuss some of the aspects of the committee evaluation, as well as discuss briefly some of the issues with the individual respondents of the proposals.

**COUNCILPERSON THOMAS:** Sure.

**CHAIR PRO TEM PARDO:** Okay. Ms. Sullin?

**HUMAN RESOURCES RISK MANAGER SULLIN:** Marie Sullin, Human Resources Risk Manager. I was an actual committee member as part of the process. We had Gallagher Bassett, McKinley Financial and Bernstein who actually presented and provided us the factuals backup for what Council had asked us with respect to their knowledge and background with respect to the ACA. Each -- each firm presented

individually with respect to their ACA, their knowledge and background, and we graded them according to --

**COUNCILPERSON THOMAS:** Excuse me, Madam Chair?

**CHAIR PRO TEM PARDO:** Yes.

**CITY MANAGER JONES:** ACA, nobody knows what (inaudible) --

**COUNCILPERSON THOMAS:** It's Affordable Health Care Act, but I just want to make sure that Ms. Sullin --

**CHAIR PRO TEM PARDO:** Okay.

**HUMAN RESOURCES RISK MANAGER SULLIN:** My apologies.

**COUNCILPERSON THOMAS:** -- she seems to be a little nervous so it's -- it's -- it's really okay. Ms. Pardo's chairing the meeting. It's -- it's gonna be okay.

**HUMAN RESOURCES RISK MANAGER SULLIN:** No, no, no, no. I'm not actually nervous.

**COUNCILPERSON THOMAS:** Okay.

**HUMAN RESOURCES RISK MANAGER SULLIN:** It's just --

**COUNCILPERSON THOMAS:** Go ahead.

**HUMAN RESOURCES RISK MANAGER SULLIN:** ACA stand for Affordable Health Care Act. It's just that I thought at this point now since this is such -- been big news that everyone know that, what ACA is. I'm sorry. But I will make sure I will not use so many acronyms. Basically with reference to knowledge and provision, each firm had over three years. So we scored them according to basically the scale that we had at that time for their knowledge. And for analytical tools and -- associated with the Affordable Health Care Act, we looked at the tools that they had to actually be able to forecast, to actually provide us with background and information respect to that act. We graded them on that, also. And then we asked them with respect to educational, seminar, client, roundtables, webinar, bulletin, notices, if they had those particular items available in their firm in order to provide the City and the employees and also the community with information.

And we also graded them on those particular -- the scale is located on your backup. And you will see on each firm what the actual scores were given to them for those specific items. And then we also gave them a score for being a minority business. And we verified their letters of references. We verify their actual backup and bulletins and publications that they provided with respect to the Affordable Health Care Act. So this is how we actually came up with the scores.

**CHAIR PRO TEM PARDO:** Okay. Ms. Sullin, I have a question for you. So is it common practice for, you know -- I see that you sent out letters. You or someone in the City sent out letters asking for references. Okay? And you filled out a reference for McKinley. Is that just common practice?

**HUMAN RESOURCES RISK MANAGER SULLIN:** Basically they usually ask for a reference from whomever they're actually working for. For example, if McKinley was --

**CHAIR PRO TEM PARDO:** Right. But don't you think that's a -- Madam -- Miss Attorney, is that a conflict? Since this is supposed to be --

**HUMAN RESOURCES RISK MANAGER SULLIN:** Well, I work with them on a day-to-day basis so I --

**CHAIR PRO TEM PARDO:** Okay. Fine. But we're going out to bid.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Uh-huh.

**CHAIR PRO TEM PARDO:** And I would think that we would want recommendations from other people, not from the City of Riviera Beach. And I would think you're giving them an unfair advantage.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Well, there weren't --

**CHAIR PRO TEM PARDO:** Because the other applicants, they haven't had the chance to work with us. So, you know -- Ms. Ryan, is this common?

**CITY ATTORNEY RYAN:** (Inaudible).

**CHAIR PRO TEM PARDO:** I just -- it doesn't -- it doesn't pass the smell test with me.

**PURCHASING DIRECTOR GUY:** Here -- here, the -- the letter of references are part of the vetting. We're -- we only check references for the number one ranked firm. Those references are not part of the consideration.

**CHAIR PRO TEM PARDO:** Right. But you -- you gave them a reference and then submitted it to us. So instead of getting out and getting three references from three different clients of their clients, you got two references and then you wrote your own reference, giving them, you know -- saying whatever you said about them. So you couldn't find a third reference?

**PURCHASING DIRECTOR GUY:** It -- it -- it isn't uncommon. We've -- we've done it.

**CHAIR PRO TEM PARDO:** Well, I don't recall seeing it in the past.

**PURCHASING DIRECTOR GUY:** We -- we -- we've done it with several, um, construction projects where, you know, if they're working with the City. And basically what we're doing is we're wanting to confirm what sort of performance are they

providing. We -- that we've done. And you know, if you've had -- if you've done jobs in the City, then we're just confirming that, Okay. You've performed satisfactorily. And again, those are never considerations in term of -- in terms of the actual committee evaluation. That's only part of the vetting.

**CITY ATTORNEY RYAN:** So Mr. --

**CHAIR PRO TEM PARDO:** So you couldn't find a third one.

**CITY ATTORNEY RYAN:** -- yeah. But let me ask you this. So you've already selected them as number one before you send out the references? Is that what you're saying? You'd already made a decision on who would be the --

**PURCHASING DIRECTOR GUY:** No. No. No. No.

**CITY ATTORNEY RYAN:** -- who -- who had the highest numbers?

**PURCHASING DIRECTOR GUY:** Right. Right. They're ranked. Okay? But --

**CITY ATTORNEY RYAN:** They were already ranked before you did this?

**PURCHASING DIRECTOR GUY:** Yeah, before. Yeah. We -- references never go out until you have the ranking.

**COUNCILPERSON THOMAS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Yes, Mr. Thomas.

**COUNCILPERSON THOMAS:** Thank you. This is my -- this is my concern. And it's not just about this particular RFP. So often RFP comes up, staff is sitting here and they're saying, Oh, my God. What is going to be the problem tonight? What my issue is with this is we don't get a chance to actually make a decision off of what we feel about them. The -- the rankings come and that's what the selection committee's job is to do is to rank them and then say, This is how we rank them. So often so much is hung up on who's first, who's second and who's third and on down the line. And all I'm saying is, for this one time, I would like to see these particular agencies come before this board and give us a presentation on what they basically will offer. Now, let me tell you why that's important to me.

That's important because the decision makers at this level will get a chance to say, Hey, McKinley's been doing it for, I don't know how many years. They presented to us well. We think that they're great. Let's continue to go with them. Or we can say, You know what? Gallagher Benefit Services were ranked number two. They were only five points behind McKinley. Maybe we want to see how they can do it. Or we can go and say, Richard S. Bernstein & Associates, it's the first time we've ever seen them even apply for anything here in the city. Maybe we want to go totally new. Maybe they're going to offer something as a fresh set of eyes that these other two companies would do. And

maybe they won't. All I'm saying is I think that we need a chance to vet these. There's so many RFPs coming out.

**PURCHASING DIRECTOR GUY:** Yeah.

**COUNCILPERSON THOMAS:** There's so many, you know, times that there have been bid protest. There have been so many times that it's always been as if we don't want to help local businesses or local people that -- that do this. I have no problem with McKinley Financial. Not at all. My issue is they are in Broward County. How many of these companies are in preferably Riviera Beach, but at least Palm Beach County? You know, what can we do to start being local about it? And if the board decides that, Hey, I don't -- I don't mind Broward County being here, then that's fine. I'm not saying that their work product has not been good. I think their work product has -- has -- has been satisfactory. It's not that.

I just think that if we keep talking about local participation, are we going to give our residents a discount on this price? Are we going to give our residents a shot at working at these places? Well, if we don't help provide the opportunities for them to do so, that's kind of contradicting what we're actually asking. That's all, Madam Chair.

**CHAIR PRO TEM PARDO:** Okay. I have one more question for you. Page 3 of the handout that you gave us, you know, you have the three vendors listed and then it says, "Total number of references." And then you have "McKinley 10, Gallagher 6, Bernstein 5." Okay. So what exactly does that mean?

**PURCHASING DIRECTOR GUY:** Those were the total number of references that were submitted --

**UNIDENTIFIED SPEAKER:** Microphone.

**PURCHASING DIRECTOR GUY:** -- in their proposal.

**CHAIR PRO TEM PARDO:** Okay. But you didn't give us those, correct? So you only gave us the two from the outside and then the one that Ms. Sullin gave us. Is that correct?

**PURCHASING DIRECTOR GUY:** Right. We -- we -- when we verify --

**CHAIR PRO TEM PARDO:** Uh-huh.

**PURCHASING DIRECTOR GUY:** -- our -- customarily we verify a minimum of three references. Rarely do we do more than three. And what we did were -- were the references that were requested, the references that were requested and that were returned to the Purchasing Department. Those are ones that we provided as part of your backup. Okay? But in their actual proposal, they listed 10 references.

**CHAIR PRO TEM PARDO:** Uh-huh. Okay. So then we only got two back from -- for the McKinley Group?

**HUMAN RESOURCES RISK MANAGER SULLIN:** (Inaudible).

**PURCHASING DIRECTOR GUY:** Yeah.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Okay. Within the proposal itself --

**CHAIR PRO TEM PARDO:** Uh-huh.

**HUMAN RESOURCES RISK MANAGER SULLIN:** -- they are required to provide us with references from --

**CHAIR PRO TEM PARDO:** Yeah. I understand. And then you sent them the letters.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Okay.

**CHAIR PRO TEM PARDO:** And said, Can you please -- and here's the questionnaire. Good, outstanding, whatever.

**PURCHASING DIRECTOR GUY:** Right.

**CHAIR PRO TEM PARDO:** Right? Okay. So did they all come back or did just two come back and those were the two that you provided us and then you wrote the, you know -- the one for the City? I just -- I'm just curious.

**PURCHASING DIRECTOR GUY:** Okay.

**CHAIR PRO TEM PARDO:** You know, did we just get two back or did you get all 10 of them back?

**PURCHASING DIRECTOR GUY:** We -- we -- we didn't send out 10.

**CHAIR PRO TEM PARDO:** So you only chose --

**HUMAN RESOURCES RISK MANAGER SULLIN:** No.

**CHAIR PRO TEM PARDO:** All right. Then how'd you do it?

**PURCHASING DIRECTOR GUY:** We --

**CHAIR PRO TEM PARDO:** Please.

**PURCHASING DIRECTOR GUY:** Okay. We --

**CHAIR PRO TEM PARDO:** All right. I'm just curious because this thing with the City --

**MAYOR MASTERS:** This ain't right.

**CHAIR PRO TEM PARDO:** -- giving a reference is really bothering me.

**PURCHASING DIRECTOR GUY:** Okay.

**CHAIR PRO TEM PARDO:** That's a sticking point with me. So please, if you can clarify it, please clarify it and then we'll move on to the rest of the Council.

**PURCHASING DIRECTOR GUY:** Okay. Again, it's not uncustomarily [sic] that we will provide a reference from the City. We've done it on -- on -- on many occasions. However, for this particular RFP, as part of this proposal, there were submitted 10 references by McKinley Financial. These are the three that -- we verified three. And one with the City and we mailed out two additional ones that were mailed out.

**CHAIR PRO TEM PARDO:** All right.

**COUNCILPERSON GUYTON:** Ms. Chair?

**CHAIR PRO TEM PARDO:** Yes, Mr. Guyton.

**COUNCILPERSON GUYTON:** Okay. Thank you. To follow up on this reference letter question, I have a different question but it's about the reference letter.

**PURCHASING DIRECTOR GUY:** Okay.

**COUNCILPERSON GUYTON:** Ms. Sullin, were you on their review committee?

**PURCHASING DIRECTOR GUY:** Uh-huh.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Yes.

**COUNCILPERSON GUYTON:** Okay. Who actually responded from the City as a reference? Was that you?

**HUMAN RESOURCES RISK MANAGER SULLIN:** Yes.

**COUNCILPERSON GUYTON:** With me, that's a conflict. I think that's a conflict. If you're on the review committee and you're also writing a letter of reference --

**CHAIRPERSON J. DAVIS:** Yes.

**COUNCILPERSON GUYTON:** -- to me, that's -- that -- that's just my humble opinion.

**PURCHASING DIRECTOR GUY:** Okay.

**COUNCILPERSON GUYTON:** I mean, if -- if I'm on the review committee, I would have passed it off to somebody else to avoid the appearance -- even if I -- and I'm not questioning your integrity. None whatsoever. That's a problem if you're on the review committee and you're writing a reference for one of the applicants.

The -- the other thing that I -- I was reviewing about this was the -- we went out because of the Affordable -- Affordable Health Care Act, new legislation. And you know, we

wanted to be on top of everything. And -- and we included that in this -- in this RFP. Were -- were they giving -- was that quantitatively giving -- given a -- a -- a score as you determined their experience with that was or how was that review evaluated and giving us input as to who you think had the most experience, the least experience? I -- I couldn't find that in the documents, or -- or was that even done?

**PURCHASING DIRECTOR GUY:** No, what -- yeah. You have, in the recommendation, a matrix that's titled --

**COUNCILPERSON GUYTON:** I -- I'm looking at the matrix.

**PURCHASING DIRECTOR GUY:** Okay. And what you have is a summary of what was provided in their proposal.

**COUNCILPERSON GUYTON:** Okay. And my question was, was it broken down quantitatively with respect to your review or your opinion of who you think had the best experience in that just one area? That's one area. And you know, you had other areas I see that you were evaluating that you did score.

**PURCHASING DIRECTOR GUY:** Right.

**COUNCILPERSON GUYTON:** The simple question is was it scored?

**PURCHASING DIRECTOR GUY:** It -- it was considered. The --

**COUNCILPERSON GUYTON:** Okay. So it wasn't scored?

**PURCHASING DIRECTOR GUY:** It -- it --

**UNIDENTIFIED SPEAKER:** It should --

**PURCHASING DIRECTOR GUY:** -- it was included as -- as part of their overall experience. It was --

**DEPUTY CITY MANAGER JONES:** No, I'm saying that was (inaudible).

**PURCHASING DIRECTOR GUY:** No, that's what I'm saying. It's part of their overall experience. It was part of their -- it was evaluated as part of their overall experience.

**COUNCILPERSON GUYTON:** Okay.

**PURCHASING DIRECTOR GUY:** And it was -- it was an aspect of their responsiveness to the RFP.

**COUNCILPERSON GUYTON:** Okay.

**PURCHASING DIRECTOR GUY:** Because again, we requested you provide us detailed information regarding your experience for the -- the Affordable Care Act. So we asked for that. So in order for you to be responsive, you had to submit to us --

**COUNCILPERSON GUYTON:** Okay.

**PURCHASING DIRECTOR GUY:** -- your experience.

**COUNCILPERSON GUYTON:** Okay. I'm -- I'm not going to belabor it. But I was just curious if -- if the -- if there was a quantitative score given for -- separately for the Affordable Health Care portion of the RFP. So it's -- it was not -- it was just the experience was included?

**PURCHASING DIRECTOR GUY:** Right.

**COUNCILPERSON GUYTON:** All right. Okay. Just -- just a couple of more comments and -- and I'm done, Madam Chair. On your matrix here, as I look at the Affordable Care matrix, at the very top -- not the very top. Right below the top it says "Knowledge of provisions." And each is listed -- each company has their respective experience in that area listed. I see Gallagher had consultants that underwent mandatory training. I see Bernstein has an attorney on retainer for legislative compliance. And then I look at McKinley and it says "Judiciously monitors all health care reform." Did they provide information that they have either an attorney or additional training or is that done internal with -- with their own staff? Or do you know?

**HUMAN RESOURCES RISK MANAGER SULLIN:** The additional information they provided is their newsletter that they send to us on a regular basis and their own internal training and also training they conducted for all their clients.

**COUNCILPERSON GUYTON:** Okay. Okay. So -- so they don't -- okay. They don't have an attorney working with them or nothing in that regards?

**COUNCILPERSON THOMAS:** Madam Chair, can I ask Mr. Guyton a question?

**CHAIR PRO TEM PARDO:** Wait. Hold on. Mr. Guyton, would you mind?

**COUNCILPERSON GUYTON:** No, I wouldn't mind.

**CHAIR PRO TEM PARDO:** Okay. Go ahead, Mr. Thomas.

**COUNCILPERSON THOMAS:** Mr. Guyton, you're asking some questions that are -- that are jogging things in my head, as well. That was one of the points that I was stating of if they can present to us, because we're asking staff, you know, these questions and we could hear from the -- there was a time that they can present to us. The second thing is, we -- the -- the basis of this was to find an organization that was fluent enough into the Affordable Care Act that we could rely on. And the questions that you're asking leads directly to that. The other thing that I was looking at is even the reference letter that we gave was only a "Good."

**UNIDENTIFIED SPEAKER:** Right.

**COUNCILPERSON THOMAS:** And I was wondering if they've been with us -- I see another -- Ann Storck Center gave a reference rating of "Outstanding." So I'm assuming "Outstanding" is better than "Good." What is the highest that it would go to?

**PURCHASING DIRECTOR GUY:** The highest rating would be outstanding.

**COUNCILPERSON THOMAS:** So if we didn't give them the -- the highest rating and they've been working with us for several years, that will -- that will cause me some -- some concern. If they're working with us and we -- which I think is a conflict to give them a letter to our own RFP -- and we didn't even rate them at the highest level, then that means that there's some -- some type of issues. I'm just asking the -- the Council to let's -- let's look at letting everybody present to us. I mean, I just really think that that's what we ought to do reference to just saying let -- let's take the number one ranked firm.

**COUNCILPERSON GUYTON:** Okay.

**COUNCILPERSON THOMAS:** That was all I was trying to talk to you about.

**CHAIR PRO TEM PARDO:** Okay. Go ahead, Mr. Guyton.

**COUNCILPERSON GUYTON:** And one last comment, Madam Chair, thank you. Under that same matrix, under the Health Care Reform Consultant Plan Ongoing Educational Sessions, I -- and -- and -- and as I reviewed them because it -- it is a big issue now with this Affordable Health Care, not just in the private sector but in the public sector, as well. Um, and -- and let me say this, too. I also understand this is just one component of the overall services that we requested. Providing the actual medical plan and other things, that, too, was also re-issued an RFP if I'm correct, right?

**CITY MANAGER JONES:** Yes, sir.

**COUNCILPERSON GUYTON:** That's a yes?

**CITY MANAGER JONES:** Yes, sir.

**COUNCILPERSON GUYTON:** Okay. Now, in that matrix under that section that I just quoted, the Health Care Reform Consultant Plan -- and I agree with Mr. Thomas and I'll be done after this comment. And it probably confirms why I think that we may need to look at this in a more holistic way here. Gallagher had -- in that section, the City or Gallagher -- Gallagher listed that Gallagher's Health Care Reform Plan would include communications of strategic plans, review of all carrier contracts and materials, employee compliance, communications. Bernstein had -- Bernstein has published and cited addressing national health care issues and community forums and having -- like most have when you go through school and college, if you're able to get published and cited, that's something to be proud of. So that's a little feather there that I picked up on just from -- from my educational studies.

But then I looked at McKinley. And McKinley has, as part of the Health Care Reform, McKinley believes in keeping their clients and their employees informed throughout the plan year by providing educational training sessions, as well as group and one-on-one sessions. What type of educational sessions have we had since we have been a client of theirs?

**HUMAN RESOURCES RISK MANAGER SULLIN:** Well, they've had several sessions for employees. They've had Benefit on a Budget. They've also had Part-Time Employees Health Care Reform session where they met one-on-one with employees at the city library and offered them assistance to actually help them enroll in the health care -- for the Affordable Health Care Act. Throughout the year they've also helped other sessions basically to keep employees and staff informed. They've also conducted an off-site training for staff with respect to the reform.

**COUNCILPERSON GUYTON:** Okay. That -- that's all I have, Madam Chair, now.

**COUNCILPERSON T. DAVIS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Okay. Ms. Davis?

**CHAIRPERSON J. DAVIS:** I'm -- no, I have nothing.

**CHAIR PRO TEM PARDO:** I'm sorry. Mr. Davis.

**COUNCILPERSON T. DAVIS:** Yes. Do -- do everyone hear me okay with my microphone?

**UNIDENTIFIED SPEAKER:** (Inaudible).

**COUNCILPERSON T. DAVIS:** Let me try this. On first question, how many years have McKinley had this contract with the City? When did they first begin, the very first time?

**PURCHASING DIRECTOR GUY:** It's their second, third --

**COUNCILPERSON THOMAS:** Well, they've been here since I've been here and it's been 2007.

**PURCHASING DIRECTOR GUY:** Right. About four or five. About -- about four or five. I -- I'm not a -- I'm not exactly sure but I know they're on -- they were awarded one contract and --

**HUMAN RESOURCES RISK MANAGER SULLIN:** There's an extension.

**PURCHASING DIRECTOR GUY:** -- and then there was an extension of that contract.

**COUNCILPERSON T. DAVIS:** Okay.

**PURCHASING DIRECTOR GUY:** So I believe at least four -- at least four years.

**COUNCILPERSON THOMAS:** It's more than that.

**CHAIR PRO TEM PARDO:** Yeah. It's definitely more than that. I've been here almost seven.

**CITY MANAGER JONES:** It's got to be more. It's closer to six than seven.

**PURCHASING DIRECTOR GUY:** Okay. All right. Six. Okay.

**COUNCILPERSON T. DAVIS:** Okay. Thank you. Here's another thing.

**COUNCILPERSON THOMAS:** Definitely --

**COUNCILPERSON T. DAVIS:** Just like my colleagues, we talked -- it was spoke about reference to the reference letter.

**PURCHASING DIRECTOR GUY:** Uh-huh.

**COUNCILPERSON T. DAVIS:** But since you gave one firm a reference letter, based on your observation, what would you say about the two other teams? On -- I just want to be fair. I mean, we heard what you felt about the one team. I'd like to hear about you feel about the number two and the number three team.

**PURCHASING DIRECTOR GUY:** Okay. Again, I just -- I just want to be --

**COUNCILPERSON T. DAVIS:** I'm just asking -- I'm -- I'm just asking --

**CITY ATTORNEY RYAN:** No. Madam Chair?

**COUNCILPERSON T. DAVIS:** -- this question because --

**CITY ATTORNEY RYAN:** The only reason she --

**COUNCILPERSON T. DAVIS:** -- only because they had provided a reference letter for them at the -- even as they sat on the committee.

**CITY ATTORNEY RYAN:** Right.

**COUNCILPERSON T. DAVIS:** So my question is -- I mean, we need to set the record straight for everybody. Let's everybody be fair across the board. Let's hear how they feel about the others.

**CITY ATTORNEY RYAN:** Well, I think that she only submitted the reference letter because she had experience with McKinley working with the City.

**COUNCILPERSON T. DAVIS:** But that -- but that's not my concern. It -- it has nothing to do with why she did it. The fact is --

**COUNCILPERSON GUYTON:** Right.

**COUNCILPERSON T. DAVIS:** -- that it was done.

**COUNCILPERSON THOMAS:** (Inaudible).

**CITY ATTORNEY RYAN:** Right. But she couldn't --

**COUNCILPERSON T. DAVIS:** And this letter is before us now.

**CITY ATTORNEY RYAN:** -- but she couldn't do one for the others because they didn't

**COUNCILPERSON T. DAVIS:** But that -- that's not the question I'm asking. The question I'm asking, even though they receive one -- the question that I asked is how did you feel? Regardless of why it was done, based on the presentation, how did you feel about the other two teams?

**HUMAN RESOURCES RISK MANAGER SULLIN:** I'll answer.

**CITY ATTORNEY RYAN:** That's not (inaudible) --

**COUNCILPERSON T. DAVIS:** That's all. I'm just asking a simple question. I mean, we're not going to beat around the bush with it. We have two other teams that see someone else get a reference letter regardless of why. And we're here on public record talking about it. I'd like to hear how you feel about their experience and their references and their presentation. Both teams. Simple.

**PURCHASING DIRECTOR GUY:** Well, again, I --

**COUNCILPERSON T. DAVIS:** We have to be -- we have to be fair. I'm just asking that question.

**PURCHASING DIRECTOR GUY:** Right.

**COUNCILPERSON T. DAVIS:** Yes.

**PURCHASING DIRECTOR GUY:** And -- and to just be -- I would -- I would ask --

**COUNCILPERSON T. DAVIS:** Please answer my question.

**PURCHASING DIRECTOR GUY:** -- only respectfully that -- you're absolutely right. I mean, Purchasing Department, transparency and fairness is the foundation of it.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**PURCHASING DIRECTOR GUY:** Now, if you were saying that we provided them a letter as part of their submittal or something of that nature, that's one thing.

**COUNCILPERSON T. DAVIS:** Uh-huh. Okay.

**PURCHASING DIRECTOR GUY:** This was a letter -- this was a -- this was a -- a -- just basically it was -- it was just a check. What sort of performance had they provided for your organization, which is only done with the number one ranked firm when we're going to make the recommendation.

**COUNCILPERSON T. DAVIS:** Okay. Let me ask you a question. Let's say you're applying for a job and there's four people applying for a job. And one of the other applicants have a reference for the person that's interviewing you and you're hoping you get the fair treatment on the job. That's why we need to have this question answered right now for the number two and the number three team. I'd like to hear how you feel about -- about the number two and the number three.

**HUMAN RESOURCES RISK MANAGER SULLIN:** I have no problem answering the question.

**COUNCILPERSON T. DAVIS:** Yes.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Based on the presentation only --

**COUNCILPERSON T. DAVIS:** Uh-huh.

**HUMAN RESOURCES RISK MANAGER SULLIN:** -- not working with them, I felt that Gallagher had the tools with respect to software.

**COUNCILPERSON T. DAVIS:** Uh-huh.

**HUMAN RESOURCES RISK MANAGER SULLIN:** And interpersonal skill. But I felt that McKinley Financial was able to deal with our employees on a day-to-day basis based on my experience with them and my interaction at the time that we had the presentation. With respect to Bernstein, they have the attorney, which I love. But at the same time, I didn't feel that interpersonal skill with respect to our employees. They had staff that were there but I could not be assured that they were going to be the one working one-on-one with the employees that we have here at the City.

**COUNCILPERSON T. DAVIS:** Okay. Okay. Okay.

**HUMAN RESOURCES RISK MANAGER SULLIN:** So --

**COUNCILPERSON T. DAVIS:** I -- I -- I see. Just really -- really quick, let me -- let me - - let me just stay here. I understand where you're going with that. You're comparing one versus the other. Are both of those other teams professionally qualified to do this job?

**CHAIRPERSON J. DAVIS:** Uh-huh.

**HUMAN RESOURCES RISK MANAGER SULLIN:** On an overall?

**COUNCILPERSON T. DAVIS:** Yes.

**HUMAN RESOURCES RISK MANAGER SULLIN:** I would say one.

**COUNCILPERSON T. DAVIS:** All -- right. The number two team and the number three team, are -- are you saying they're not qualified to do the job?

**HUMAN RESOURCES RISK MANAGER SULLIN:** That's not what --

**COUNCILPERSON T. DAVIS:** You said one. I asked you are all three qualified to do the job?

**HUMAN RESOURCES RISK MANAGER SULLIN:** All three?

**COUNCILPERSON T. DAVIS:** Yes.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Based on the presentation?

**COUNCILPERSON T. DAVIS:** No, no, no, no, no, no. Based on everything. Based on references.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Based on everything?

**COUNCILPERSON T. DAVIS:** Based on experience.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Overall?

**COUNCILPERSON T. DAVIS:** Based on everything that's in this criteria and everything that my colleagues talked about on this board --

**HUMAN RESOURCES RISK MANAGER SULLIN:** Uh-huh.

**COUNCILPERSON T. DAVIS:** -- in regards with the Affordable Health Care Act that was not scored in this -- in this process, which was brought up in the very beginning once we came before you.

**HUMAN RESOURCES RISK MANAGER SULLIN:** I would say two.

**COUNCILPERSON T. DAVIS:** It just -- it just -- so two? Okay. Now, which two?

**CHAIR PRO TEM PARDO:** Okay. Hold -- wait. Hold on a second. Before we get into this -- because --

**COUNCILPERSON T. DAVIS:** Because I --

**CHAIR PRO TEM PARDO:** All right. With all due respect, she was the -- you know, she was just one of five or six people on the committee.

**COUNCILPERSON T. DAVIS:** Right.

**PURCHASING DIRECTOR GUY:** (Inaudible).

**CHAIR PRO TEM PARDO:** I would -- all right. At this point -- and we'll hear from the Council again -- at this point I think the prudent thing to do, because some of us are a little skeptical -- I would say the prudent thing to do is set a meeting date, have the three companies come back and make a presentation to us. Right? We could do that at the next meeting. I don't think we --

**COUNCILPERSON T. DAVIS:** Madam Chair?

**CHAIR PRO TEM PARDO:** -- should do it tonight because the -- you know, these companies probably aren't prepared.

**COUNCILPERSON T. DAVIS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Hold on.

**COUNCILPERSON T. DAVIS:** Okay. Go ahead.

**CHAIR PRO TEM PARDO:** So you know, everyone think about that. Give it back to Mr. Davis. All right. Go ahead, sir.

**COUNCILPERSON T. DAVIS:** Well, Madam Chair, considering that I -- if you have any other questions from any other board members, I would like to make a motion that they come back --

**CHAIRPERSON J. DAVIS:** Can I --

**COUNCILPERSON T. DAVIS:** -- I'm -- I'm speaking.

**CHAIRPERSON J. DAVIS:** -- I have a comment.

**COUNCILPERSON T. DAVIS:** I'll wait.

**PURCHASING DIRECTOR GUY:** No, in terms of this?

**COUNCILPERSON T. DAVIS:** I'll wait.

**CHAIR PRO TEM PARDO:** Okay. Ms. Davis?

**COUNCILPERSON T. DAVIS:** I -- I -- I -- I'll pass.

**MAYOR MASTERS:** And I have one, too.

**CHAIR PRO TEM PARDO:** All right. Ms. Davis.

**CHAIRPERSON J. DAVIS:** Did he make his motion?

**COUNCILPERSON T. DAVIS:** No, no, no.

**CHAIR PRO TEM PARDO:** No.

**COUNCILPERSON T. DAVIS:** No, no. I -- I --

**COUNCILPERSON THOMAS:** There's a current motion on the floor.

**CHAIR PRO TEM PARDO:** No. He held it back.

**COUNCILPERSON T. DAVIS:** Yeah, there's a current motion on the floor.

**CHAIRPERSON J. DAVIS:** Oh, okay. I see. I would agree. I just -- with what you just said. However, I don't think a regular council meeting is the appropriate place. I mean, the presentations are going to be --

**COUNCILPERSON T. DAVIS:** Uh-huh. Set up a special one.

**CHAIRPERSON J. DAVIS:** -- lengthy, I'm sure. So my question to Ms. Jones or to Ms. Ryan, do we need to do a special meeting or can we do it at a workshop?

**CITY ATTORNEY RYAN:** Special meeting.

**CHAIRPERSON J. DAVIS:** A special meeting? Okay.

**CITY ATTORNEY RYAN:** If you're going to make the decision there.

**CHAIRPERSON J. DAVIS:** Yeah.

**CITY ATTORNEY RYAN:** If you just want to have a workshop and just have them present?

**COUNCILPERSON THOMAS:** No. I don't want to do that.

**COUNCILPERSON T. DAVIS:** Uh-uh.

**CHAIRPERSON J. DAVIS:** So we want to make a decision?

**COUNCILPERSON THOMAS:** I want to make a decision then.

**CITY ATTORNEY RYAN:** Then you need to have a special meeting.

**CHAIRPERSON J. DAVIS:** Is that -- is that the consensus?

**COUNCILPERSON T. DAVIS:** Let me ask you a question --

**CHAIRPERSON J. DAVIS:** Well --

**CHAIR PRO TEM PARDO:** Wait.

**COUNCILPERSON T. DAVIS:** -- Mr. Davis, go ahead.

**CHAIR PRO TEM PARDO:** -- hold on. Ms. Davis, you were --

**CHAIRPERSON J. DAVIS:** Would that be the consensus for everybody, to have a special meeting?

**COUNCILPERSON GUYTON:** Yeah. Yeah.

**COUNCILPERSON THOMAS:** It is for me.

**COUNCILPERSON GUYTON:** I do agree.

**COUNCILPERSON T. DAVIS:** All right. Okay.

**CHAIRPERSON J. DAVIS:** It is for me, too.

**CHAIR PRO TEM PARDO:** Okay. All right, Mr. Davis. Okay?

**COUNCILPERSON T. DAVIS:** No. I just follow the direct -- direct -- the rest of the board.

**CHAIR PRO TEM PARDO:** All right. With that --

**MAYOR MASTERS:** Madam Chair?

**CHAIR PRO TEM PARDO:** -- all right, Mayor, yes.

**MAYOR MASTERS:** Yes. Thank you. The attorney was attempting to -- I've got two things. First, I need to hear from the attorney. She was attempting to answer a question that was proposed by one of the -- one of us, but I need to hear on the record was that a conflict, the letter -- the -- is that -- was that a conflict of interest or not?

**CITY ATTORNEY RYAN:** Okay. Madam Chair. I don't believe it was a conflict because it was not used in the selection process. What I'm understanding from staff is that they wanted to be able to give something to you that was in the process. So the letter, it's a standard letter that goes out to all of -- to the -- I don't know if -- I don't know what the criteria is but apparently to three of their most recent --

**PURCHASING DIRECTOR GUY:** Clients.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Uh-huh.

**CITY ATTORNEY RYAN:** -- clients.

**HUMAN RESOURCES RISK MANAGER SULLIN:** Uh-huh.

**CITY ATTORNEY RYAN:** Now, would it have been more prudent to have somebody else fill it out? Yes, it -- it -- as I think Mr. Guyton said, it kind of gives the appearance of impropriety. But is it a technical conflict? I don't think it's a technical conflict.

**MAYOR MASTERS:** Thank you.

**CITY ATTORNEY RYAN:** Because it was not a part of the process. Had it been a part of the process then it would be a problem.

**MAYOR MASTERS:** Okay. Thank you, Madam -- Madam Attorney.

**CITY ATTORNEY RYAN:** Yes.

**MAYOR MASTERS:** Also to one of you, one of the three, I want to go back to a point that Councilman Thomas made. They have been with us for six, seven years.

**COUNCILPERSON THOMAS:** Longer.

**CHAIR PRO TEM PARDO:** Longer.

**MAYOR MASTERS:** Or long -- longer.

**CITY ATTORNEY RYAN:** Does anybody know?

**MAYOR MASTERS:** And --

**COUNCILPERSON THOMAS:** I don't --

**CHAIR PRO TEM PARDO:** When did Floyd Johnson come?

**MAYOR MASTERS:** -- in our reference or in our relationship --

**COUNCILPERSON THOMAS:** -- (inaudible).

**MAYOR MASTERS:** -- we did not give them "Outstanding" but we gave them "Good." Was there a reason why that we did not give them "Outstanding" as someone else had given him and yet we've been working with them? Can you state that for the record, please?

**HUMAN RESOURCES RISK MANAGER SULLIN:** For the record, the reason why I didn't give them an "Outstanding," with reference to every -- all -- the overall that I've seen and the work -- the day-to-day work that I've worked with them, I felt that if they had a software to predict --

**COUNCILPERSON THOMAS:** Excuse me. Point of order.

**CHAIR PRO TEM PARDO:** Wait.

**COUNCILPERSON THOMAS:** Point -- no, it's a --

**COUNCILPERSON T. DAVIS:** Yeah.

**COUNCILPERSON THOMAS:** -- point of order.

**COUNCILPERSON T. DAVIS:** Yeah.

**COUNCILPERSON THOMAS:** If we're going to do presentations, this would be wrong and not fair to McKinley to have her say that without the presentations being done.

**COUNCILPERSON T. DAVIS:** Yeah.

**COUNCILPERSON THOMAS:** And I just don't think that's appropriate. And it is a point of order so if the Chair doesn't want to entertain it as just saying, Let's not do this, then I would like to have a vote on it.

**CHAIR PRO TEM PARDO:** Do you have a problem with that --

**MAYOR MASTERS:** No, I'm fine.

**CHAIR PRO TEM PARDO:** -- Ms. Ryan?

**CITY ATTORNEY RYAN:** Which part? I'm --

**MAYOR MASTERS:** My question.

**CITY ATTORNEY RYAN:** Did he -- well, he raised a point of order --

**CHAIR PRO TEM PARDO:** No. The Mayor's question.

**CITY ATTORNEY RYAN:** -- because you all have -- well, I agree with the Chair that you all have already made a decision to have it brought back to you.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**COUNCILPERSON THOMAS:** I'm -- I'm -- I'm not the Chair. I'm --

**CITY ATTORNEY RYAN:** Oh, Jesus.

**COUNCILPERSON THOMAS:** -- I just wanted you to remember I'm not the Chair. I'm just Cedrick.

**CITY ATTORNEY RYAN:** Mr. Thomas.

**MAYOR MASTERS:** I -- I'll withdraw the question if it's improper.

**UNIDENTIFIED SPEAKER:** Councilman.

**CITY ATTORNEY RYAN:** Council -- I just --

**MAYOR MASTERS:** I'll withdraw the question.

**CHAIR PRO TEM PARDO:** All right. Fine.

**MAYOR MASTERS:** But wait a minute. I do want to make a statement.

**CHAIR PRO TEM PARDO:** Go ahead. One more.

**MAYOR MASTERS:** On the record.

**CHAIR PRO TEM PARDO:** Uh-huh.

**MAYOR MASTERS:** And I've said it many years ago. It hasn't changed. So I'm going to say it again. I have a problem with anyone that far off being our insurance rep in Broward County. I ain't never -- and I'm going to break a few rules of grammar. I ain't never been a supporter of McKinley Insure -- never. Thank you.

**CHAIR PRO TEM PARDO:** Okay, great. So there was a motion on the floor.

**COUNCILPERSON T. DAVIS:** Set up a motion. I was gonna rescind that motion and then make a --

**CHAIR PRO TEM PARDO:** Okay. So you'll rescind it. Ms. Davis --

**COUNCILPERSON T. DAVIS:** -- yeah. Yeah.

**CHAIR PRO TEM PARDO:** -- you want to take back your second?

**COUNCILPERSON THOMAS:** Point -- point of -- point of -- point of order.

**CHAIR PRO TEM PARDO:** Hold on.

**CHAIRPERSON J. DAVIS:** Oh, yes. I will.

**CHAIR PRO TEM PARDO:** Okay.

**COUNCILPERSON THOMAS:** I got a point of order, Ms. Pardo.

**CHAIR PRO TEM PARDO:** Okay. Yes, sir.

**COUNCILPERSON THOMAS:** The original motion that was on the floor was to -- to --

**COUNCILPERSON T. DAVIS:** I never got it out.

**CITY ATTORNEY RYAN:** To approve --

**COUNCILPERSON THOMAS:** The original motion was to approve it as read.

**COUNCILPERSON T. DAVIS:** Oh, okay.

**COUNCILPERSON THOMAS:** Mr. Davis never made the motion. I made the motion. Ms. Davis second the motion.

**COUNCILPERSON T. DAVIS:** Correct.

**CHAIR PRO TEM PARDO:** Excuse me.

**CHAIRPERSON J. DAVIS:** (Inaudible) rescinded it.

**CHAIR PRO TEM PARDO:** Okay. So where are you with your motion, then?

**COUNCILPERSON THOMAS:** I'm --

**CHAIR PRO TEM PARDO:** Are you pulling your --

**COUNCILPERSON THOMAS:** Absolutely.

**CHAIR PRO TEM PARDO:** Okay, fine. Then Ms. Davis rescinded hers. Mr. Davis?

**COUNCILPERSON T. DAVIS:** I'd just like to make a motion that we bring this back for a special meeting effective date that's chosen by this Council at this time. Maybe we can do -- we have -- next council meeting is in -- when, in two weeks?

**CHAIR PRO TEM PARDO:** Uh-huh.

**COUNCILPERSON T. DAVIS:** So maybe we can do it before the council meeting.

**CHAIR PRO TEM PARDO:** Well --

**CHAIRPERSON J. DAVIS:** We need to just let her (inaudible).

**CITY MANAGER JONES:** That's -- we need at least -- we need at least two hours at a minimum.

**COUNCILPERSON T. DAVIS:** That's -- two hours at a minimum?

**CHAIR PRO TEM PARDO:** Okay. So do you want to pull the Council?

**COUNCILPERSON GUYTON:** Yeah.

**CHAIRPERSON J. DAVIS:** So just have --

**COUNCILPERSON T. DAVIS:** Pull the Council. Just pull it.

**COUNCILPERSON GUYTON:** Just -- just --

**CHAIR PRO TEM PARDO:** Pull the Council in the morning? Okay.

**COUNCILPERSON THOMAS:** I'll -- I'll second it. Question.

**CHAIR PRO TEM PARDO:** Go ahead, sir.

**COUNCILPERSON THOMAS:** Mr. Davis, can you also add into your motion, if you don't mind, sir, that they will come and do a presentation for us?

**COUNCILPERSON T. DAVIS:** Yes. I will make that motion that they come back for a special meeting to come back and do a presentation for the effective date made -- determined by this particular board.

**COUNCILPERSON THOMAS:** My second still stands.

**CHAIR PRO TEM PARDO:** Okay. Everyone good? Madam Clerk.

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilman Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIR PRO TEM PARDO:** Okay. Thank you. I'm giving the gavel back to Chair Davis.

**CHAIRPERSON J. DAVIS:** Thank you, ma'am. We are now down to Discussion and Deliberation. Community Benefits item 9.

## **DISCUSSION AND DELIBERATION**

### **COMMUNITY BENEFITS REQUEST**

- 9. BLACK EDUCATORS CAUCUS OF PALM BEACH COUNTY - \$200 - MAYOR THOMAS A. MASTERS - SUPPORT SCHOLARSHIP AWARD FOR RIVIERA BEACH RESIDENT.**

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON THOMAS:** Second.

**CHAIRPERSON J. DAVIS:** It's been moved and second. Madam Clerk?

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. Item 10.

**10. BLACK EDUCATORS CAUCUS OF PALM BEACH COUNTY - \$450 -  
COUNCILMAN BRUCE A. GUYTON - SPONSORSHIP DONATION FOR  
STUDENT SCHOLARSHIPS.**

**CHAIRPERSON J. DAVIS:** Is there a motion?

**COUNCILPERSON T. DAVIS:** So moved.

**CHAIRPERSON J. DAVIS:** Is there a second?

**COUNCILPERSON THOMAS:** Second.

**CHAIRPERSON J. DAVIS:** Okay. Madam Clerk?

**CITY CLERK WARD:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson J. Davis?

**CHAIRPERSON J. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON J. DAVIS:** Okay. Discussion by the City Manager.

#### **DISCUSSION BY CITY MANAGER**

**CITY MANAGER JONES:** Nothing, Madam Chair.

**CHAIRPERSON J. DAVIS:** Okay. Legal?

#### **LEGAL DISCUSSION/REQUEST**

**CITY ATTORNEY RYAN:** Mr. Guyton, did you want to talk about the hearing today? Do you want to do it?

**COUNCILPERSON GUYTON:** No. I'll -- I'll yield to you.

**CITY ATTORNEY RYAN:** Oh. Oh, okay.

**COUNCILPERSON GUYTON:** Our -- our expert.

**CITY ATTORNEY RYAN:** I'll give this report for the Council, for the public and specifically for Mr. Davis who couldn't attend because he had to work today. Today we attended a hearing. As you all know, after the vote of March 11<sup>th</sup>, last Tuesday the Citizens Task Force and Bessie Brown as a taxpayer filed a lawsuit against the City of Riviera Beach for the -- among other things, the ballot summary that was submitted to the electors. They filed their lawsuit last Tuesday. We responded immediately. As you -- as we've discussed over many meetings at the City and the CRA, we have a lot in the balance. CRA is having their grand opening on April 10<sup>th</sup>. We have some contracts in the works.

We're trying to move this City forward and we did not want to waste time with this lawsuit. The last time we were in litigation with the task force with their last lawsuit, it took us almost a year to get to court. So we immediately moved for an expedited hearing on Monday and the hearing was held today at 10:00 a.m. in front of Judge Sasser. I understand that it was reported on the news, as well. I did not see that piece. Anyway, the -- we think the hearing went very well. Judge Sasser has asked all of us, both the task force and the City, for proposed final judgments/orders, which we have to submit by Monday coming. We will be working on the City's order and -- proposed

order and hopefully the judge will have a decision by next Friday. And this will be one of the quickest turnarounds for us in -- in -- in a long time.

So I wanted to just give that report. I will keep you abreast. I will send you a copy of our proposed order so that you know what went on. You know, it was very well attended. I thank all of the Council members and some of staff, the City Manager and the CRA director for coming. It was great to have the support. Mr. Jarolem and I have worked very hard in this last week to -- to put together a -- a very good presentation for the City and, you know, as I stated, we do think it went very well for the City. And hopefully we will prevail and we can move forward with our redevelopment efforts.

On a second matter, I wasn't -- I actually -- because I've been working on that, I kind of forgot about Fane Lozman's admiralty case. It was reported in the paper last week that Judge Dimitrouleas basically ruled that Mr. Lozman was not entitled to the \$267,000 in sanctions that he tried to extract from the City's attorneys. And Judge Dimitrouleas also punted on the issue of damages.

Initially the judge closed the case. This was some months ago. And Mr. Lozman -- I won't use the word begged but asked repeatedly of the Court to reopen the case for an evidentiary hearing on the issue of damages to his vessel. The Court did that and after reviewing the judge -- the magistrate's recommendation, determined that he -- they -- the federal court doesn't have subject matter jurisdiction. And so if Mr. Lozman wants to recover monies from the bond, the \$25,000 bond, he will have to go into state court and expend more tax dollars. He seemed interested in tax dollars tonight, which is --

**CHAIRPERSON J. DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** -- well, I won't say any more on that. Anyway, we will continue to do what we're doing and that is defending the City and defending our position as relates to Mr. Lozman's vessel.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON J. DAVIS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** If I may, I would just like to publicly give the utmost kudos to Mrs. Ryan, the Legal Department and our outside counsel.

**CITY ATTORNEY RYAN:** Mr. Jarolem.

**COUNCILPERSON GUYTON:** They were phenomenal today. I -- I had an opportunity to witness it as many others did. They were very organized. They were well-prepared and they were very well-spoken. And let me tell you that Mrs. Ryan, who a lot of people sometimes criticize, but I've been sitting in this seat for a year now and I know that she's on top of her game.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** I -- I don't need to hear the negativity from people from the outside looking in and looking at one case and trying to tell me the competency of our legal department. I'm witnessing it. Ms. Ryan is methodical. She's efficient and she's a bulldog. And that's in -- that's a compliment, that she -- she loves to win. And -- and so often we get the negative comments on the social media and the phone calls. But as long as she keep doing what she is doing, she will always have my support. So all of you that think that you can get three votes to get rid of her, you're going to have to do it out of four people 'cause you don't have my support. But I want to compliment her for what she is doing for this city, because there's no other city with the -- well, there are other cities with the volume of legal issues that she has. But nobody ever looks at that.

**CHAIRPERSON J. DAVIS:** Uh-uh.

**COUNCILPERSON GUYTON:** Every day there's a legal issue, there's a legal issue, there's a legal issue, there's a legal issue. If we don't win one, now the Legal Department is incompetent. That's ridiculous. For -- for one, the law is based on one's interpretation. It's not an exact science. So a judge can be wrong, an attorney can be wrong in their interpretation or they don't agree. That doesn't mean that they're not competent. But I just want to say publicly I am very satisfied with our Legal team here. As she just indicated in the Lozman case, he did not get the 290 some thousand dollars he was seeking.

We never talk about all of the wins that we get. Ms. Ryan just work and work, and then she'll move on to the next one and people come to the mike and attack her and on social media. And we -- we never give her the kudos that I think she deserve. And certainly we have a lot of good employees. But I'm only speaking about this one because we had a case today. So Ms. Ryan, I want to thank you and irrespective of the decision, I witnessed your performance. And let me say this. When we were in that courtroom, when our outside counsel was giving the presentation, when he got stuck or he needed a citation that he wasn't sure of, guess who he looked at? He looked around to Ms. Ryan.

**CHAIRPERSON J. DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** And she was right on it. Boom. Boom. Boom. And -- and -- and it went like clockwork. And I want you to know that as one of your bosses, I recognized it and I appreciate it. Thank you very much.

**CITY ATTORNEY RYAN:** Oh, thank you. Nice of you to speak.

**CHAIRPERSON J. DAVIS:** Okay. City Council Committee Reports. Anything?

#### **CITY COUNCIL COMMITTEE REPORTS**

**CHAIRPERSON J. DAVIS:** No?

**CHAIR PRO TEM PARDO:** Uh-uh.

**CHAIRPERSON J. DAVIS:** Statements by the Mayor and City Council. We'll start with you, Mayor.

**STATEMENTS BY THE MAYOR AND CITY COUNCIL**

**MAYOR MASTERS:** Thank you and welcome to your new position.

**CHAIRPERSON J. DAVIS:** Thank you.

**MAYOR MASTERS:** Got a few things. One is Tuesday for the -- the next four Tuesdays in -- in this month, we're going to convene a Job Readiness Program -- Project, rather, here in the chambers at 4 -- 4 p.m. every Tuesday for the benefit of young people from 16 years of age to 24, I think is the age group, preparing them for the Job Fair that four mayors, I -- we met with four mayors and that we are putting -- sponsoring a Cuatro-City Job Fair. The mayor of Lake Worth, the mayor of West Palm Beach, the mayor of Mangonia Park and the mayor of Riviera Beach. And that Job Fair will be May the 10<sup>th</sup>, which is a Saturday. But for the -- for -- I want our young people to have the -- the -- the greater if not the greatest benefit.

So we are going to convene this four weeks -- four Tuesdays in this month to make sure that they have the resume, the proper tools, know how to dress, how to ace interview and all the things. And we'll have experts that will be coming in addressing these issues to prepare our young people that when they do go to them they -- they will receive a certificate of completion. And when they go to the Job Fair, they'll be able to present that and hopefully that'll give them somewhat of an edge of others who just walk in to the Job Fair. Again, this will be every Tuesday this month at 4 p.m. from 16 years of age to 24. The Job Fair will be about six weeks later on May 10<sup>th</sup> at the Gaines Park facility in West Palm Beach.

I want to encourage the residents again to come out on this coming Saturday to support the Mothers against Murderers Association, their fundraiser and commend McCray's BBQ to -- for sponsoring and hosting this event. Derrick and I may have had some disagreements over a previous election, but when it comes to serving our community, we don't disagree at all. So we can move forward and for the good of the entire community.

The pastor of the New Macedonia Missionary Baptist Church would like for me to announce that on Easter Sunday or Resurrection Sunday, that every child who comes to church with their parent or whoever will receive an Easter basket from the age -- freely, from the age of two to 12 years of -- of age. Ms. Dale Cummings is putting together a trip to Freeport, Bahamas, to take advantage, I think, of the 40 percent discount that's being offers -- offered by Pelican Bay. It's some kind of holiday thing that's coming up over there. You -- what is it called? Some big --

**CITY MANAGER JONES:** Jubilee?

**MAYOR MASTERS:** Yeah, jubilee. And please call her for further information, 842-00 -- 0080. Last but not least, I would like to take a minute to inform the public of the new

chief of staff for the Office of the Mayor. We want to welcome aboard, while my previous chief of staff is on leave of absence -- it's a medical leave -- over to Ms. Pardo who's done a great job for us. I'm just kidding. But I want to welcome Toni Mays, who's the chief of staff for the Office of the Mayor. And she --

**COUNCILPERSON GUYTON:** Is he here now?

**MAYOR MASTERS:** Yes. Can I just -- I just want to get to -- yes.

**COUNCILPERSON T. DAVIS:** She -- she --

**MAYOR MASTERS:** Yes, she's here. I just want to read this briefly. She's been a force within the community for over 15 years. Mays is known -- is a known volunteer who has worked with the Caring Kitchen, Relay for Life and the Kimmy Louissaint [phonetic] Foundation -- probably messed that up -- and the 505 Teen Center. Mays is no stranger to the political community and she has worked deep in the trenches for both Organizing for America and the Honorable Congressman Ron Klein. And she worked in his office where she helped organize rallies and other events to raise political awareness and register voters as well as volunteering herself at local rallies and events, including former President Bill Clinton's visit to Delray and the list goes on and on.

She is a student at FAU, I think, in Boca. She has a degree in being a paralegal and her field of concentration is political science and English major and a lot of other stuff. But I just want to say that I -- I'm -- I'm blessed to have this young lady to join the staff and certainly if any of you need to use any of her skills, certainly I would be open to share her with any of our colleagues. I would like for Ms. Mays to take a second -- a minute and -- well, you can know who she is and -- and know that Ms. Mays is now the current chief of staff for the Office of the Mayor. Ms. Mays, would you please, if it's okay with the Chair?

**CHAIRPERSON J. DAVIS:** (No audible response).

**MAYOR MASTERS:** Thank you.

**CITY ATTORNEY RYAN:** No.

**MAYOR MASTERS:** Yes.

**TONI MAYS:** Good evening, everyone, Madam Chair, members, Council members. I would just like to say that I'm absolutely honored to hold this position and I am committed to doing whatever I can to help make Riviera Beach the best city in the world. I grew up in -- I grew up in Boynton Beach but my family is from West Palm. And -- and I spent a lot of my days doing my work throughout the community and other various things that I did throughout the community. And I spent a great deal of time in Riviera Beach. And it's just a part of who I am.

I can't imagine, you know, Palm Beach County without Riviera Beach. I grew up going to the beach. I grew up in this area and so I love it and have a passion for it and the

people of Riviera Beach. And I am dedicated to doing whatever I can to make Riviera Beach the best city it possibly can be. I'm committed to helping the Mayor in his community endeavors. He's a very community oriented mayor and it is my goal to help further his advocacy and his aid within the community. And I thank you for the opportunity to address the Council, and I hope you all have a good evening. Thank you.

**CHAIRPERSON J. DAVIS:** Thank you very much.

**MAYOR MASTERS:** Thank you, Madam Chair. That's it for me. And remember, the best is yet to come.

**CHAIRPERSON J. DAVIS:** All right. Mr. Davis?

**COUNCILPERSON T. DAVIS:** Thank you. One thing before I go to my closing comments, I have one very strong concern. When you're driving down MLK, whether you're coming from Congress or you're coming from Australian Avenue, as you get to the construction sites, there's a major problem. I had two residents contact me and I drove it myself. As you get to the construction sites, the redirection of traffic, there's not enough warning time -- warning signs ahead of time. And people are driving it and they're shifting lanes all of a sudden at the last minute. And it's almost causing a few accidents and I'm -- it almost happened to me.

**CHAIR PRO TEM PARDO:** Uh-huh.

**COUNCILPERSON T. DAVIS:** That's something that really needs to be addressed. Can our staff please make sure that we do that? I'm sure we will do just that. Because I did have someone yesterday call me and then they called me back again today like, "Hey, hey, I drove --" cause they drive that way back and forth from work into home. So when I actually drove it myself, it's very aggressive. It's a -- it's a very, very terrible issue that's going to happen at any moment, because when I was on the phone I was talking about it. Someone was walking by me while I was at work and they said, "Yeah, it happened to me, too," when they heard my conversation over the phone. So I just want to make sure that we do what we need to do to prevent anything from happening further, Ms. Jones. And I thank you for taking care of that.

And also what happened today, it was mentioned the Neighborhood Cleanup April 12<sup>th</sup> at Monroe Heights Park. Myself and my office and the Mayor and our staff will be working with Neighbors United once again to continue to just do our part to support our Public Works and our other departments to show that we care about our community and do some cleaning up, as well.

I would like to thank YEP, Ms. Valerie Grimsley, for taking the youth out away for their college tour during spring break and Mr. Devon who was the driver who did a great job of getting them home safely. That was very important that we had someone that we can trust with our youth.

I would like to say congratulations to our -- our new chair. I would like to say to all my colleagues in working, moving forward, that we continue to keep our city in mind and in

our hearts as we stay on our one goal and working -- one another and supporting one another, as well as supporting our staff moving forward. We're talking about redevelopment, moving forward, doing great things. Let's do great things with one another. And I would like to say good night and be safe going home.

**CITY ATTORNEY RYAN:** Oh, nice.

**CHAIRPERSON J. DAVIS:** Okay. Miss Pardo?

**CHAIR PRO TEM PARDO:** Thank you. And again, congratulations, Madam Chair.

**CHAIRPERSON J. DAVIS:** Thank you, ma'am.

**CHAIR PRO TEM PARDO:** I just have one thing. I would like to -- well, the Mayor mentioned it. But the District 4 office has a new chief of staff.

**UNIDENTIFIED SPEAKER:** Yes.

**CHAIR PRO TEM PARDO:** I'm sure a lot of people know Jessica Pinsky has left after a couple of years. She's taking care of some family matters. And Marian Dozier has joined our office. So for my Singer Island people, a lot of you are familiar with Marian. She did work with us for about two years when I was first elected and now she will be back in the office.

**MAYOR MASTERS:** And she'll do you well.

**CHAIR PRO TEM PARDO:** Absolutely. She did us --

**CITY ATTORNEY RYAN:** Aw.

**CHAIR PRO TEM PARDO:** -- she's always done us well.

**MAYOR MASTERS:** Yes.

**CHAIR PRO TEM PARDO:** You know? Marian is a -- a hard-working woman.

**MAYOR MASTERS:** Yes.

**CHAIR PRO TEM PARDO:** So I look forward to her joining our office. And that's all I have. Thank you, Madam Chair.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Thomas?

**COUNCILPERSON THOMAS:** Yes. Thank you. First, let me say to the newly selected Chair, Ms. Davis, congratulations.

**CHAIRPERSON J. DAVIS:** Thank you, sir.

**COUNCILPERSON THOMAS:** You're very welcome. I will be working extremely hard to promote whatever vision you have in terms of leadership at these meetings. And I just want you and the public to know that there is no animosity, no hard feelings between myself and you, Ms. Davis. I think that you will do an awesome job. And I just want people to know that it's what's in the best interest of the City. I will not be going away. I'll be sitting here doing what I normally do, working as hard as I can. So congratulations, Ms. Davis, and I do look to support you in any way that you see fit for me to.

I do want to briefly thank my colleagues for the time that they allowed me to serve as their chair. I enjoyed it. If it's anything that I did while I was there that you appreciated, by all means, use it. If there was some things that I didn't do, of course you have the autonomy not to use it. But I do want to thank you for -- for that.

I also want to make a public announcement about Dr. Tracy Sims at Lincoln Elementary. She's trying to start a -- a -- a tutoring session for parents. So if you have a son or a daughter that attends Lincoln Elementary and you maybe need to brush up on some skills that you -- you're struggling with and you're a parent, you can actually contact Lincoln Elementary, Dr. Tracy Sims, who is the principal, to assist with that. She's having a luncheon tomorrow. I'm not going to invite you to the luncheon 'cause I don't know if she will want me to do that. But some of the volunteers would -- will be there. Some of the elected officials from the BEO has decided that they're going to participate with that. And we just want to make sure that you get that done. So if you can't get ahold to Dr. Tracy Sims at Lincoln, by all means you can contact, you know, my office here and I'll pass that message on.

Other than that -- oh, and Ms. Ryan, the team today did do extremely well. It was standing room only. Of course it was a pretty small courtroom, too. But it was standing room only. And I got a chance to -- to actually see one of our cases live versus just waiting for you to bring us back the information. And I was -- I was, you know, kind of torn because, you know, we have a couple of citizens that, you know, feel strongly about the way that they're, you know -- that they feel. But on the other side, to defend that 75 percent, I -- I think that you did do an -- an outstanding job along with Mr. Rick Jarolem. So I think you did an -- you did an awesome job.

But don't let your comments stop anything that you have, whether you agree with it. By all means, contact all of the council members. That's what we're here for. But you know, we want to hear both sides of this. We want to continue to work with every -- everyone in every manner that we can. But we're going to continue to move the City forward because that's what we believe that the majority of the citizens want us to do. That's all, Madam Chair.

**CHAIRPERSON J. DAVIS:** Okay. Mr. Guyton?

**COUNCILPERSON GUYTON:** Thank you, Madam Chair. Just very briefly, first I would like to congratulate my -- my good friend, Councilman Cedrick Thomas, on a job well done as chair. He was very efficient at -- at running the meetings and keeping us on

point. And certainly we look forward to him to contribute to the process that we have here and congratulations, my friend.

**COUNCILPERSON THOMAS:** Thank you.

**COUNCILPERSON GUYTON:** And I'd like to congratulate Ms. Judy Davis.

**CHAIRPERSON J. DAVIS:** Thank you.

**COUNCILPERSON GUYTON:** Another one of my colleagues. I actually consider most of them up here my friends. Another one of my friends. And I look forward to working with her and I'm sure she's going to do an outstanding job. And I just -- I'm here to assist in whatever way I can to move the City forward.

Just a couple of quick things. I go out into the community every quarter and have a town hall meeting. My next town hall meeting is April 17<sup>th</sup> at 6 p.m. at Lindsey Davis Community Center. I encourage you to come out. We always have staff on hand, most of whom are department heads that are able to answer your questions, most of the time on the spot. So I encourage you to come out. This is your opportunity to see the people who are actually running our city. And if you have an issue that you haven't gotten addressed or you're waiting to be addressed, this may be a good opportunity to come and have it addressed. So April 17<sup>th</sup> at 6 p.m.

And lastly, I'd just like to thank the residents, the voters of this city who came out with a mandate for this Council that -- that we move this city forward. I want you to know that I personally heard you. I intend to execute on your command. I will not be swayed by the negativity, though I encourage those who disagree continue to be involved. But I've got my marching orders from the voters. It's time to move this city forward. I looked at the numbers. The yes vote didn't win most of the precincts. The yes vote won all of the precincts. We're making history. Every precinct that we had, the yes vote won, and that's not doing a victory lap. That's telling the people that I heard you.

And whatever happens in litigation, it will not sway me from focusing on the direction that you have given to me as an elected official. I'm gratified that our people in our city have finally come together, the island and the mainland, to say that it's time to move. You know, there -- there -- no project is perfect. We're going to have obstacles. We have people filing lawsuits trying to make us lose some of our -- our money that we have already identified. They know what the consequences are. But they have that right to do that.

But I personally am concerned that when I listened here at the hearing at -- today, there was nothing about the project itself that was argued in court. They're trying to overturn the people vote on a technicality. The main issue was the ballot language. It wasn't written properly. And -- and to me, for the people to come out and say -- in big numbers, that we're ready to move this city forward, and a lawsuit is filed in an attempt to overturn their vote, I think that is something that we as a council need to understand that we -- we need to do what the people said.

So I do encourage everyone to stay involved. Because if you don't, we will continue to have people trying to overturn your vote and on top of that, they come to the mike and say that, Let the people speak. The people spoke. They didn't like what the people said. So they said, We'll go to court and we'll overturn the majority on a technicality. I don't think it's right. And I think that we need to be aware of the fact that we have a mission and we need to stay focused. Thank you very much, Madam Chair.

**COUNCILPERSON THOMAS:** Madam Chair?

**CHAIRPERSON J. DAVIS:** I -- yes.

**COUNCILPERSON THOMAS:** I forgot to make an announcement. Is it okay --

**CHAIRPERSON J. DAVIS:** Go ahead.

**COUNCILPERSON THOMAS:** -- if I --

**CHAIRPERSON J. DAVIS:** Sure. Go ahead.

**COUNCILPERSON THOMAS:** I am also putting together a Think Tank about our refuse -- refuse. Garbage, you know? So I've identified a few people that we are sending letters to. We may have sent them out already. If we haven't, you should get them this week. And if you would like to be a part of that, don't hesitate to call our office. It's not going to be, you know, no more than about 10 or 12 people just to discuss some things and see how the service has been going and, you know, just -- just -- just a few of those things. So that's all we're going to be discussing at that time.

And lastly, I don't get this opportunity often but my mother-in-law is in the audience and I wouldn't dare forget to recognize her, Miss -- Miss -- Ms. Sandra Moore. Yeah, y'all -- y'all gotta clap for that. I need some brownie points. Gee whiz. You know, that's my mother-in-law there. So welcome. And she stayed the entire meeting and I'm glad to have her here.

**CHAIRPERSON J. DAVIS:** Okay.

**COUNCILPERSON THOMAS:** Thank you.

**CHAIRPERSON J. DAVIS:** Thank you, everyone. And I'd like to start by thanking all of you again for your support as in the nomination as chair. And I would congratulate the vice chair but she has left. I'd also like to make the announcement that Mr. Carlton Moore, who was an employee of McKinley Financial, has passed away. And our prayers -- condolences and prayers go out to his family. Mrs. Jones, on the next council meeting, I'd like for you to provide us an update of how our foreclosure registry is going. It's been in the works now for what, about six months or so or more?

**CITY MANAGER JONES:** Oh, only about three.

**CHAIRPERSON J. DAVIS:** About three months?

**CITY MANAGER JONES:** January so 90 days.

**CHAIRPERSON J. DAVIS:** Okay. All right. And also, Ms. McKinney, is it you that would contact FDOT concerning the light poles I think that Mr. Daniels talked about on A1A? Mr. Taylor. Dan Taylor.

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** No, actually, I think it would be Public Works and (inaudible).

**CHAIRPERSON J. DAVIS:** Mr. Johnson? Would that be Mr. Johnson's area?

**DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY:** (Inaudible).

**CHAIRPERSON J. DAVIS:** Okay. So make sure that we do that, please. And also concerning the issue that Mr. Davis talked about on State Road 710. Okay? And one thing I'd like to clarify that you said, Mr. Guyton. Actually the task force alleged that we had the ballot language wrong.

**COUNCILPERSON GUYTON:** Yes. That --

**CHAIRPERSON J. DAVIS:** A judge has not indicated that whatsoever. So we're not saying that the language was wrong.

**COUNCILPERSON GUYTON:** No, no.

**CHAIRPERSON J. DAVIS:** You know, we're waiting for a judge to make that decision. Any other comments or questions from the board? I'll entertain a motion for adjournment.

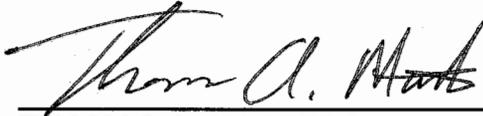
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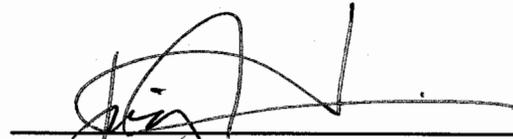
**COUNCILPERSON GUYTON:** So moved.

**CHAIRPERSON J. DAVIS:** Okay.

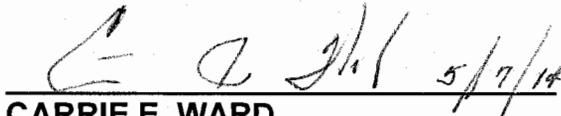
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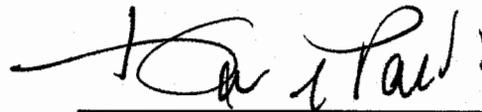
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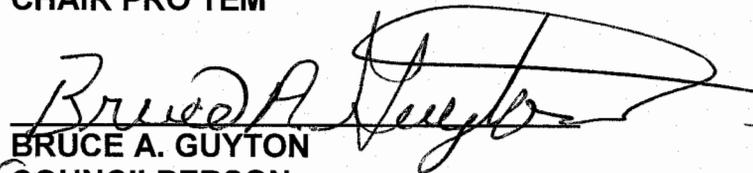
  
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**MAYOR**

  
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**CHAIRPERSON**

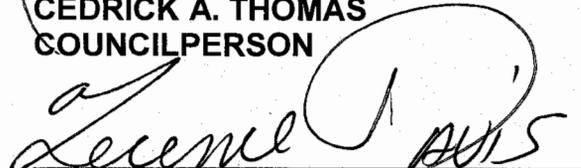
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**CARRIE E. WARD**  
**MASTER MUNICIPAL CLERK**  
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**DAWN S. PARDO**  
**CHAIR PRO TEM**

  
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**BRUCE A. GUYTON**  
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**COUNCILPERSON**

  
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**TERENCE D. DAVIS**  
**COUNCILPERSON**

**MOTIONED BY:** D. PARDO

**SECONDED BY:** T. DAVIS

**B. GUYTON** AYE

**J. DAVIS** AYE

**C. THOMAS** AYE

**D. PARDO** AYE

**T. DAVIS** AYE

**DATE APPROVED:** 05/07/2014