

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 7, 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

CHAIRPERSON DAVIS: -- the Off or Vibrate position. Madam Clerk, please call the roll.

Roll Call

CITY CLERK WARD: Madam Chair, Mayor Thomas Masters?

MAYOR MASTERS: I'm here as soon as I make sure my phone is on the vibrating part. I'm here.

CITY CLERK WARD: Chairperson Judy Davis?

CHAIRPERSON DAVIS: Here.

CITY CLERK WARD: Chair Pro Tem Dawn Pardo?

CHAIR PRO TEM PARDO: Present.

CITY CLERK WARD: Councilperson Bruce Guyton? Councilperson Cedrick Thomas?

COUNCILPERSON THOMAS: Here.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON 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, Madam Chair, and you may proceed.

CHAIRPERSON DAVIS: And let the record reflect that Mr. Guyton is on the dais.

CITY CLERK WARD: Thank you.

CHAIRPERSON DAVIS: Let's all stand for a moment of silence and the Pledge led by Mr. Guyton.

Invocation/Pledge of Allegiance

(Everyone stood for a Moment of Silence followed by the Pledge of Allegiance led by Councilperson Guyton).

AGENDA Approval: Additions, Deletions, Substitutions

CHAIRPERSON DAVIS: Okay. And at this time, also, if you want to speak on an agenda -- a consent agenda item, please turn in your cards now. Once the vote is taken you will not be able to speak on an agenda -- a consent agenda item. So quickly if you can get the -- get your card up here if you'd like to speak on it. Okay. Mrs. Jones, are there any additions, deletions or substitutions?

CITY MANAGER JONES: Yes, Madam Chair, thank you so much. Uh, just as a point of information you have before you additional information on two items on consent. Item number 4 which is a revised listing of street projects for the bond consideration, and also item number 8 and some word changes as it relates to that particular contract. I would also like to add an item 10A and that will be the retirement presentation of K-9 police dog Ajax.

CHAIRPERSON DAVIS: Okay. All right.

Disclosure by Council

CHAIRPERSON DAVIS: Are there any disclosures by Council? I hear none.

Adoption of Agenda

CHAIRPERSON DAVIS: Is there a motion to adopt the agenda?

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON GUYTON: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and seconded. Madam Clerk, please call the roll.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

COMMENTS FROM THE PUBLIC ON CONSENT AGENDA (THREE MINUTES LIMITATION)

CHAIRPERSON DAVIS: I have no Consent Agenda item speakers so we're down to the Consent Agenda.

CONSENT AGENDA

CHAIRPERSON DAVIS: Do I have a motion?

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and second to approve Consent. Madam Clerk, please call the question.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. We're now down to Petitions and Communications for Filing. I'm sorry, Awards and Presentations. Item 10. Miss Jones? Oh, so Miss Bucher's coming up? Okay. And also, there is an e-mail that Miss Bucher -- I don't know if everybody has it or not but it was an e-mail that was sent to me concerning the early voting site.

CHAIR PRO TEM PARDO: Uh-uh. I didn't get one.

CHAIRPERSON DAVIS: Here.

COUNCILPERSON THOMAS: Yeah.

CHAIR PRO TEM PARDO: Wait, they're passing it down.

CHAIRPERSON DAVIS: Okay.

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 CANVASSING BOARD MEETING HELD, MARCH 19, 2014.**
2. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, MARCH 19, 2014.**
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, APRIL 2, 2014.**

RESOLUTIONS

4. **RESOLUTION NO. _____ A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO**

PROCEED TOWARD THE ISSUANCE OF THE CITY'S PUBLIC IMPROVEMENT REVENUE BONDS, IN ONE OR MORE SERIES, IN ACCORDANCE WITH THE CITY'S DEBT MANAGEMENT POLICY; AUTHORIZING THE OFFICIALS OF THE CITY TO DO ALL THINGS NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

5. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO UTILIZE EXISTING STAFF AND RESOURCES TO IMPLEMENT RED LIGHT CAMERA LOCAL HEARINGS PURSUANT TO CHAPTER 2013-160, LAWS OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.
6. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 439-14 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED MATERIALS AND INSTALLATION CONTRACT WITH KOLDAIRE, INC. OF SUNRISE, FLORIDA FOR THE INSTALLATION OF A NEW HVAC UNIT AT THE CITY LIBRARY IN THE AMOUNT OF \$127,823; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 310-1336-574-0-6251; AND PROVIDING AN EFFECTIVE DATE.
7. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE SALE AND TRANSFER OF RETIRED K-9 POLICE DOG "AJAX" IN THE AMOUNT OF \$1.00 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE BILL OF SALE; AND PROVIDING AN EFFECTIVE DATE.
8. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE 2013-2016 BARGAINING AGREEMENT COMMENCING OCTOBER 1, 2013 TO SEPTEMBER 30, 2016 BETWEEN THE CITY OF RIVIERA BEACH AND THE POLICE BENEVOLENT ASSOCIATION (PBA) AN ORGANIZATION REPRESENTING THE POLICE OFFICERS AND POLICE SERGEANTS OF THE CITY OF RIVIERA BEACH TO INCLUDE THE INCREASE IN SALARY FOR THE EMPLOYEES; AND PROVIDING FOR AN EFFECTIVE DATE.
9. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING THE SALARIES OF DEPARTMENT HEADS, ADMINISTRATIVE SUPERVISORY AND CONFIDENTIAL EMPLOYEES BY THREE PERCENT

(3%) FOR FISCAL YEAR 2013-2014; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING

AWARDS AND PRESENTATIONS

10. REQUEST FOR EARLY VOTING SITE BY PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, SUSAN BUCHER.

CITY MANAGER JONES: Madam Chair and members of Council, we have with us the Supervisor of Elections today, Susan Bucher. She has been communicating with me earlier. She also met at a neighborhood meeting at -- with Councilman Davis, as well as with Chair Davis. And so now we would like for her to make her presentation and her appeal.

SUPERVISOR OF ELECTIONS BUCHER: Thank you very much. I -- I just want to thank Miss Jones. She is somebody that's very easy to work with. And I want to thank Chair Davis for agenda-ing this item and Councilman Davis for helping get this item forward. Um, you know, due to the 2012 election difficulties that we experienced throughout the state as a result of the legislature decreasing the number of early voting days, I and some of my fellow supervisors were successful last year in changing the law related to the locations, that early voting locations can be presented at.

And one of the locations is a community center, a publicly owned community center. And what our goals this year have been is to try and provide for additional ballot printers. We actually went from 33 to 59 ballot printers. We made our very own ballot printers. And what the request is is for consideration to change the Wells Recreation Center name from Wells Recreation Center to Wells Recreation and Community Center, so that it would adhere to the current law for an early voting location and then provide approval for us to be able to use the Wells Recreation and Community Center as an early voting location in the -- in both the primary and the general elections. And before you you see that there are the dates from August 11th through August 24th. We were successful in regaining back at the discretion of the supervisor the 14 days, including the final Sunday for early voting. So we believe strongly that we will be much more successful.

We also are just getting ready to introduce a product that we've worked on for about a year now and it's an electronic way to check voters in. So we're confident that given a larger space we could get out of your City Hall, stop crowding your business and be able to run voters through at a quicker pace to completely eliminate lines.

I did a little bit of research. I read your entire city charter. I read all of the laws related to publicly owned properties by municipalities, and I find no conflict in -- in, um, the ability for the council to change the name. And in fact, the only thing in your charter allows the city manager. It empowers her to authorize and regulate the use of public beaches, parks and property adjacent to the public beaches and parks.

And I was hopeful that I would find some great research about why Wells was named Wells Recreation Center. And I found one line. And it says that in July -- "On July 30th, 1967, the Council officially celebrated the dedication of two separate but equal recreation facilities. One was Wells Recreation Center that was named after Havelock N. "Happy" Wells, a former white councilman and Tate Recreation Center that was named after the late James R. Tate, the first Palm Beach County black killed in the Korean War. So it doesn't appear that we would impede on Mr. Wells. In fact, I think he would probably be proud that we would have an opportunity to eliminate voting lines and have the public have a -- a more convenient facility.

CHAIRPERSON DAVIS: Okay. And also, just so that everyone else is brought up to speed on this, we could not find any records, per se, so I contacted Mr. George Carter who was an employee here at the time and also Mr. Dan Calloway who was also an employee who also gave me the date 1967. And what Mr. Carter informed me of -- of was that it was indeed named after Mr. Happy Wells. But to his recollection there was -- they -- originally they wanted to name it Wells Community Center, but Mr. Wells adamantly wanted it named -- wanted it to be a recreational center, but that there was nothing that -- in the resolution or paperwork at that time that would prevent us from changing the name to Wells Recreation/Community Center or whatever the board's desire is. So -- and it was also something that, you know, we were aware of when we went to Tallahassee and had some conversations. So it's just a matter of going ahead and changing the name so that, you know, we can go forward with our early voting. So

--

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Yes, Mr. Guyton?

COUNCILPERSON GUYTON: I have a question to the attorney. Have -- have you had a chance to research the procedure regarding the change of name?

CITY ATTORNEY RYAN: Madam Chair?

CHAIRPERSON DAVIS: Yes, go ahead.

CITY ATTORNEY RYAN: I did not research the issue of changing the names; however, I did speak with the Chair and advised her that we did need to make sure that there was nothing in the resolutions that stated that we had to keep the name the way it is. And we have not -- and I know the Manager has someone looking as well. We were not able to find anything that would preclude the City from changing the name. In fact, you could change the name altogether if you wanted to. There's nothing that says that it has to stay as the Wells Recreation Center. So it's -- it's up to you.

COUNCILPERSON GUYTON: Okay.

CITY ATTORNEY RYAN: The -- I'm also told that -- I do want to make sure that -- that we're clear that we're not just changing the name. It's my understanding that the recreation center does act as a community center in a lot of ways.

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: So we want to be clear that it's just not a name change; that, in fact, it is a community center and we do other things besides recreation at this facility.

CHAIRPERSON DAVIS: Right.

CITY ATTORNEY RYAN: So that when we change the name we're not just doing it for early voting. We're also doing it because it is a --

CHAIRPERSON DAVIS: A community center sometimes.

CITY ATTORNEY RYAN: -- a -- a better reflection of what is done in the community.

COUNCILPERSON GUYTON: Like good use of it. Okay.

CHAIRPERSON DAVIS: Okay?

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: I heard the -- the attorney's account of what we're doing. My only issue with that would be well, why aren't we doing the same thing to Tate? Now, I think that we're just changing the name just so we can have early voting there. That's the truth in my book, because that's -- if we do this, that's the only reason why we're doing it is because of the -- the statutes that prohibit us from having early voting if it's not a -- a community center. But if we're going to -- to do it, then I do think we ought to entertain making our other facility a community center, as well. And we already have a community center so was there something wrong with using the Lindsey Davis?

CHAIRPERSON DAVIS: It's not big enough.

SUPERVISOR OF ELECTIONS BUCHER: Madam Chair?

CHAIRPERSON DAVIS: Go ahead, Miss Bucher.

SUPERVISOR OF ELECTIONS BUCHER: We looked at the -- I'm familiar with the Lindsey Davis facility. We use it as a polling location and we felt that the public would be better served because it's adjacent to the City Hall and it's very prominent within the major part of the city. It's on the major road. It's just across the street where the previous one was. And frankly, the parking at Lindsey Davis was concerning to us.

COUNCILPERSON THOMAS: Okay. I understand.

CHAIRPERSON DAVIS: Okay. Anybody else?

MAYOR MASTERS: I --
REGULAR CITY COUNCIL MEETING

MAY 7, 2014

8

CHAIRPERSON DAVIS: Mr. Mayor?

MAYOR MASTERS: -- thank you, Madam Chair. Just a couple things. Maybe for the -
- one for the attorney and one for Supervisor. Madam Attorney, isn't there something in
the -- in the legal vernacular that says "Also known as"? Could -- is that a -- I don't
know what am I saying. Is that something that could apply here that if we -- if it's

known, that Wells Recreation Center also known as Wells Community? I think is that --

CITY ATTORNEY RYAN: I would have to see the statute. I don't know if the statute
would -- would recognize a AKA designation. I would have to look at the statute.

SUPERVISOR OF ELECTIONS BUCHER: Madam Chair? The statute's attached to
the e-mail.

CITY ATTORNEY RYAN: To your e-mail?

SUPERVISOR OF ELECTIONS BUCHER: Yeah.

CHAIRPERSON DAVIS: To the -- yeah.

MAYOR MASTERS: And while she's looking at it, I -- I certainly support the -- the
concept and the idea. Anything that's going to enhance voting --

CHAIR PRO TEM PARDO: I agree.

MAYOR MASTERS: -- period. I'm gonna support it a hundred percent. Madam
Supervisor, can you tell us, I know you and I met and we, you kind of went over with me
the stats about early voting and how that really brings the -- the ball home when people
have an opportunity to vote early versus not vote early. Can you take a minute and do
that for us, for the public?

SUPERVISOR OF ELECTIONS BUCHER: Madam Chair?

CHAIRPERSON DAVIS: Go ahead, please.

SUPERVISOR OF ELECTIONS BUCHER: During the 2012 election, in the primary
election we had 552 people vote at Riviera Beach City Hall. I know a lot of people were
detoured because there were lines at that time, as well. In the general election in 2012
we had 6,685 individuals vote there. In 2010 we did not use a facility in Riviera Beach
whatsoever. And in 2008 we used Riviera Beach in the general election only and that
was 12,253 voters at -- at your early voting facility. So --

MAYOR MASTERS: So would it be fair to say that it's definitely an increase in voting
participation when there's early voting?

SUPERVISOR OF ELECTIONS BUCHER: Madam Chair? Yes, sir. What we're
finding is that the statistics are about 25 to 26 percent of all of our voters vote early.

Approximately that same volume vote by absentee mail and the balance of about 50 percent vote at the polling locations, which we're very pleased with, because if everybody came to the polls we would have more than the 446 locations that we operate on election day now.

MAYOR MASTERS: Thank you very much.

CHAIRPERSON DAVIS: And one thing I'd just like to add. You know, as -- as it relates to -- you -- you touched on, you know, the number of people who came to City Hall and there were lines upon lines upon lines and people were so tired of standing there. Wells is a -- is a much bigger place. We could put more equipment there. I think it -- it would move a lot smoother. And as it relates to you, Mr. Thomas, your comments as far as changing the name to -- changing Tate, as well, I have no problem with that. I think that's a really good idea to go ahead and if we can -- Miss Ryan, if we can add that to this or do we need to --

CITY ATTORNEY RYAN: Is there a motion on this?

CHAIRPERSON DAVIS: Well, I'm just saying --

COUNCILPERSON GUYTON: No, not yet.

COUNCILPERSON DAVIS: Not yet.

CHAIRPERSON DAVIS: -- not yet.

CITY ATTORNEY RYAN: Oh.

COUNCILPERSON THOMAS: It's just a presentation.

CHAIRPERSON DAVIS: But --

CITY CLERK WARD: Madam Chair?

CHAIRPERSON DAVIS: Yes, Miss Ward.

CITY CLERK WARD: May I speak? Instead of call -- instead of changing the name at this particular time since Wells is already -- since Wells is already one of our precincts -- and it's no doubt about it. We have enough room in there because right now Riviera Beach, we use, like, three polling location. So it's -- it's enough room and it's adequate space and so forth. But instead of changing the name to confuse anyone, you can maybe slant it and then at a later date you -- you talk about naming Tate or whatever, just adding that to it. But let's leave it at the correct name now so when it -- as it's advertised --

CHAIRPERSON DAVIS: Well, I think that's really up to -- up to council, Miss Ward. And -- and I -- if I understand what you're saying, I -- I guess you're talking about saying recreation slash community center?

CITY CLERK WARD: Because it's listed as a precinct, as Wells Recreation Center. So you don't want to confuse people so people can say, Well, where is that -- where is the community center?

CHAIRPERSON DAVIS: Well, I mean --

CITY CLERK WARD: You're talking about the same place so until you can get that slash in there --

CHAIRPERSON DAVIS: -- okay. Well, I think it would be clear enough if we simply said Wells Recreation slash Community Center. And it's still Wells .

CITY CLERK WARD: Right.

CHAIRPERSON DAVIS: You know, so I don't think it would be that confusing. So Miss Ryan, did you have something?

CITY ATTORNEY RYAN: Well, I -- whatever we do, we need to come back with a formal resolution. This is not -- should not just be a presentation and a --

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: -- a verbal discussion because you want to make sure that you have all of this in writing just like you found the one from 1963.

CHAIRPERSON DAVIS: Wonderful. Okay.

CITY ATTORNEY RYAN: So after the council makes its directive known, it should be brought back at the next meeting as a formal resolution.

CHAIRPERSON DAVIS: Okay. It works for me. Is that --

COUNCILPERSON THOMAS: Madam -- Madam Chair, I have one other question.

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: Does this designation now, does it put any additional responsibility on the City by having this new designation name? Whether it's just in kind or financial or whatever, is it any additional responsibility that it puts on us?

SUPERVISOR OF ELECTIONS BUCHER: Madam Chair?

CHAIRPERSON DAVIS: Yes Supervisor.

SUPERVISOR OF ELECTIONS BUCHER: No, sir. The only responsibility that we ask is to arrange -- make arrangements for somebody to unlock the door and lock the door every day that we're there. And we do provide for overtime if necessary.

CHAIRPERSON DAVIS: And one last thing: I did bring up the fact that, you know, we

would have to close down programs. But when I spoke to Mrs. Jones about it, it is a very small amount of money to get people out to vote. So, you know, with that being said, if everybody is still on board, you know, we'll move on.

COUNCILPERSON THOMAS: Wait -- wait a --

MAYOR MASTERS: Madam Chair?

COUNCILPERSON THOMAS: -- wait a minute. Can you explain that again? You said it's a small amount of money?

CHAIRPERSON DAVIS: Yes. And it's --

COUNCILPERSON THOMAS: We -- we paying for this or is the Supervisor of Elections?

CHAIRPERSON DAVIS: -- no, no, no, no. What I'm saying, our programs that we run -

COUNCILPERSON THOMAS: Oh.

CHAIRPERSON DAVIS: Okay? Um, and the -- the offset is that, you know, we participate in the process to get people out to vote.

COUNCILPERSON THOMAS: So they're going from 7 to 7 for the 14 days or whatever?

CHAIRPERSON DAVIS: Yes.

MAYOR MASTERS: Madam Chair?

COUNCILPERSON THOMAS: So all --

CHAIRPERSON DAVIS: Is that -- I'm sorry. Miss Bucher, is that correct?

MAYOR MASTERS: Madam -- oh, I'm sorry.

SUPERVISOR OF ELECTIONS BUCHER: Madam Chair, during the primary it will be open eight hours a day and that's 10 to 6.

COUNCILPERSON THOMAS: Ten to 6?

SUPERVISOR OF ELECTIONS BUCHER: For 14 days and during the general election we will be open for 14 days 7 a.m. to 7 p.m. It is at the discretion of the Supervisor. The minimum requirement is eight hours a day for eight days throughout the state. I would like to mention that in my budget I have about \$65,000 that it would cost me to be able to operate a facility in Riviera Beach. And that comes from my budget, from the County.

COUNCILPERSON THOMAS: Well, that -- that always sounds a whole lot better to

me. I appreciate that and --

CHAIRPERSON DAVIS: Yeah, it's just we'd use the money from Programs. That's --

COUNCILPERSON THOMAS: -- sounds good. No, no, no. It's no problem. The -- I just want to -- I know that I've been over there a few times. I just don't want to affect the -- those -- those young guys that are playing basketball, playing those pick-up games and the aerobics. Those are about the only two things that I see at that time. But you'll be done, it seems like, by that time.

COUNCILPERSON DAVIS: Uh-huh.

COUNCILPERSON THOMAS: In the afternoon, it -- in the evening, it seems like. So --

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON THOMAS: -- okay. I'm good with it.

CHAIRPERSON DAVIS: Okay. Mr. Masters?

COUNCILPERSON DAVIS: Madam --

MAYOR MASTERS: Yeah. Yes.

CHAIRPERSON DAVIS: Or Mayor Masters, I'm sorry.

MAYOR MASTERS: No, that's fine. Madam Chair, I'm -- I do want the attorney to get a chance to answer the question that I asked about as far as "also known as," in -- in light of the fact of what our city clerk said about that could create some problem potentially in people's minds in getting confused about the location or the name. But that's neither here nor there. But my other -- my question is the programs. Would that, Madam Manager -- I guess this is for you. Would that affect the employee during that time that we would normally have in the recreation department that would be on -- that would be working over there? That's a -- I'm also concerned about the employees as I am, well, as the participants in the program.

CITY MANAGER JONES: No, sir. The actual place where there will be voting will be inside the gym.

MAYOR MASTERS: Okay.

CITY MANAGER JONES: And the employees have their offices outside.

MAYOR MASTERS: And they'll still be working?

CITY MANAGER JONES: But they'll still be there working during the day.

MAYOR MASTERS: Okay. Very good. And the attorney -- I had a question.

CITY ATTORNEY RYAN: Okay. Well, the -- the statute is very broad. It just states that is, "The Supervisor may also designate any City Hall, permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center or government-owned community center as early voting sites." I think that's probably less about name than it is about function. So you probably could do a, um, AKA. I don't know what the -- how old -- this is, what, a year old? Yeah. So it's -- there's probably not a whole lot of legislative history on this particular section of the statute. But I think the spirit of it is to make sure that it is a facility that is open to the public and is large enough to accommodate the public. That's how I read this. But -- so to answer your question, you could probably do an AKA. You -- you may not even have to change the name. I -- you know, that's just a simple way to do it. But if we had a description of what the facility does, that may even do it.

COUNCILPERSON GUYTON: Okay. Madam Chair?

CHAIRPERSON DAVIS: You're done, Mr. Mayor?

MAYOR MASTERS: One more thing. Are there any descendents -- I guess that's the right word -- of the Wells family alive now in -- in -- in this area?

CITY ATTORNEY RYAN: Yes.

CHAIR PRO TEM PARDO: Yeah.

CITY ATTORNEY RYAN: And I think we -- the manager said she was going to consult with --

CHAIR PRO TEM PARDO: Jim Wells.

CITY ATTORNEY RYAN: -- with Jim Wells about it.

MAYOR MASTERS: Well, I -- I would certainly like to respect -- I think someone said -- I think you, Chair, that Mr. Calloway had said that he didn't want the name changed to Community --

COUNCILPERSON DAVIS: He did not say that.

MAYOR MASTERS: -- did you say that or --

COUNCILPERSON DAVIS: No. He didn't say that.

CHAIRPERSON DAVIS: He simply told me how it all came -- the name came about.

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: And then there was nothing in there that prevents -- that would prevent us from changing it.

MAYOR MASTERS: I thought I heard somebody say that -- that -- when that discussion came up years ago that he didn't want to say Community. But anyway --

COUNCILPERSON GUYTON: But -- okay.

MAYOR MASTERS: -- I certainly would be interested -- would like for us to find out something from the Wells family just to make sure that --

COUNCILPERSON GUYTON: Madam Chair?

MAYOR MASTERS: -- just a minute, Mr. --

CHAIRPERSON DAVIS: Hold on just a minute, Mr. Guyton.

MAYOR MASTERS: -- if they're in accord with -- just as a matter of respect. If we can explain it to them that we're not really changing their wish or changing the name, per se. It's just making it more -- better -- making it better for everybody. So, I mean, just a matter of respect and courtesy.

CHAIRPERSON DAVIS: Sure. (Inaudible) to that.

CITY MANAGER JONES: Will do.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: Mr. Guyton? Thank you, Mr. Mayor.

COUNCILPERSON GUYTON: Okay. Madam Chair, could we give the attorney a directive to come back with some suggested language so that we can move on? I think that we're all in consent that we want it done and --

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON GUYTON: Okay? And -- and let me just say, whatever impact it may have on the activities temporarily, I think it's well worth it.

MAYOR MASTERS: Yes.

COUNCILPERSON GUYTON: Voting is a very important activity in our country and to have a -- a disruption of our activities for a couple of weeks I think is minimal to give the people that opportunity.

MAYOR MASTERS: Absolutely.

CHAIRPERSON DAVIS: You guys --

COUNCILPERSON DAVIS: Yeah.

CHAIRPERSON DAVIS: Mr. Davis?

COUNCILPERSON DAVIS: I just want to tell Miss -- Miss Bucher, thank you for coming out and providing this information for this board and our -- and our residents in this community. And thank you for the -- the -- the job that you do. Thank you.

MAYOR MASTERS: Thank you, too.

SUPERVISOR OF ELECTIONS BUCHER: Thank you very much.

CHAIRPERSON DAVIS: Okay. So Miss Ryan, you have your direction. Okay. Moving on. Thank you, Miss Bucher.

SUPERVISOR OF ELECTIONS BUCHER: Thank you very much.

CHAIRPERSON DAVIS: I really appreciate it. We're down to item 10A. Good evening, Chief.

POLICE CHIEF WILLIAMS: Good evening, Madam Chair, members of Council. Clarence Williams, Police Chief. Thank you so very much for this opportunity. Would Major Coppin also join me at the podium here, our Special Operations Commander, and also Sergeant Deandra [phonetic], our K-9 Unit Commander, if they would join me here. We are grateful of this opportunity to acknowledge and to recognize and to say thank you to a member of our family who has worked hard.

CHAIRPERSON DAVIS: Uh-huh.

POLICE CHIEF WILLIAMS: K-9 Ajax is eight and a half years old. He's approaching nine years old and he's been in service for almost seven years. He has served this community well. He has been involved and is trained in bomb detection. He's also been involved in a number of tracks and some apprehensions he has also been involved in. His most acclaimed accolade, as I recall, was serving in the 2012 in Orlando at the National Basketball Association All-Star Game where he was one of just a handful of dogs that -- K-9s that are trained in explosives. His handler is Police Officer Melvin Menard, and he and Ajax have been together for most of that time. As with retirements -- and we're just talking about Ajax. Melvin's not going anywhere yet.

CHAIRPERSON DAVIS: Which -- which one is Agent Menard?

COUNCILPERSON THOMAS: The one that's holding (inaudible).

POLICE CHIEF WILLIAMS: We're gonna ask --

CHAIRPERSON DAVIS: Oh, him? Okay.

POLICE CHIEF WILLIAMS: Officer Menard, if you would come up, please, and -- and bring your K-9 partner and the honoree. Ladies and gentlemen, I present to you K-9 Ajax and his handler, Officer Melvin Menard, and we're retiring K-9 Ajax after seven plus years of service to the Riviera Beach Police Department and this community.

CHAIRPERSON DAVIS: Turn around.

POLICE CHIEF WILLIAMS: And he has served us well. This is as close as the chief has ever been to Ajax. And I am so grateful that he recognizes and understands the rank structure. So without any further ado, we have and we're presenting to Officer Menard on behalf of a grateful community, a grateful police chief and a grateful K-9 corps. And if his -- if the K-9 corps would please stand, ladies and gentlemen, these are members of your K-9 corps. They are all K-9 handlers. To Police K-9 Ajax, retired after seven years of faithful and devoted service, 2007 to 2014, handled by Officer Melvin Menard. Officer Menard, thank you so very much for all that you do. Ajax, I'm -- I'm sure, will enjoy his retirement, although I know he would work as long as he possibly could. It's just the nature and the spirit that these hand -- these animals have with their handlers and their dedication to service. So thank you so very much for that and please accept this small token on behalf of a grateful community and a grateful police chief for your service and Ajax's service. Thank you so very much.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Was that you, Mr. Mayor?

POLICE CHIEF WILLIAMS: Did you want to --

MAYOR MASTERS: Yes. I would just --

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: I just wanted to ask, the dog stays with the handler; is that right? Okay. Thank you. Wow, that's nice.

OFFICER MENARD: I would just like to say thank you to the City of Riviera Beach for having me as one of its employees to serve the citizens in law enforcement. I would like to thank my chief of police for giving me the opportunity to be part of this K-9 Unit and serve the best that I possibly could. Thank you.

CHAIRPERSON DAVIS: And how long have you been employed here?

OFFICER MENARD: I've been here approximately eight years, ma'am.

CHAIRPERSON DAVIS: Okay. Wonderful.

OFFICER MENARD: Yes, ma'am.

CHAIRPERSON DAVIS: Okay. Anybody else?

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON DAVIS: Miss Pardo.

CHAIR PRO TEM PARDO: Okay. I hope Ajax gets a big steak and a big bone tonight,

a big rib eye.

OFFICER MENARD: Yes.

CHAIR PRO TEM PARDO: Well deserved.

OFFICER MENARD: Yes, ma'am.

CHAIR PRO TEM PARDO: All right.

OFFICER MENARD: A lot of DIRECTV also.

CHAIR PRO TEM PARDO: And barking at the mailman.

OFFICER MENARD: Thank you.

CHAIR PRO TEM PARDO: Okay. Well, congratulations.

OFFICER MENARD: Thank you.

CHAIR PRO TEM PARDO: Thank you.

CHAIRPERSON DAVIS: Great job to all of you.

COUNCILPERSON THOMAS: Con--

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: -- congratulations, sir.

OFFICER MENARD: Thank you.

COUNCILPERSON THOMAS: Congratulations.

OFFICER MENARD: Yes, sir.

COUNCILPERSON THOMAS: And I -- I -- I noticed this -- this young lady over here must be your daughter 'cause she's trying get to Ajax.

OFFICER MENARD: Yes.

COUNCILPERSON THOMAS: So she -- she's familiar with Ajax, obviously.

OFFICER MENARD: Yes, sir.

COUNCILPERSON THOMAS: Yeah.

CHAIRPERSON DAVIS: Uh-huh. Thank you all very much.

CHAIR PRO TEM PARDO: Thank you.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRPERSON DAVIS: Okay. Okay. Moving on. We're down to item 11. Miss Jones?

11. PRESENTATION OF THE 2012/2013 COMPREHENSIVE ANNUAL FINANCIAL REPORT BY THE CITY'S INDEPENDENT AUDITORS, HARVEY, COVINGTON AND THOMAS, LLC. PUBLIC HEARINGS.

CITY MANAGER JONES: Madam Chair, each year you know that, um, we are required to meet our requirements as -- and fiduciary responsibilities as it relates to our annual audit. That audit has been conducted and what we would like to do now is to have Mr. Roderick Harvey to give you the summary, answer any questions that you have about the audit. Mr. Harvey is with HCT Certified Public Accountant and Consultants and is the contractor responsible for our audits.

CHAIRPERSON DAVIS: Okay.

DIRECTOR SHERMAN: And, excuse -- and if I can just jump in here real quick, Randy Sherman, Director of Finance and Administrative Services. Um, before I turn it over to -- to Mr. Harvey and Mr. Segal, I -- unfortunately Karen Hoskins could not be here tonight but I do want to recognize --

CITY MANAGER JONES: That's gonna -- that was gonna be my ending.

DIRECTOR SHERMAN: -- recognize her hard work, the work of her staff. And again, I want to thank all of the departments for all the work that they do to make sure that we can get the books closed and -- and present this audit in a timely fashion. So again, thank you, and I will turn it over to Mr. Harvey and Mr. Segal. Thank you.

CHAIRPERSON DAVIS: Okay. Good evening, sir.

RODERICK HARVEY: Good day. How are you? Roderick Harvey, founding partner of Harvey, Covington and Thomas, HCT, Certified Public Accountants and Consultants. We stand before you today to say thank you for the opportunity to serve and also to report on your --

CHAIRPERSON DAVIS: Excuse me. Could somebody close the door back there? Thank you. Go ahead, sir.

RODERICK HARVEY: Yes. And so also to report to you on your September 30, 2013, audit reports and results. If time allows, Madam Chairperson, we would like to answer any questions that the council may have of us. I -- I've also brought with me Adam Segal. He is our audit director and was in the field performing the work. He will go through our slide presentation and at the end, I, myself, and also Mr. Segal, will answer any questions you may have. Mr. Segal?

ADAM SEGAL: Good evening, everyone. Honorable Mayor, council members, my

name is Adam Segal. I'm the audit director of Harvey, Covington and Thomas.

CHAIRPERSON DAVIS: Good evening.

CHAIR PRO TEM PARDO: Good evening.

ADAM SEGAL: Okay. Just a quick overview for you. You had a clean, unqualified audit opinion. There was an -- and it's -- I thought it was included there but in the audit opinion there's a little emphasis paragraph about a prior period adjustment but that's not -- doesn't mean it's not unqualified. It's still an unqualified opinion. Financial summary, we'll talk about, financial statement comparison, and there's a management letter comment at the end. And there are two other audit reports also in there at the back. Both of those were clean. There were no material weaknesses and no significant deficiencies noted.

So an unqualified opinion means that the financial statements are presented fairly in all material respects in accordance with generally accepted accounting principles. The emphasis paragraph relating to a prior period adjustment was basically to record a net pension asset which was disclosed in the past but it should have been recorded so now we have put it on to the balance sheet, just at the government-wide level. Not at the fund level.

So if you look at page 18 of the CAFA [phonetic], your general fund total balances are \$16.8 million, of which unassigned funds balance is 15.3. And that's good because unassigned means you can do with as -- what you please with that money. Total government fund balance was \$60.7 million. Proprietary funds, your total net assets there, excluding the internal service funds, was \$63.9 million.

Looking at the statement of revenues, expenditures, changes in fund balance, which is on page 19, revenues were approximately 49 million. 84 percent of all governmental funds are in the general fund. Expenditures, 47.8 million. That's 68 percent of all expenditures in governmental funds, and an overall increase in fund balance of \$2.8 million. Total revenues for all governmental funds were \$58.5 million. Total expenses were \$70.5 million, and you may just be wondering why it's so much higher. Well, the reason for that is there was a loan refinance and the loan proceeds of \$10 million are actually offset by 11 million in other financing sources which is shown below the line and not included in that total revenue line. So your total change in fund balances after all of those effects was a positive number of \$700,000.

Statement of revenues, expenses and changes in fund net position. This is your proprietary funds, business-type proprietary funds. These are excluding the internal service funds which are also shown there. So you had operating revenues of approximately 30.5 million, expenses of 24 million give or say -- take a few dollars. Non-operating revenues of 474,000. That's the -- that's a net number so that's combined with expenses, too. And the change -- overall change in net position was a positive \$6 million.

Just quick comparison between the prior years, your total governmental fund balance didn't change too much, 60 million, 61 million. Revenues, uh, down a couple million dollars from 2012. Expenditures, they're up by 8 million and that's because of the loan refinancing on the CRA. Propriety fund net position comparison, 56.7 million versus 62.8 overall. Operating income last year was 8.2; September 13 was 6.5. I can tell you the reason for the decrease was there were grants awarded in fiscal 2012 which were not repeated in '13.

Finally just the management letter comments that we had. We had one comment. It wasn't deemed to be a significant deficiency or a material weakness. It just basically -- after we were given the final draw balances, we were given approximately more than 35 adjusting entries. We've discussed this with management. It was basically down to a shortage of staff and resources and we made our recommendations, which -- that someone should look at this in -- on a monthly basis and management concurred with this.

CHAIRPERSON DAVIS: I have a question for you.

ADAM SEGAL: Go ahead. That's actually the end of the presentation.

CHAIRPERSON DAVIS: Okay. Okay. The number of journal entries that we had, I mean, was it totally excessive?

ADAM SEGAL: Typically, yeah, a little bit.

CHAIRPERSON DAVIS: Okay. What -- what is the percentage of the norm?

ADAM SEGAL: Normally I would expect in a well-run -- you know, depending obviously if the City's got good financial staff, which I believe the City of Riviera Beach does have --

CHAIRPERSON DAVIS: Uh-huh.

ADAM SEGAL: -- 4 or 5 maybe at a -- on a -- in a larger entity.

CHAIRPERSON DAVIS: Uh-huh. And -- and we had way over 4 or 5?

ADAM SEGAL: Now, I'm going to tell you, a lot of those probably didn't need to be made. They weren't -- was we define material, which means that if they're not posted, they would not distort the presentation of the financial statements.

CHAIRPERSON DAVIS: Uh-huh. Uh-huh.

ADAM SEGAL: You know, they were management's choice to make those adjustments so --

CHAIRPERSON DAVIS: Right.

ADAM SEGAL: -- if they hadn't have posted them it may have been down to 20 or something.

CHAIRPERSON DAVIS: Uh-huh. Okay. Well, my --

ADAM SEGAL: Go ahead.

CHAIRPERSON DAVIS: -- comments to you, Mr. Sherman, in the future, we want to work on those journal entries. We're -- we're -- we've been doing really well for the last few -- few years with getting clean reports so let's keep it up.

DIRECTOR SHERMAN: Absolutely. That was at least 30 too many entries. I agree.

CHAIRPERSON DAVIS: Yeah. Okay. Any comments or questions?

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Mr. Guyton?

COUNCILPERSON GUYTON: Yes. I just have a couple of quick questions here. On our debt capacity -- I don't know if Mr. Sherman or our accountants --

CHAIRPERSON DAVIS: Mr. --

COUNCILPERSON GUYTON: Or --

CITY MANAGER JONES: (Inaudible).

COUNCILPERSON GUYTON: (Inaudible). My -- my -- my question is how healthy are we as it relates to our debt capacity in layman's terms?

CITY MANAGER JONES: Go ahead.

ADAM SEGAL: What's that?

RODERICK HARVEY: How healthy?

DIRECTOR SHERMAN: How healthy do you think we are (inaudible) debt capacity (inaudible).

ADAM SEGAL: With debt -- it's high. I mean, debt is high because of the CRA basically.

COUNCILPERSON GUYTON: Okay. Now, it -- are -- are these numbers including the --

DIRECTOR SHERMAN: If I may, let me --

COUNCILPERSON GUYTON: -- CRA?

ADAM SEGAL: Yes.

CITY MANAGER JONES: (Inaudible) 10 million (inaudible).

COUNCILPERSON GUYTON: Okay. Okay.

CHAIRPERSON DAVIS: Uh-huh. The loan.

DIRECTOR SHERMAN: Yeah. Yeah. On -- on the -- on the general fund side we actually have very little debt. You know, you have the debt at the Utility District and then you have the -- all that debt at the CRA, which is included in here. On the City's side we have very little debt, which again, if -- and I know you've read the debt capacity report, we actually have significant ability to issue debt.

COUNCILPERSON GUYTON: And that is going to be critical as we try to do infrastructure and other things.

DIRECTOR SHERMAN: Yes, absolutely. Right.

COUNCILPERSON GUYTON: So --

DIRECTOR SHERMAN: Correct.

COUNCILPERSON GUYTON: -- okay.

RODERICK HARVEY: Can I step in? One quick, I want to direct you to a page, page 19 of your audit report will give you the general funds broken out and you can clearly see when you look at general fund, the debt capacity, when you look at the CRA you see the 10 million so you get a better linear picture of where the debt is reflected. Page 19 of your --

COUNCILPERSON GUYTON: Okay. Yeah, I did. I did look at that and --

RODERICK HARVEY: -- right. So you have some schedules that roll up --

COUNCILPERSON GUYTON: -- I wanted a professional's opinion about what I was looking at.

RODERICK HARVEY: Okay.

COUNCILPERSON GUYTON: The non-operating revenue, we were in the negative a little over 400,000.

RODERICK HARVEY: Uh-huh.

COUNCILPERSON GUYTON: What precipitated that? Not specifically but in general. Maybe Mr. Sherman or --

DIRECTOR SHERMAN: What I can find here. That was under proprietary funds?

RODERICK HARVEY: Uh-huh. Correct.

DIRECTOR SHERMAN: Okay.

ADAM SEGAL: Yeah, it's negative basically. It's made up of your interest and debt servicing costs of \$1.3 million and then you had the positive transfers coming in of 737,000 and then investment earnings of 121. So it's the interest, basically --

COUNCILPERSON GUYTON: Okay.

ADAM SEGAL: -- that's -- yeah.

COUNCILPERSON GUYTON: My last question: The unassigned fund balance which was, like, 15 mill or plus.

ADAM SEGAL: Uh-huh. Where are we on our balance sheet keeping that -- those funds?

CITY MANAGER JONES: Where -- where --

CHAIRPERSON DAVIS: Explain what -- do you have anything --

COUNCILPERSON GUYTON: Well -- well, what account? I mean, where -- where are we holding those funds at?

ADAM SEGAL: Well, that -- that's a net number, basically. Your fund balance is, you know, what makes your balance sheet balance. So you have the assets, the -- net -- netted against the liabilities, and the difference is the fund balance so obviously you have more assets than you have -- you have \$24 million of assets and \$6 million of liabilities. So what we're saying is it's not all in cash. You know, some of it is due from other funds, for example.

COUNCILPERSON GUYTON: Okay.

ADAM SEGAL: Some of it's in accounts receivables. But those monies are unencumbered by anything.

COUNCILPERSON GUYTON: And that's where I'm going. Even though it's a result of different funds, there still is an asset to the amount that you are identifying as a fund balance.

ADAM SEGAL: It's not like a specific asset.

COUNCILPERSON GUYTON: Uh-huh.

ADAM SEGAL: So it's -- it's the net effect. When you take away --

COUNCILPERSON GUYTON: Uh-huh.

ADAM SEGAL: -- the liabilities and the assets you got 15 million in residual. It's not cash.

COUNCILPERSON GUYTON: Uh-huh.

ADAM SEGAL: It's -- it's monies that are due to the City in receivables. There is cash of 3.6 million in the general fund. There's \$15.7 million due from other funds within the City.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON DAVIS: Okay?

COUNCILPERSON GUYTON: Uh-huh.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Mayor?

MAYOR MASTERS: I guess Mr. Sherman, I guess, maybe. Is it possible or maybe it would be helpful, more helpful to counsel it to the mayor at -- maybe at midterm or maybe every six months if we could possibly get an estimate as to where we are at that period as compared to where we were a year ago during the same period? It, you know, kind of gives us an idea of, you know -- is it -- is that --

DIRECTOR SHERMAN: Well, we -- we issue the budget reports. But if you would like us to issue a full balance sheet and, in essence, a profit and loss type statement, we can do that, as well, and it's -- you know, put that with the budget statements.

MAYOR MASTERS: Yeah. I was just asking.

DIRECTOR SHERMAN: Okay. We could do that.

MAYOR MASTERS: And also, Mr. -- is it Harvey?

RODERICK HARVEY: Yes, sir.

DIRECTOR SHERMAN: Yes.

MAYOR MASTERS: Could -- just for the record, can you state some of the -- 'cause I know you're -- you're busy and you -- you have a lot of clients all over.

RODERICK HARVEY: Uh-huh.

MAYOR MASTERS: And several municipalities, as well.

RODERICK HARVEY: Yes, sir.

MAYOR MASTERS: Correct?

RODERICK HARVEY: Yes, sir.

MAYOR MASTERS: Can you name just a few for us for the public will know that you are a very busy guy?

RODERICK HARVEY: Very good. Municipalities that we do as a prime contract in Dade County, it is Opa-Locka, North Miami and Miami Gardens. In Broward County it is Lauderhill, Lauderdale Lakes. And in Palm Beach County right now it's Riviera Beach. We also do work with Miami Dade Transportation in Broward County as our --

ADAM SEGAL: Dania.

RODERICK HARVEY: Dania Beach. Thank you. -- are some of our clients that we have on the governmental side. And then we have some work at the State of Florida.

MAYOR MASTERS: We're very thankful to have you --

RODERICK HARVEY: Thank you. Very glad to be here.

MAYOR MASTERS: -- here to look at us, too.

RODERICK HARVEY: Thank you.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: Any other questions or comments? Okay. Thank you all very much --

RODERICK HARVEY: Thank you.

CHAIRPERSON DAVIS: -- for providing us all of that insight. Okay. We're down to Public Hearing -- Public Hearings, Ordinances on Second Reading. Item 12.

ORDINANCES ON SECOND READING

12. **ORDINANCE NO. 4042, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM INDUSTRIAL TO COMMUNITY FACILITY FOR PROPERTY LOCATED AT 1481 WEST 15TH STREET, ON 13.3 ACRES OF LAND IN ORDER TO FACILITATE THE DEVELOPMENT OF THE CITY OF RIVIERA BEACH PUBLIC SERVICE COMPLEX.**

COUNCILPERSON GUYTON: So moved.

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and seconded. Mrs. Jones, is -- do you have anything?

CITY MANAGER JONES: Well, this is second read so the presentation was in the last one.

CHAIRPERSON DAVIS: Okay. Okay.

CITY MANAGER JONES: (Inaudible).

CHAIRPERSON DAVIS: All right.

CITY CLERK WARD: Do we have no comments?

CHAIRPERSON DAVIS: I'm sorry? No.

CITY CLERK WARD: I have none.

CHAIRPERSON DAVIS: Madam Clerk, please call --

CITY CLERK WARD: Councilperson Guyton.

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis.

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Item 14 [sic].

- 13. ORDINANCE NO. 4043, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY'S ZONING MAP FROM GENERAL INDUSTRIAL TO COMMUNITY FACILITY FOR PROPERTY LOCATED AT 1481 WEST 15TH STREET, ON 13.3 ACRES OF LAND IN ORDER TO FACILITATE THE DEVELOPMENT OF THE CITY OF RIVIERA BEACH PUBLIC SAFETY COMPLEX.**

COUNCILPERSON GUYTON: So move.

CHAIRPERSON DAVIS: Is there a second?

CHAIR PRO TEM PARDO: Second.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. Miss Jones?

CITY MANAGER JONES: (No audible response).

CHAIRPERSON DAVIS: Miss Jones?

CITY MANAGER JONES: No, ma'am.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: This is the second reading.

CHAIRPERSON DAVIS: This is the second -- okay.

CITY MANAGER JONES: So the presentation was at the previous -- two months ago.

CHAIRPERSON DAVIS: All right. Okay. I do have two public comment cards, Lisa Maxwell and then Hope Calhoun.

LISA MAXWELL: Is this 14?

COUNCILPERSON THOMAS: On 13?

CITY ATTORNEY RYAN: Hang on. We're on 13.

CHAIRPERSON DAVIS: Oh, I'm -- I'm -- my bad. Sorry. Okay. Madam Clerk, please call the question.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Item 14.

14. **ORDINANCE NO. 4044, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENACTING A MORATORIUM FOR A PERIOD UP TO ONE-YEAR AS TO THE FILING AND/OR RECEIVING OF ANY APPLICATIONS FOR PERMITS FOR NEW ABOVE-GROUND WIRELESS COMMUNICATIONS FACILITIES, INCLUDING ANTENNAS AND RELATED EQUIPMENT IN THE PUBLIC RIGHTS OF WAY OF THE CITY OF RIVIERA BEACH IN ORDER TO CREATE REGULATIONS FOR THE PLACEMENT AND MAINTENANCE OF THE ABOVE GROUND WIRELESS COMMUNICATIONS FACILITIES WITHIN THE CITY RIGHTS OF WAY; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; APPROPRIATING \$30,000 FOR PROFESSIONAL SERVICES CONNECTED HERewith; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Mr. -- whose second? Okay. Mr. Davis --

COUNCILPERSON GUYTON: Uh, that was Mr. Davis.

CHAIRPERSON DAVIS: -- second. Okay. Miss Jones?

CITY MANAGER JONES: This is the ordinance on first read --

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON DAVIS: Second, yeah.

CITY MANAGER JONES: -- second read for a moratorium on the antennas. We held the first read on the last present -- last meeting and held a presentation and there was plenty of discussion so unless there's anything in particular, we do not have a presentation on this item.

CHAIRPERSON DAVIS: Okay. I do have two public comment cards. Lisa Maxwell and then Hope Calhoun.

LISA MAXWELL: Thank you, members of the commission. My name is Lisa Maxwell.

I'm here representing Crown Castle. I want to say that we are in a number of different municipalities installing these systems today and we've had the privilege of working with a number of municipalities, as well, in terms of going through a moratorium process, defining a great ordinance on the other side and coming up with some terrific standards which ensure both public safety and that telecommunications can go forward in the City without interruption and -- and we can improve service levels. And that's really what -- what this is about. We do have here today Hope Calhoun who's an attorney working with Crown Castle. We have some specific questions about the ordinance and how it may apply to our current permit applications. And so I'll ask Hope to come up and thank the commission for the time. We look forward to working with the staff.

CHAIRPERSON DAVIS: Thank you, ma'am. Please state your name and address for the record, please.

HOPE CALHOUN: Good evening, Hope Calhoun, attorney with the law firm of Becker & Poliakoff. My business address is 1 E. Broward Boulevard, Fort Lauderdale, Florida. Good evening.

CHAIRPERSON DAVIS: Good evening.

HOPE CALHOUN: Thank you for allowing us to speak this evening. Specifically I just wanted to say a few things. Crown Castle, my client, is -- is very excited and willing to work with -- hoping to work with the City as they go forward with this study. We understand the -- we understand the need for the moratorium. As Lisa has already stated, a number of municipalities have done the same thing.

My point of clarification that I have is specifically regarding section 4 of the ordinance. And I just want to be sure of how it reads and applies potentially to my client. Prohibiting -- the section -- section begins, "The City Council hereby enacts a moratorium for up to one year prohibiting the filing and/or receiving of any application for the permitting of new above-ground wireless communications facilities," and then it goes on. Considering our applications went in, were submitted last year, I think September of 2 -- 2013, I just want to be sure that the moratorium does not apply to our pending applications. We can continue to go forward with our applications, working with the appropriate city staff so they can be designed in accordance what you're looking -- with what you're looking for in terms of appearance and, therefore, we're not impacted by this moratorium.

CHAIRPERSON DAVIS: Okay. Miss Ryan?

CITY ATTORNEY RYAN: Madam Chair?

CHAIRPERSON DAVIS: Go ahead.

CITY ATTORNEY RYAN: Well, one of the reasons that we --

CHAIRPERSON DAVIS: Hold on. Hold on. Just a minute. Are you finished with your comments?

CITY MANAGER JONES: (Inaudible).

HOPE CALHOUN: I am. If -- if I --

CHAIRPERSON DAVIS: Oh, sorry.

HOPE CALHOUN: No, that's okay.

CITY ATTORNEY RYAN: Just jump right in.

CITY MANAGER JONES: (Inaudible) your questions.

HOPE CALHOUN: I -- I am finished with my, I think, comments, but if I may, since I have a minute and 15 seconds left, if necessary, can I respond to any questions or comments?

CITY ATTORNEY RYAN: No.

CHAIRPERSON DAVIS: Well, we would like for you to go ahead and finish all -- everything.

HOPE CALHOUN: I'm finished. Thank you.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: One of the reasons that we need to enact the moratorium is because of Crown Castle's application. One -- what we're really concerned about is opening the door. If we allow Crown Castle to come in and put up their -- their antennas while the moratorium is going on, I believe that we are opening the door for others to do the same thing. What we will do is work with them on their application while we are working on the standards. So that when the moratorium ends, and we're hoping that it won't take a year for the moratorium to go through for us to have our -- our regulations in place -- we will be ready to -- to bring -- submit theirs and bring it to the council as soon as it's ready so that they won't have to wait to apply and have their application process after the moratorium is lifted and after the regulations are in. We will work with them at the same time. But I do not want to give Crown Castle the impression that we will approve your permit applications before our regulations are done. That is not our intent.

HOPE CALHOUN: Okay.

CHAIRPERSON DAVIS: Okay? So you got your answer?

HOPE CALHOUN: May I ask a follow-up question?

CHAIRPERSON DAVIS: Go ahead, ma'am.

HOPE CALHOUN: Thank you. Just again, point of clarification. So of the statement made was opening any door. And I just want to be clear, because our application was

submitted some time ago and we have been trying to work with and we'd like to continue to try to work with your staff. We understand the concerns of -- of the city commission and what you don't want -- and the city manager's concerns and what you don't want to see in the city. So again, we're willing to work. Our fear is that if (inaudible) -- is it me?

CHAIRPERSON DAVIS: Go ahead.

HOPE CALHOUN: -- our fear is that if we continue to wait and prolong this process, service in this city just is not going to be as good as it can be and should be. So we want to provide excellent service and so for that reason we'd like to be able to continue permitting while this is going forward.

CHAIRPERSON DAVIS: Okay. We understand your concerns. Thank you very much for coming. Okay?

HOPE CALHOUN: Thank you. Thank you.

CHAIRPERSON DAVIS: All right. So we have the motion and second on the floor. Any other questions or comments from the board?

COUNCILPERSON THOMAS: Yes. I have some questions.

CHAIRPERSON DAVIS: Mr. Thomas.

COUNCILPERSON THOMAS: Miss Ryan, does this leave us any type of exposure legal wise since they've had their applications in prior to this moratorium being enacted if this gets approved?

CITY ATTORNEY RYAN: Right. I'm not going to tell you that it doesn't. The -- the -- you know, this -- it's the chicken or the egg. If we allow them the -- to go through without regulations in place, then we run the risk of approving something for Crown Castle that we would not approve for anyone else. As I stated, our issue came about because of Crown Castle. We don't have regulations in place so I don't know how we can permit them when our issue is that we don't have regulations. If Crown Castle wants to file a lawsuit against us on this issue, they may very well do that. They've always had that opportunity to do that. We've been talking to them for over six months. It's my understanding that they wish to work with the cities to have -- to make sure that, you know, the permitting is done correctly. They've worked with the moratoriums. They've worked on the regulations. We've told Crown Castle that we're willing to work with them. They know that we are hiring one of two attorneys most likely, and Mary McKinney's looking at some other technical help for the City and that's why you all have set aside funds for that. But if they want to file something, you know, they have the opportunity to do that.

I will tell you the law is not as clear as they may make it seem. Just like they can file a lawsuit, we will respond and we will deal with our people in Tallahassee if we have to. This issue affects the entire State of Florida. And I certainly, you know -- this is not a

city that fears lawsuits. We get lawsuits all the time. And I would not -- I would hope that the council wouldn't back down because of a fear that Crown Castle may file a lawsuit. We will work in good faith with Crown Castle. We -- we -- we understand that this technology is coming. We're not trying to fight it but we are trying to protect our residents. And I think that --

CHAIRPERSON DAVIS: (Inaudible).

CITY ATTORNEY RYAN: Right.

COUNCILPERSON THOMAS: Well, Miss -- Madam Chair, if I --

CHAIRPERSON DAVIS: Sure. Go ahead.

COUNCILPERSON THOMAS: (Inaudible) -- I -- I mean, you -- you went down a road that I really wasn't --

CITY ATTORNEY RYAN: I thought you were trying --

COUNCILPERSON THOMAS: -- I mean, yeah. I mean, because I expect you to --

CITY ATTORNEY RYAN: -- I'm sorry, sir.

COUNCILPERSON THOMAS: -- defend the City.

CITY ATTORNEY RYAN: I know. I know.

COUNCILPERSON THOMAS: That's the reason why we have a city attorney.

CITY ATTORNEY RYAN: I know.

COUNCILPERSON THOMAS: I know. But I -- my question was I've seen them bring two different attorneys here. If we've -- if we've been trying to work through this the questions wouldn't be the -- the same. We said that the last time that they was here. What I heard that particular attorney say, she made it very clear that -- she was saying, Hey, our -- our permit has been in for several months.

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON THOMAS: So what happens? I mean, we've done this a couple of times before.

CITY ATTORNEY RYAN: Right.

COUNCILPERSON THOMAS: What actually happens? I know the last time we had told, what, the -- the -- the Adult Arcades or whatever that was --

CITY ATTORNEY RYAN: We did the moratorium on that and we studied it.

COUNCILPERSON THOMAS: Right.

CITY ATTORNEY RYAN: Right. This is -- this -- this won't be the same way because there are other cities that have already gone through this. But we just don't -- we don't -- we do not have the regulations on the books to make us feel comfortable that we could permit them -- we could deny them, or, you know, give them a permit based upon what we have. It made us very uncomfortable. And when I reached out to other cities I found out that not only were -- was Crown Castle coming to -- coming into their cities but the cities were saying you know, Hold up. We -- we need to -- to -- to get up to speed on this.

COUNCILPERSON THOMAS: Are there any other permits or applications for --

CITY ATTORNEY RYAN: From anyone else?

COUNCILPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: No. It -- I don't think so.

CITY MANAGER JONES: No.

CITY ATTORNEY RYAN: No.

COUNCILPERSON THOMAS: So we -- we only have this one?

CITY ATTORNEY RYAN: And -- and I will tell you, you know, I got comments from AT&T which we incorporated. AT&T wanted to make sure that it was only about above-ground antennas and I made a lot of changes to the ordinance as they requested at the last council meeting and I never heard anything else about it. Two days ago I received a letter from Crown Castle which I sent over to Miss McKinney stating that they wanted to make sure that their permit was going through the process. And frankly, you know, it's -- it can go through the process. And we talked about doing it contemporaneously and concurrently with the regulations. But we don't have any plan to allow Crown Castle to get a permit on something that we're still studying. I mean, because we'll allow them to do something and then next week not allow AT&T to do it.

COUNCILPERSON THOMAS: I -- I get it. Did this go before the Planning & Zoning Board?

CITY ATTORNEY RYAN: This ordinance?

DIRECTOR OF COMMUNITY DEVELOPMENT MCKINNEY: No. It's not necessary.

CITY ATTORNEY RYAN: No.

COUNCILPERSON THOMAS: This -- it -- it's not necessary to go before the Planning & Zoning Board?

CHAIRPERSON DAVIS: Moratorium, no.

CITY ATTORNEY RYAN: Not a moratorium.

COUNCILPERSON THOMAS: No, no, no. Not the moratorium. This actual --

CITY MANAGER JONES: The regulation will.

COUNCILPERSON THOMAS: This actual --

CITY ATTORNEY RYAN: Oh, their application?

COUNCILPERSON THOMAS: Yes.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Mary McKinney. The regulations will go to the -- through the Planning & Zoning Board when we draft the regulations.

COUNCILPERSON THOMAS: Well, I'm -- I'm trying to figure out how -- how did they get to -- to this point with us if they -- how -- how did we get to the point where we're even denying it if they have not gone through the actual Planning & Zoning Board?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. We haven't -- we haven't denied an application. Their application was always incomplete. They never submitted all the information for the City to even review it based on what we have currently on our code.

COUNCILPERSON THOMAS: Okay.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: So -- and we had asked - - we -- we had just a lot of written correspondence back and forth with them saying, Provide us this information. Provide this document, which they were not able to do. And they had not to this date. So --

CITY ATTORNEY RYAN: Under our code.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Under our existing regulations.

COUNCILPERSON THOMAS: So they -- they have not complied with what we have existing?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes. They have not.

COUNCILPERSON THOMAS: Okay. Well, that's all I needed to hear. Then I'm -- I'm comfortable with that, then.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

CHAIRPERSON DAVIS: And Miss Pardo, did you have any comments?

CHAIR PRO TEM PARDO: No. Nothing.

CHAIRPERSON DAVIS: Okay. There is one question that I have, and I'm going to ask you to come back up, please. I heard you say that if your permit was denied, that the service would not be as good later as it would now. How is that? Why?

HOPE CALHOUN: If -- if I said that, that's -- that was a misstatement on my part.

CHAIRPERSON DAVIS: Okay.

HOPE CALHOUN: What I thought I said --

CHAIRPERSON DAVIS: (Inaudible).

HOPE CALHOUN: -- okay, was that it would -- it would improve once we have the new towers up.

CITY ATTORNEY RYAN: Right.

HOPE CALHOUN: I thought that's what I said but perhaps I misspoke.

CHAIRPERSON DAVIS: Okay. All right. Well, thank you very much.

HOPE CALHOUN: And also, if there are no other applications, I don't know how we could open the door. Thank you.

CHAIRPERSON DAVIS: No. No, ma'am. That's all. Thank you. Okay. Any other comments or questions?

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Mayor.

MAYOR MASTERS: A couple -- a couple things that's -- may be somewhat confusing to me. Sometimes I think it's an adversarial relationship and sometimes I think it's -- it's not. So let us -- me ask a couple of questions. One is during the moratorium period, are we going to -- we're not going to give any permits to them or we are? I just need to be -- I need to be clear through an issue because I heard we -- I heard -- I thought I heard that we were going to be working with them in -- in some instances. Maybe we were going to do some things. Is that a permit or it's something else that's called --

CHAIRPERSON DAVIS: We're not -- from what I understood, we're not gonna give any permits until we've done our -- our research.

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: That's what Miss Ryan said.

CITY ATTORNEY RYAN: Right. What I said was we will continue to process their application while we are working on the regulations. We do not want to approve their permit in one way and then have regulations that say something totally different.

MAYOR MASTERS: So when the regulations are in place, then are we going to --

CITY ATTORNEY RYAN: Correct. And what I --

MAYOR MASTERS: -- permit --

CITY ATTORNEY RYAN: -- right. What I said was we can do them at the same time. As soon as our regulations are approved, they will already be ready to have their -- their application approved because they will be working with us the entire time.

MAYOR MASTERS: Okay. And working with us means what? What are they going to be doing with us? Can somebody answer that for me? I mean --

CITY ATTORNEY RYAN: That means meeting with them, talking with them about what their tower would look like. We talked -- at -- at the last meeting we had facades, pictures of what some of the antennas look like in certain jurisdictions. We will make sure that they are building their -- I don't know how they do their antennas, but that they are doing them -- they -- they can go ahead and start building them or whatever it is they're doing as long as it is going to be in compliance with the regulations that we will be putting before the council. Now, they run the risk of building an antenna that may, let's say, looks -- that may look like a, um -- a tree and then this council says, You know, we don't really like trees. We prefer that they look like FPL poles, and then they'll have to change. But that's -- that's just an example. I don't think that that would happen.

MAYOR MASTERS: Yeah.

CITY ATTORNEY RYAN: But that's one of the reasons why we want to make sure that it's being done concurrently but certainly not before. We're not prepared to deal with it

MAYOR MASTERS: So it would be more -- more like a mutual understanding relationship as we --

CITY ATTORNEY RYAN: I'm not going to call it a mutual understanding relationship.

MAYOR MASTERS: -- work -- working through the -- what do you call it?

CITY ATTORNEY RYAN: I'm just saying we will work with them.

MAYOR MASTERS: Okay. Thank you.

CHAIRPERSON DAVIS: Okay. Any other questions or comments?

COUNCILPERSON GUYTON: Just -- just one question for clarification.

CHAIRPERSON DAVIS: Mr. Guyton.

COUNCILPERSON GUYTON: The regulations are being done so that we can have some type of standards by which we can give permits. But I -- I -- I -- I think what is being missed is that this is not an effort to establish prohibition. This is an effort to regulate what is going to come.

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON GUYTON: So I --

CITY ATTORNEY RYAN: That is correct. And -- and --

COUNCILPERSON GUYTON: -- I don't want people to get confused --

CHAIRPERSON DAVIS: Hold on.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON GUYTON: -- that they're gonna prohibited but we just need the adequate regulations in order to monitor and enforce and for other things that the legal counsel may find needed. Thank you, Madam.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Thomas.

COUNCILPERSON THOMAS: I'll -- you know, I'll be willing to -- I know that you've invited, I think, most of us, but to look at some of the -- the structures that they have now. I'll still be willing to do that on behalf of the board if they would like and bring back some -- some comments and some things that I think that we can see to add to it.

CHAIRPERSON DAVIS: Well, any of us could do that if we want to.

CHAIR PRO TEM PARDO: Yeah. I'd rather do my own research.

CHAIRPERSON DAVIS: Okay. Any other comments or questions?

COUNCILPERSON THOMAS: No. No. I was just saying -- everybody can do their own research. No problem.

CHAIRPERSON DAVIS: Well, I'm -- I'm -- I'm -- it wasn't a --

COUNCILPERSON THOMAS: No, no, no. Not you. I heard Miss Pardo say she wanted to do her own research.

CHAIRPERSON DAVIS: -- you know, I'm just saying --

COUNCILPERSON THOMAS: I just was volunteering.

CHAIR PRO TEM PARDO: Thank you.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON THOMAS: Uh-huh.

CHAIRPERSON DAVIS: Any -- no other questions or comments? Madam Clerk?

CITY CLERK WARD: Madam Chair, this ordinance was advertised on second reading, Palm Beach Post, April the 19th, 2014.

CHAIRPERSON DAVIS: Okay.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Ordinances on First Reading. Item 15.

ORDINANCES ON FIRST READING

- 15. ORDINANCE NO. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 12 ENTITLED, "OFFENSES", ARTICLE V ENTITLED, "RED LIGHT ENFORCEMENT PROGRAM", PROVIDING FOR CHANGES TO THE MARK WANDALL TRAFFIC SAFETY PROGRAM INCLUDING DESIGNATING A LOCAL RODERICK HARVEY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

CHAIRPERSON DAVIS: Is there a motion?

COUNCILPERSON DAVIS: So moved.

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and seconded. Mrs. Jones?

CITY MANAGER JONES: Yes, Madam Chair. This is an ordinance on first read amending chapter 12 as the clerk has already stated. Each year we know that the legislation -- legislators tweak the red light camera legislation.

CHAIRPERSON DAVIS: Uh-huh.

CITY MANAGER JONES: And so what this is in this -- this revision to the ordinance is updating our current ordinance in order for it to be in compliance with state law. I would like for Assistant Chief Mike Madden to give you an overview as to what this state law is requiring and what we are adding to our ordinance.

CHAIRPERSON DAVIS: Okay. Good evening Mr. -- Assistant Chief Madden.

ASSISTANT POLICE CHIEF MADDEN: Good evening. This is really a minor change to our ordinance that was first adopted in July of 2011. As the city manager said, July -- July 1st, 2013, the -- the governor approved a few changes to the law. What that, in effect, does to our ordinance is require us to authorize in our ordinance having local hearings which were previously in the county courts.

CHAIRPERSON DAVIS: Uh-huh.

ASSISTANT POLICE CHIEF MADDEN: So one, we gotta authorize having the local hearings. Two, we need to authorize using our code magistrate to be the hearing officer. So those are the two things that are in this ordinance change. It's fairly straightforward.

CHAIRPERSON DAVIS: Okay. Are there any questions or comments from the board?

COUNCILPERSON THOMAS: Yes.

CHAIR PRO TEM PARDO: Yes.

CHAIRPERSON DAVIS: Mr. Thomas and then Miss Pardo and then Mr. Mayor.

COUNCILPERSON THOMAS: AC Madden, why would we use the Code Enforcement magistrate to -- to magistrate over this? Why won't we get an officer or somebody else?

ASSISTANT POLICE CHIEF MADDEN: The code magistrate process has worked for us in the past. This is a city ordinance. They do have the authority to hear the cases. The -- again, the process is in place and it -- it's a practice that has been used by other cities and we believe it's the best approach.

COUNCILPERSON THOMAS: The code magistrate has? I just think it's just two different things, you know?

ASSISTANT POLICE CHIEF MADDEN: It's not during the Code Enforcement process. The hearings will be held separately.

CHAIRPERSON DAVIS: It's the same.

COUNCILPERSON THOMAS: Oh.

ASSISTANT POLICE CHIEF MADDEN: We will simply be using those same magistrates that have agreements with the City in place and they will do a similar function but for a red light hearing. It will be a separate hearing on a different day and again, this process has been effective for other cities.

COUNCILPERSON THOMAS: Okay.

CHAIRPERSON DAVIS: Miss Pardo?

CHAIR PRO TEM PARDO: Okay. My question is about the magistrate.

MAYOR MASTERS: Yeah.

CHAIR PRO TEM PARDO: So do we have -- well, I guess we have a contract with that person and are they paid on an hourly basis or do they have just one yearly figure? And I'm asking that because there was a -- I think it was channel 12 did a story last night about the red light cameras. And West Palm Beach is in the hole. I believe last year it was -- hold on a second. I think I wrote it down. All right. Last year they were in the hole for over \$200,000. And then right now I think it's about \$22,000 just --

ASSISTANT POLICE CHIEF MADDEN: Yes. We -- we --

CHAIR PRO TEM PARDO: -- all right. So I just want to make sure that -- and -- and we're seeing it in other cities, too. Boca Raton, they're not making the money that they thought they were going to make off of this. Because the State is getting a cut and the people that operate these red light cameras, they're getting a big cut. And when it gets down to the municipality level, the cut is much smaller. So you know, I just want to make sure that this program -- I don't want to make -- I want to make sure that the program does what it's supposed to do and we're not being taken to the bank because, you know, other people are out there getting rich off of us and, you know, at the end of the day remember, it's the -- you know, a lot of the residents, our residents are going to be coming in, you know, because of these cameras.

ASSISTANT POLICE CHIEF MADDEN: Yes.

CHAIR PRO TEM PARDO: So, you know, what's the deal with the magistrate?

ASSISTANT POLICE CHIEF MADDEN: We do have -- we do have contracts with two

magistrates.

CHAIR PRO TEM PARDO: Uh-huh.

ASSISTANT POLICE CHIEF MADDEN: They do have established hourly rates. One of them is 200 an hour; the other is 175.

CHAIR PRO TEM PARDO: Okay.

ASSISTANT POLICE CHIEF MADDEN: The hearings, from our estimation, will not occur more than once or twice a month. So I don't think that's going to be a significant impact.

CHAIR PRO TEM PARDO: Right. It -- it -- it --

ASSISTANT POLICE CHIEF MADDEN: This is a -- we have a cost-neutral contract with the -- with the red light vendor so, you know, the -- the program is not designed to be a revenue-generator.

CHAIRPERSON DAVIS: Uh-huh.

ASSISTANT POLICE CHIEF MADDEN: It's designed to improve the safety of the intersections.

CHAIRPERSON DAVIS: Uh-huh.

ASSISTANT POLICE CHIEF MADDEN: But as with any traffic citation -- and these are similar to traffic citations -- there is a revenue component to it. And --

CHAIR PRO TEM PARDO: Yeah. I -- I know. And you know what? And we can debate the red light cameras all day, you know? There's -- some people are in favor of it, some aren't. You know, I worked down in Boca Raton for a long time and I traveled along Congress Avenue and there was a camera at every intersection. And you know, down there you have a very large elderly population. And you know, the -- you think you're getting ready to go through and they see the light changing and they stop and --

CITY ATTORNEY RYAN: Right.

CHAIR PRO TEM PARDO: -- you know, so I just want to make sure that -- and we can't make sure that's not going to happen here in Riviera Beach. Right? You don't know, you know, what the driver is going to do when they see the yellow light, if they're going to go through it or stop. But at the end of the day I just want to make sure a year from now when we go back and we look and it turns out that we're spending, say, \$200,000 on a magistrate and we're not getting anything in return, you know, I want to make sure that there's a way out of this if we choose to go that way.

ASSISTANT POLICE CHIEF MADDEN: I think we started with -- we're starting with four approaches so I think we are limiting any exposure and, you know, trying to

evaluate this on a small scale initially before we expand.

CHAIR PRO TEM PARDO: Okay. And the last thing. Can you tell us if this passes, when are we -- when are you going to turn the cameras on?

CHAIRPERSON DAVIS: They have to notify, too.

ASSISTANT POLICE CHIEF MADDEN: There will be -- we'll be coming back with a revised contract with our vendor.

CHAIR PRO TEM PARDO: Okay.

ASSISTANT POLICE CHIEF MADDEN: Due to the requirement of the local hearings, there's some added responsibility that they have.

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

ASSISTANT POLICE CHIEF MADDEN: Our timeline at this point, there will be a 30-day warning period where these -- where the cameras are live and warning citations --

CHAIR PRO TEM PARDO: Right.

ASSISTANT POLICE CHIEF MADDEN: -- will go out that doesn't cost anybody.

CHAIR PRO TEM PARDO: Right.

ASSISTANT POLICE CHIEF MADDEN: So that occurs for 30 days. We believe that the 30-day period will end sometime around October 1st.

CHAIR PRO TEM PARDO: It will end October 1st.

ASSISTANT POLICE CHIEF MADDEN: Now -- right.

CHAIR PRO TEM PARDO: Okay.

ASSISTANT POLICE CHIEF MADDEN: And now, we haven't done construction permits yet so, you know, there could be delays there but that's the timeline we're working with right now.

CHAIR PRO TEM PARDO: Okay. So when it comes to budget time you're not going to be asking us for additional money for the magistrate?

ASSISTANT POLICE CHIEF MADDEN: Not at this time, no.

CHAIR PRO TEM PARDO: Okay. All right. Thank you, Madam Chair.

CHAIRPERSON DAVIS: Mr. Mayor?

MAYOR MASTERS: Yes, Assistant Chief. The -- you said the governor -- I -- governor

or someone made the -- made the change here to allow local municipalities to enforce this or whatever?

ASSISTANT POLICE CHIEF MADDEN: Yes. Not simply allow but, uh, it mandated that the hearings be held at the local level rather than the courts, the county courts.

MAYOR MASTERS: Do you know, can you tell us why was that change?

ASSISTANT POLICE CHIEF MADDEN: I -- a bill advanced through the legislature. You know, honestly it was more attractive when those hearings were held at the county level. You know, the -- you know, for the city not to hold those hearings locally.

MAYOR MASTERS: Well --

ASSISTANT POLICE CHIEF MADDEN: But the fact is the law did change and, you know, we have to hold them here.

MAYOR MASTERS: -- and the reason why I'm asking that is because it -- it was said -- and I don't know whether you know or not, and I'm not trying to, in no means, put you on any kind of spot, but I think I read something in the paper, something that if a person would show up, that most of them were being thrown out because there wasn't anyone there to -- from the -- whoever to --

CHAIRPERSON DAVIS: The court.

MAYOR MASTERS: -- yeah. Is that -- have you heard that before? I mean, is that something that's just said but no -- no teeth?

ASSISTANT POLICE CHIEF MADDEN: It -- it would depend on the particular legal challenge that, you know --

MAYOR MASTERS: Okay.

ASSISTANT POLICE CHIEF MADDEN: -- the violators were presenting and -- to the judge.

MAYOR MASTERS: And my next question is legally are we required to put signs up posting that this intersection is being controlled by -- I mean, are being looked, whatever, by the red light?

ASSISTANT POLICE CHIEF MADDEN: Yes. That is part of the program. We will be doing a full media campaign, channel 18, on the city's website.

MAYOR MASTERS: Citizens will know where they are?

ASSISTANT POLICE CHIEF MADDEN: Correct.

MAYOR MASTERS: Okay. The other thing is, and I've always been a proponent of doing all that we can to get DUIs off of the -- the streets, if there's a situation where a

DUI -- and we needed to prove that it was reckless driving or something, is it just used just for red light if you can -- is it also used -- usable for someone that's recklessly driving or anything else that we got that to?

ASSISTANT POLICE CHIEF MADDEN: The only enforceable law with these cameras is red light violations.

CHAIRPERSON DAVIS: Running a red light.

ASSISTANT POLICE CHIEF MADDEN: Now, the information on vehicles that are captured can be utilized for investigative purposes by law enforcement; missing persons, Amber Alerts, those sorts of things. So there is an added benefit from having these cameras.

MAYOR MASTERS: Okay. And this is for the city attorney. I haven't kept up with it all -- all the -- to the T but have all of the legal challenges been exhausted as far as the legal -- legal constitutionality or legality of the red -- this whole red light thing? Where are we in the courts with it or are we not in the courts?

CITY ATTORNEY RYAN: I would have to research it. I really have no idea. I think the -- the last -- there was several cases that were being appealed. I would assume that more are still being appealed so, you know, it's not as in the same flux that it was previously but I will tell you the State continues to erode the -- the benefits for, you know, for municipalities to get into this arena. And I know several cities that started off - - they started doing this before the State even got involved and they've had to amend their ordinance three and four times. So I can tell you this may not be the end. The -- the -- they continue to try to take over in this area.

MAYOR MASTERS: Do we know of any cities who -- who started it and they just got to the point that they just dropped it?

CITY ATTORNEY RYAN: Yes.

MAYOR MASTERS: Who?

CITY ATTORNEY RYAN: I think even as close as Royal Palm. Did they --

ASSISTANT POLICE CHIEF MADDEN: I believe Palm Springs decided to end their program. Palm Beach County recently brought that before their board and decided to continue their program.

MAYOR MASTERS: Okay. Now, my -- my final question is this, Madam Attorney. If, in fact, that this council chooses to go forward with this and -- and someone is found guilty and they pay the fine and then the court, for some unknown reason, overrules it and says it's -- it was unconstitutional at the time, does that person get their money back?

CITY ATTORNEY RYAN: That -- that will be the least of our problems. Yes. They will

get their money back. If they find that the whole ordinance is unconstitutional?

MAYOR MASTERS: Or they find the whole ordinance or something that would -- is it a possibility that people would be refunded if there was a legal problem where the court said that you couldn't do this --

CITY ATTORNEY RYAN: Well, the courts have already said you can do --

MAYOR MASTERS: -- at the time?

CITY ATTORNEY RYAN: -- it. That's not the issue.

MAYOR MASTERS: But if it's appealed in --

CITY ATTORNEY RYAN: They would appeal their individual case. That's what would be appealed.

MAYOR MASTERS: Right.

CITY ATTORNEY RYAN: And they would -- if they won they would definitely get their money back. That would --

MAYOR MASTERS: Have to be --

CITY ATTORNEY RYAN: -- absolutely.

MAYOR MASTERS: Okay. Well, some people that may be a concern. Okay.

CITY ATTORNEY RYAN: Yeah. That would -- they would get their money back.

MAYOR MASTERS: Thank you, Madam Attorney, Madam Chair and Chief.

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Mr. Guyton.

COUNCILPERSON GUYTON: Yes. What process would be put in place to determine how effective this method is? And will there be, for lack of better term, a cost benefit analysis, how much is it costing us to undertake it and it -- are we reaping the benefits that we would hope that we would? Is there going to be some process to monitor this to come back and report to us, This is the cost. This is the benefit or the violators that we've -- we've identified.

CHAIRPERSON DAVIS: You mean as it relates to accidents or whether -- if there's a decrease?

COUNCILPERSON GUYTON: Yes.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: Mr. Guyton, one of the things that we will do and that's make sure that we collect the appropriate data as to what is occurring at each one of those intersections and sites and analyze that on a regular basis. Prior to the submission of the budget, we will report to you any revenue, any cost analysis, and that will determine if it's no longer cost-effective whether I recommend it for the next year's budget.

COUNCILPERSON GUYTON: Okay. And one last comment. Now that it's brought in house to local municipalities, and we are pairing -- pairing? -- we are paying the hearing officers, there are bound to be allegations of impartiality, unfairness. You work for the City so I can't get a fair hearing. How are we going to address those type of complaints 'cause they're bound to come.

ASSISTANT POLICE CHIEF MADDEN: Again, that's why, where you could have used another staff member to do these hearings, the code magistrate system exists already and they are already ruling on cases brought before them, city versus citizen, and those rulings have been upheld in appeals. So, you know, we believe the qualifications of a special magistrate is the best approach.

COUNCILPERSON GUYTON: Okay. We're -- we're -- we're going to get some --

MAYOR MASTERS: Heat.

COUNCILPERSON GUYTON: -- you know, challenges in regards to the person that's hearing the case that's being paid by the City. That would be a logical, I would think, challenge in order to try to get out of this. But we'll just have to see how it goes and as it relates to that cost benefit analysis, we need to, you know, keep track of those, as well. That's all I have, Madam Chair.

CHAIRPERSON DAVIS: Okay. No other questions or comments?

MAYOR MASTERS: I -- I have one. One more.

CHAIRPERSON DAVIS: Mr. Mayor.

MAYOR MASTERS: The defendant comes in. This is about the procedure here. A defendant comes in and is there -- does our lawyer or do we have someone to prosecute other -- the magistrate listens to and makes -- and -- and decides, you know, guilty or not. But is there anyone on our side to show the -- the tape or to do whatever?

ASSISTANT POLICE CHIEF MADDEN: Initially we will be using our contracted attorney Christy Goddeau to assist with the implementation of the hearings. Her services aren't required once we establish the hearings. Just as an officer goes to traffic court, he is not aided by an attorney when he testifies on a traffic ticket. So what we will have is a staff member who will serve as the clerk of the hearing. You'll have the magistrate and then you'll have the police officer testifying, as well as the violator.

MAYOR MASTERS: Okay. Now, in --

ASSISTANT POLICE CHIEF MADDEN: And those videos and -- the videos and still images that are captured by the cameras will be presented in front of the magistrate and --

MAYOR MASTERS: -- but the defendant would have the same right to have an attorney present to --

ASSISTANT POLICE CHIEF MADDEN: Correct.

MAYOR MASTERS: -- present their case on --

ASSISTANT POLICE CHIEF MADDEN: The -- the defendant can present their case just as they do on a traffic ticket in county court.

MAYOR MASTERS: With an attorney?

ASSISTANT POLICE CHIEF MADDEN: (No audible response).

MAYOR MASTERS: Attorney can present it or just as a defendant? I just need to ask that legal question. Does the defendant -- can the defendant bring in his or her attorney to defend him in the traffic -- I'm not wasting time. I'm asking a question that makes sense to me.

ASSISTANT POLICE CHIEF MADDEN: Yes.

MAYOR MASTERS: Well, you're talking.

ASSISTANT POLICE CHIEF MADDEN: Yes.

MAYOR MASTERS: Yes. Okay. Thank you. Sorry.

CHAIRPERSON DAVIS: Any other questions or comments? Okay. Madam Clerk?

BONNIE LARSON: Miss Davis, I have a card.

CHAIRPERSON DAVIS: No, your item is on number 16, Miss Larson. So Madam Clerk?

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: No.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: That vote passed with Chair Pardo dissenting.

CHAIRPERSON DAVIS: Okay. Item 16.

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 DAVIS: Next up is Mary Brabham. Good evening, Mr. Lozman. We've missed you. You have three minutes.

FANE LOZMAN: Fane Lozman. I've learned a lot over the past couple of months about the First Amendment Supreme Court case law and how that relates to public forums, limited public forum. And mainly what's called viewpoint neutral and how that relates to the city manager's memo talking about public comment. What does that all mean in English? It all means in English that your rules of decorum are unconstitutional as they apply to public comment right now. Meaning that if you have an agenda item like the marina issue that just came up and somebody started talking about, you know, increasing retirees' salaries, you as the chair can say, You're off topic. You're being disruptive. They keep talking off topic, you can remove them.

At Public Comment, though, this is viewpoint neutral. You can't have people up here who just say nice things and say it's okay to make public comment. But if somebody criticizes or says something you don't like to hear, You're being disruptive, and remove them. And this council has consistently done that. They've had people criticized or say what they consider to be nasty things or personal attacks and had the police remove them. That's illegal. That's a violation of the constitutional rights of a person in a portion of the agenda that should be viewpoint neutral. And that's all going to be coming out here, you know, hopefully in October. But the point is, the rules of decorum

as they're enforced, there is no disruptive comments unless you're screaming and yelling or using profanity. You cannot deal -- you cannot address the content of what occurs during public comment. So your analysis of disruptive is wrong. And that's 100 percent wrong. It's just not my opinion. These are experts in the First Amendment. And it has to go back to picketing in front of buildings. They used to have people -- you could picket if you had nice things to say. But if you had negative things to say, they would arrest those picketers, and that's how the viewpoint neutral came out when you're doing stuff on public property.

I just saw Dan Taylor. He couldn't make it tonight but I have a major problem with people who are employees of the City being rude. If they don't like me and they don't like my message, fine. Okay? We can -- I don't like Mr. Lozman. But when I call up a city manager and I call up Miss McKinney and Dan Taylor's called Miss McKinney 60 some odd times and I've called her 10 -- I expect to have my phone call returned. Okay? Miss McKinney is an employee of the City. Dan Taylor expects his phone call to be returned. She doesn't return phone calls. She doesn't deal with property -- there's two properties now over there that we're involved with. Doesn't want to deal with that. Peter Ringle's an obnoxious jerk. He doesn't want to deal with it. Miss June -- Miss Jones is obnoxious. I -- we are not going to tolerate that. Now, if you five do not want to control your employees, we're going to get five people up there who would do the job. We're not telling them to do anything illegal and give us a dock we're not entitled to. But we want the communication, and these employees are not giving it to us.

CHAIRPERSON DAVIS: Okay. Thank you, Mr. Lozman. Miss Brabham?

COUNCILPERSON GUYTON: Miss -- Miss -- Miss Chair?

CHAIRPERSON DAVIS: Mr. Guyton?

COUNCILPERSON GUYTON: We just -- he just alluded to about personal attacks. And these attacks about our employees obnoxious coming from one of the most obnoxious persons I ever seen is absolutely ridiculous and I would ask him to refrain from the name-calling. You can criticize. You can complain about what's not being done. But calling our employees obnoxious and these other names are unacceptable to me.

FANE LOZMAN: They are, though.

COUNCILPERSON GUYTON: Okay.

FANE LOZMAN: They are obnoxious.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON GUYTON: And so are you.

CHAIRPERSON DAVIS: Mr. Lozman, please be quiet.

FANE LOZMAN: And you're obnoxious, as well.

CHAIRPERSON DAVIS: Mr. Lozman, you have one more time. Okay? Miss Brabham?

MARY BRABHAM: Good afternoon, Council -- Chair, Council Representatives, and also City Manager. On behalf of the community base, I would like to inform you last year in October, Riviera Beach and other local cities, as well as residents came out to celebrate with us on our historical annual occasion at my church. And those who were there, all the elected officials that was there, my pastor wife passed away. She stood up and she announced that she would not have missed that day. So I come to inform you as representatives, as well as the residents of Riviera Beach, my pastor is also international, as well as national, Elder Cornice Reid. And he's very fluent in all of the national associations so I was glad that you all had the honor on last year of coming out to celebrate us. And I ask for your prayers and thoughts for my pastor as well as his immediate family. He has been our pastor for over 35 years and like I say, he's very well-known. And my condolences also goes out to the Dozier family, too, for their great loss, too. And all that came out on last Saturday.

We cannot express thank you, thank you, thank you again for the wonderful, magnificent celebration ceremony for a historical day for Mr. "Cleve" H. Dixon and our Commissioner Thomas, you really put the works on, babe. And not just -- he could not have done it alone. So I want to thank all of the elected body, as well as the representatives for coming out. Behind every man is a woman.

CHAIRPERSON DAVIS: A good one, at that.

MARY BRABHAM: Whether she's good or bad. But I'd like to say a good woman, because a good woman always makes the man. And a good woman always is the nurture of her family. So behind every child there is a mother. So I would like to say Happy Mother's Day to each and every one. Thank you.

CHAIRPERSON DAVIS: Aw, thank you. Happy Mother's Day to you, too.

CHAIR PRO TEM PARDO: Same to you.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Mayor.

MAYOR MASTERS: Miss Brabham, could you come back for just one quick second, please? Thank you for reminding us that Mother's Day is a few days from now. We know that the hand that rocks the cradle rules the world.

MARY BRABHAM: Amen.

MAYOR MASTERS: But I want to tell you I've heard you speak many times and I just need to tell you publicly that you could not have been any better than what you were at

Cleve Dixon's renaming the street. And the history that you gave was just amazing. And I'm going to -- as it relates to Federal Gardens. And I -- I have contacted the Historical Society about getting that location in the books and making it a tourist attraction for those that wanna come and see where the -- the man who lived to be 107 years of age. But I -- I would like for you at the next council meeting or whenever to come to the -- here and give us that history again of -- of Federal Gardens. It was just amazing. And I was tremendously moved by your speech.

MARY BRABHAM: Well, thank you. As I've always said, we do have great things in the City of Riviera Beach. So thank you all again.

CHAIRPERSON DAVIS: Thank you, Miss Brabham. Next up, Debra Pickens. Finally.

TERRY FERGUSON: Good evening. Uh, Debra has asked that I come and -- and speak on her behalf. I would ask for your permission for her to hand out some items to the council. I'm Terry Ferguson with Bridges at Riviera Beach. We're located at 2831 Avenue S and funded through Children's Services Council. I want to take this opportunity to let you know that the month of April was National Child Abuse and Neglect Awareness Month. And in recognition of this, Bridges at Riviera Beach ventured to raise awareness in the community by first hosting a town hall meeting entitled, "Do You Know Who's Watching Your Child?" It was very well attended. We had a panel of participants including parents from the community, business owners from the community, Department of Juvenile Justice and several community providers. That town hall meeting led to a community discussion which was very rich for the members -- for the members of the community who attended.

The second thing that Bridges did in awareness of Child Abuse and Neglect Month was to initiate an online petition asking that supporters stand up for children and we were able to collect 155 signatures for that petition. And we're asking that you please accept these bracelets that she -- did she hand them out already?

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON THOMAS: Yes.

TERRY FERGUSON: Okay. That she handed out. She's quick. In support of the effort and recognize that as a community, that we must, as the little card says inside there -- we must always take it seriously when children speak out about being abused. Also we need to recognize the signs of child abuse, both -- both physical, as well as behavioral. And the card that you have indicates in detail some of those characteristics. And I, again, want to thank the Chamber -- the Council for your support of Bridges at Riviera Beach. Thank you.

CHAIRPERSON DAVIS: Okay. Thank you, Ma'am.

MAYOR MASTERS: Madam -- Madam Chair, could you -- could you give out a phone number or a hotline number for --

TERRY FERGUSON: Sure.

MAYOR MASTERS: -- situations that people may need to call immediately, please?

TERRY FERGUSON: Okay. If there is any situation as it relates to abuse, that particular number is 1-800-ABUSE or you could call 211 or, of course, 911. The Bridges phone number, in case you are in need of being linked to support services would be 561-899-1644.

MAYOR MASTERS: Thank you.

TERRY FERGUSON: Thank you.

CHAIRPERSON DAVIS: Okay?

MAYOR MASTERS: Thank you, Madam Chair.

CHAIRPERSON DAVIS: Thank you, ma'am. Next up is Bonnie Larson. After Bonnie is Margaret Shepherd.

BONNIE LARSON: Since Riviera -- since Riviera Beach is an up-and-coming city and we're hoping to improve the looks of the entire city, I have a couple of requests tonight, things that I've noticed around town which really need to be fixed. It would really give our city a boost appearance-wise and it's not going to cost us anything. At Silver Beach, that's the entrance to Riviera Beach where Silver -- where Riviera Beach meets Lake Park. On that corner where that nice new sign is -- Miss Davis, you had a nice sign put up -- there's a fence there which has been broken for over a year. It's -- it's -- you see it right on Broadway. It's been broken over a year. Sometimes there's a trashcan there. When the trashcan is there it's always overflowing. For the last two weeks it's been overflowing and turned over. There's an overturned shopping cart there. If you look across at Winn-Dixie they have a long banner which is laying on top of their hedging. It's just a poor entrance to Riviera Beach. And all those things are no cost to us. Let's get them fixed and let's not allow those broken fences to be looking like that for over a year.

BB&T Bank. I think we need to remind them to be a good corporate citizen. If you've driven under their building lately, there's a trashcan there. Mr. Ward brought a picture the other night to a Planning & Zoning Board meeting of the trashcan overflowing. It's been overflowing for months and months and months. I'm talking overflowing. Along their back fence there's trash. There's a cardboard box which has been there for, like, several months. We have all our millions, Riviera Beach, with BB&T Bank. And they need to respect Riviera Beach. Their landscaping is all dying. It's dead and dying. It's just -- it looks bad. They're trying to do something with that property. They maybe want to sell it, I don't know. They want to put a 7-Eleven there maybe. It's going to be a meeting tomorrow night, Planning & Zoning, regarding putting a 7-Eleven instead of that BB&T Bank. The bank was a very nice building, had that overhang so you could park there. Whenever you went to the bank there you would never get wet. It was a really nice design, I think. So probably they could do something with that bank. But right now

it's looking trashy and we have all our Riviera Beach millions with them. So they need to do something. They need to step up and be a good corporate citizen.

Our model block. Last time I went by there we had knee-high grass on that, trash everywhere. We need a sign -- maybe if we had a sign saying model block, maybe we'd keep it a little better, because that's what we want people to look at and say, This is what we expect in Riviera Beach, and it's not giving the impression we want for Riviera Beach. Another thing which came up at the Planning & Zoning Board meeting, Mr. Guyton, maybe you can talk on this, is the bus benches in Riviera Beach. Fewer and fewer of them. They're all being removed. I saw one on Avenue F and Blue Heron. There's one here outside City Hall. There's a bus bench enclosed. The other bus benches have been removed. So is that something the bus company is doing? Are they just doing away with them completely? At the end when you do your comments maybe you can bring that up.

Miss Jones, at the end if you could tell us when Broadway's going to get his final coat. There's still -- those metal covers are sticking up wreaking havoc with our alignment on our cars. When is that gonna be fixed? And what about underground utilities? Are we going to answer that? Some people say, Yes, there's going to be underground utilities. Some people say no. Some people say just south of Blue Heron. Others say no. If you could just give us the scoop so that we --

CHAIRPERSON DAVIS: Okay.

BONNIE LARSON: -- know what's going on, thank you.

CHAIRPERSON DAVIS: Thank you, Miss Larson. Next up is Mustafa [phonetic] --

MARGARET SHEPHERD: I thought you said Margaret Shepherd.

CHAIRPERSON DAVIS: I'm sorry. Margaret -- Jesus, I'm just really messing up tonight. Miss Shepherd, could I -- could I please ask Mr. -- I can't pronounce the last name, Mr. Musaf [phonetic] -- Mustafa to come 'cause he -- he needs to leave. Okay?

MARGARET SHEPHERD: Sure.

CHAIRPERSON DAVIS: And where is he? Okay. I'm sorry, sir. Would you please announce your name and --

MAYOR MASTERS: The other two can come and stand.

CHAIRPERSON DAVIS: -- address -- he can come up.

MAYOR MASTERS: You can stand -- go ahead.

MUSTAFA UJAYKYA: All right. My name is Mustafa Ujaykya [phonetic], the last name.

CHAIRPERSON DAVIS: Ujaykya. Okay.

MUSTAFA UJAYKYA: And --

CHAIRPERSON DAVIS: I -- I really would not have gotten that. Okay? I would have messed it up real bad.

MUSTAFA UJAYKYA: No problem.

MAYOR MASTERS: That's okay. None of us probably would.

MUSTAFA UJAYKYA: It's part of (inaudible).

CHAIRPERSON DAVIS: Okay. Thank you, sir.

MUSTAFA UJAYKYA: It's rooted from Turkey, actually. Turkish so it's kind of hard to pronounce. I understand. I'm here to talk about our invitation to the -- Mr. Mayor Masters to Turkey. And I'd like to also talk about our, you know, cultural center which is based in Pompano Beach. Turkish community has an organization throughout the nation. We are -- we have Turkish -- Turkic/American alliance and based in Washington, D.C., that has 250 local organizations linked to this alliance. And also have Turkish-American Federation of Southeast which is also on -- a member of Turkic/American alliance. And the Turkish-American Federation of Southeast has 27 local organizations in -- throughout the five southeastern United States states. Five states in -- now, what we have also, one of the organization in -- throughout this organization is Istanbul Cultural Center, which is based in Pompano Beach. It's a headquarter of the -- Florida. We are organizing a lot of programs throughout Istanbul Cultural Center which is a nonprofit organization. And they awarded a promotion to the cultural heritage of Turkey to the well-diversified South Florida community to strengthen the culture and educational ties between the United States and Turkey. And we have other programs which is we have been -- done the Florida Turkish Festival throughout the whole things. And it's -- it's a good thing.

Now, I'd like to -- what I'm going to do is one of the organizations, Turkish-American Chamber of Commerce and TAFS is going to invite Mr. Mayor Masters to the Turkey trip on May 22nd -- 21st to the -- June. And we are going to have a lot of people in there which is -- the attendees will be state senators, public defenders, university presidents and city commissioners and a lot of largest businessman which is based in South Florida, as well as in Turkey. They have, you know, communications with them. So I'd like to invite him to our Turkey trip that he -- we will have a lot of benefits with, you know, business wise, as well as the cultural wise.

CHAIRPERSON DAVIS: Okay, sir. Thank you for your comments.

MAYOR MASTERS: Thank you.

MUSTAFA UJAYKYA: Thank you.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Mayor?

MAYOR MASTERS: May I comment?

CHAIRPERSON DAVIS: Sure.

MAYOR MASTERS: First of all, let me thank you for the invitation. I -- I count it an honor to be able to be one of 15 people from Florida, including judges and one of the presidents of the universities in -- in Florida and a State rep. But my purpose would be as I would be speaking at the university there, represent the City of Riviera Beach and also meeting with the business community there, as we talked about, one of the business association. I understand that one of the groups have just done a large investment in Fort Lauderdale in one of the -- a land deal, a nice deal. So what I want to do is arrange a meeting before I go with you.

MUSTAFA UJAYKYA: Okay. Sure.

MAYOR MASTERS: And Mr. Tony Brown of our CRA.

MUSTAFA UJAYKYA: Sure.

MAYOR MASTERS: Because -- and he will interest you in some of the development that we have going on in Riviera Beach as relates to the marina and the CRA. Hopefully we can get one of the investors and developers to come here.

MUSTAFA UJAYKYA: Great. Sure.

MAYOR MASTERS: And also I'd like for you to meet with the city manager that can let you know of any possibilities as it relates to Riviera Beach. But just for the record, my airline ticket from --

MUSTAFA UJAYKYA: uh-huh.

MAYOR MASTERS: -- is it Fort Lauderdale/Miami to Istanbul, the -- the hotel --

MUSTAFA UJAYKYA: Uh-huh.

MAYOR MASTERS: -- in Istanbul or wherever and the food and the local transportation, that's all covered; is that correct?

MUSTAFA UJAYKYA: Correct.

MAYOR MASTERS: That's at zero expense --

MUSTAFA UJAYKYA: It's covered.

MAYOR MASTERS: -- to the City; is that correct?

MUSTAFA UJAYKYA: Yes. You're right.

MAYOR MASTERS: Thank you. All right. I just want to make sure 'cause I don't want to use my travel budget.

MUSTAFA UJAYKYA: No problem.

MAYOR MASTERS: I want, you know -- I'm just happy to go at -- at your expense. Hopefully I can bring something to the table.

MUSTAFA UJAYKYA: Okay. Definitely. And we --

MAYOR MASTERS: For Riviera Beach. That's my goal.

MUSTAFA UJAYKYA: -- yeah. I appreciate it.

MAYOR MASTERS: Thank you

MUSTAFA UJAYKYA: Thank you so much.

CHAIRPERSON DAVIS: All right. Thank you, sir.

MUSTAFA UJAYKYA: You're welcome.

CHAIRPERSON DAVIS: All right. Miss Shepherd.

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. Congratulations, Mayor. That -- that sounds like a wonderful trip. Congratulations.

MAYOR MASTERS: Thank you. Wish I could take you, Miss Shepherd.

MARGARET SHEPHERD: I look like a -- a whatever. But anyway, I want to thank you, Mayor. That was a very good program with the children. I don't want to forget that. Getting the children to work and those ladies that you have, they were very well informed, well dressed.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: That was -- that was really good.

MAYOR MASTERS: The Job Workshop, thank you.

MARGARET SHEPHERD: Yes. Also the -- the relay, the cancer relay.

MAYOR MASTERS: Yes.

MARGARET SHEPHERD: That was very informative, too. That -- that was a good program. I want to thank you for that.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: But I'm here today, I wanted to start off talking about 7-Eleven that Mrs. Larson was talking about. But I want to go back when we're talking put -- about putting names on different things and trying to remember. The Event Center or whatever it's gonna be named, it's something new in the City of Riviera Beach. When my cousin Clara King Williams was the mayor of this great city, the Boys & Girls Club was kind of unofficially named after her. When the Max Fisher came online, they never came and talked to us about nothing. They didn't ask us to raise money, nothing. But they did respect my family. My mother who's 92, she's the last of the King family so when she die it's -- it's over with my mother and her family. They did name a room after Clara and they did -- Coach Carl Boldin did that, did put a picture of Clara out front. So we're grateful for that part of it. You will always remember Newcomb Hall. You will never forget Newcomb Hall. And it's something that I think is going to enhance our city with the new name, the Events, Ballroom, whatever it's gonna be.

CHAIRPERSON DAVIS: Uh-huh.

MARGARET SHEPHERD: It's gonna be wonderful. But I want to bring up 7-Eleven. They were talking about the prostitutes, the drug addicts and the police coming through the City and, you know, I -- they went on and on talking about the bad things. And some of that got out in the community. And I have spent my last couple of days trying to explain to them that 7-Eleven is going to be beautiful. They're going to bring in nice food. I mean, everything is going to be quick. You're talking about the iPod, the iPhone and the computer and all this. I know nothing about that stuff. But I do know -- I do know how to pump gas. I can do that. And I can put oil in my car and I know where to get it, these quick places. So when we sit here and we're giving all this bad news, know one thing. People are ready for this city to move forward. I congratulate you guys. You're doing a very good job, and I want you all to stay focused and to know one thing, that the City is behind you. Madam Chair, I want to thank you for being the chair and of course, Miss Pardo, welcome to that seat. I think the ladies are going to do a good job.

CHAIRPERSON DAVIS: Thank you.

MARGARET SHEPHERD: And you guys got to remember one thing. We are single parents raising children and we've done a good job. 85 percent of the women only make, what, 15 percent on the dollar. It's a known fact. And so I think the ladies are going to do a wonderful job. Welcome you to the dais and God bless you all.

CHAIRPERSON DAVIS: Thank you, Miss Shepherd.

CHAIR PRO TEM PARDO: Thank you, Miss Shepherd.

MARGARET SHEPHERD: Thank you.

CHAIRPERSON DAVIS: Okay. That is the end of Public Comments. We're moving on to item 17, Miss Ward.

REGULAR

16. **RESOLUTION NO. 40-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A GROUND LEASE WITH THE RIVIERA BEACH EVENT CENTER, LLC FOR THE CONSTRUCTION AND OPERATION OF A MIXED-USE COMMUNITY EVENT CENTER; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE GROUND LEASE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

CHAIRPERSON DAVIS: Is there a motion?

COUNCILPERSON GUYTON: So moved for discussion.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and seconded. Miss Jones?

CITY MANAGER JONES: Yes. As you all were -- each of you are aware in your other capacity that the CRA has been working with the CDE in order to be able to establish an entity that would be responsible for the event center at the marina. The method of financing for the event center is a combination of, of course, the loan monies that the CRA has received, but also new markets tax credits. As a part of that consideration, the LLC that you see here, the City of Riviera Beach and the Riviera Beach Event Center, LLC, are entering into an agreement as it relates to the project and the leasing of the -- the actual facility. I don't know. Mr. Brown, is he here?

COUNCILPERSON DAVIS: Yeah, he just walked in.

COUNCILPERSON GUYTON: Yeah, he's here.

COUNCILPERSON DAVIS: I'm going to ask Mr. Brown, the Executive Director of the CRA, to come forward to answer any other questions. And then, of course, Miss Ryan has been instrumental in the development of this document to answer any questions that you might have.

CRA EXECUTIVE DIRECTOR BROWN: Good evening. Tony Brown, Executive Director of the Riviera Beach CRA. First let me say that the matter before you is a request for a ground lease for the event center for a dollar a year. But the real issue is that the marina itself will need to be subdivided in order to allow for private development. So regardless as to whether or not the event center is being financed by a nonprofit entity that is facilitating the borrowing mechanism, is that we, in working with staff, felt an effort to move forward with the construction of the event center as the CRA is also negotiating with the City in master leasing the entire uplands property in order to facilitate private development, what you're seeing as the first transaction in the redevelopment of the marina is the event center. As you know as we discussed this transaction in your capacity as commissioners for the CRA, the one question you have, Well, what is the City getting out of this facility? As we have structured this to close

what is a three and a half million dollar gap in order to develop the event center was that at the end of the seven-year term the facility -- the entire facility reverts to the City for one dollar. So the value received is the newly developed event center and the assets will revert to the City at the end of the seven-year compliance period for new markets tax credits for one dollar. So that is sort of the transaction in summary and that the ground lease is we took out of order as we're negotiating with the City for a master ground lease but in other capacities you will -- you will see some additional subdivision of the real estate in order to facilitate private development.

CHAIRPERSON DAVIS: Okay. Thank you, Mr. Brown. Before we go to the board, we have two public comment cards. Bonnie Larson.

BONNIE LARSON: Miss Davis, you're right. I did have number 16. I had -- I had a comment card in for the red light item number 5 and you were already past that when I came in so I was thinking red light and that's -- you had it on there twice so that's why I got mixed up.

A couple of things about this. We -- we -- someone has decided to call this the Event Center. This is the first time I've called the Riviera Beach Event Center. It was Newcomb Hall. We had a community center called Newcomb Hall. It was called that because the Newcomb family donated all that valuable property, waterfront property to the residents of Riviera Beach for the use of residents of Riviera Beach. No one else, I don't believe, in the history of Riviera Beach, has ever donated -- had -- has made such a valuable donation to the City. I think to call it something other than Newcomb Hall is like a slap in the face just because he died and we -- we asked tonight about Mr. Wells. Is he dead? Can we change the name of it? You know, I -- people who are benefactors, they like having their name on something. They like having their name on a -- a facility, a community thing, whatever. Because they've given millions and millions of dollars.

So I think to do away with the Newcomb Hall is a big disservice and I think it's a real slap in the face to everyone in Riviera Beach. It was not voted on to change the name and -- and I know that it was said, Well, there was some killings down there at Newcomb Hall so you don't want to call it that. No. You didn't ask the citizens. People love Newcomb Hall. I believe there's another reason. Newcomb Hall you couldn't have private development within that facility. So maybe that's why the name is changed. But I think it's a real slap in the face to -- not only to Newcomb but to anybody else who, in the future, will make a donation to Riviera Beach, because as soon as you're dead, boom, your name is gone.

We have people within the community, just because they've lived a long time we've named streets after them. We've named parks after them. We've done things like that. But someone who donates the most valuable waterfront property that we have in Riviera Beach -- could we pay attention? Thank you. Who donates the most valuable property --

CITY ATTORNEY RYAN: We're paying attention.

BONNIE LARSON: Okay. Well, I'm seeing talking going on. I'd like to, you know -- I -- we listen to what you say. If -- it would be nice if you could listen to what we say.

CHAIRPERSON DAVIS: Miss -- Miss -- but let me -- let me just say --

BONNIE LARSON: and I think that -- you're interrupting my --

CHAIRPERSON DAVIS: -- this.

BONNIE LARSON: -- three minutes.

CHAIRPERSON DAVIS: I'll -- I'll -- I'll give you back your -- your minutes, Miss, um --

BONNIE LARSON: Larson.

CHAIRPERSON DAVIS: -- Larson. Just because we have something to say here doesn't mean that we're not listening to you. Okay? We are. I promise you.

BONNIE LARSON: Well, when we talk in the audience you tell us --

CHAIRPERSON DAVIS: Okay.

BONNIE LARSON: -- to zip it. So it would be nice if you listen to what people say.

CHAIRPERSON DAVIS: Okay. Finish your comments, ma'am.

BONNIE LARSON: I'm just saying to you that -- okay. The event center's going to be leased out for 50 years so what if it comes back to the City? The -- the contract I saw was to lease it out for 50 years. So it comes back to the ownership of the City after seven years. So how does that work? And -- well, now -- now I've lost my train of thought here luckily for you. But anyway, I just think that should have been asked the public, do you want to rename that facility. And also, how is that going to help us that it's leased out to someone else, to a private developer for 50 years? It's no longer a community center.

CHAIRPERSON DAVIS: Okay. You still finished all of your comments. See? Okay. Now --

COUNCILPERSON GUYTON: Uh --

CHAIRPERSON DAVIS: -- I'm sorry. Did you have something, Mr. Guyton?

COUNCILPERSON GUYTON: Yes, Madam Chair. Just a couple of quick things that -- that were said that I think need to be quickly addressed. Newcomb Hall -- Newcomb Hall -- Newcomb did not donate all that waterfront property down there. That is not true. There -- there was a small portion and we can get the specific amount but many people think and they come to the mike and said that they donated all that property. How much was it? Less than a quarter of an acre?

CHAIRPERSON DAVIS: Uh-huh.

CITY MANAGER JONES: Uh-huh.

COUNCILPERSON GUYTON: Okay. So we need to have the facts out there when people come to the mike and inference that, Oh, he donated everything down there.

CHAIRPERSON DAVIS: No.

COUNCILPERSON GUYTON: Just less than a half an acre. The -- the rest of it, you know, came other ways. And -- and -- and Miss Attorney, please correct me if I'm wrong. The -- the other thing that was said that the name was changed because we couldn't do private development with the name Newcomb. That is not true. It can be named anything. And when the people go to the polls and vote 73 percent that we can do private development, the name has nothing to do with it.

CHAIRPERSON DAVIS: That is correct.

COUNCILPERSON GUYTON: And that -- that -- that -- that was another issue that was incorrect. And lastly, there's this misunderstanding about this 50-year lease. Newcomb Hall, that event center was never under discussion to have a 50-year lease.

CHAIRPERSON DAVIS: No.

COUNCILPERSON GUYTON: Ever. Ever.

BONNIE LARSON: I -- I have (inaudible).

COUNCILPERSON GUYTON: So those things are not true. There's a financing mechanism where there is a seven-year deal should it go through. We still have to close on this loan and that hasn't happened yet. But 50 years was never part of the discussion for the event center.

CHAIR PRO TEM PARDO: Madam Chair?

COUNCILPERSON GUYTON: Thank you, Madam Chair.

CHAIRPERSON DAVIS: Okay. Miss Pardo?

CHAIR PRO TEM PARDO: All right. This is for Mr. Brown or the city attorney, for someone. All right. I went through the agreement and there's -- there's no mention -- you had mentioned that after seven years Newcomb Hall or the event center, whatever, will revert back to the City. But there's no mention of that in the agreement. So what -- you know, what do we have?

CRA EXECUTIVE DIRECTOR BROWN: Miss Pardo, that -- that item is mentioned in several other agreements that have been part of this transaction. It's in the recoverable grant agreement -- the recoverable grant agreement where you have allowed 6.5 million

to flow to the entity for this structure.

CHAIR PRO TEM PARDO: Right. Why isn't it in this agreement?

CRA EXECUTIVE DIRECTOR BROWN: I'll defer that question to Miss Ryan.

CHAIR PRO TEM PARDO: Does it -- okay.

CITY ATTORNEY RYAN: Really?

CRA EXECUTIVE DIRECTOR BROWN: Are you in -- in my --

CITY ATTORNEY RYAN: It's my understanding --

CHAIR PRO TEM PARDO: I'm just curious.

CITY ATTORNEY RYAN: -- it's my understanding that it could not be in this agreement because of the new markets tax credits and --

CHAIRPERSON DAVIS: Right.

CITY ATTORNEY RYAN: -- the -- the -- the -- the deal with the bank. As a part of this federal funding we can't put restrictions. We -- and we've spoken with --

CHAIRPERSON DAVIS: Newcomb Hall.

CITY ATTORNEY RYAN: -- no, with the bank.

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: We've -- we've spoken with their attorneys and they cannot have the language that says it reverts back in the seven years although that's what the grant -- it's not a grant. It's not a grant. It is a loan. Although the loan will basically be forgiven after seven years and they can give the property back to the City, that language cannot be in this agreement in order for the -- the CRA/CDE to get the -- the new market tax credits.

CRA EXECUTIVE DIRECTOR BROWN: But that protection is in your recoverable grant agreement and it's also in the operating agreement for the Riviera Beach LLC. So that if the organization is disposed of, filed bankruptcy, that all the assets that it owns revert to the City of Riviera Beach.

CHAIR PRO TEM PARDO: Okay. That's fine.

COUNCILPERSON DAVIS: Right.

CHAIR PRO TEM PARDO: I just wanted to make sure, you know, we weren't being disingenuous anywhere.

CRA EXECUTIVE DIRECTOR BROWN: Uh-huh.

CHAIR PRO TEM PARDO: Like I said, there was no mention of it in this agreement. Okay. That's all I have. Thank you.

CRA EXECUTIVE DIRECTOR BROWN: Madam Chair?

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Brown?

CRA EXECUTIVE DIRECTOR BROWN: The -- the comment made about the Newcomb Hall family, Mr. Guyton is correct. That the Newcomb family donated a small parcel of land that will continue to be an easement in the redevelopment.

CHAIRPERSON DAVIS: Okay.

CRA EXECUTIVE DIRECTOR BROWN: The Newcomb family's donation is being honored as you know, is at the main ballroom in the event center, will continue to be named Newcomb Hall.

CHAIRPERSON DAVIS: Okay. Thank you, sir.

COUNCILPERSON THOMAS: Madam Chair.

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: I have a couple questions. This doesn't happen often -- often but I do agree with Miss Larson on the naming of the building. Whether it's Newcomb Hall, whether it's Event Center, whether it's whatever you want it to be. I don't know how that came about but I do think that input at the very least should come from this board. But I also think that we should allow the citizens to have a -- a stake in what they want it to be named. I know it just started taking on a life of its own but I -- I do think that we should have input, citizens should have input on what they think the name should be. If it's Newcomb Hall, it's Newcomb Hall. If it's Riviera Beach Event Center, it's that or whatever. But that was just given. It was not really decided on by this board. So at some point we do need to revisit that. And since we're signing leases and we're doing all these type of things, you know, we -- we may want to look at that right away. The other thing is I heard your explanation in regards to -- well, I heard Miss Ryan's explanation in regards to why the reverter can't be in the, you know -- in the lease, because of the new markets tax credits. At what point does the City get its protection?

CRA EXECUTIVE DIRECTOR BROWN: The lease protects the City for any issues related to the building, on the building, as it may affect the ground lease. So there are protections in the lease to -- to ensure that any problems with the ground lease doesn't affect any type of lien being placed on the City's land. The way we've structured this to make sure that the flow of funds and that the building reverts to the City as I indicated,

it's in several documents. It's in the recoverable grant agreement that provided funding for this transaction. It's also in the operating agreement of the nonprofit that was created for this building. So there are -- are a myriad of protections to ensure that at the end of the new markets tax credit compliance period, which is seven years, is that the building, that the asset will revert to the City.

COUNCILPERSON THOMAS: So it's no kind of way that the other organizations who would ever be handling this can get any type of loan, any type of judgment --

COUNCILPERSON DAVIS: Yeah, that's what --

COUNCILPERSON THOMAS: -- nothing -- none of that can be attached, is what you're saying to me?

CRA EXECUTIVE DIRECTOR BROWN: None of that can be attached to the City's land.

COUNCILPERSON THOMAS: But it can be attached to the building?

COUNCILPERSON DAVIS: Sure, yep.

CRA EXECUTIVE DIRECTOR BROWN: And -- and as you know, in the -- I can go into the -- in -- into the structure of the transaction, as you also know, and we'll vote on as the CRA commission is that the CRA will be the master tenant of the building. So the CRA will -- will operate the building and will ensure that the building is maintained and that the debt is paid. So we are on the front end, on the back end and the collateral is protected.

COUNCILPERSON THOMAS: I get it. And if, in a perfect world -- if it all worked together, this would work out good. But what I'm nervous about is a couple of years down the line something pops up, somebody gets a judgment or it is attached to the building, which would be on the City's land. I just don't want the City to -- to, you know, get caught holding the bag or, you know, for --

CRA EXECUTIVE DIRECTOR BROWN: In this transaction, of the \$7-million loan, over 6 million is money coming from the CRA. In the worse-case scenario that you indicated, we buy the note. And we buy the note probably for \$1,000. And so then you're protected because, in essence, we're protected because we are the leverage lender in this transaction. So worse-case scenario, we -- if the CRA, for whatever reason, doesn't have the financial capacity to pay the loan and there's a default, then in the default it doesn't affect the lender's tax credits. So they still benefit. The issue becomes what to do with the collateral. Well, that's real simple. With the lender, the CRA will buy the note. We'll buy the note for --

COUNCILPERSON THOMAS: But is that documented somewhere?

CRA EXECUTIVE DIRECTOR BROWN: Well, it's what happens. And -- and in this case we're protected in the leverage loan transaction that would allow us to do that.

That would allow the economic interest that you have, that allow us to spring control. And those -- and those things are in the documents that our lawyers have developed in this -- in this transaction. But that's -- that's -- the unlikely worse-case scenario is that in essence the folks who don't get paid is us. And we -- no need to repay ourselves because we structured this so that the asset can revert to the people, can revert to the City, 'cause the repayment of the loan has always been from our tax revenue. You have never directed me to structure the loan to the event center for it to repay the CRA. So that money will continue to be a gift and the loan has to be -- for IRS purposes, it has to be established as a loan. I -- I can't say that it's a grant but theoretically it will be.

COUNCILPERSON THOMAS: I -- I get it and -- and Mr. Brown, you articulate it well, the parts I do understand about what you said, 'cause I'm not going to sit here and say I understand everything what you just said. But I want it to be written. I want it to be in black and white so we can be true to what we say on paper. You know, I -- I know that that's the plan. The excitement is behind it. We don't think that anything's going to go wrong. But I always hear in the airplane when they say in the unlikely event of a water landing, you know, use your seat cushions. So all I'm saying is I want to be prepared in the unlikely event of a water landing.

CRA EXECUTIVE DIRECTOR BROWN: And what I'll -- what I'll be prepared to do next week, because the amended term sheet will be on your agenda as the CRA board commissioner, I -- I will -- I will document in all the agreements where the reverter clause is, just to give you the insurance that you're protected.

COUNCILPERSON THOMAS: Okay.

CHAIRPERSON DAVIS: Okay?

CITY ATTORNEY RYAN: And, Madam Chair?

CHAIRPERSON DAVIS: Miss Ryan.

CITY ATTORNEY RYAN: Just so that you understand the dynamics of this particular agreement, as Mr. Brown stated, this agreement is really about building, constructing the new event center. And I don't know if he said this but there will be a Newcomb Hall inside of the event center.

CHAIRPERSON DAVIS: He did.

CITY ATTORNEY RYAN: Okay. But they can never have the land. This is just --

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: -- this is -- remember, 50-year lease. The -- you know, the marina property cannot be sold. So the property will always be the City's property. We can enter into a lease up to 50 years but no more than that. And if whatever happens --

CHAIRPERSON DAVIS: But that's on private -- private stuff, isn't it?

CITY ATTORNEY RYAN: -- even with the bank -- even with --

CHAIRPERSON DAVIS: Not on -- not on Newcomb Hall?

COUNCILPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: No, no, no.

COUNCILPERSON THOMAS: This is (inaudible).

CHAIRPERSON DAVIS: Oh.

CITY ATTORNEY RYAN: This is -- this is the City's property, as well.

CHAIRPERSON DAVIS: Okay. We could --

CITY ATTORNEY RYAN: You can lease it for 50 years.

CHAIRPERSON DAVIS: -- lease it for 50 years. Okay. Go ahead.

CITY ATTORNEY RYAN: You cannot -- you cannot sell the property. The land is always ours. This states that at the end of the term, it -- the -- the property, the -- the building, all goes back to the City. I'm just telling you about the structure of this document. It goes back to the City intact just like the Ocean Mall. And if there are issues with the lending, with the money, all of this other stuff, it still does not affect -- it can never attach to our land.

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: And that's the -- the main thing that, you know, I wanted to make sure that the City's asset was protected and that's -- and this document does that.

CHAIRPERSON DAVIS: Okay. And I have -- I have one comment to make or maybe it's a question. Mr. Brown, using this financing tool, wasn't there something that was stated when we were -- when you were structuring this as to the reason the name Newcomb Hall was not used in the document and it was called something else?

CRA EXECUTIVE DIRECTOR BROWN: Well, there were a variety of reasons why we -- why we changed the name. First, during the -- the issue of --

CHAIRPERSON DAVIS: Make it -- make it quick. So --

CRA EXECUTIVE DIRECTOR BROWN: -- well, there were several -- a couple of reasons. One at the time of -- the City had to own, manage and operate --

CHAIRPERSON DAVIS: Right.

CRA EXECUTIVE DIRECTOR BROWN: -- the land meant that -- and that Newcomb Hall --

CHAIRPERSON DAVIS: Right.

CRA EXECUTIVE DIRECTOR BROWN: -- that Newcomb Hall, public --

CHAIRPERSON DAVIS: I knew it was something.

CRA EXECUTIVE DIRECTOR BROWN: -- municipal properties and other assets of the City had to be owned, managed and operated solely by the City.

CHAIRPERSON DAVIS: Yeah. That's right.

CRA EXECUTIVE DIRECTOR BROWN: That we -- we changed the name.

CHAIRPERSON DAVIS: Uh-huh.

CRA EXECUTIVE DIRECTOR BROWN: So that we could still construct the building, not knowing what the outcome would be of the special election.

CHAIRPERSON DAVIS: Okay. I -- I just wanted to make that clear, there was a reason why that was done so it's not anything written in stone. You know, it can be changed at a later date.

CRA EXECUTIVE DIRECTOR BROWN: Yeah. And we're hoping you'll direct us to have a fundraiser and maybe someone will spend a million dollars for naming rights.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Okay, Mr. Guyton.

COUNCILPERSON GUYTON: Just -- just two questions.

CHAIRPERSON DAVIS: Okay. We -- we're on public comments now. Okay? So -- we're on public comments.

COUNCILPERSON GUYTON: Oh, okay. Just to Mr. Brown. Has there ever been any discussion about a 50-year lease on this event center?

CHAIRPERSON DAVIS: No.

CRA EXECUTIVE DIRECTOR BROWN: On this center itself, no.

COUNCILPERSON GUYTON: Okay.

CRA EXECUTIVE DIRECTOR BROWN: But the -- the ground lease --

COUNCILPERSON GUYTON: The ground --

CRA EXECUTIVE DIRECTOR BROWN: -- yeah, the ground lease limits it to 50 years and so I think the ground lease is structured as a 50-year term but within that 50 years, as we indicated in about the seventh or the -- after the seventh year in the eighth year, uh, we will turn over the title, the leasehold improvements to the City.

CHAIRPERSON DAVIS: To the City.

COUNCILPERSON GUYTON: Okay. Now, the ground lease is with the CRA, right?

CRA EXECUTIVE DIRECTOR BROWN: The ground lease is with this nonprofit entity that you're -- that you approved --

COUNCILPERSON GUYTON: That L --

CHAIRPERSON DAVIS: The CDE.

CITY ATTORNEY RYAN: Not this (inaudible).

CRA EXECUTIVE DIRECTOR BROWN: -- Riviera Beach Event Center.

CITY ATTORNEY RYAN: You're not talking about the event center. You're talking about the -- the --

CHAIRPERSON DAVIS: The ground lease.

CITY ATTORNEY RYAN: -- you talking about this lease? This is not a ground lease. We're calling this --

COUNCILPERSON GUYTON: Yes.

CITY ATTORNEY RYAN: -- event center. The ground lease is going to be something else.

COUNCILPERSON GUYTON: No. I'm talking about this lease before us, about the event center.

CITY ATTORNEY RYAN: Oh. Oh, okay. I'm sorry. I apologize.

COUNCILPERSON THOMAS: Seem like everybody's ready.

COUNCILPERSON GUYTON: The building. There is no discussion about a 50-year lease in this agreement I'm looking at.

CRA EXECUTIVE DIRECTOR BROWN: What you are -- what you would allow tonight, you will allow us to construct the building on the parcel of ground, on a partial portion of the upland properties that will be under a 50-year term.

CHAIRPERSON DAVIS: Okay. All right. Can -- can -- can you get with him later and - and get that straightened out so we can --

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON DAVIS: -- move on with the public comments?

COUNCILPERSON GUYTON: Yes.

CHAIRPERSON DAVIS: Okay. Thank you, Mr. Brown. Now, I have a card here from Bridges at Riviera Beach. One of you can come up. That's you, Miss Pickens? Okay.

CITY MANAGER JONES: Is she wanting to talk about this item?

COUNCILPERSON THOMAS: We -- we -- we -- Miss -- point of order. We -- you know we're in a live motion, right?

CHAIRPERSON DAVIS: I'm sorry?

COUNCILPERSON THOMAS: We --

CITY MANAGER JONES: You got an item that --

COUNCILPERSON THOMAS: -- we're on a live motion.

CITY MANAGER JONES: Item number 16. You got a live --

COUNCILPERSON THOMAS: We -- we're still live on that one.

CHAIRPERSON DAVIS: Oh, I'm sorry. I am so sorry.

COUNCILPERSON THOMAS: Yeah.

CITY MANAGER JONES: So if there are no more questions you can take a vote.

CHAIRPERSON DAVIS: I'm so sorry, Mr. -- I'm so sorry. Mr. Guyton, if you had any more questions, please go ahead.

COUNCILPERSON GUYTON: That's what I thought. I -- I was wondering --

CHAIRPERSON DAVIS: I'm making this public comment.

COUNCILPERSON THOMAS: Whoa, be still.

CHAIRPERSON DAVIS: 'Cause I knew it was past that time. Sorry.

COUNCILPERSON THOMAS: (Inaudible), you know?

COUNCILPERSON GUYTON: I -- I had one last question for Mr. Brown regarding this. What -- what happens if -- if the loan that is scheduled for June 30th does not go through? What -- what happens to this lease? Or -- or is that a legal question?

CITY ATTORNEY RYAN: I would prefer that Mr. Brown --

COUNCILPERSON GUYTON: Mr. Brown? Okay.

CRA EXECUTIVE DIRECTOR BROWN: No. The lease has nothing to do with the -- the financing and the constructability of the event center. In -- in fact, what the ground lease is saying is that the only thing that I can build on there is the event center at -- based upon the City's approval. So if we aren't able to build the event center -- and I believe the lease also have -- have some restrictions or have some penalties that if construction has to start --

COUNCILPERSON GUYTON: Wait, wait, wait, wait. Let's back up. I think this board has decided. We're going to build the event center. I'm just saying what if we don't use the financing mechanism of the new market tax credits?

CRA EXECUTIVE DIRECTOR BROWN: I think the point I made earlier that this structure has nothing to do with the new markets tax credits; that you still need to carve out a parcel of land so that this facility can be built, assuming, of course, that the CRA will master-lease the other portions of the property in order to facilitate private development. So -- and I don't know at what point -- at some point Miss McKinney is going to bring before you a request to divide the upland property in order to facilitate private development and public improvements. So irregardless [sic] of whether or not we get the new markets tax credit, you still need to carve out a parcel. I brought it -- you should still carve out a parcel to allow for the construction of the event center. Whether you do it with a loan or whether you tell me to do it with CRA money currently on hand.

COUNCILPERSON GUYTON: Okay.

CRA EXECUTIVE DIRECTOR BROWN: We still need a parcel.

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

CHAIRPERSON DAVIS: Okay? You done? Okay. We have one public comment card. Who's going to come? Debra Pickens or Terry Ferguson.

COUNCILPERSON GUYTON: There was a motion on the floor.

COUNCILPERSON THOMAS: It's -- it -- we -- we still --

CITY MANAGER JONES: I think they really wanted to talk about (inaudible) --

CHAIRPERSON DAVIS: This is item number 16.

CITY ATTORNEY RYAN: 16, right.

CITY MANAGER JONES: -- a community event, not the community event center.

COUNCILPERSON DAVIS: This is the -- they're doing a community (inaudible).

CITY MANAGER JONES: I think they want to tell you about an event and (inaudible).

CHAIRPERSON DAVIS: Well, they put item number 16 so -- well, somebody wrote item 16 on it.

UNIDENTIFIED SPEAKER: It is a community event. You would be correct on --

CHAIRPERSON DAVIS: So you -- so it's -- it's public comment, then?

UNIDENTIFIED SPEAKER: Yes.

CHAIRPERSON DAVIS: Okay.

UNIDENTIFIED SPEAKER: Public comment.

CHAIRPERSON DAVIS: That's what was confusing. Okay.

COUNCILPERSON THOMAS: Madam Chair.

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON THOMAS: I am -- I don't want to say I'm thoroughly confused but I would like to get just a little bit more clarification, Mr. Brown, on are you basically saying that this is not contingent upon anything. Why are we doing the lease right now prior to actually identifying the area where this is going to go?

CRA EXECUTIVE DIRECTOR BROWN: (No audible response).

CHAIRPERSON DAVIS: Mr. Brown?

CRA EXECUTIVE DIRECTOR BROWN: Yeah, I was going to put up a -- a visual but what I'm saying, that -- well, there's -- there's two issues. In addressing Mr. Guyton's question about -- his question was, well, what happens if we don't do the new markets tax credit loan.

COUNCILPERSON THOMAS: Right.

CRA EXECUTIVE DIRECTOR BROWN: So I'm saying that we still need to carve out a parcel of land in order to build the facility and that there probably still would need to be an entity to -- to enter into an agreement with the City in order to construct that building. So I was addressing his question as it related to what if we didn't do the new markets tax credit loan or it didn't close by June 30th. So that was the answer to that question. The reason why we're doing it now in the amended term sheet that all actions that are required of the City have to be completed by May 7th. And what we indicated with KeyBank, that the only action between city council and this entity was approval of the ground lease term, among other things in that checklist. So we're following the timeline that's been established so that we can let the lender know that the ground lease and the

terms of the ground lease have been approved because that is part of the due diligence items for us to get to the June 30th closing.

COUNCILPERSON THOMAS: So this is contingent upon the loan?

CRA EXECUTIVE DIRECTOR BROWN: Well, in -- in -- yes.

COUNCILPERSON THOMAS: Okay.

CRA EXECUTIVE DIRECTOR BROWN: Okay. Yes.

COUNCILPERSON THOMAS: 'Cause I got a totally different story when you were up there the last time.

CRA EXECUTIVE DIRECTOR BROWN: Well, it was the way I interpreted Mr. Guyton's question but, yes.

COUNCILPERSON THOMAS: Okay.

CHAIRPERSON DAVIS: Okay. You done?

COUNCILPERSON THOMAS: Yeah, I'm just -- I'm just -- just a little --

CHAIRPERSON DAVIS: I'm just asking if you're done. That's all.

COUNCILPERSON THOMAS: -- yeah. No, no, no. I'm just saying, you know, my -- my gut is not releasing me up. I'm not feeling good about this. But I -- I'm done with my questioning.

CHAIRPERSON DAVIS: Okay. Any other questions or comments? Okay, Madam Clerk.

CITY CLERK WARD: Councilman Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilman T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Um, okay. Okay for now. Okay for now.

CITY CLERK WARD: Pro Tem --

COUNCILPERSON THOMAS: Yes for now. Yes. Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. We're now down to Public Comments. Mr. Fane Lozman.

17. **RESOLUTION NO. 41-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA RECOMMENDING APPROVAL OF PROJECT PALM TREE AS A QUALIFIED DEFENSE AND SPACE CONTRACTOR PURSUANT TO SECTION 288.1045, FLORIDA STATUTES; PROVIDING FOR LOCAL FINANCIAL SUPPORT IN THE FORM OF CASH; AND PROVIDING AN EFFECTIVE DATE.**

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON GUYTON: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and seconded. Mrs. Jones?

CITY MANAGER JONES: Thank you, Madam Chair. What you have before you is an opportunity for the City to be a part of the retention of a major business within the City of Riviera Beach. This opportunity was brought to us by the Business Development Board and it would be in partnership with the State, the County and the Municipality as a part of this in order for us to proceed with, we're calling it Project Palm Tree. As you know, the governor has been very instrumental in the creation of jobs but the retention of jobs is also very important to him.

And this local business is making an application to the State under an opportunity that is available for them to expand their business and to remain here in the City of Riviera Beach. If you would like a formal presentation, Danny Jones, the Deputy City Manager, is available to make a formal presentation.

CHAIRPERSON DAVIS: Does anybody have any questions or comments about this?

COUNCILPERSON THOMAS: No.

CHAIR PRO TEM PARDO: No.

CHAIRPERSON DAVIS: I do have one public comment card. Fane Lozman. You have three minutes, sir.

FANE LOZMAN: Fane Lozman. We talked about this before. Any new opportunities to bring businesses into some of the industrial areas, why not? It's a low-cost

investment to try to create opportunity. I'm supportive of this company. I think they're going to hire a lot of veterans based on their military spin from what I saw from the backup. But there's one component of this project that you also need to give you guidance on. You're going to give them money. You need to make sure that they have the proper backup to expand their facilities, meaning that when I was at the Public Work -- when I was at the Building Department today, people were coming. They weren't getting their answers. They were being sent away. People were at meetings. People are not getting -- people that want to expand in their -- this city, they're not getting the support they need in the Building and Planning Department. So if you want to give people money to encourage them to come here, great. Then you also need to give them the backup from the employees of this city to make that happen.

CHAIRPERSON DAVIS: Okay. Thank you, sir. Okay. There are no questions or comments from the board, Madam Clerk?

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Item 18.

18. **RESOLUTION NO. 42-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASING DEPARTMENT TO UTILIZE TERMS AND PRICING PROVIDED BY THE WESTERN STATES CONTRACTING ALLIANCE (WSCA) AND T-MOBILE WIRELESS VOICE AND BROADBAND SERVICE AGREEMENT ON A MONTH TO MONTH BASIS AS ESTABLISHED BY WSCA REQUEST FOR PROPOSALS NO. 1907; AND PROVIDING AN EFFECTIVE DATE.**

CHAIRPERSON DAVIS: Is there a motion?

COUNCILPERSON GUYTON: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON THOMAS: Second.

CHAIRPERSON DAVIS: Okay. Miss Jones?

CITY MANAGER JONES: Madam Chair, we have been encouraged by this council to try and secure the services that we need in the most economical way possible. One of the areas where we have the opportunity, based on a resolution that was brought to you about certain goods and services that we would be procuring is the wireless phone iPad service. Here we are asking your consideration to switch our current provider to one that was encouraged a long time ago, T-Mobile. They have done a great job of expanding their networks. Their rates are competitive. As a result of this, we're anticipating that we'll save approximately \$5,000 a month in our expenditures as it relates to telephones. And this is the item that is before you.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Thomas.

COUNCILPERSON THOMAS: I -- I definitely understand the -- the -- once you say we're going to be saving --

CHAIRPERSON DAVIS: Yeah, I'm telling you.

COUNCILPERSON THOMAS: -- \$60,000 a year, I can -- I can -- I can deal with that.

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON THOMAS: But my problem is, weren't these the same people who just said that the service is horrible in this area and they need to put up these poles that we just put a moratorium on?

CHAIRPERSON DAVIS: No.

CITY MANAGER JONES: No.

CHAIRPERSON DAVIS: ATT.

CITY MANAGER JONES: That was Crown --

COUNCILPERSON THOMAS: Crowne Plaza. I think it's Crown Castle.

CHAIRPERSON DAVIS: Crown Castle.

CITY MANAGER JONES: Crown Castle.

COUNCILPERSON THOMAS: But I think they represent T-Mobile.

CHAIRPERSON DAVIS: They're affiliated with ATT. AT&T.

COUNCILPERSON THOMAS: No. They said the -- they said pink.

CITY ATTORNEY RYAN: They said, Think pink, didn't they?

COUNCILPERSON THOMAS: The last time they said --

CITY MANAGER JONES: They said pink.

COUNCILPERSON DAVIS: They did. They did. Yeah.

CHAIRPERSON DAVIS: They did?

CITY MANAGER JONES: Yeah.

CHAIRPERSON DAVIS: Oh.

COUNCILPERSON THOMAS: -- they said pink. Yeah, 'cause I said AT&T.

COUNCILPERSON DAVIS: They did.

CHAIRPERSON DAVIS: But AT&T was here.

COUNCILPERSON THOMAS: Yeah, but that's for a different -- yeah.

CITY ATTORNEY RYAN: That's a different (inaudible).

CITY MANAGER JONES: Different.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: Yeah.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON THOMAS: So can -- why -- why don't we -- you know, why don't we find a way to make sure that we're not going to go into some poor service before we -- before -- before we move? I mean, I'm good with the savings of the money.

CITY MANAGER JONES: Well, we'll let them stay down in Fort Lauderdale and Miami Dade. We'll see what we can do here in Palm Beach County.

CHAIRPERSON DAVIS: Has there been --

COUNCILPERSON THOMAS: Okay.

CHAIRPERSON DAVIS: -- has there been any investigation into that?

CITY MANAGER JONES: Into --

CITY ATTORNEY RYAN: Good point.

COUNCILPERSON THOMAS: Yeah.

CHAIRPERSON DAVIS: -- into the -- their network. You said something about they've expanded it. I mean -- I mean, and -- and what about the dropped calls and -- and that kind of stuff? Do we have any information about that?

CITY MANAGER JONES: I -- we would have to be looking --

CHAIRPERSON DAVIS: I mean, (inaudible) so I didn't know.

CITY MANAGER JONES: -- to see what their satisfaction surveys are and -- and dropped calls.

CHAIRPERSON DAVIS: Well, what I'm asking you is this item is before us. Do we have that information before we vote on it?

CITY MANAGER JONES: I -- we do not have information on dropped calls of T-Mobile devices in the City of Riviera Beach.

CHAIRPERSON DAVIS: So they couldn't give you any -- any data about their -- did we even ask?

CITY MANAGER JONES: You look at their satisfaction surveys -- this was, um, reviewed and recommended by the purchasing director. I will ask Mr. Ben Guy if he asked T-Mobile that question in particular as it relates to their service area.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: And dropped calls.

CHAIRPERSON DAVIS: Hi, Mr. Guy.

PURCHASING DIRECTOR GUY: Hi. Good evening, City Council, members of the City Council. Ben Guy, Purchasing Director. With regards to T-Mobile and their service capabilities here in the City and Palm Beach County in particular, they have recently purchased -- oh, gosh -- MetroPC -- I apologize.

CITY MANAGER JONES: (Inaudible). Yeah.

PURCHASING DIRECTOR GUY: Yeah. And they have those assets and those assets have been -- they've been leveraging those assets to improve their wireless capabilities

in Palm Beach County. Additionally, we did do a one-month testing of -- of phones with police detectives, the marina and a few other departments. And the results that we got were very favorable. As part of your backup you'll see that there are some surveys in there.

CHAIRPERSON DAVIS: Uh-huh.

PURCHASING DIRECTOR GUY: Yeah, as part of the -- the backup there's some surveys where we did get responses from the users of those phones. And they didn't report any dropped calls or, you know, any issues.

CHAIRPERSON DAVIS: Okay. All right. And -- and I'd just like to make a comment. I remember when the storms, Hurricane Jeanne and Frances came through. I think MetroPCS was about the only phones that were working. So --

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON DAVIS: -- yeah, so okay. I -- I got it. And I definitely like the \$60,000 savings, too.

COUNCILPERSON THOMAS: Yeah. That's what I was about to say. I'm -- I'm good with the --

CHAIRPERSON DAVIS: Yeah.

COUNCILPERSON THOMAS: -- with the, uh -- the savings, but I'm telling you for a fact that company that was -- is being represented that we just put the moratorium on is representing T-Mobile. So I mean, it can all be working out fine. They can just be playing with us.

COUNCILPERSON DAVIS: Madam -- Madam Chair?

COUNCILPERSON THOMAS: But, you know, for the --

COUNCILPERSON DAVIS: Okay. When he's done.

COUNCILPERSON THOMAS: -- for the \$60,000, I'm -- you know, I'm okay for, you know, dropping a couple of calls here or there.

CHAIRPERSON DAVIS: And -- and -- and -- and -- and we can always change it after a year.

COUNCILPERSON THOMAS: Yeah, we can go back, yeah. I'm okay.

CHAIRPERSON DAVIS: Um, Mr. Davis?

COUNCILPERSON THOMAS: Sixty grand is substantial.

COUNCILPERSON DAVIS: I agree with Councilman -- Mr. Thomas. Maybe this is an

item we can maybe bring back after an investigation to make sure that that company doesn't represent both parties and if so, we can make a decision later.

CHAIRPERSON DAVIS: I don't think it matters if -- whether they represent both, you know -- both companies or not but --

COUNCILPERSON DAVIS: It's just funny that both of these items come up on -- on the agenda today.

CHAIRPERSON DAVIS: I don't think one has anything to do with the other. But anyway, it's up to the board.

COUNCILPERSON DAVIS: Yeah.

CHAIRPERSON DAVIS: So if there's no other questions or comments, Madam Chair -- Madam Clerk.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: No.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: (No audible response).

CHAIRPERSON DAVIS: She's not here.

CITY CLERK WARD: She's not here? Thank you. Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: That vote is -- that vote approved with Councilperson T. Davis dissenting and Councilperson Pardo out.

CHAIRPERSON DAVIS: Okay. We're now down to Discussion and Deliberation. Community Benefits number 19.

DISCUSSION AND DELIBERATION

COMMUNITY BENEFITS REQUEST

19. HEALTHY FOOD HEALTHY LIVING - \$500 DONATION FROM CHAIRWOMAN JUDY L. DAVIS - FOOD BANK

COUNCILPERSON THOMAS: Move to approve.

CHAIRPERSON DAVIS: Thank you. Is there a second? Is there a second?

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON GUYTON: Oh.

CHAIRPERSON DAVIS: Madam Clerk, please call the question.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Item 20.

20. CITY OF RIVIERA BEACH - \$620 - CHAIRWOMAN JUDY L. DAVIS - MEMORIAL DAY TRIBUTE FLAG PLANTING AND HERO AWARD PRESENTATION.

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON THOMAS: Second.

CHAIRPERSON DAVIS: Okay.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes. I just want to just make a correction. That's from Chairwoman Davis. You -- you said Councilperson. But I just wanted to make the distinction.

CHAIRPERSON DAVIS: Okay. Thank you so much. I love you.

COUNCILPERSON THOMAS: Hey, I love you back. Love you back.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Discussion by the City Manager.

DISCUSSION BY CITY MANAGER

CITY MANAGER JONES: Thank you, Madam Chair. Very briefly just to kind of answer one or two questions and then to do some announcements. We appreciate Miss Larson but -- and any resident that can identify things that need to be addressed in the City. We can't be everywhere. We can't see everything. So trust me, we do -- we do appreciate hearing where our issues are. I just wanted to remind the residents that they do not have to wait to come to a City Council meeting to make us aware that something is wrong. On our website you can go and report any issue 24 hours a day, seven days a week. Either under How do I or there's a -- an area -- a place on the left-hand side that says Citizens' Resources. And you enter that in where the light is -- a street light is out, where the stop sign is down, where the yard needs mowing, whatever. But we do appreciate that and I just wanted to be able to make our residents aware that you are able to get that done and not have to come to the council meeting to make those reports. The final layer of asphalt on U.S. 1 is expected to begin this week.

COUNCILPERSON DAVIS: Okay.

CITY MANAGER JONES: So that they will be wrapping up that project and getting the final layers down of the asphalt. Also, just as a way of announcements, May 18th through the 24th we will be celebrating Public Works Week here with the City. We will be getting out to you a schedule of events. The department has done an excellent job. They're starting with -- on that Sunday at 12 noon wherever they are, they will all take a break, praying for the Department and for the City. They have speakers coming in to enhance their skills. They have a full week of activities and workshops scheduled. So please be mindful when we send that to you. If you are available, I'm sure the Public Works Department leadership and staff would love to see you -- you all to drop by and to encourage them. And that's during the week of May the 18th through the 24th.

CHAIRPERSON DAVIS: Okay. All right. Well --

CITY MANAGER JONES: And finally, Happy Mother's Day to all the mothers.

CHAIRPERSON DAVIS: Thank you, Miss --

CHAIR PRO TEM PARDO: Thank you.

COUNCILPERSON THOMAS: Madam Chair, can I ask Miss Jones a question?

CHAIRPERSON DAVIS: Miss Jones -- uh, Mr. Thomas.

COUNCILPERSON THOMAS: Miss Jones, I -- I was wondering, when are we bringing the agent of record stuff back? I just -- we haven't heard from -- about it in a couple of weeks and I know we had some transitions with agendas and everything so I just wanted to know when we were bringing that back.

CITY MANAGER JONES: We are preparing to poll council. We originally thought that we could -- next Wednesday you have a free day and you typically meet. However, all of the vendors could not come next Wednesday. And we wanted all three of them to be here. So we are going to ask for a Thursday this month that you all are available and then tell them far enough in advance so that they'll know when they need to be here. So if it's in agreement with council, we'll get that accomplished in the month of May.

COUNCILPERSON THOMAS: Okay. Well, the last two Thursdays I'm conflicted, just -

CITY MANAGER JONES: Oh, you're -- okay.

COUNCILPERSON THOMAS: -- so you -- just so you have mine up front and you know.

CITY MANAGER JONES: All right, then. I -- we can possibly switch -- switch to a Monday.

COUNCILPERSON THOMAS: Okay. That's fine.

CITY MANAGER JONES: I'll -- I'll start looking at Mondays, then.

COUNCILPERSON DAVIS: Yeah. Monday would be better, yeah.

COUNCILPERSON THOMAS: Okay.

CITY MANAGER JONES: Monday's better?

COUNCILPERSON DAVIS: Yeah.

COUNCILPERSON THOMAS: For me Monday would be better.

CITY MANAGER JONES: Okay. And Councilman Davis said for him, as well. So I'll start polling for a Monday, realizing we have one Labor Day -- I mean, Memorial Day holiday, but we'll work with that, sir.

CHAIRPERSON DAVIS: Okay? All right. Legal?

LEGAL DISCUSSION/REQUEST

CITY ATTORNEY RYAN: Just a couple of quick things, Madam Chair. Late this afternoon I sent an e-mail to Council members with an order from the Fourth District Court of Appeal dismissing the appeal of the Citizens' Task Force versus the City of Riviera Beach. I wanted to make the announcement in case you did not have an opportunity to read your e-mail with the order. The court essentially found that the appeal was now moot as a result of the March 11th, 2014, election and Judge Sasser's ruling last month. So that closes another chapter and hopefully the book on this whole issue. But one never knows.

And also I will be attending a land use seminar tomorrow and Friday so I will not be in the office. But Miss Valencia Stubbs will be here to answer any questions or deal with any issues that you may have.

CHAIRPERSON DAVIS: Okay. I'll start this evening. Oh, I'm sorry. Are there any committee reports? No? Okay.

CITY COUNCIL COMMITTEE REPORTS

STATEMENTS BY THE MAYOR AND CITY COUNCIL

CHAIRPERSON DAVIS: I -- I want to congratulate you and Mr. Jarolem on a fantastic job you did.

CITY ATTORNEY RYAN: Thank you.

CHAIRPERSON DAVIS: You guys did great. Okay. Also, Miss Jones, I need for you or -- and -- and/or Mrs. Ryan to look into contacting someone at ATT U-Verse. I was attempting to do so and got cut off I don't know how many times. But anyway, I just read an article in the paper where the Village of Royal Palm Beach has contacted them

and they're able to air their meetings, their public meetings on ATT U-Verse's government channel. Even though it's a Comcast channel, our channel 18, U-Verse is channel 99 and they have a list of about seven right now whose meetings they air. So let's please look into that so that we can provide this to as many residents as possible.

CITY MANAGER JONES: Will do.

CHAIRPERSON DAVIS: Okay. And I also spoke to Sandy Daniel the project manager of U.S. 1 today and he did inform me that in two weeks they were going to be putting the final layer on. I also asked him about the -- the landscaping at the sign there at U.S. 1 and Silver Beach Road. He assured me that was going to get done. And also, I just want to bring it to everybody's attention. I know you've seen it, the landscaped corner at U.S. 1 and Blue Heron Boulevard. It looks absolutely beautiful.

And Miss Jones, as -- as it relates to our outstanding accounts receivable, did you not tell me that you were in the process of hiring a collection agency or some -- something like that in order to, you know -- for us to go after those collections?

CITY MANAGER JONES: Yeah. We put the solicitation on the street.

CHAIRPERSON DAVIS: It's -- so it is on the streets now?

CITY MANAGER JONES: Yes.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: It's not on the street yet. We're still working --

DIRECTOR SHERMAN: No. No. Actually -- actually the --

CHAIRPERSON DAVIS: You're getting --

DIRECTOR SHERMAN: -- council has already approved that. You approved --

CITY MANAGER JONES: You've approved it and they're -- they're moving.

DIRECTOR SHERMAN: -- Penn Credit and they are --

CHAIRPERSON DAVIS: Okay. Hold -- hold on. Tell me again.

DIRECTOR SHERMAN: I'm -- I'm sorry.

CITY MANAGER JONES: They're -- they're moving. They're working.

CHAIRPERSON DAVIS: Hold on.

DIRECTOR SHERMAN: Back -- back in January you actually approved the contract with Penn Credit.

CHAIRPERSON DAVIS: Okay.

DIRECTOR SHERMAN: So they are setting up and collecting --

CHAIRPERSON DAVIS: Penn --

DIRECTOR SHERMAN: -- the data. They haven't --

CHAIRPERSON DAVIS: Okay. So we don't have an update yet?

DIRECTOR SHERMAN: -- they haven't started enforcing anything yet but they are working.

CHAIRPERSON DAVIS: Okay, great. Okay. 'Cause I was -- I -- I thought we had but I wasn't sure and I was gonna ask for an update. I am looking for a trumpet player. I've put it on my Facebook page so I wanted to -- to put it out there to the public. I'm looking for somebody who knows how to play "Taps." So -- and -- and -- and if -- if there is anyone who is capable or interested, please give my legislative assistant Debrah Hall a call at 845-3464.

CHAIR PRO TEM PARDO: Oh, you've gotta be kidding me.

CITY ATTORNEY RYAN: What's going on?

CHAIRPERSON DAVIS: And also, Miss Jones, last, you mentioned Public Works Week May 18th through the 24th. Miss -- Miss -- my assistant, please go to the mike there. Um, because I think we have -- no, we've already done Public Works, haven't we?

CITY MANAGER JONES: (Inaudible).

LEGISLATIVE AIDE HALL: Yes. Yeah.

CHAIRPERSON DAVIS: Never mind. Okay. All right. So Happy Mother's Day to everyone.

CITY ATTORNEY RYAN: Have you checked with (inaudible)?

CHAIRPERSON DAVIS: I did check with some schools but they will be doing FCAT testing so I can't get anybody.

CITY ATTORNEY RYAN: I see. Okay.

CHAIRPERSON DAVIS: All right. So --

CITY ATTORNEY RYAN: Yeah.

CHAIRPERSON DAVIS: -- anyway, we'll start with you, Mr. Mayor.

MAYOR MASTERS: Thank you, Madam Chair. Three high schools have invited me to participate in their graduating -- graduation exercises and I certainly want to thank these high schools for giving me the opportunity to represent Riviera Beach at the graduations and to see our students as they receive their high school diploma.

I also want to add on to the manager's comments as relates to Bonnie Larson and any other citizen that sees anything that needs to be corrected. I personally had the opportunity to see Mrs. Larson in action the other day at that property. She was actually putting the flags up and really keeping trespassers and others out so I commend you, as well.

I'd like to also announce that we have -- the Office of the Mayor will be able to give out 300 -- approximately 300 pieces of clothing, almost brand new, mostly are -- most are men's shirts and there are a few blouses and other outfits. They're for -- primarily for people that are applying for jobs but as Mrs. Shepherd said, it's important to be properly dressed. So there are many young men that may not have white shirts or blue shirts or ties. And there are pants and shirts, ties, as well. We're going to try to work out the delivery of these clothes. I've been told that they could be delivered Thursday after 3. But I would like to have them delivered at Mrs. Watson's place but we haven't been able to confirm that. So for people that need clothing, professionally, for job interviews and also for your jobs, as well, I'm pleased to announce that you have an opportunity to get it free. So you can just call the Mayor's Office and we can update you and let you know where to go. Maybe some church that can house these clothing.

Also, I got a call from Sears yesterday. They are in a -- in an emergency crunch to hire people now. So they've asked me to reach out for 11:30 tomorrow at Sears in Palm Beach Gardens. Tomorrow's date, what would that be, May 8th, I guess? May --

UNIDENTIFIED SPEAKER: (Inaudible).

MAYOR MASTERS: If you are a mature -- they -- they're looking for a matured employee able to deal effectively with the public. You need to be there tomorrow, Thursday, May the 11th, at 11:30 a.m., professionally dressed with a resume in hand, if possible, and be able to use those interview skills that we tried to make sure that you pick up on at the workshop. Please be there tomorrow at 11:30. Now, if you miss that opportunity -- that's, like, they want to hire on the spot. So, please. Also, on behalf of the Office of the Mayor of West Palm Beach, the Office of the Mayor of the Mangonia Park and the Office of the Mayor of Riviera Beach, we three mayors are coming together to sponsor a county wide job fair for -- the age group that we are focusing on is from 16 years of age to 25. That job fair is going to take place at the Gaines Park, that facility, at 9 a.m. They're asking young people to please go online and pre-register. And all the websites are hooked up together. But we would like for you to go on our website at Riviera Beach, that's R-I-V-I-E-R-A, B-E-A-C-H, dot com, and click on the link and it will automatically link you to the West Palm Beach site and you can pre-register. It's also for employees. We've got over 40 -- I think 45 employers, including Comcast and FPL and Sears. The list goes on and on and on, major employers throughout Palm Beach County. But we can still take more.

On the passing of Mrs. Reid, I didn't hear Miss Brabham give the -- an update on when the funeral is going to --

MARY BRABHAM: This Saturday.

MAYOR MASTERS: This Saturday at the New Testament?

MARY BRABHAM: This Saturday.

MAYOR MASTERS: At the New Testament Church on -- on Australian?

MARY BRABHAM: Uh-huh.

MAYOR MASTERS: Behind channel 12.

MARY BRABHAM: (Inaudible) say it for now because they -- the accommodations.

MAYOR MASTERS: Okay. But certainly you can contact the --

MARY BRABHAM: But it is next Saturday.

MAYOR MASTERS: Okay. Thank you. I also -- I would like to also re-introduce the -- the old but new -- new but old Chief of Staff temporarily for the Office of the Mayor. Miss Debbie LeBlanc [phonetic] Isaac, Madam Chair. Would you -- would you come to the mike, please? And Debbie is not a stranger. It's been a pleasure to work with her in the past. We look forward to continuing that working office in the Office of the Mayor. Miss Isaacs.

CHIEF OF STAFF ISAAC: Thank you, Mr. Mayor, and good evening to everyone on the dais. I am happy to be back here to see you all. I just wanted to say that over the year since I had exited the Mayor's Office, I have continued to work with him on special projects that entire time. And -- and I have just temporarily returned to assist him on some other very urgent projects that he is continuing to do. And I am very pleased that he invited me to be back here to do that for him. Thank you.

CHAIRPERSON DAVIS: Great. Welcome back.

MAYOR MASTERS: Thank you. Thank you. I'll clap if nobody else does. Also just for the record, Miss Isaac was -- helped with us -- helped us with the China trip, as well as establishing the relationship with Freeport, Bahamas, became sister cities. Interesting, she's right back and we're going to Turkey. So you gotta help us with that, too. Last but not least, Madam Manager, our office, I -- I tried to make our office to be an open -- open-door policy. I -- I will sit out and meet anyone about any issue. May not be able to resolve it but at least listen and see if -- if something comes out of just communication. So I would like to -- like for you to be with me and I'm going to be meeting with some individuals who have contacted me about their concerns. I know one person, FPL, has an issue about the -- the new plant and this, that and the other. Also including Mr. Lozman, as well, and others. I don't have a problem meeting with anyone about

anything. If you would, I would appreciate it.

CITY MANAGER JONES: Be glad to, sir.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: That -- that's it for me. Happy Mother's Day to all the mothers. Thank you, Madam Chair.

CHAIRPERSON DAVIS: Mr. Thomas? You're welcome, sir. Mr. Thomas?

COUNCILPERSON THOMAS: Yes, ma'am. Thank you, Madam Chair.

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON THOMAS: First I would like to say thank you to the -- the board and to the Federal Gardens neighborhood for coming out to support the street naming of -- the street renaming of Mr. Cleve Dixon. Let me say a special thanks to the Riviera Beach Police and Fire Honor Guard under direction of Captain Smith and Commander Ben Campbell. The Fire Guard was Tim Alvin, Adam Peoski [phonetic], Ivan Chung. The Police Honor Guard was, of course, Detective Nubin, Jennifer Nubin, Alexander Smith, Ivan Price, Michael Brown and Ralph Brau. The City of Riviera Beach Parks and Recreation Department, crew leader Mr. David Hall, Ricky Sapp, Rodney Sanders. The City of Riviera Beach Public Works, Arthur Johnson, Alan Wynn, Willie Lewis. Also our TV 8 team crew, Mr. Jones, Mrs. Jones. Everybody was -- was -- was -- was great in that street naming. The family would have me tell you thank you. They really enjoyed it and for the general public, we'll be airing it as soon as Walter gets done with it. He says it probably will come out tonight or -- or tomorrow so you can see what went on with that. But that was a -- an amazing event and I really enjoyed myself and would like to thank the board for doing that.

The next thing that I would like to say on a little bit more of a -- a sad occasion, one of our Planning & Zoning members, Mr. Arthur Hamilton, lost his wife on yesterday and we'd like to send our condolences out to Mr. Arthur Hamilton. Continuing on that note, unfortunately my legislative assistant Miss Hope Jeanty also lost her brother this week very tragically. And of course we all stand with you, Hope, and you have our condolences and -- and your -- your legislative family will be there for you. So we're -- we're praying for you, as well.

I would like to also congratulate Mr. Johnson on working so quickly to add District 3's streets in as much as we could. I was probably a little hard on him, maybe just a tad bit. But he did -- he did work very earnestly to -- to get some of District 3's streets into that -- that project. And lastly, I have several moms but I'm talking to the one that actually, you know, carried me for nine or 10 months or however long it is. I'd like to wish Janie Banks Johnson a Happy Mother's Day. It's -- doesn't mean I'm not coming to see you. I know I -- I better be there on Mother's Day. I think it's Sunday. But, no, I'll -- I'll be

there and Happy Mother's Day to all the remaining mothers. That's all.

CHAIRPERSON DAVIS: Okay. Miss Pardo?

CHAIR PRO TEM PARDO: Thank you, Madam Chair. All right. I have a couple of things for Miss Jones. All right. The fist is Walgreens on the corner of Blue Heron and Broadway. I stopped going to that store several years ago because I was sick of being accosted every time I got out of my car. So I started driving down to CVS in Palm Beach Gardens. A couple of weeks ago I had to take my daughter to emergency room. I needed to get her prescription filled. We went to Walgreens, the only 24-hour, the pharmacy in town. So I go to Walgreens on Broadway and Blue Heron. It was about probably 12:30 in the morning. Three people accosted us when we got out of the car. I went into Walgreens and I told the manager, "There's three people out there harassing, asking us for money. You need to do something." And the manager laughed and then he said, "Okay. What do they look like?" What do you mean what do they look like? Go out there. You'll see them. Okay? Last week I had to go to Walgreens once again. It's -- this time it was probably 8:30 in the evening. I go to Walgreens. The same thing. Okay? Now that's just me. For a lot of people in the community, that's the only store. They -- they -- they use that Walgreens not just for the pharmacy, but they use that as their little deli.

CHAIRPERSON DAVIS: Uh-huh. Uh-huh.

CHAIR PRO TEM PARDO: You know, their little corner store. And it is totally unacceptable. That location has turned into a nuisance property and we need to do something about it. They allow those people, all right, the vagrants, the panhandlers, they allow them to be there.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: And they shouldn't.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: And I know that our police, if there's people hanging out on the corner, they move them along. The little bodegas in the community, they move them along. Okay? And we need to do that with Walgreens. And Walgreens needs to be put on notice. They have a license with the City. Their property is turning into a nuisance property and it needs to stop. In addition, as we all know, there's been -- there's been crime there.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: Because they refuse to do something about it. So I think it's time for the City to put the screws to Walgreens. All right. Thank you.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: The second thing, we just invested a lot of taxpayer dollars to clean up the corner across the street from Walgreens. We put that beautiful park in. And it's beautiful but you know what's going on? People are going by in their cars and throwing trash out the window. And the other day there was trash all over the park.

CHAIRPERSON DAVIS: It's a shame.

CHAIR PRO TEM PARDO: It is a shame. It's a shame. So our staff --

CHAIRPERSON DAVIS: Has to go clean it up.

CHAIR PRO TEM PARDO: -- has to go out and pick up other people's trash. And that is sinful. I witnessed someone coming out of Popeye's Chicken and just threw the trash right out their window. And you know, I don't know how we get a -- around that but if you're watching, please, you know, keep the trash in your car until you get home. And then just empty it in your trashcan. You know? We're trying to beautify Riviera Beach. And you know, you can't expect the five of us and the Mayor up here and the staff in Riviera Beach to do everything. Everyone needs to take responsibility. You know, it takes a village. It takes a village not to just raise child. It takes a village to make a community the best community in town in -- in South Florida. And we all need to do it together so please, please, keep your trash to yourself. Don't dump it in the City's streets. It's -- we're all better than that.

What else do I have? All right. The last thing I'd like to know, what's going on with the fire contract? You know, we had tonight, you know, we're giving raises and -- and we're ratifying contracts. What's going on with Fire?

CITY MANAGER JONES: Staff met today to prepare for the next round of negotiations with Fire. And I believe it's May 29th?

UNIDENTIFIED SPEAKER: That's it.

CHAIR PRO TEM PARDO: All right. So May 29th we go back to the table and hopefully we'll be able to have an agreement that will come to us in June. Okay. So if it's ratified, in that agreement, and the other agreements, also, the 3 percent, is that retro?

CHAIRPERSON DAVIS: No.

CITY MANAGER JONES: No.

CHAIR PRO TEM PARDO: Okay. So what are we doing with that additional money? Right? Because we know that we gained additional money if we waited until June -- January, but I believe some of that money went to the police department for vehicles, right?

CITY MANAGER JONES: Yeah. There's been a distribution.

CHAIR PRO TEM PARDO: Okay.

CITY MANAGER JONES: So it wasn't really a savings.

CHAIR PRO TEM PARDO: Uh-huh.

CITY MANAGER JONES: It's just it was not retro.

CHAIR PRO TEM PARDO: Okay. So May 29th we go back to the table with them?

CITY MANAGER JONES: With Fire.

CHAIR PRO TEM PARDO: Okay. All right. That's all I have. Thank you, Madam Chair. Oh, wait. One last thing. And Happy Mother's Day to all the mothers out there. We have -- the mothers especially, the mothers in Riviera Beach, the majority of our mothers are also the fathers.

UNIDENTIFIED SPEAKER: Right.

CHAIR PRO TEM PARDO: And, hey, I'm one of them. And Happy Mother's Day to all of you. I hope -- I truly hope everyone has a very peaceful and joyous day. And being a mother, you know, that's -- you know, that's hard to come by. But I hope it is as pleasant as it can be for all of you. All right. Thank you, Madam Chair.

CHAIRPERSON DAVIS: Thank you, Miss Pardo. And I -- I -- I just asked if my colleague would mind if I made these comments before moving on. Chief Williams, it is time to have that conversation again with Walgreens. Chief and I had a meeting with the regional person concerning those very issues that you talked about, Miss Pardo. And I don't see any improvement whatsoever.

CHAIR PRO TEM PARDO: Uh-uh.

CHAIRPERSON DAVIS: And what I also notice is their walkways as you walk into Walgreens is absolutely filthy.

CITY ATTORNEY RYAN: Uh, uh, uh, uh, uh.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON DAVIS: Okay? It is filthy.

CHAIR PRO TEM PARDO: The parking lot, everything.

CHAIRPERSON DAVIS: And when I brought it up to a manager at one point in time, his comment was, "You have to consider the clientele we serve."

CITY ATTORNEY RYAN: Wow.

CHAIRPERSON DAVIS: And I was totally -- totally --

CITY ATTORNEY RYAN: Wow.

MAYOR MASTERS: That sounds like a boycott to me.

CHAIRPERSON DAVIS: -- really ticked off about that. So I mean, this would not -- they would not tolerate that in any other community. I've never been in any other Walgreens where it looks like this one. And I mean, you know, where gum has been on the floor, it's black. They don't even pressure clean or nothing. You know, so I'm -- I'm -- I'm totally with you, Miss Pardo. You know, something needs to be done and, Chief, I -- I have the guy's card somewhere but would you please, let's get another meeting set with him, please.

POLICE CHIEF WILLIAMS: Yes, ma'am.

CHAIRPERSON DAVIS: Okay. Thank you. Mr. Davis?

COUNCILPERSON DAVIS: Oh, thank you. First I want to piggyback off what Council - - what Chair Pro Tem Pardo stated about the nuisance, and the Chair, with the Walgreens incident, along with the park across the street. Not -- I don't like to say park because it's not a place to play. It's a place for presentation of our city. A comment was made and no disrespect to Miss Shepherd. I know you have a strong concern about helping our community move forward. This is one of the concerns I have with the 7-Eleven coming to our city. It's going to be another 24-hour location that's going to draw people who come home from the club. It's going to be a hang-out spot in junction with Walgreens that's going to create a chaos for our police department, our fire department and our residents and traffic flow in our community. People go to Walgreens late at night because they need something to eat. That's our snack attack 12:00 at night. That's the only place you can really go in this city and eat. That piece of property across from there -- they're looking to potentially bring 7-Eleven there -- should be something more of a higher-end place for just some food, some quality -- some good quality where you can go and pull up and have a nice meal for your family or a -- a business that brings some real jobs to our community. Because working at a gas station, it's -- it's a job. But let's bring some real jobs and partnership and creating a great vision. That corner, people, is going to be your legacy, is our future and the start of our redevelopment on the Broadway/Blue Heron corridor. So please, please be aware what's getting ready to happen to your community as our -- my colleagues addressed what's going on in that corner.

And I wanted to make sure I take upon -- I -- I had no idea that this was going to come up tonight but that has been in my heart now for about six weeks because that's going to be a start of a real engine as we go all the way down to the marina and to the base of that bridge.

On a positive note, Happy Mother's Day to my mother, both of my grandmothers and Happy Mother's Day to my great-grandmother and to all my colleagues and all the residents of Riviera Beach. And to all the men in the community, I ask you to make sure this moment is very special to someone in your life, whether it's your sister, your

daughter, someone that you don't normally have a great communicate -- like of communication with, make that happen on this Sunday. It's very important that we do that. Relay for Life is coming up this Friday at Suncoast High School. Relay for Life. Make sure you come out. It's going to start at 6 p.m. Come out with a lot of energy, bring some money and bring a great fun spirit. We will be out there having a nice time. It's going to start Friday from 6 p.m. to 6 a.m. Saturday morning. So it's going to be nice and cool in the evening. It's going to be nice and cool in the morning when you leave so come out. Be ready to kind of hang out and have a nice time with Riviera Beach residents and some of the business owners and my colleagues here on the board.

One last thing: Last year we was unfortunate to not get some money from Tallahassee. But recently my entire -- our entire board went into Tallahassee during Palm Beach County Day and really fighting for some of these water projects to get through. Our staff has done a great job of really making sure that we're getting some of this money appropriated for budget. I didn't want to sit back and wait to see what was going to happen once again. I took it upon myself to drive up to Tallahassee yesterday and meet with some staff, Darrick McGhee, which is the Legislative Affairs Director. This Thursday the -- yeah, he's the Legislative Affairs Director for the governor. I want to thank Sean Pittman group for allowing -- for really allowing us to really be -- be able to get in that door, 'cause that's not an easy task. In that meeting the staff talked about this Thursday. The staff is going to have their briefing and they're going to have their briefing on how they're going to take these issues to the governor for -- which his -- the governor's briefing is going to be next Tuesday. Mr. -- Mr. McGhee stated that he tagged all three of our water projects personally. He had a booklet that was very thick with all the projects across the State of Florida. And Riviera Beach was one of the ones he personally had tagged to make sure when he had these conversations with our -- our governor, to make sure there's a -- a priority in how important it is to him as a staff member to make sure Riviera Beach get what they need -- so desperately need. He made -- he told me that the governor is aware of Riviera Beach because he's doing a lot of work with -- on the port, as well as he understands -- as he come to the port he sees what's going on in the community. And I talked about the history of Riviera Beach and how it's been a long time coming and we would greatly appreciate that, you know, he help us help the community become a better place. So by the end of next week, staff will get a notice from the governor's office -- not governor's office. Either the governor's office or Pittman Law Group to let us know exactly what's going to happen. They didn't give us a guarantee but it was a really great meeting. I -- I felt good when I left there. I said hopefully this time that we can really bring this thing home. And I want to thank my colleagues for making sure, um, Palm Beach County Day was a very successful day along with staff. And thank you.

CHAIRPERSON DAVIS: Hey, thank you, sir. Mr. Guyton.

COUNCILPERSON GUYTON: Thank you. Let me first commend my colleague for taking the time --

CHAIRPERSON DAVIS: Absolutely.

COUNCILPERSON GUYTON: -- to -- to do what he did in order to help move these projects forward.

COUNCILPERSON DAVIS: You're welcome.

COUNCILPERSON GUYTON: And that is what it's going to take, us going up there more often. I've said in -- in the past, I'll say it again, that needs to be a budget-line item for us to take a couple of trips up there to lobby for the issues that impact our city. There's no way we can do it back here in Riviera Beach as effectively and kudos to you, Councilman Davis. Good job.

I'd like to commend another one of my colleagues, Councilman Cedrick Thomas. That street naming was over and above --

CHAIRPERSON DAVIS: Yeah, great job.

COUNCILPERSON GUYTON: -- and very well organized, very well done. At one time during that ceremony, he played a -- or had a song played about --

CHAIRPERSON DAVIS: What was the name of it?

COUNCILPERSON THOMAS: Sam Cooke. Sam Cooke. "Long time coming."

COUNCILPERSON GUYTON: "It's been a long time coming."

COUNCILPERSON THOMAS: "Long time coming."

COUNCILPERSON GUYTON: And -- and it was like the flow, the comments and it -- I mean, it was real emotional.

UNIDENTIFIED SPEAKER: Amen.

COUNCILPERSON GUYTON: And the family appreciated it. The daughter just completely broke down --

CHAIRPERSON DAVIS: Broke down, yeah.

COUNCILPERSON GUYTON: -- in tears. Because it has been a long time coming.

CHAIRPERSON DAVIS: That's when we were mounting the sign, right?

COUNCILPERSON GUYTON: He was 107 years old and it was a very emotional time. And you know, I -- I --

COUNCILPERSON THOMAS: You broke. I saw you. I saw you break.

COUNCILPERSON GUYTON: No.

MAYOR MASTERS: Yeah, just go ahead and admit it. Admit it. Admit it.

COUNCILPERSON GUYTON: Not quite. Not quite. If I did I would but --

CITY MANAGER JONES: Okay. I bet you there wasn't a dry eye out there.

COUNCILPERSON GUYTON: Okay. There wasn't a dry eye out there. But it was well done. The food was good and kudos to my colleague.

COUNCILPERSON THOMAS: Thank you.

CHAIRPERSON DAVIS: Are you done?

COUNCILPERSON GUYTON: No.

CHAIRPERSON DAVIS: Oh.

COUNCILPERSON GUYTON: I'd like to congratulate another one of my colleagues, Vice Chair Pardo. She's moving up the Palm Beach County -- Palm Beach County League of Cities chain of command. I won't be here at our next meeting. I would have done it --

CHAIRPERSON DAVIS: Is it First -- are you First Vice or President?

CHAIR PRO TEM PARDO: Vice President.

COUNCILPERSON GUYTON: -- First Vice President?

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON GUYTON: Yeah. She'll be moving up to First Vice President. Let's give her a hand.

CITY ATTORNEY RYAN: Yeah.

COUNCILPERSON GUYTON: (Inaudible). Representing our city very well.

CHAIR PRO TEM PARDO: Thank you.

COUNCILPERSON GUYTON: I won't be here for the meeting in two weeks so I want to thank you -- I mean, congratulate you now.

CHAIR PRO TEM PARDO: Thank you, sir.

COUNCILPERSON GUYTON: Yes. Keep up the good work.

CHAIR PRO TEM PARDO: Thank you.

COUNCILPERSON GUYTON: Congratulations to our city attorney who never ceases to amaze me.

CITY ATTORNEY RYAN: I'm on a streak.

COUNCILPERSON GUYTON: Bring it home.

CITY ATTORNEY RYAN: I'm on a streak.

COUNCILPERSON GUYTON: I mean, it's been -- I don't want to say when but it's been good news after good news after good news. And too often the only time she is identified is occasionally a ruling is not in our favor and, you know, it's -- it's all negative then. But I want her to know and I'm sure my colleagues also agree that we are very happy with the results that we have been getting in as it relates to these lawsuits. And the one that just came in was one that was filed prior to this election. And it was one that could have been damaging to what we just accomplished. So -- but that is now behind us thank to -- thanks to our city attorney and, you know, behind every city attorney there's a good assistant. And Miss Stubbs, I've been knowing her for years and she just sits quietly. But -- but I know she's a workaholic. And --

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: Yes, she is. Yes, she is.

COUNCILPERSON GUYTON: Yes. And -- and -- and we appreciate all that the office is doing. The -- the ladies are shining.

CHAIRPERSON DAVIS: Absolutely.

COUNCILPERSON GUYTON: As they normally do in our city.

CHAIRPERSON DAVIS: The ladies.

COUNCILPERSON GUYTON: Yes. For sure.

CITY ATTORNEY RYAN: That's right. We're working it. Happy Mother's Day. We're working it.

COUNCILPERSON GUYTON: Yeah. Keep working it and that's my last comment. Happy Mother's Day to all of you beautiful ladies and may you have many, many more.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: Madam Chair, quickly. May I? I don't think I announced the date of the upcoming job fair but it's Saturday, May the 10th, at Gaines Park at 9 a.m.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: And y'all, please come out and support cancer research with the Relay for Life May 9th and 10th. There'll be a lot of teams out there selling food and

raising money so is there a motion for adjournment?

ADJOURNMENT

COUNCILPERSON THOMAS: So moved.

CHAIR PRO TEM PARDO: So moved.

(CONCLUSION OF MEETING)

APPROVED:



**THOMAS A. MASTERS
MAYOR**


**JUDY L. DAVIS
CHAIRPERSON**

ATTEST:

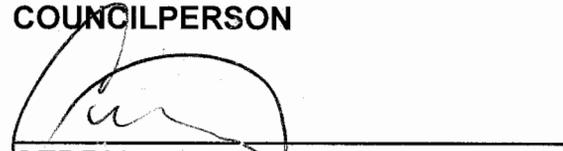


**CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK**



**DAWN S. PARDO
CHAIR PRO TEM**

**BRUCE A. GUYTON
COUNCILPERSON**


**CEDRICK A. THOMAS
COUNCILPERSON**
**TERENCE D. DAVIS
COUNCILPERSON**

MOTIONED BY: B. Guyton

SECONDED BY: D. Pardo

B. GUYTON Aye

J. DAVIS Aye

C. THOMAS Aye

D. PARDO Aye

T. DAVIS Aye

DATE APPROVED: 07/02/2014