

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, JUNE 4, 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: Good evening, ladies and gentlemen. At this time we are about to start our regularly scheduled council meeting. Please place your cell phones on the off or vibrate position. And also, if you would like to speak on a consent agenda item, please submit your cards at this time 'cause all items under consent will be taken by one vote. Okay. If we can settle down a little bit. All right. And let the -- well, you haven't called the roll yet. All right. Madam Clerk, please call the roll.

ROLL CALL

CITY CLERK WARD: Mayor Masters.

MAYOR MASTERS: I am present, back in the United States. Thank you.

CITY CLERK WARD: Chairperson Judy Davis.

CHAIRPERSON DAVIS: Here.

CITY CLERK WARD: Chair Pro Tem Dawn Pardo.

CHAIR PRO TEM PARDO: Here and never left.

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

COUNCILPERSON THOMAS: Here.

CITY CLERK WARD: Councilperson T.D. 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: Okay. Thank you, ma'am. Let's all stand for a moment of silence and the pledge.

INVOCATION/PLEDGE OF ALLEGIANCE

(Everyone stood for a moment of silence with the Pledge of Allegiance being led by Chairperson Davis).

CHAIRPERSON DAVIS: Okay, Madam Manager. Are there any additions or -- additions, deletions or substitutions?

CITY MANAGER JONES: Yes, Madam Chair.

AGENDA APPROVAL: ADDITIONS, DELETIONS, SUBSTITUTIONS

CITY MANAGER JONES: You have been provided some information, as well as some deletions. The first thing that you've been provided is a change of the cover page for item number 4 on consent for the contract period for the PMSA contract. For the additions tonight, I would like to add an item 9A under Discussions and Deliberations.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: Continue deliberation as it relates to RFP number 417-13, agent of record for employee group insurance. Also would like to add an item 13A under Community Benefits to T.E.A.M ELAM Foundation, \$500 from Councilman Terence Davis. And then you have additional backup for Community Benefits, item number 11.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: So you have two additions under -- one under Discussion and Deliberations and then one under Community Benefits.

CHAIRPERSON DAVIS: Okay. So under Community Benefits, only 13A?

CITY MANAGER JONES: (No audible response).

CHAIRPERSON DAVIS: Okay. All right. Are there any disclosures by council? Is there a motion to adopt the agenda?

DISCLOSURE BY COUNCIL

ADOPTION OF AGENDA

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Did you second, Mr. Davis?

COUNCILPERSON DAVIS: Yes.

CHAIRPERSON DAVIS: Okay. All right. Madam Clerk?

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson T. [sic] Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton? Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes. Uh, we're now down to Consent Agenda.

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

CHAIRPERSON DAVIS: I do not have any -- let me see, number 9? Miss Shepherd, you checked Consent Agenda. Which item on Consent?

MARGARET SHEPHERD: I'm -- I'm talking about the --

CHAIRPERSON DAVIS: Public comments?

MARGARET SHEPHERD: Yes, ma'am.

CHAIRPERSON DAVIS: Okay.

MARGARET SHEPHERD: I'm sorry.

CHAIRPERSON DAVIS: Okay.

MARGARET SHEPHERD: Thank you.

CHAIRPERSON DAVIS: Okay. Any other Consent Agenda item speakers? Okay. Before we approve Consent, we have Joel Mitchell.

CONSENT AGENDA

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.

JOEL MITCHELL: Good evening, ladies and gentlemen. I don't know how much time I have up here. Is it --

CHAIRPERSON DAVIS: Three minutes, sir.

JOEL MITCHELL: Three minutes? Okay.

CHAIRPERSON DAVIS: Please state your name and address for the record.

JOEL MITCHELL: I'm sorry?

CHAIRPERSON DAVIS: Please state your name and address for the record.

JOEL MITCHELL: My name is Joel Mitchell. I live at 421 Silver Beach Road here in Riviera Beach. I grew up in Riviera Beach, born and raised right here. A graduate of Suncoast High School. I was unable to make it to the meeting predicated on Life Span Day Care at the first session. I just wanted to come up and give my part. I know it's a part of your agenda tonight but I just wanted to be heard. My sons here all attended Life Span Day Care and did very well in that -- that atmosphere. I also was born and raised here and one of the first babies that ever get saved at St. Mary's Hospital with spinal meningitis. It causes you to lose deaf and become visually impaired, blind, and not be able to have good skills, motor skills. Um, I didn't have too many people at that time to work with me but my mom was a schoolteacher. My mom didn't have too much time but she left a lot of that in my sister's hands. Terry Mitchell is my sister. She's the owner of Life Span Day Care. She worked with me and got me to where I was -- where I am -- where I'm at today, a graduate of Suncoast High School, attended John C. Smith University.

CHAIRPERSON DAVIS: Okay. And I'm sorry, sir. I let you go on all this time.

JOEL MITCHELL: I'm sorry.

CHAIRPERSON DAVIS: That is item number 9. That's not Consent Agenda.

JOEL MITCHELL: Is that not?

CHAIRPERSON DAVIS: You had checked Consent but it -- it's item 9. I'm sorry. Okay. But I -- but if you want to speak again, I'll call you up when we get to that item. Okay?

JOEL MITCHELL: Okay. No problem.

CHAIRPERSON DAVIS: Sorry about that.

JOEL MITCHELL: Thank you.

CHAIRPERSON DAVIS: All right. So we're now down to Consent Agenda. Does anyone want to pull an item from Consent? Okay. All right. Is there a motion to approve Consent?

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON THOMAS: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton? 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, um, number 6, Awards and Presentations.

MINUTES

RESOLUTIONS

- 1. RESOLUTION NO. 46-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE**

AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND BREKFORD CORPORATION FOR THE RED LIGHT ENFORCEMENT PROGRAM AND STREAMING VIDEO MONITORING TO IMPLEMENT THE CHANGES TO THE MARK WANDALL TRAFFIC SAFETY PROGRAM ACT (LAW OF FLORIDA, 2013-160); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

- 2. RESOLUTION NO. 47-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE DONATION OF REAL PROPERTY FROM THE CITY OF RIVIERA BEACH, TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY, CONSISTING OF TWO PARCELS ADJACENT TO WEST 13TH STREET, TOTALING APPROXIMATELY 0.277 ACRES, IN ORDER TO FACILITATE MUNICIPAL MARINA UPLANDS DEVELOPMENT, IN ACCORDANCE WITH THE MARINA DISTRICT MASTER PLAN AND COMMUNITY REDEVELOPMENT PLAN; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE DONATION OF REAL PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 3. RESOLUTION NO. 48-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CHANGING THE NAME OF WELLS RECREATION CENTER TO "WELLS RECREATION AND COMMUNITY CENTER"; AUTHORIZING STAFF TO MAKE FAÇADE CHANGES TO REFLECT THE NEW NAME; AND PROVIDING AN EFFECTIVE DATE.**
- 4. RESOLUTION NO. 49-14 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 AN AGREEMENT COMMENCING OCTOBER 1, 2013 TO SEPTEMBER 30, 2016 BETWEEN THE CITY OF RIVIERA BEACH AND THE PROFESSIONAL MANAGERS AND SUPERVISORS ASSOCIATION (PMSA) REPRESENTING THE SUPERVISORY EMPLOYEES OF THE CITY OF RIVIERA BEACH; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 5. RESOLUTION NO. 50-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE REALLOCATION OF FUNDS IN THE FIVE YEAR CAPITAL PLAN IN AMOUNT OF \$130,000 FROM THE CAPITAL ACQUISITION LIBRARY HVAC SYSTEM REPLACEMENT PROJECT TO THE PUBLIC WORKS CITY WELCOME SIGNS PROJECT IN THE AMOUNT OF \$105,000 AND \$25,000 TO THE RECREATION AND PARKS PROJECT FOR LINDSEY DAVIS SECOND FLOOR DESIGN AND APPROVING THE REALLOCATION OF FUNDS FROM THE STORMWATER UTILITY CAPITAL ACCOUNT FOR PIPE LINING SYSTEM FOR \$150,000 AND RC-2C CANAL PROJECT FOR \$70,000 TO BE USED TO PURCHASE A STREET SWEEPER FOR STORMWATER UTILITY IN THE AMOUNT OF \$220,000; AND PROVIDING AN EFFECTIVE DATE.**

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING

AWARDS AND PRESENTATIONS

6. UPDATE ON POST LEGISLATIVE SESSION BY SENATOR JEFF CLEMENS, DISTRICT 27, REPRESENTATIVE BOBBY POWELL, DISTRICT 88, STATE REPRESENTATIVE BILL HAGER, DISTRICT 89 AND SEAN PITTMAN LAW GROUP.

CHAIRPERSON DAVIS: Are all of you going to come up at once? And also Sean Pittman Law Group.

SEAN PITTMAN: Thank you. Madam Chair, Mr. Mayor, Council, thank you for having us today. We -- obviously we -- we have a really special guest. I'm just here. We have a really special guest and our major legislators who are our friends in Tallahassee who work real hard for our issues. Their offices are very easy to get into, as you well know, those of you who have come up. And I think actually all of you did -- did this year. And helped us with an agenda that was pretty ambitious. But -- but -- but we got through it.

What we want to do first -- 'cause I don't want to hold the -- the members up 'cause at least one of them needs to go -- is we want to do the special part and that is to present a check from the State of Florida and these great members behind me. You all asked us to go and bring back some money for some water issues that have -- that are well overdue in this city, and last year we brought back -- we -- we had a little less money that -- that didn't make it through the process but this -- this year we did much better, made it through the process. The governor signed the check this past Monday. And where -- is it -- do we have it?

UNIDENTIFIED SPEAKER: Yeah, I have it right here.

SEAN PITTMAN: And I'd just ask our members to walk out with the check. And as you know, it's a check for \$1.3 million to the City of Riviera Beach from the State of Florida. And we're going to get a picture, Madam Chair, if that's okay.

CHAIRPERSON DAVIS: That's perfectly fine with me. What do you need us to do? Oh, you want to take -- you want us down there or what?

SEAN PITTMAN: I think we would love you down here.

CHAIRPERSON DAVIS: Okay. Sure.

SEAN PITTMAN: Yeah, get -- yeah, do it now. And for the -- for the audience purposes, I -- I gotta tell you, these members work real hard in this process. It's not always easy to bring back money from the State of Florida. Even though we're government -- a governmental entity, it's not -- it's not that easy and we can -- you can -- the testimony to that is the fact that we don't get to do it every year. Um, but this year

was successful and it was because of the hard work of these members. So y'all help me give them a round of applause if you don't mind.

CITY MANAGER JONES: Sean, you go get in this one.

SEAN PITTMAN: I break cameras, though.

CHAIR PRO TEM PARDO: Thank you very much, (inaudible).

SEAN PITTMAN: And Madam Chair, if you don't mind giving deference to our members, giving them an opportunity to address the body.

SENATOR CLEMENS: Madam Chair, Mayor, Council Members, thank you so much for having us. We work really well together as a Palm Beach delegation. It doesn't matter whether you're Republican or Democrat. We try to do good things for Palm Beach County and those of us who have portions of Riviera Beach. And of course, for me that's entirely within my Senate district. You know, we try really hard to work for the City and to bring some money and we were really proud that we were able to not only get that in the budget this year but also survive the gubernatorial veto, obviously, last year. We worked really hard to get it into the budget and he vetoed a lot of water projects. I will tell you this. You are -- I don't know what you pay Sean Pittman, but it's not enough. He does amazing work for you in -- in Tallahassee and -- and this is --

SEAN PITTMAN: Can you say that again?

SENATOR CLEMENS: It's -- it's recorded. You've got that on -- on tape now, Sean. He works really hard for you and he's always got you in mind. And he stops by my office on a regular basis to talk about what it is that's important to you here in Riviera Beach, to -- to the Council and to the Mayor and also to the citizens. So, you know, that's -- it's important to have a voice up there. There are a lot of cities who do not take the time to contract with somebody. And -- and they don't -- they don't always have that voice. So the -- the Representatives that I work with and -- and Sean all try to do good work. I'm going to keep it pretty brief and talk about a few things, because we just talked about the money and that's important. There was some important legislation that Representative Hager and I sponsored this year on Sober Homes. And -- and he'll talk more about it. He was able to get that through the House. I was not able to get it through the Senate. We -- we had two committees that it passed through unanimously and then it stalled. Committee chair just basically said he didn't like -- like the bill and -- and that's where it stalled. Representative Hager did a good job for you. I was very frustrated that, uh -- that that stalled in the Senate, but he'll get a chance to talk more about that.

I -- I sponsor a lot of bills that -- that move through but I also sponsor a few that don't. I just want to talk about them very briefly and then I'll let my colleagues take over. Voting rights are very important to me and I sponsor several voting rights bills every year. This year one was online voter registration, which actually did move through committee before stalling. But I've gotten some promises from -- from some of my friends on the

other side of the aisle that that bill is going to move through next year. I think it's very important getting people to be able to register to vote and making it easier for them.

I sponsored a constitutional amendment that would have required some sort of system for automatic rights restoration. In the -- in the State of Florida, we account for about 60 percent of the former felons in the United States who have not had their voting rights restored. And to me that's -- that's simply criminal. So that's an issue I'm going to continue to work on. And it's very important to me.

Having said that, I will tell you that, again, all of us on the Palm Beach County delegation work together to try to bring home projects for Riviera Beach and we're all very proud about the job that we did this year. And having said that, I'm going to introduce my -- one of my two friends here, Represent Bill Hager.

REPRESENTATIVE HAGER: Thanks.

CHAIRPERSON DAVIS: We're proud, too, Senator.

REPRESENTATIVE HAGER: Thanks. I want to compliment the people that are up -- up here. I've had a chance to work with you now for a couple of years. And if there's one thing I can say and see it is the City of Riviera Beach is rising. And it is impressive. It's impressive to see all of you work as a team. It's impressive to see the commitment to the economic growth of the city. It's impressive as well to work with this delegation, with Sean, with Representative Bobby Powell. He and I have become good friends despite my personality. Senator Jeff Clemens, and -- and we work well together. We're committed to you. We're committed more importantly to the people here and that is the residents of your -- your community.

And I want to compliment each of you, also. Many of you have been in my offices and we stand ready to help you in any way you [sic] can. So with that, I'm just going to forego the -- the balance of my comments because we've already taken enough of your time. And my accolades and comments -- compliments to you. I'm -- I spent seven years on the city council of Boca Raton so I appreciate the work that you're doing. Thank you.

CHAIRPERSON DAVIS: Thank you, sir.

CHAIR PRO TEM PARDO: Thank you.

CITY MANAGER JONES: Thank you.

REPRESENTATIVE POWELL: Well, thank you and it's good to be home. Of course this year at session I had a great opportunity to work with the whole delegation of Palm Beach County and especially the two legislators who are standing behind me, Senator Clemens and also Representative Bill Hager.

I've got a few bills that moved this year and then the one I -- I definitely got through all the way. I want to thank Riviera Beach City Council members for especially indulging

us when y'all came to Tallahassee when I was moving forward on the homeless bill and the help that y'all gave us, and also to let you know that with Sean Pittman, what Senator Clemens said, I echo those sentiments. Every time Sean comes to my office or I see him in the hallway, what's on his heart and on his mind is the City of Riviera Beach. As this is the place where I was born and raised, it's also on my mind.

This year one of the bills that we got moving and I'm continuing to -- to think about it and -- and work on it even today is the criminal prosecution of juveniles. We talked about it last year and last year it really -- it really didn't have any movement. This year we got a workshop on it and today I was on the phone with the vice chair of the committee that it will be going for next and hopefully we can finally put that through the legislature. We did do some good legislation on sentencing of juveniles. After 25 years they're able to be looked at -- the Juvenile Review for those who have been sentenced to life terms.

But there's a lot to do in Tallahassee. There's a lot of work that goes on. And some of it we don't see. This year luckily we passed the \$77.1 billion budget. The governor cut \$70 billion out of that budget but luckily for us in the City of Riviera Beach and with the work of our lobbyist and our team here, we're able to keep what we got in the budget. And we're hopeful to continue to go to Tallahassee and work hard for the citizens of Riviera Beach, as well as our council members. And we thank you. There's many, many things I could go on about but I'm -- I'm not going to belabor the point. I'll just say thank you and my name is Bobby Powell, Jr., and those are my comments.

MAYOR MASTERS: Madam Chair?

SEAN PITTMAN: Madam Chair and Mayor and Council Members, it was a -- it was a great session. A lot of great things happened. And the things that happened specific to Riviera Beach was because you all took the time to -- to come up there and walk the halls and knock on the doors and walk down the street where all the legislators hang out and you let people know that Riviera -- Riviera Beach is there. And I'll say to the audience here that this is not the first year that you've done that. You have made that a practice. And we couldn't do what we do if y'all didn't, you know, give us the opportunity, number one. But if y'all didn't take it seriously enough to leave home for a couple of days and come up there. So I say that every year. But it's because I want you to really know that we're -- it's serious and we mean it.

I know you get our reports so I won't go into a whole lot of detail 'cause you got -- you got a lot of work to do tonight. I do want to tell you that Representative Powell talked about the \$77.1 billion budget that was passed. It was a 3.7 increase from the previous year. There were a lot of things in the governor -- in this package. I think the governor was probably most proud of the tax cuts that -- that was a part of this. It -- there was a huge tax cut that they've been working for every year and that happened. One of the tax cuts that we all probably enjoy is a sales tax holiday which we -- we know well. That also passed this year. It's not a recurring item so that's something that will have to come back every year.

One of the things that happened that you want to know about is a \$10 million allocation to improve the rail system for all the -- all the rails that are in the FEC quarters. That's something that will impact you. We talked about the tax package, won't talk about that. They talked about homelessness. This is good. I can get through this fast. I think Tony Brown's here. I'm not sure. But Affordable Housing, he will be happy to -- to know that ship and sail were both funded this year. And it's -- and Miss Manager and the -- Tony Brown, CRA director, I think it's a good time for us to start looking real hard at trying to get some of those dollars in the future because this is the first year in -- in a few years that -- that those programs have been funded. And we gotta put ourselves in a position to be able to -- to -- to pull down some of those funds.

But it was a good sign this year that that actually happened. Some of the things that did not pass that you ought to know about, red light cameras, which we all know and love, one way or another. The -- there was a bill provided red -- that red light cameras could only issue notice of violations rather than uniform traffic citations. That did not pass. Limousine pre-emption. You may have heard about the argument between taxi cabs and -- and this company called Uber. Big fight all session long. Did not pass. We expect that that's a piece of legislation that will come back. We didn't ask you this year where you were on that issue. Because it was very highly political and -- and the -- the writing was on the wall. But we will need to know next year sort of where you are on an issue like that because it's extremely -- it's extremely controversial.

Jeff talked about that. Pension reform did not happen this year. I expect that it will be back. The problem was the House and the Senate both had different bills. And they could just never come together on -- on some language that everybody could -- that everybody could agree on. So with that it was -- it was a really great session and we thank you so much for the opportunity to be there and -- and we -- when you come, you do the job and we appreciate that. And hopefully next year all of you will come again because I think the issues only get bigger. So with that, Madam Chair, I won't take up any -- won't take up any more of your time unless you have any questions.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: So, um --

SEAN PITTMAN: And Miss Pardo, your vacation rental bill did pass.

CHAIR PRO TEM PARDO: I know it did.

SEAN PITTMAN: Okay.

CHAIR PRO TEM PARDO: And I'm very excited about it. And Miss Ryan --

SEAN PITTMAN: And you -- and you worked very hard on that.

CHAIR PRO TEM PARDO: -- and -- and Miss McKinney will be working on that now so --

SEAN PITTMAN: You -- you worked very hard on that and we appreciate your help on that.

CHAIR PRO TEM PARDO: Thank you.

SEAN PITTMAN: But that's -- impacts Riviera Beach hugely.

CHAIR PRO TEM PARDO: Thank you, guys.

CHAIRPERSON DAVIS: Mayor Masters?

MAYOR MASTERS: Yes, Senator? Thank you.

SENATOR CLEMENS: Yes, sir.

MAYOR MASTERS: I want to commend you and compliment you on your fight in your advocacy to get the voting rights of felons restored. As you know it is shameful that Florida is one of the fewer states in the country that still will not prevent -- permit ex-felons to vote as soon as they get out. Their rights are not restored. So please keep working on that. So I want to thank you for -- for doing that.

SENATOR CLEMENS: Thank you, Mayor. And -- and I'm happy to keep working on it. You know, we -- we send people off to prison for various reasons but when -- when they get out, we want them to become productive members of society. We want them to get a job. We want them to pay taxes. So we can't very well tell them, Well, we only -- we only want you to be a productive member of society in this one area but you can't be a productive member of society here.

MAYOR MASTERS: Absolutely.

SENATOR CLEMENS: We want them to become good citizens. That's the whole purpose.

MAYOR MASTERS: Thank you.

SENATOR CLEMENS: So I'll continue working on that.

MAYOR MASTERS: Thank you. Representative Powell, please.

REPRESENTATIVE POWELL: Yes, sir.

MAYOR MASTERS: Your advocacy and fight as relates to the prosecution of juveniles as adults, period, is -- is commendable. As you know, Florida is leading the nation in direct filing juveniles. More than Texas, which is very shameful. And it's very commendable that you're leading -- helping to lead that fight. En route to Turkey I got - had an opportunity to talk to a gentleman that you -- you may want to connect with who is the public defender from Miami -- Miami-Dade County, Carlos Martinez.

REPRESENTATIVE POWELL: I've already connected with him.

MAYOR MASTERS: Yeah. He's -- he's -- he's the man. And that is an issue that is a burning issue with him. He's actually very vocal. For -- this is for both you and the Senator. While in Turkey, we had an opportunity to -- to discuss with Representative Rene Garcia. As you know, he was from the Miami-Dade -- and he promised me that he would convene workshops or hearings at the request of mine and would come to Riviera Beach to convene them as it relates to the Amber Alert and extending it to cover missing college students as New York has done and pregnant women, which we know the statistics missing -- the statistics are very high when it comes to missing college students and also violence against pregnant women. And this is something I would like for you to -- to contact Representative Garcia and see if that's something both of y'all can work together across the aisles or whatever. Okay?

CHAIRPERSON DAVIS: Any other questions, comments --

MAYOR MASTERS: Thank you.

REPRESENTATIVE POWELL: Thank you.

CHAIRPERSON DAVIS: -- from the Council?

COUNCILPERSON DAVIS: Yes.

COUNCILPERSON THOMAS: I just wanted to say --

CHAIRPERSON DAVIS: (Inaudible).

COUNCILPERSON DAVIS: Go ahead.

COUNCILPERSON THOMAS: -- I just want to say thank you, gentlemen, for all the hard work you do. They're representing us as our representatives and also to you, Mr. Pittman, for everything that you do in our community. And you know, having us have a real voice inside of Tallahassee now, it's -- it's light years from the way it was when I first started here. So I just want to tell everybody thank you.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON DAVIS: Yes, Miss Pardo.

CHAIR PRO TEM PARDO: I also would like to say thank you very much. And I -- I wanted to tell the community we do have great representatives up in Tallahassee representing the City of Riviera Beach. During the session we had some issues. An issue that's going on over on Singer Island with these Sober Homes. I was able to pick up the phone and call Senator Clemens, and he picked the phone up immediately and we had dialogue on, you know, what I needed to do to get things rolling. And the same with Representative Powell and the same with Representative Hager. And we all know Sean Pittman. You know, he represents us very well. And I remember a time in Riviera Beach when, you know, it was very difficult to get hold of the people that were supposed to be representing you. And to have such a great dialogue with our representatives

really says a lot. And you all know that Riviera Beach -- this is a new Riviera Beach. It's not the old Riviera Beach. And it's because of men like you who are up in Tallahassee helping us achieve the dream. So again, thank you very much and I look forward to next session. I'm sure we're going to get even more. So thank you, gentlemen.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Davis?

COUNCILPERSON DAVIS: Just going to be real briefly but I want to say thank you, gentlemen, all three of you, for coming down and showing your great leadership as you work extremely hard traveling back and forth from Palm Beach County to Tallahassee and -- throughout your adventure. And I continue to ask you to encourage yourself to go (inaudible) in your leadership position. But I have one question. Could you elaborate a little bit more on what's going to happen in the future with this red light camera with a lot of these bills? Yeah.

SENATOR CLEMENS: Well, it's -- it's one of the most --

COUNCILPERSON DAVIS: How it could affect us, yeah.

SENATOR CLEMENS: -- yeah. It's one of the most contentious issues in Tallahassee.

COUNCILPERSON DAVIS: Uh-huh.

SENATOR CLEMENS: There are -- there's a group of people who just believe that they are only -- the only purpose of the red light camera is to make money, and then there's another group of people who believe it's about public safety. So it's an issue that's not going to go away. And -- and each year those folks who -- who believe it's only about revenue continue to try to chip away at -- at the -- the law. I happen to be in the camp. I'm a former mayor and I happen to be in the camp that I believe it's about safety. And I can -- it's okay if -- if there are some of you up there who maybe disagree with me. But I sit on Transportation, and so each year I fight the battle personally with my Transportation chair to try to make sure that -- that we don't gut those laws because I've seen people change their behavior. I've seen people run a red light, get a ticket and then stop running red lights.

COUNCILPERSON DAVIS: Okay.

SENATOR CLEMENS: And I can tell you there are a couple of intersections in Palm Beach County that when I approach, I know that there's a camera there and I'm very meticulous about not going through that -- that red light.

CHAIRPERSON DAVIS: Me, too.

COUNCILPERSON DAVIS: Thank you.

SENATOR CLEMENS: It's change -- it changes people's behavior. That's my personal belief and I'll continue fighting on that issue.

COUNCILPERSON DAVIS: Thank you so much for what you all do.

CHAIRPERSON DAVIS: You done? And also I already had you covered, Mr. Guyton. I told Miss Ward that you were here.

COUNCILPERSON GUYTON: Thank you.

CHAIRPERSON DAVIS: Do you have comments?

COUNCILPERSON GUYTON: Thank you, Madam Chair.

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON GUYTON: Let me echo the sentiments of my colleagues regarding thanking all of you for what you do for our beloved city. Let me just say to the viewing audience and public, this year was my first time going up to the legislative -- the Palm Beach County Day. And I was thoroughly impressed. I -- Mr. Powell was working a bill through. We sat in. As a matter of fact, one of our colleagues even spoke. And I must tell you I was very impressed with how you handled it. Senator Clemens, very respected up there. Riviera Beach, he represents very well. I'd like to thank you. And Mr. Pittman is one that worked magic when we were up there. True story. We were in one Senator office and we met with most of the power brokers up there, either the Speaker of the House -- but we were in one office very quickly and I see Mr. Pittman on his cell phone, texting or doing something. A short time later, the Lieutenant Governor pops in unannounced, no appointment. Mr. Pittman made it happen. He stayed. We bent his ear about our issues. And we met with the Legislative Affairs director for the governor and I'd like to thank you, Mr. Pittman, because clearly, you're very respected up there and you're doing a lot of good things for Riviera Beach. So all of you keep up the good work.

UNIDENTIFIED SPEAKER: Thank you, sir.

COUNCILPERSON GUYTON: Thank you very much.

CHAIRPERSON DAVIS: And I'll make my comments and then I'll come to the -- the Mayor had another -- something he wants to say. But I express the same things from -- that my colleagues have expressed. I thank you, Senator Clemens and Representative Powell. Representative Powell, you jumped in there. I mean, you just kind of took over where your former -- the former person left off. And I mean, you just jumped in there and you get -- you're getting things done. Senator Clemens, you're doing a fantastic job. Sean, I mean, you know, walking down the hall with you, everybody just gave you high fives and stopped you and said, Oh, oh, you're the man. So I know for a fact -- and I want the residents to know that you -- we have a wonderful team there who are working for us in Tallahassee. So thank you very much. Mayor Masters?

MAYOR MASTERS: Yes. I know my colleague is very modest but I'd certainly want to thank fellow distinguished colleague, Vice Chair, Co-chair Dawn Pardo for her leadership as it relates to getting things done. Nothing happens without leadership, getting things done. Particularly getting the ear of the governor. She's brought the governor actually here to City Hall. And I don't know anyone that can have that kind of - I mean, she has really been an advocate for Riviera Beach with all of the governors. But I just want to thank her for keeping the -- the banner up with your support.

CHAIR PRO TEM PARDO: Madam -- Madam Chair?

CHAIRPERSON DAVIS: Yes, Miss Pardo.

CHAIR PRO TEM PARDO: Okay. I just need to say this is a joint effort. This is teamwork. But thank you, Mayor. But it really is. This is teamwork 100 percent.

CHAIRPERSON DAVIS: Okay. Thank you all very much. We appreciate you.

SEAN PITTMAN: Madam Chair?

CHAIRPERSON DAVIS: Yes, Mr. --

SEAN PITTMAN: Just one more comment.

CHAIRPERSON DAVIS: Okay.

SEAN PITTMAN: We do want to thank our executive branch lobbyist Mr. Ron Book who, you know, spent some time in the governor's office --

CHAIRPERSON DAVIS: Uh-huh.

SEAN PITTMAN: -- and on the phone to make sure that that signature was on that check.

CHAIRPERSON DAVIS: How -- I gotta ask you one question.

SEAN PITTMAN: Yeah.

CHAIRPERSON DAVIS: How did he like the video that we made for him?

SEAN PITTMAN: He's still laughing about that. I'm not going to tell everybody about that but he is still laughing about that.

CHAIRPERSON DAVIS: All right.

SEAN PITTMAN: As I told you, he hates people --

CHAIRPERSON DAVIS: Yeah. In his office.

SEAN PITTMAN: -- on his desk and in his office.

CHAIRPERSON DAVIS: And we were all over it, just so you guys know about it.

SEAN PITTMAN: Listen, in your delegation here, Representative Hager is in the majority party and he works for Riviera Beach.

CHAIRPERSON DAVIS: Right. Right.

SEAN PITTMAN: Senator Jeff Clemens is known as a fighter in the Senate.

CHAIRPERSON DAVIS: Uh-huh.

SEAN PITTMAN: He does not mince words. I could always talk to him and say something that I won't say I know Jeff will say.

CHAIRPERSON DAVIS: And he'll say it, yeah.

SEAN PITTMAN: And -- and let me tell you the influence that --

CHAIRPERSON DAVIS: He's the pit bull, huh?

SEAN PITTMAN: -- there Powell has in the legislature. You're so right, Madam Chair, about what he's done.

CHAIRPERSON DAVIS: Uh-huh.

SEAN PITTMAN: I went to see a member one day to talk about our issues. Some issues and some money. And he told me -- and this was -- this was a -- this was a white gentleman. He told me, he said, "You know what? Bobby Powell has already talked to me." He said, "I love that Bobby Powell." He said, "I'm gonna -- let me tell you how much I love that Bobby Powell. I have a daughter. I home she grows up and marries somebody like Bobby Powell." And he meant all of that.

CHAIRPERSON DAVIS: Yeah.

SEAN PITTMAN: Because he was very helpful. And -- and I'm not gonna say his name 'cause, you know -- but he meant all of that because he was very helpful in help -- in helping us at the end of the day. So thank you, all, and -- and indeed, we'll -- we'll see you next year and -- and thank you for the opportunity.

CHAIRPERSON DAVIS: Thank you very much. So ladies and gentlemen, there you have it from the horses' mouths there that we do go to Tallahassee and work for the residents of this city.

We're now down to Public Hearings -- Hearings, Ordinances on Second Reading, item 7.

PUBLIC HEARINGS

ORDINANCES ON SECOND READING

7. **ORDINANCE NO. 4045, 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 REPRESENTATIVE POWELL; 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 GUYTON: So moved.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and second. We have one comment card, Bonnie Larson.

BONNIE LARSON: Good evening. This is --

CHAIRPERSON DAVIS: You have three minutes, Miss Larson.

BONNIE LARSON: I know. This -- this is red light enforcement program, the second time it's brought up tonight. First time on the consent agenda so we didn't have really a presentation or anything. Could you please go over with us what are those changes? What are the basic changes? And this item 7 says providing -- excuse me, "providing for changes including designating a local hearing officer." I was at a meeting and there was some discussion should they have someone in the police department do it or some employee do it or the other alternative. Well, actually, I thought the County was doing it. Then Riviera Beach brought up that maybe we should have an employee do it. And they said, Oh, it's not such a good idea. Then the discussion went to, Maybe we should have the code -- the person we hire to do Code Enforcement, the Magistrate's meeting doing it. And that's a couple of hundred dollars an hour. So I'm just wondering what -- why aren't we having the opinion county do it? Do we have to pay for that, too, or why are we doing it ourselves? Because they said something about the police shouldn't show up. Well, I don't understand what the police have to do with a red light enforcement. If -- it's on the camera that they got you crossing so there wouldn't be necessarily a policeman involved. Could we just explain the changes and what the decision is regarding someone to hear it and why that was made versus the County doing it. And the Code Enforcement person, I don't know. She would -- she wouldn't have any experience, I wouldn't think, with red lights. So if you could just give us a little rundown on it. Thank you.

CHAIRPERSON DAVIS: Okay. Madam Manager?

CITY MANAGER JONES: Yes, Madam Chair. This item is on second read. The first read was on May the 7th. As you know, we originally passed our red light camera ordinance in 2011. In 2013 new legislation was enacted which said the local

municipality must provide a hearing. That's why we cannot go to the County to do it. There must be one in the municipality. What this is doing is making that provision within our current ordinance. It is recommended by staff, since we already have magistrates on board who are lawyers that do Code Enforcement, that we would use them, as well, for the hearings for the red light camera at the local level.

CHAIRPERSON DAVIS: Okay. Is that it? Is there a presentation or anything?

CITY MANAGER JONES: Oh, no. We haven't been asked (inaudible).

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: This is the second reading.

CHAIRPERSON DAVIS: All right. Any questions or comments from Council? Okay. Madam Clerk?

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: 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 Councilperson Pardo dissenting.

CHAIRPERSON DAVIS: Okay. Item 8.

8. ORDINANCE NO. 4046, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION FROM PENSKE TRUCK LEASING, L.P., LOCATED ON TWO PARCELS TOTALING 4.22 ACRES WITHIN AN UNINCORPORATED AREA OF PALM BEACH COUNTY, CONTIGUOUS TO THE PRESENT MUNICIPAL BOUNDARIES OF THE CITY OF RIVIERA BEACH, CURRENTLY ADDRESSED AS 3788 INTERSTATE PARK ROAD NORTH; PROVIDING FOR REDEFINING OF THE MUNICIPAL BOUNDARIES TO

INCLUDE SAID LAND; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and second. City Manager, do you have anything?

CITY MANAGER JONES: Madam Chair and members of Council, this item is also on second read. This is a voluntary annexation by an entity that is adjacent to the City that would like to annex within the City of Riviera Beach. As stated, it's 4.22 acres and the original presentation on this item has already been conducted.

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

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce 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 are now down to our Regular Agenda, item 9. Miss Ward?

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: All right. Let's see. What have we got here? First up Margaret Shepherd.

COUNCILPERSON THOMAS: Nobody cares about it. (Inaudible).

COUNCILPERSON DAVIS: Excuse me. I need some water.

CHAIRPERSON DAVIS: Good evening, Miss Shepherd.

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. How in God's world could I follow that discussion? The one thing I hope, Mrs. Jones, is the mikes. I know it should be a budget for the mikes. I was at home ill for the past couple of weeks. I stayed home to hear. The mikes just didn't work. So I'm out of a sick bed here to listen to the council. That's -- that's one thing I wanted to bring up. On the dais, you guys gave us a card on how we should act. But yet as you see as you dialogue not -- not just this meeting, but other meetings, your residents say it's unprofessional. I'm just delivering the message. Please listen.

Number two that was brought to my attention, several calls, the way the employees are being treated. Some people feel like that some of the employees are being targeted for whatever reasons. We have people that's been at this city for many, many years, some just coming on. They're saying that it's no real consistency within your structure. They feel a little intimidated. So I'll throw that out. But I'm glad for the Reverend Griffin Davis being here, my pastor, his son, the Reverend Griffin Davis, Jr., and to all the pastors I see walking in. Unfortunately, Carrie Ward -- not unfortunately, but fortunately, Carrie Ward is one of our members. Our sister, the calls was flooded in consistently. And I made it plain I wasn't feeling well. And I understand your whatever, whatever reason you gave. 'Cause Carrie Ward has been like the mother ship of this community.

MAYOR MASTERS: That's right.

MARGARET SHEPHERD: If nothing else, you never saw at that luncheon -- Carrie Ward did more than anybody I saw. She walked around and talked to all of the residents. That's the -- some of the things that they say you all don't do. And if you're going to start targeting these employees and then say, Well, oh, no. I can't do this (inaudible), listen, you -- I'm sure you have a dialogue with each other. I'm not talking about the city business but dialoguing. I want to make it very plain. Not just Carrie but Carrie was the subject of the conversation with the residents. Not only senior citizens

but people just saw me at a -- at a commencement exercise the other day. What happened to Carrie Ward? I have no -- I have no -- no understanding. But if it was me, I don't care if you recognized me or not. The one thing -- I don't take gifts. I'm not your friend. I don't want to be your friend. I want you to acknowledge who I am, Mrs. Shepherd. That's it. But the employees are -- they are valuable people. Especially in these exclusive communities and the church. I thank all of you. I hope you take the comments. I did not write them. And Bishop Masters, I thank you for being back home, sir.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: Thank you, Miss Shepherd. Fane Lozman?

MAYOR MASTERS: Madam Chair, as -- as Mr. Lozman is coming, I just want Miss Shepherd to know that I also received a lot of calls. Everything you said, I support 100 percent. Everything you said. Thank you.

CHAIRPERSON DAVIS: Good evening, Mr. Lozman. You have three minutes.

FANE LOZMAN: Fane Lozman. Mr. Thomas, next time this -- that issue comes up with the school, just ask for the first right of refusal. Say, If you sell the property, we want the first right to buy it back and say a million bucks and we'll make the profit. I'm surprised your city attorney didn't give you that advice.

You asked a question, Mr. Thomas, at the last council meeting. My name was brought up. I wasn't here. I just wanted you to know that I was the prevailing party at the Supreme Court. I won. So I need to be made whole. Whole means I need to get the -- get a fair market value for my floating home and it needs to be put back in the city marina just like nothing ever happened. If you want to remove my floating home, then you can go through state court and evict it. Now, I have a large piece of property on Singer Island. And if you want to direct your -- Miss McKinney to let us get a dock there, then maybe we don't have to put it back in the city marina. But there's going to be a court order that I get the value of my floating home and I'm going to be back in that city marina like nothing ever happened. That's what prevailing party means.

So I do have standing because technically I'm a resident of the city marina again. I just don't have my floating home back in there until I get paid the value. But Federal Judge Hurley said -- and the City agreed -- I gotta get paid because I won the Supreme Court case. Maybe not replacement value but certainly fair market value. City clerk. City clerk is the only employee in this city who's ever done a good job. An outstanding job. You've had some that have done good jobs. She's the best city employee in this place. To do what you've done to her is horrific. Miss Jones and Miss Ryan, they should be replaced. They should be suspended for that whole engineer scandal, not Carrie Ward. That's just embarrassing and that's what all the people here tonight are to talk about.

Mr. Guyton, you need to get a life. Okay? You sit here and you babble and you ran on and on. People around this city have told me they don't care what you have to say. People have apologized to me for voting you in to office after they've read my stories

that talked about your history. Okay? You're obsessed with me. You need to go get a life, crawl back under that rock you came from, 'cause you were kicked out of public office back in the mid '90s. Okay? For the young people who are watching this on TV, this is what happen it is a guy that has a history of drug abuse. Okay? You say you have all this financial sense. Your home was in foreclosure last year. You didn't put it on your financial disclosure form. You've declared bankruptcy. You have a 17-year-old -- year judgment with the City. Who are you to dictate the financial terms of anything that goes on in this city when you don't have your own financial affairs in order? I'm sick and tired of you making comments about me. I'm a property owner in this city. Where I sleep at night, whether it's in this city, in Miami, in Chicago, is none of your business.

CHAIRPERSON DAVIS: Thank you, Mr. Lozman.

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Mr. Guyton?

COUNCILPERSON GUYTON: Thank you very much. Let me first say that Mr. Lozman, in court documents, has been accused of rape. He is in no position to level any allegations at me. Mr. Lozman does not live in this city. And Mr. Lozman think that he can intimidate me. That would never happen. Mr. Lozman dumped his waste into our intercoastal for three years where kids swim at. His body waste. And admitted that in court documents. Mr. Lozman knows that I'm never going to back down from him and he can never intimidate me. I am who I am. I've been through what I've been through. I've identified my shortcomings. I've dealt with them. I came back and here I am. And I'm going to be proud of my city and Mr. Lozman has not won a judgment against us to move back anywhere. He has not got a judgment that tells him to come back to this city. He won a Supreme Court case and has not got one brown penny from us. That is his problem. But Mr. Lozman need to understand that when you come to Riviera Beach, this is my playpen here and any time you think that you have a problem with me, you don't have to come to the public mike where you got police officers and all that. You see me outside and act like you don't even see me. Thank you.

CITY ATTORNEY RYAN: Mr. -- Miss -- Madam Chair, and I --

CHAIRPERSON DAVIS: Miss Ryan?

CITY ATTORNEY RYAN: -- I -- I have to add one thing, because as council members tell me all the time, we do not want the public to be left with a perception that is not true. The Court has never, ever directed this City to allow Mr. Lozman to bring any floating home back to the City of Riviera Beach's marina. First of all, the floating home has been destroyed so I don't know what floating home he's talking about. Second of all, the Court did not -- we did not admit in court documents or at the summary judgment hearing that we had to make Mr. Lozman whole. We simply stated that his vessel was destroyed and we realized that there was a bond that was outstanding for \$25,000. I've been talking about that bond for years. That if Mr. Lozman wanted to go to court and try to get the fair market value of his vessel from that bond, that we would not stop him

from doing that. The magistrate judge in the admiralty case gave a three-hour evidentiary hearing for Mr. Lozman to put on evidence as to the value of his vessel. At the end, she determined that it was worth \$7,500. Judge Dimitrouleouos after that said that the federal court did not have jurisdiction, so he didn't feel like he could do anything about the \$7,500. However, he did state that if he could, he would accept the magistrate judge's testimony. So the value of the vessel is \$7,500.

If Mr. Lozman would take \$7,500 for the value of the vessel as the magistrate suggested, I would recommend to the city council that you accept that. But Mr. Lozman will not because he loves litigation. And since he loves litigation, we have no choice but to continue to litigate this issue. Thank you, Madam Chair.

CHAIRPERSON DAVIS: Okay. Miss Norma Duncombe and then after her Reverend Griffin Davis.

NORMA DUNCOMBE: Norma Duncombe. The first thing I need to say is that Mr. Guyton said that he was correcting me that the City did own the marina. I beg to differ with him. I stand here with a sober mind and I know what I'm talking about. The CRA is the one who will receive the funds from that area. The marina is under the CRA, not City. The funds do not come to the City, the treasury of the City. And you just said a few minutes ago that the City didn't have anything. But I'm really here to speak about -- e-mails are public record. And I'm here to speak about the e-mail that went out that said there is a proposal to give the city clerk a suspension for 10 days without pay. Now first of all, let me just say this and I'm not disrespecting anybody. The City Clerk is one person in the city, one of the -- I -- there are great employees here. But she is one of those persons that I do not know anyone who has gone to her and did not get information that they needed to get and she serviced them the way she should have.

Okay. The next thing is this. And I thought everybody knew this. The last major election, the judge appointed her on the canvassing board. And the reason he did that was because of her reputation and what -- how important it was to have people on that canvassing board who knew exactly what they were doing. Now, I do not understand that because she refused a \$2 spaghetti dinner and a piece of paper, that that requires a suspension. And on the bottom of the e-mail this is what took the cake, was that the city manager said that she should be advised that any comment that she wishes to make, it had to be cleared in advance. Now, that's gall. Number one, she was hired to do a constitutional job. She has been subpoenaed because the task force has subpoenaed her. She has to be able to be clear of anything from anybody. Now, if you want to, as a group, to give her a -- you know, you want to give her something, that's good. But she has to be able to raise her right hand and say, I have not accepted a gift from this person or that person or the next. I thought everybody knew that. And I cannot believe that -- and -- and -- and I -- I realize maybe the job is just a little bit too much for you. Maybe you don't really know the job. But you know, that department is one of the best operating departments in the city.

CHAIRPERSON DAVIS: Please wrap up your comments, Miss Duncombe.

NORMA DUNCOMBE: Not saying that the others are not good because we have some very good employees in the city.

CHAIRPERSON DAVIS: Okay.

NORMA DUNCOMBE: And I appreciate them.

CHAIRPERSON DAVIS: Okay. Thank you very much --

NORMA DUNCOMBE: Thank you.

CHAIRPERSON DAVIS: -- for your comments. Reverend Davis?

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Mr. Guyton and then Reverend Davis.

COUNCILPERSON GUYTON: I have a question to the City Attorney very quickly. Well -- well, first Miss Duncombe said that we gave the marina to the developers. Now she's saying that the CRA owns it. So clearly there's some --

NORMA DUNCOMBE: Can you speak into the mike?

COUNCILPERSON GUYTON: I said that first Mrs. Duncombe said that we gave the marina to the developers. This time you say that the CRA owns it. I said the City owns it. So I'm asking my City Attorney who owns the marina?

CITY ATTORNEY RYAN: Everyone knows that the City owns the marina.

COUNCILPERSON GUYTON: Thank you. That's all I -- that -- that's the only question I have.

NORMA DUNCOMBE: (Inaudible) such a liar.

CHAIRPERSON DAVIS: Thank you. Reverend Davis?

REVEREND DAVIS: Yes. Uh, my name is Reverend Davis.

CITY ATTORNEY RYAN: Hold -- hold -- hold on. I'm -- I'm sorry. I thought I -- I'm sorry. I'm sorry. I thought I heard somebody say that I'm such a liar.

NORMA DUNCOMBE: (Inaudible).

CITY ATTORNEY RYAN: Let me make the statement. The charter says that the City's marina shall not be sold. What part of that is not understood? The City's marina shall not be sold. It has not been sold. If you don't understand that, I can't help you with that. You have attorneys, talk to them. The City's marina shall not be sold. The City owns the marina.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: This is ridiculous.

CHAIRPERSON DAVIS: All right. Reverend Davis?

REVEREND DAVIS: Yes. I want to say my name is Reverend Davis. I'm the pastor of Hilltop Baptist Church, Riviera. I -- I was here last week but I just wanted -- I come to -- I just want to say -- I -- I just jotted down some things before I forget. I just want to say to the Honorable Mayor, City Council and City Manager, I come to plead to you all not to suspend City Clerk Carrie Ward for two weeks without pay. The citizens have heard about this. They're not happy. Miss Ward has been working for the City for about 40 years. She has a pleasing personality. She tries to help everyone regardless of race, creed, color, national origin. She's a -- she's a vision -- she's a visionary. She dreamed of seeing the City grow to great success. She has been honored by the judges of Palm Beach County, the first black person of the canvass board.

The City Clerk Association has given her great recognition. She was voted as President of the Palm Beach County Clerk Association covering 38 cities for two years. She is -- she is someone to be proud of. She has a great record. I'm asking you to please don't destroy her great record. She will retire in about five months. Let her retire with rejoicing, not with sadness for the good work she has done for society. Thank you very much and please consider to help her because we need her and I want to say that I don't -- I come here because I -- I found out -- my father told me years ago being nice cost nothing but it pays a million. So I'm trying to be nice to everybody and I will be nice. That's my -- just my nature. But I want to say the City of Riviera is owned by the City, by the people, for the people, on the -- and -- and by the people. So let us do what we can to keep this city in peace and in love and harmony because Carrie Ward, she deserve every good thing this city has to offer. Thank you very much.

CHAIRPERSON DAVIS: Thank you, Reverend Davis.

MAYOR MASTERS: Madam Chair, I have a question for Pastor Davis, please.

CHAIRPERSON DAVIS: Mayor Masters.

MAYOR MASTERS: I need to ask him a question. Pastor?

REVEREND DAVIS: I just want to say Reverend (Inaudible) was here from my other Baptist church. He had to leave. He got to go to a prayer meeting. I got to go myself so I want to let you know that he was here to speak on Carrie Ward behalf.

MAYOR MASTERS: Pastor Davis, if you go back for a second, I just have a question. And, you know, first of all, let me just say I agree with you a hundred percent. So I'm -- I'm in support of everything you just said. But let me just ask you, how long have you been a resident of the City of Riviera Beach?

REVEREND DAVIS: I was born and raised here. I'm past 70. I won't go too far than that.

MAYOR MASTERS: Okay. And during -- my question is, during the years of service that you have given above and beyond the call of duty to the -- to this community, have you ever seen a department head suspended without pay for two weeks and censored?

REVEREND DAVIS: No, I never seen that before in my -- I'm surprised. I just -- I'm hurt to even think about it. Okay?

MAYOR MASTERS: Thank you very much.

CHAIRPERSON DAVIS: Mr. -- thank you, sir. Michael Jordan?

COUNCILPERSON THOMAS: That's a great name.

MAYOR MASTERS: Michael Jordan. Where's the basketball?

CHAIRPERSON DAVIS: (Inaudible).

MICHAEL JORDAN: Good evening, Madam Chair and Council.

CHAIRPERSON DAVIS: Good evening, sir.

MICHAEL JORDAN: I'm going to be brief, direct and to the point.

CHAIRPERSON DAVIS: State your name and address for the record.

MICHAEL JORDAN: Michael Jordan, 1687 W. 16th Street in Riviera Beach, Florida.

CHAIRPERSON DAVIS: Okay.

MICHAEL JORDAN: I'm coming in support on behalf of the library in reference to them receiving over \$70,000 in state aid from 2009 to 2014, which let me know that they're doing an excellent job in what they're doing. But we actually need the community's help, everybody that we could get, to stop by the library on Thursday, June 12th, all day from 9 a.m. to 8 p.m., to provide us with your input to help prioritize the library's strategic initiatives for the next three years. Because that's a part of the planning where we give our input. It help them keep receiving the money to keep doing the jobs that they're doing in this particular community, because the library has been a great help to me. So we don't want to stop that. If we got over \$70,000 from 2009 to 2014, let's see if we can get 70,000 more from here forward. So I'm just asking that everybody come out and stop by the library and give your input because it's of vital importance.

CHAIRPERSON DAVIS: Thank you, Michael.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: Michael Brown?

MAYOR MASTERS: I support that, too.

CHAIRPERSON DAVIS: After Michael, Bonnie Larson will come up. Good evening, Mr. Brown.

MICHAEL BROWN: Good evening. Good evening.

COUNCILPERSON DAVIS: Good evening.

MICHAEL BROWN: First of all, I came here to speak on an issue regarding the proposed 7-Eleven at Broadway and U.S. 1. But before I do that, I also want to express my support for the City Clerk who I respect immensely, respected her when I served as mayor. She had a stellar reputation and I have to be --

MAYOR MASTERS: That's right.

MICHAEL BROWN: -- all true disclosure, I'm a member -- we're a member of the same church and I could not be unbiased in expressing my support for Miss Ward. But I think it's -- aside from my personal affection and affection for her, she is an excellent -- an excellent professional and served the City well.

I'd like to comment tonight on the -- an issue that's not on the agenda but it will be coming to you all shortly. And that is a proposal to convert or sell the old bank building, the Community Savings, and to allow it to become a 7-Eleven. I think that you all, as a council in this city and the CRA should deny that proposal. The only way a 7-Eleven could come there is if the City Council grants 7-Eleven a special exception to come there. And the reason that you -- they would need a special exception is because under the current city's laws and even the state laws and codes, the traffic access and egress issue there would be a real problem if a 7-Eleven came there. There's no way that the traffic can come in and off that property safely. And therefore, I hope that the Council will, when it comes before you, deny that request.

The other reason is that we deserve better than that as a city. That site is a prime site in our redevelopment area. It's a prime site in our city. It's a place that should have a restaurant, a Chili's or an Applebee's or a Ruby Tuesday's. If it shouldn't have -- if it -- if we can't get that, we should have a business, a retail business there like a -- a Bed, Bath & Beyond or linens or a place that sell -- or Crate and Barrel, something that not only increases our tax base, not only that sends the message to the world that the most important intersection and the most important redevelopment city in the largest county east of the Mississippi River which has the best beauty -- beautiful beach in the largest county east of the Mississippi River, that intersection ought to have more than a 7-Eleven.

And finally, a 7-Eleven does not increase our tax base and a 7-Eleven only employs about four people. If you put a Chili's or an Applebee's or -- or another type of restaurant there or a retail store, not only would it increase our tax base, but it will probably employ 20 to 30 people and certainly our community needs those jobs. That community needs those jobs. The city needs those jobs. The city needs to increase in

tax base. We can do better than a 7-Eleven and I hope y'all will consider that. Thank you very much.

CHAIRPERSON DAVIS: Thank you, Mr. Brown. Miss Larson. After Miss Larson, Miss -- Mrs. Harriet Studstill. Good evening, ma'am. You have three minutes.

BONNIE LARSON: Okay. We talked about so many things tonight so now I just got 20 other things. The thing about selling the property to Life Span, apparently we have a policy which says Riviera Beach can sell something for 85 percent of the appraised value. I'd like to know where that policy is. I would like to read that. And probably that is the situation -- oh, thank you. That is a situation which needs to be addressed, that policy. Is it a good policy? Is it not a good policy? How long has that been in effect? That would solve your problem right there.

Because from what I understand now is anybody can put in a bid on a property and the city council can approve or not approve, and it doesn't really have to go out to bid. That does sound unfair, because if a city property is for sale, it seems like it should be for sale for everybody. Everybody should have an option to purchase that. So the policy just -- there's major things wrong with that policy. When you made the amendments to the motion you said that they would have to pay -- oh, you said that you wanted them for five years not to sell the property. And if they did they would have to pay you the difference. Okay. Devil is in the details. If they're not planning to sell it, who cares? You -- you could have said 20 years. You could have said forever that they won't sell it. And then you said they would pay the difference. Well, are you talking about the difference between the two appraisals? One was 820 and one was 845. So which price -- you didn't specify that. Which difference are you talking about? So you need to be very specific when you make changes. But that policy really needs to be revised and -- and let's discuss it and see if that is fair to everybody in Riviera Beach.

Riviera Beach has contributed to that in a way that there are a lot of day cares in Riviera Beach in residential areas. A lot of the day cares are for-profit businesses. So -- but they're -- they're operating as a commercial business within a residential area. Our area is a little different. We're -- we -- my property, we pay commercial. It's a residence but we pay commercials. Whereas on this situation, there is a commercial business paying only residential taxes. So you know, Riviera Beach contributed to that a little bit when they started allowing day cares within residential.

The bus benches. I talked about that area, that block which is right on the corner of Silver Beach where Lake Park meets Riviera Beach. Again, that Dumpster, that trash is tipped over every day. Find some way to secure that thing, 'cause what's happening is people are tipping it over in order to sit on it to wait for the bus. I was looking into the bus bench situation. I know that Community Development was trying to get bus benches back in Riviera Beach and apparently that wasn't working so well. I know since then Miss McKinney and Mr. Guyton were going down to speak with them to see if they could get bus benches. So if we could have an update on that, what happened at that meeting? Are we going to get them? Are we not? Then meanwhile that trash bin needs to somehow be secured 'cause every day, Welcome to Riviera Beach. The tree

looks nice, but every day that trash bin is, like, everywhere. And that's what they're doing, because they don't have -- they don't have a, um -- they don't have a -- thank you. They don't have a bus bench. Thank you.

CHAIRPERSON DAVIS: Thank you.

BONNIE LARSON: Thank you for this.

CHAIRPERSON DAVIS: Miss Harriet Studstill, is she here? Oh, there you are.

HARRIET STUDSTILL: Good evening, everyone.

CHAIRPERSON DAVIS: Good evening.

HARRIET STUDSTILL: I -- I -- my primary reason for being here is we often come up here when we want to complain. That's not my reason for being here today. I wanted to give out some accolades today to Miss Jones, Ruth Jones. She has done some fantastic work with me getting some work done with the tennis court at Wells Gym. She was there. She calls. When you call her, she's quick to call you back. She doesn't hesitate. Me feeling that I'm just a peon in -- in the group of many citizens, she takes time out to get in -- to call you back. Not very many city managers that I know of would do that. We -- I think we sell our -- sell our people short. And I -- forgive me. I'm having a little loss of -- with words. But I think we sell our people short. And that's what's wrong with Riviera Beach. We're so busy pulling each other down like crabs in a pot, we don't have time to build each other up. We have here Mr. John Lee Williams. He's one of the persons that run our Parks and Receptions. He's one of the most outstanding people that I -- you can ever meet that does take care of Parks and Receptions. He has outstanding assistants, Mrs. Franks, who has kept me in the loop of what's been going on with Wells Gym.

Without hesitations. I have made so many calls over there I -- the lady knows my name by heart by my voice. And I can't go without saying that her secretary is -- is one of the best ones there. There is also one more thing I want to touch on. There is a however. There's always going to be a "but" and a "however." Mr. Williams -- oh, don't lean back, Mr. Williams. We have a time limit which -- which allow us to play on the tennis court. It's from 2 to 10 or 2 to 9:30. I was hoping that we could get a -- an earlier time frame. Maybe about 9 or 10:00 where we can get out there earlier instead of waiting till 2:00 to start having some activity on the court. Because the court was shut down so long --

CHAIRPERSON DAVIS: I'll give you a couple --

HARRIET STUDSTILL: Oh.

CHAIRPERSON DAVIS: -- 30 seconds to finish up. Okay?

HARRIET STUDSTILL: Okay. Because the shutdown was so long -- it was shut down so long, that means that nobody knew when it was open. So if we can just get a little earlier time frame, it would make a difference in our court.

CHAIRPERSON DAVIS: Okay.

HARRIET STUDSTILL: But thank you, again, Miss Ruth Jones. I appreciate you and I appreciate John Williams and -- and Aladia Franks.

CHAIRPERSON DAVIS: Okay.

HARRIET STUDSTILL: Thank you very much.

CHAIRPERSON DAVIS: Thank you, ma'am. Brian O'Brien?

MAYOR MASTERS: Madam Chair, while he's coming, I -- I just want to make sure that Miss Studstill understands that I, too, appreciate the -- what you said about Miss Jones. She does return calls. And that's wonderful. I wish everybody did it. So she deserves those -- those comments that you made. Thank you.

CHAIRPERSON DAVIS: Mr. O'Brien.

BRIAN O'BRIEN: Hi. My name is Brian O'Brien, business owner --

CHAIRPERSON DAVIS: Please come to the mike and so we can -- so everybody can hear you. You have to get close.

BRIAN O'BRIEN: -- operating a business at 2701 --

CHAIRPERSON DAVIS: Okay.

BRIAN O'BRIEN: -- Broadway. And I want to talk to you about Broadway rising. The improvements on Broadway were long overdue and the project is approaching completion. I don't have any complaints. And I'm not looking for any immediate solutions. I would like to say that it's been a lengthy process. I had my first haircut as a child there in that building, and I've been waiting all my life to see Riviera Beach get its due and get what was coming to them. The road looks nice. The landscaping improvements are in. I have one observation. The Florida Power & Light Company decided that the large palm tree that was located between our property which is where the -- Mr. Kitchens' funeral home to the Broadway Cleaners, they decided that the palm tree in the median couldn't be there. And then they unilaterally had the City take the tree out. I believe the City may have said, Well, you know, we can't change the -- the -- the power drop that goes overhead across Broadway to our sign, the electricity to the sign out in front of our building, Florida Power & Light blamed our power drop, which they installed on the -- the tree being a conflict and took the tree out.

And I would like to make that observation before the contractor finishes the project. I would like the tree put back. I would like to see the City get its due and not get gypped out of the beautification of the median at that point in front of our property.

CHAIRPERSON DAVIS: Okay. Thank you very much, sir.

MAYOR MASTERS: Thank -- thank you, sir.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON DAVIS: Miss Pardo?

CHAIR PRO TEM PARDO: I'd like to say something.

BRIAN O'BRIEN: Yes, ma'am.

CHAIR PRO TEM PARDO: Thank you so much for making those comments. And I only wish that your father was able to see what we have accomplished, because I remember years ago --

CHAIRPERSON DAVIS: Dr. O'Brien?

CHAIR PRO TEM PARDO: -- when we were, you know -- when the City had a very aggressive and unrealistic plan. That's when I met you and your father and your father believed in Riviera Beach but did not believe that we would ever go anywhere. So I just wish that -- well, he's up there --

BRIAN O'BRIEN: He -- he is smiling down from the heavens on --

CHAIR PRO TEM PARDO: He really is saying --

BRIAN O'BRIEN: -- on all of y'all.

CHAIR PRO TEM PARDO: -- You guys did it.

BRIAN O'BRIEN: And it's not an easy job.

CHAIR PRO TEM PARDO: Right.

BRIAN O'BRIEN: There's always a little bit of -- of contentious -- and -- and it's been a lengthy project to get all these things going.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM PARDO: True enough.

BRIAN O'BRIEN: Everybody appreciates what y'all are trying to do.

CHAIR PRO TEM PARDO: Thank you.

BRIAN O'BRIEN: Thank you.

MAYOR MASTERS: Thank you so much.

CHAIRPERSON DAVIS: Okay. And I -- I have to say, your father was my doctor when I first moved to Riviera Beach. We have -- we need to move on.

BRIAN O'BRIEN: Thank you, Miss Davis.

CHAIRPERSON DAVIS: But he was -- he was wonderful.

BRIAN O'BRIEN: Thank you, Miss Davis.

CHAIRPERSON DAVIS: And --

CHAIR PRO TEM PARDO: Yeah. Dr. O'Brien.

CHAIRPERSON DAVIS: -- here's his card. Okay. Miss Becton and that will be our final comment card, final speaker. He was awesome. He was so good and so sweet.

CHAIR PRO TEM PARDO: Sweet.

CHAIRPERSON DAVIS: And that goes (inaudible).

CINTHIA BECTON: Good evening again. Cinthia Becton.

MAYOR MASTERS: Good evening again.

CINTHIA BECTON: 500 W. 24th Street, Riviera Beach. Council, Mayor and City Manager and departments, on behalf of the Scholarship Committee, we appear before you to make a quiet quick report. Prior to that we want to ask you for \$8,500. I might as well put it out front right away.

MAYOR MASTERS: Quietly.

CINTHIA BECTON: Right. I mean, no point in beating around the bush here. Prior to doing that, we want to share, you know, with -- this has been one of the best programs around. City of -- City of Riviera Beach should pat itself on the back. It's been operating now for some years. And the -- and what happens is every dime that comes to this program goes to the children. There are -- there's no overhead. There's no staff overhead. There's no anything. It all goes to the children. So if \$29,000 goes out, it all goes to 29 children, which is -- and it's a very comfortable feeling to be at this age and I can say children about 18-, 19-, 20-year-olds, because we do freshmen. We do sophomores. We do juniors and we do seniors for college students. Let me share with you that Rose Anne Brown, who is the -- I don't know what she is but anyway, I think she operates as a vice chair of that committee, is in the back, along with Jesse Gray. Our other readers were Voncia Hayward who is a principal in the school district, Vivian Blackman-Taylor, Rhonda Rivens and Warrie Leonard and, uh, Denise Edwards.

Those we -- these individuals, what we did was we reviewed the packets. We found that we had 47 applications. We found 30 of them to qualify, 17 freshmen, two sophomores, three juniors and four senior packets. But we need \$8,500 in order to give

each one of those persons a \$1,000 scholarship so we need your help. Right now we have a commitment from Councilman Guyton for \$1,500. I'm -- I speak incorrectly. We have a check --

COUNCILPERSON GUYTON: You have it. Thank you.

CINTHIA BECTON: -- from Councilman Guyton for \$1,500. We have a commitment from Mayor Masters. And then -- and we are asking a -- a commitment, 'cause we want you to know this is definitely a to-the-children type of program. So we ask your assistance with that. We are ready to meet with any of you, come hat in hand. With all the ministers here, I know I can get a collection basket. Thank you so much.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: You -- you heard that, Reverend Davis? She needs a basket.

CHAIRPERSON DAVIS: Thank you, Mrs. Becton. Okay.

CITY MANAGER JONES: Madam Chair, is that the end of public comment?

CHAIRPERSON DAVIS: Yes, it is.

CITY MANAGER JONES: I would like to make a statement if I may.

CHAIRPERSON DAVIS: Sure.

CITY MANAGER JONES: I just wanted to say that we have had some very distinguished and honorable members of our community come up tonight to voice their opinions. I respect each of them and love them with the love of the Lord. This is a personnel matter. It falls under my authority. I will not and I do not talk about personnel matters in public. Thank you.

CHAIRPERSON DAVIS: Okay. We are now down to item 9A.

REGULAR

- 9. RESOLUTION NO. 51-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING A SALES AGREEMENT WITH LIFE SPAN OF PALM BEACH COUNTY, INC., FOR THE SALE OF CITY PROPERTY LOCATED AT 1400 NORTH CONGRESS AVE., RIVIERA BEACH, FL, IN THE AMOUNT OF \$800,000; AUTHORIZING THE MAYOR, CITY CLERK, AND CITY MANAGER TO EXECUTE ALL PAPERWORK NECESSARY TO COMPLETE THE SALE; AND PROVIDING AN EFFECTIVE DATE.**

CHAIRPERSON DAVIS: Miss, you have a seat, please. And we'll -- we'll call you when we -- we need you up here. Okay? Sorry about that. Go ahead, Miss Ward. Is there a motion?

COUNCILPERSON GUYTON: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON DAVIS: Second.

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

CITY MANAGER JONES: Yes, Madam Chair and members of Council. This item is before you. If you'll recall we came to you earlier asking to negotiate. The Life Span organization came to us following the policies that are established on the acquisition of - of property by stating in writing that they would like to purchase the property and for how much. You gave us authorization to go back and to negotiate with them and to bring back to you where we were as a result of those negotiations. I would like Danny Jones, the Deputy City Manager, to give you just an overview of all the steps, the meetings that we held in order to get to this point.

CHAIRPERSON DAVIS: Okay.

DEPUTY CITY MANAGER JONES: Chair and Council Members and Mayor, after our October meeting you gave us permission to negotiate --

CHAIRPERSON DAVIS: Mr. -- Mr. Jones?

DEPUTY CITY MANAGER JONES: Yes. Uh-huh.

CHAIRPERSON DAVIS: Before you do that, if I'm -- let me take these two speakers because if anybody has any questions, they can bring them up in their public comments. Joel Mitchell and then Margaret Shepherd. Joel Mitchell? Did he leave? Oh, he left already. Okay. But he already made his comments. Margaret Shepherd?

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. To the Mayor, Council, Manager, I want to thank Mr. Mitchell for being resilient and to keep bringing this before the board. I would hope that this board would acknowledge this sale. Mrs. Mitchell has been a hard-working lady in this community. I don't think we have to keep talking about who she is. I think we all know who she is. I think we knew her father and her mother. These people have been just diligent workers in this city all of their life, really talking about her mother. And I would hope that we will continue to keep this practice going. Especially people living in our city that has paid their dues to the city. These are the people that we need to recognize. Not always allowing people to come from outside our city to purchase land or whatever they want to do and give them a fair price. I -- I'm not really into fair pricing of land or whatever. I just want to make sure that Mrs. Mitchell understands that this community know who she is, know what she represent, know what the day care represent, how the day care is represent and how the families, people, friends, churches, think about her. So on this day I hope that we recognize the sale of this land. Thank you.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: Thank you, Miss Shepherd.

CHAIRPERSON DAVIS: Norma -- Norma Duncombe. We've got one more, Mr. Jones.

MAYOR MASTERS: Madam Chair, while Miss Duncombe is coming, I just want to thank Miss Shepherd for her comments. I'm 100 percent with you. Thank you.

NORMA DUNCOMBE: Norma Duncombe, citizen of this city. Council, Mayor.

MAYOR MASTERS: Yes.

NORMA DUNCOMBE: What I'd like to say is I really observe how we operate with different people in this city. And I always like to -- and I -- and I always say that -- I'm from a large family so it was very important to treat everybody fairly. Now, you had one item on here, on this schedule tonight, in which you are donating property to the CRA which will be used down there at the marina. Now, a couple of months ago, you convinced people to vote, say, for progress, to give the marina to developers to do whatever they needed to do. And a few days later in the newspapers, the developer came -- had an interview and he said the City gave he and his brother who started out, one in real estate, one as a steelworker, a diamond in the rough. Well, a diamond -- if you give me a diamond, whether it's polished or in the rough, I know it's valuable. So I'm saying if you are going to donate property because the -- the CRA is -- is -- is in good shape in terms of money right now. If you are going to donate property to the CRA for the marina, then why don't you do this for our children? These people have been in this city. They have developed a program and I -- and I'm for anybody who's doing anything that will develop, especially early childhood. That are do anything that will help our children. Because too often we allow people to take our children and put them in a box that no other group of people will allow them to be put in. We called them -- we give them all kind of titles. Underprivileged, deprived. Just everything under the sun. My main thing is that if you can give the CRA -- donate property to them, then why not donate property to this organization that will be working for our children. Thank you.

CHAIRPERSON DAVIS: Thank you, Miss Duncombe.

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Mr. Guyton?

COUNCILPERSON GUYTON: Very quickly, I'd just like to correct the record. We did not give developers our marina. The City owns that marina and we will continue to own it as long as we are here. Oftentimes people come to the mike and say things that are inaccurate and we don't correct it. The other second thing is giving property to the CRA, the CRA is part of our city and we're not giving it to an outside entity. And I'll make my comments about this item when the time is appropriate.

CHAIRPERSON DAVIS: Okay. Mr. --

COUNCILPERSON GUYTON: But I'd just like to correct the record on those items. Thank you.

CHAIRPERSON DAVIS: Mr. Jones. I'm sorry. There is one more. That's what I was trying to tell you.

DEPUTY CITY MANAGER JONES: Uh-huh.

CHAIRPERSON DAVIS: And we won't accept any more cards on this issue. Cynthia Becton. Good evening, Miss Becton.

CINTHIA BECTON: Good evening.

CHAIRPERSON DAVIS: You have three minutes.

CINTHIA BECTON: Cynthia Becton, 500 W. 24th Street. Thank you, Madam Chair, for allowing me to speak. I do appreciate that.

CHAIRPERSON DAVIS: You're welcome, ma'am.

CINTHIA BECTON: Apologize for being late. But some of our sweethearts needed my attention. Thank you very much. I -- I -- I speak in favor of the motion to -- for the sale of the property. I had the privilege of being a part of the City Council that put -- gave this property that dollar -- you remember, Council -- Councilman Guyton -- to Terry Mitchell. You know, it's always good. It makes you feel good when there's a decision that -- that you've made that comes back and it's very, very, very beneficial. You know, when you see those children -- Life Span, we have a -- a collaboration with Life Span from St. George's. So we have an opportunity to see the work that Miss Mitchell has done over the years. It's been very, very good. The property is maintained. The children are happy. The program is well done. And I would add it is a quality program that provides a safe haven for children. So to sell this property to a businesslike this is a win-win. It's a win for the children. It's a win for the community. And it is certainly a win for the families that I'm sure you will continue to work with and benefit. And I invite all of you -- we're going to have a cooking class on Mondays from 1:30 to -- to 2:30. Come over and see the children cook. Bye.

CHAIRPERSON DAVIS: Thank you, Miss Becton. Okay. Mr. Jones?

DEPUTY CITY MANAGER JONES: Thank you. Danny Jones, Deputy City Manager. As I was stating earlier, back in October Council gave us permission to start negotiations with Life Span executive director. We have held several sessions with the executive director, toured the facility, met with the staff and reviewed some of the -- and spoke with some of the -- the, uh, caretakers and staff. We talked about price and prior to discussing price, the City conducted two independent appraisals on the property and the average price for the property was \$832,000. After several negotiation sessions, the executive director approached the City -- or presented the City with a agreement to purchase the property for \$800,000, which is approximately 96 percent of the average appraisal price, 95 percent of the highest price. Per policy, the City was required to

have the appraisals and the policy allows for the sale at 75 percent of the appraised price. I'm sorry. 85 percent of the appraised price. I'm sorry. And right now we're at about 95 percent of the appraised -- highest appraised price, 96 percent of the average appraised price. What you have before you is a resolution to authorize the mayor, clerk and the city manager to execute an agreement for that particular sale at \$800,000.

CHAIRPERSON DAVIS: Is that it?

DEPUTY CITY MANAGER JONES: Yes.

CHAIRPERSON DAVIS: Okay. Any comments or questions from Council?

COUNCILPERSON GUYTON: Madam Chair?

CHAIRPERSON DAVIS: Mr. Guyton.

COUNCILPERSON GUYTON: Let me just say for the record --

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON GUYTON: -- that this project -- well, not this project but this day care has contributed significantly to our community. There is no more important resource than our kids. Life Span has withstood the test of time. They have been good corporate citizens in our community. The price is above what we have been selling our property for. There has been an argument about it's only been a dollar over the last 20 years. But the return that is given to us through our kids, in my opinion, far exceeds that. What we have might have gotten in taxes. So it is my hope that the council will put some finality to this and also we can use the \$800,000. That's all I have, Madam Chair.

CHAIRPERSON DAVIS: Okay. Miss Mitchell, would you like to present or make some comments?

TERRI MITCHELL: Good evening.

CHAIRPERSON DAVIS: Good evening, ma'am.

MAYOR MASTERS: Good evening.

CHAIRPERSON DAVIS: Please state your name and address for the record.

TERRI MITCHELL: My name is Terri Mitchell, 1400 N. Congress Avenue in beautiful Riviera Beach. This evening joining me is my board of directors and my attorney. We'd like to ask council to approve this. We have provided quality child care in the community for the last 20 years. We will continue to provide my hometown with the same care that we've provided for the last 20 years. We hope that the vote tonight will be in favor of this item. Thank you.

CHAIRPERSON DAVIS: Thank you, ma'am. No other comments or questions?

COUNCILPERSON THOMAS: Yes.

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: I have a few -- a few questions. Maybe for the attorney or the manager. I've -- I've struggled with this for a while, even up until yesterday going by the property and view it. I -- I guess what my struggle really is is not whether Miss Mitchell can operate a successful business. She has obviously for the past 17 or 18 years. She's done a phenomenal job. I don't know all of her stats. I don't where the children come from, but for a business to -- to be able to sustain itself, I think she's done a phenomenal job with that. I do know some of the employees that she has reside in the city, which is always a big thing to me.

What I -- what I do have a struggle with is that it's a commercial piece of property. What type of precedence are we setting, you know, with this? I'm inclined to support it but I'm -- I'm worried about the type of precedence that we're going to set first with the 85 or 95 percent rate. There's other properties in this city that I'm sure individuals would like. We just put out some properties for -- you know, for bid. There's a -- a lot of different ways that we could have -- we could have handled this. I just want to make sure that we're not setting a precedent that we're going to be stuck with here after we, you know, approve or not approve this, whichever way it goes, after a decision is made on it. I just want to make sure that we're not setting a precedent. So you can answer that question, as well, Miss Ryan or management staff or both.

The other thing is, is this not something that we should have opened up for everybody to be able to have an opportunity to bid on this now? This is nothing against Life Span. But there's four or five other day care centers that are equally as good. They all provide a -- a quality service. Atkins, Jackson's, Bentley's. A lot of them have had that opportunity. A lot of them may wanted -- want to expand. Is this the fair thing to do? I understand everybody's saying, Well, you know, they've had it for 20 years and why would you take a business from somebody. I struggled with that part, too. But I also struggle with you've had it for 20 years. You didn't have to pay anything for over three acres of commercial property. You know, someone that doesn't have to pay anything, that's a -- that's a major benefit. I don't know what the City required in the 17 year that is she's had the property. So I mean, I know nobody really wants to, you know, talk about this. But I gotta talk about it in order for me to get comfortable with whatever decision we make or at least put it on the record. So I'd like to have some answers to that prior to us deciding on this.

CHAIRPERSON DAVIS: Miss Ryan?

CITY ATTORNEY RYAN: Thank you, Madam Chair. As to your issue regarding the precedent, you have a policy that was passed by the City Council which states that anyone can offer to buy property and as long as it has two appraisals and it is within 85 percent of the value --

CHAIRPERSON DAVIS: Just pull your mike to --

CITY MANAGER JONES: Pull your mike up closer to you.

CITY ATTORNEY RYAN: -- as long as it is within 85 percent of the value of the property, you can sell it to that individual. We chose to put those properties that you mentioned previously out to bid; however, it wasn't required. If someone makes an offer to us, we can, you know, evaluate it and make a decision as to whether or not to sell the property. On this issue please recall that she has -- that Life Span has a 20-year lease agreement with the City with two options to lease for an additional 20 years. We went back and forth over that. And I believe that Miss Mitchell came to the City Council to ask for the extension. It was only after the City Council seemed uncomfortable with that that she offered to purchase the property under the City's policy. And keep in mind also that her offer is greater than what is required under the policy. You can certainly go above the 85 percent. You don't have to sell it for the 85 percent. You don't have to sell it at all. But as Mr. Jones stated, I think that her price is at the 95 percent level, which is higher. So on the issue of precedence, the only precedence that you've laid is the one that is in your policy. That's what people have to abide by. And if they want to purchase property under that property, they can do so.

As to the question of putting it out for bid, I -- I guess I kind of answered that question in trying to answer the first question. It is not required to go out for bid. That's your choice. In this situation she made an offer which is allowed under the policy.

COUNCILPERSON THOMAS: Okay. You know, I just want to make sure that this is done fairly because -- and -- and I'm not -- I'm not going to lie. This -- this is a -- this is a real struggle for me because, you know, I have been talked to by some of the individuals. If this was an opportunity for it to be open, if we said, Okay. We have somebody who wants to buy this property, let's buy it. Anybody has an opportunity to buy it or whatever. Then I just think it would have been a little bit more fair. Let's go away from this property. There's slivers of pieces of land that people want that's adjacent to their -- their yards or adjacent to their homes that we're not -- they -- they can't get any type of movement on. They can't get any type of price on. And all I'm saying is, if we go through with this, we need to make sure that each and every person who wants to do that get the same vigorous treatment that we're allowing this particular business to have. I mean, period. It's -- it's -- it -- I just don't think that this was advertised enough. I don't think that, you know -- that -- that it's moving enough. You know? I wasn't happy with the original appraised value, but for 800,000, it was originally appraised at 820, is it?

CITY ATTORNEY RYAN: I think it's 825 and --

DEPUTY CITY MANAGER JONES: You have -- you have two appraisals.

CITY ATTORNEY RYAN: -- 845.

DEPUTY CITY MANAGER JONES: 845 and 820. 845,000, 820,000. Two different independent appraisals.

COUNCILPERSON THOMAS: And the 800,000 came from the actual -- from Miss Mitchell?

DEPUTY CITY MANAGER JONES: The 800,000 was an offer made by Life Span executive director, yes, sir.

COUNCILPERSON THOMAS: And did we counter with any offer?

DEPUTY CITY MANAGER JONES: We were in constant negotiations prior to the final offer made by Miss Mitchell. We countered several times during the periods of October through May of this year.

COUNCILPERSON THOMAS: Go ahead.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON DAVIS: Miss Pardo?

CHAIR PRO TEM PARDO: All right. I think one thing that you need to remember when you talk about these appraisals, the appraisal that came from -- I think it was Holden?

DEPUTY CITY MANAGER JONES: S.F. Holden.

CHAIR PRO TEM PARDO: Correct. All right. They appraised that property with the current zoning. That property is zoned RM-15.

CHAIRPERSON DAVIS: Right, residency.

DEPUTY CITY MANAGER JONES: Residential, yes.

CHAIR PRO TEM PARDO: Correct?

DEPUTY CITY MANAGER JONES: Yes.

CHAIR PRO TEM PARDO: Right. So you need to, you know -- when you are, you know, answering Mr. Thomas's question, I think you need to make that clear, too. That that property right now is zoned RM-15 so you can get what, 15 units per acre --

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: -- on there if you were to build residential?

DEPUTY CITY MANAGER JONES: I'm not sure. I would defer to Community Development but it is residential at this time.

CHAIR PRO TEM PARDO: Correct.

DIRECTOR OF COMMUNITY DEVELOPMENT MCKINNEY: Yeah.

CHAIR PRO TEM PARDO: And then --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I would have to -- I'd have to check the zoning. I don't know if it's RM-15.

CHAIRPERSON DAVIS: It is residential.

CHAIR PRO TEM PARDO: It is.

CHAIRPERSON DAVIS: I remember that.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: If it's RM-15 --

CHAIR PRO TEM PARDO: We went through this the last time.

CHAIRPERSON DAVIS: Yeah.

CHAIR PRO TEM PARDO: I had looked and it's also in the appraisal.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

CHAIR PRO TEM PARDO: That it's RM-15.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, if you can -- if it's 15, then that means 15 units per acre. But when you say 15 units per acre, that's gross.

CHAIR PRO TEM PARDO: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: That's not net. Net you have to take out roads and drainage and all that. So they probably end up with maybe 12 -- between 10 and 12.

CHAIR PRO TEM PARDO: Okay. But, you know, just to be clear, it's not zoned right now day care. It's zoned residential.

DEPUTY CITY MANAGER JONES: In speaking with the appraiser and with the Palm Beach County Property Appraiser's Office, the majority of all day care centers are located in residential areas. So for the property to be -- that -- that's where the need -- the needs are mostly in residential areas; therefore, the day care centers try to service those areas in my discussions with the Property Appraiser's Office and with S.F. Holden, who was the -- one of the two appraisers.

COUNCILPERSON THOMAS: Well, Madam Chair?

CHAIRPERSON DAVIS: Are you done, Miss Pardo?

CHAIR PRO TEM PARDO: Yes, I am. Thank you, ma'am.

CHAIRPERSON DAVIS: Okay. Mr. Thomas?

COUNCILPERSON THOMAS: So I'm pretty sure -- well, I can't say I'm definitely sure but I'm pretty sure Miss Mitchell probably wants to continue a business that she's built over the past 18 years. But my -- my real issue is if she decided tomorrow or whenever she's closed on this property that she no longer wants to have a day care center, she can then knock that down and build another Commerce Lakes if she wanted to.

DEPUTY CITY MANAGER JONES: Currently, the way the contract is structured, it would be whatever was allowable under the zoning and governmental rules. Yes, sir.

COUNCILPERSON THOMAS: So that creates another dilemma in my decision-making matrix. We have no control then. We have no -- we have zero control. It will -- the property will belong to her and she could then go ahead and get -- go ahead and build whatever she -- she wanted there.

DEPUTY CITY MANAGER JONES: Yes, sir. And again, that was a part of our negotiations during the -- during our talks over the last six months. Those items were discussed at great detail. But we also looked at if those -- if that likelihood were to happen, then it was zoned residential, then the City would then experience a greater tax value from the property in the recurring state. So not knowing what the future will hold, we tried to negotiate what was best put before us at this time.

COUNCILPERSON THOMAS: Is there some type of reverter clause or something that we can put in to -- she will have to pay something or we can lien it or -- if that, you know, happens. I mean, listen, I really gotta try to protect the City as best I can. I'm -- I'm -- I'm -- I'm -- I'm about 90 percent sure that she's not going to try to do this but who knows what happens two years from now, three years from now. And then that will not have been right. If this had been an open-bid process, I would have zero problems with whatever you did once you bought it. But right now we're saying we want to -- after we've given this to you for rent free for 20 years or 17 and a half or 18 years, how many it's been, now we're going to say, Okay. We're going to now give you this at a price of 800,000. You've -- you've had 20 years to -- to do whatever you need to do. That's just unfair to me to be able to have nothing that we can say, Give it back to us or something. She would really be able to do whatever she wanted to, turn around, do a housing complex, do whatever she wanted to on that. So that -- that's my issue.

Now, if you want to turn around and say, Okay. Fine. Open it up to anybody who wants it for the next 10, 20, 30 days, then that's fine. If you don't and you say, Hey, we're going to go with Miss Mitchell, which I'm perfectly fine with, then it has to be something that protects the City's interests. It has to be something that protects it. You know, she -- she could just change it at any time if she felt like it. It has to be something that protects it.

DEPUTY CITY MANAGER JONES: For the record, sir, we -- that was a portion of the negotiations, a reverter clause. But it did put a hamper on the ability to finance the property.

COUNCILPERSON THOMAS: But that's not -- that's -- that would be an issue that Miss Mitchell and her team would need to work out. I'm concerned about protecting the City. I said I'm inclined to support it but the City has to be protected. So that way, a few years down the line whenever another board is sitting here, you know, they could say, Hey, listen, the -- the previous board did what they needed to do to protect us. Like I said, I don't think Miss Mitchell wants to do it but we never know what the future holds. And if that's what we're going to do, then we need to be fair about it. If that's what -- if that's what we're going to do, then you just can't say, Okay. Here's property that should be zoned commercial. That's in a commercial area but it's zoned residential. You're going to get it for the residential price and not the commercial price. And then you still get a chance to do whatever you want with it and we won't put a reverter in it because it'll stop her from being able to get as much money as she would like to get to do whatever renovations or whatever she needs to the property.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON THOMAS: We must protect the City.

CHAIRPERSON DAVIS: Can we -- Mr. Guyton, did I see you? Did you have something to say?

COUNCILPERSON GUYTON: Yeah, I did. But I think Councilman Davis so I'll -- I'll allow --

CHAIRPERSON DAVIS: Okay. Councilman Davis and then --

COUNCILPERSON GUYTON: -- him to speak and then I --

CHAIRPERSON DAVIS: -- Mr. Guyton.

COUNCILPERSON GUYTON: Yes.

COUNCILPERSON DAVIS: I -- I would just --

CHAIRPERSON DAVIS: And if you have any -- something else, I'll come back to you. Okay?

COUNCILPERSON DAVIS: -- I just have a question from Legal. What -- what would you recommend on the benefit of the -- of the community following what Councilman Thomas is saying about the reverter clause? What other options outside of the reverter clause to protect us?

CITY ATTORNEY RYAN: Well, we talked about different things that they could do. And for Life Span, they had, you know -- they went back to the bank, it's my understanding. But the banks had issues with the reversion in terms of giving her the kind of money that she's asking to be loaned. So it's -- you know, it's a business deal. And it's whether or not -- we consider this to be an arm's length transaction. It's

appraised at \$845,000. If you put it on the market, I mean, you can put it for higher than what it's appraised for but you may not get it.

COUNCILPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: The council does not have to accept the offer. If you think that \$800,000 is too low, staff is certainly not telling you to accept that. If you want to counter with some other mechanisms, we can always ask.

COUNCILPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: And we can ask them to -- to try to go back to their bank. The issue came up before and we did press on the reversion. We went back and forth with some language. Miss Mitchell did try to make that happen.

COUNCILPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: But I'm told that her bank just said no. The answer is no on that.

COUNCILPERSON DAVIS: How -- how many acres of land are we talking about, again?

COUNCILPERSON THOMAS: I didn't hear you.

COUNCILPERSON DAVIS: Three acres of land?

CITY ATTORNEY RYAN: How many acres of land.

COUNCILPERSON THOMAS: Oh.

CITY ATTORNEY RYAN: Three acres of land.

COUNCILPERSON THOMAS: 3.2.

COUNCILPERSON DAVIS: No, it's -- it's the microphone. Really quick.

CITY ATTORNEY RYAN: I mean, her attorney is here if you want to ask some specific questions about the -- the financing. Mr. Kino and I had several conversations on it.

COUNCILPERSON DAVIS: Yeah, please?

GREGORY KINO: Sure. Greg Kino, for the record, from the law firm of Ciklin Lubitz Martens & O'Connell and 515 N. Flagler Drive.

COUNCILPERSON DAVIS: Thank you. Just like -- just like the others here, I -- I've always support Life Span.

GREGORY KINO: Thank you.

COUNCILPERSON DAVIS: But there's some concerns that was brought up today that --

GREGORY KINO: Sure.

COUNCILPERSON DAVIS: -- you must address.

GREGORY KINO: Yeah.

COUNCILPERSON DAVIS: A lot of things we don't have in place here now, because once you go to your -- go -- go back to the bank, that's between you and the bank.

GREGORY KINO: Sure.

COUNCILPERSON DAVIS: And we don't have the proof to see that you all were declined, that the bank was even reluctant to even accept something with a reverter clause. And that's my concern.

GREGORY KINO: I'm glad to address that.

COUNCILPERSON DAVIS: That -- that -- yeah, that's what I want to hear about, yeah.

GREGORY KINO: Okay. And I will, in a moment, if you -- I just wanted to touch on a few of the other things real quick, if you don't mind. The appraisal assumed that there was no lease on the property.

COUNCILPERSON DAVIS: Okay.

GREGORY KINO: There is a lease on the property for another year. And so actually we're buying the -- the -- and until that lease is up -- and I know it's a technicality, but technically, Life Span -- not Miss Mitchell. We keep talking about Miss Mitchell but this is a not-for-profit. So you know, it is a not-for-profit corporation that owns that -- that preschool, owns the buildings, 'cause they spent \$800,000 on those buildings over the years. And -- and all the improvements, the -- the -- you know, the parking and the -- the drainage and all the things that you don't see. But you know, it goes into that. So we're paying \$800,000. We made the offer pay for -- for land that's appraised at \$550,000 right thousand. So we're -- we think we're paying, you know, over and above the appraised value of the land. But we understand in a year's time the City would own the buildings. But, you know -- so but technically, that's where we are. The -- I think it's important to -- to -- to note that we didn't pay -- we paid -- although we paid a dollar in the lease, we spent -- Life Span spent \$800,000, which has improved it from the \$550,000 it's worth, the land --

COUNCILPERSON DAVIS: Uh-huh.

GREGORY KINO: -- to the 800,000 that we're willing to pay. So they paid \$250,000 over 20 years, let's say, so that's \$20,000. What is that? \$12,000 -- yeah, that's my math --

CITY ATTORNEY RYAN: I'm not a math person.

GREGORY KINO: -- 12,000, you know, a year -- dollars a year in rent, if you will.

COUNCILPERSON DAVIS: Correct.

GREGORY KINO: In the sense that now you're getting the benefit of those buildings as we -- we -- we -- we paid for them. We're going to pay for them again. So just please keep that in -- in mind. It's not just the land here. The -- as far as protecting the City's interest, the appraisal's the appraisal. They appraise it based on what the highest best use is of that land, and they think it's a preschool. And I -- and I happen to agree with it, you know, with that -- with that concept. So the only exposure the City has is the difference between what we've offered, the 800, and the average of the two appraisals, which was 800 and I think 32,000. So your exposure is not some large number. It's a small number. And I think what we're asking respectfully is Life Span -- not Miss Mitchell but she's part of it --

COUNCILPERSON DAVIS: Uh-huh.

GREGORY KINO: -- has done what they said they would do. There's a lot of failed projects in this -- you know, that they make a lot of promises they don't deliver. We believe that we've delivered. As to the reverter specifically, the lender is going to lend a large amount of money on a property that -- and their security is a mortgage on the property that they don't pay --

COUNCILPERSON DAVIS: Uh-huh.

GREGORY KINO: -- they're going to get that back. They can want have a mechanism in the -- the -- in the deed or something else that makes it go back to the City and they're left like, Where's our -- she foreclosed or they --

COUNCILPERSON DAVIS: Uh-huh.

GREGORY KINO: -- they don't pay, where's our property? Where's our security?

COUNCILPERSON DAVIS: Okay.

GREGORY KINO: So they don't want to be part of that. We did receive a note back from the lender that we're dealing with and we forwarded, I think, the e-mail directly on to the City. So it didn't -- that's not from us. That's from the lender.

COUNCILPERSON DAVIS: Okay. Okay. Real -- really quick, one last question.

GREGORY KINO: Yeah.

COUNCILPERSON DAVIS: For the last 20 years I noticed that the lease said one -- one dollar a year for the lease. Now that there's a price on the table for \$800,000, how

is that cost going to affect the services and the cost that's going to be pushed on the youth who parents have to pay for that? Will that increase that cost?

GREGORY KINO: And that's -- I'm glad -- I'm going to turn that over, if you don't mind, to Miss Mitchell.

COUNCILPERSON DAVIS: Yeah.

GREGORY KINO: Who also, I want to address, their intentions -- Life Span's intentions of -- of continuing to run this school.

COUNCILPERSON DAVIS: Okay. Thank you.

GREGORY KINO: Thank you.

COUNCILPERSON THOMAS: And making good money.

TERRI MITCHELL: Terri Mitchell. I -- when I first came to the council many years ago, I -- we started this company out of our garage. Our sole purpose was to do child care in the City of Riviera Beach.

COUNCILPERSON DAVIS: Uh-huh.

TERRI MITCHELL: To provide excellent services for children. That mission has not changed one iota. There are people who are -- who were -- who are not here today, but I still hold that in high regards as to what our mission is. We will continue to do child care until I am no longer with the organization. And the organization's -- the organization's directive is to continue to provide care in Riviera Beach. I was born and raised in Riviera Beach. I came to the Council. I came to the city manager. I came to the mayor to ask if they would assist back in 1993 with helping us provide child care on the west side.

COUNCILPERSON DAVIS: Uh-huh.

TERRI MITCHELL: There was no Mary McLeod Bethune at that time. There was no Suncoast at that time. We had a vision and our vision was to help our children.

COUNCILPERSON DAVIS: Okay.

TERRI MITCHELL: We will continue to do this.

COUNCILPERSON DAVIS: Okay. And I just -- I just had one question and the question was now that there's \$800,000 purchase here, would that cost affect the services and the cost of the parents for those children that you take care of and educate in your facility?

TERRI MITCHELL: Thank you for asking that question, Mr. Davis. 99 percent of our children are subsidized.

COUNCILPERSON DAVIS: Okay.

TERRI MITCHELL: We will not roll those costs over on to our children. We have worked with our accountants. We have worked with several banks to make sure that those costs will not roll over on to the care and services that we currently provide. Now, will we delete our transportation? Yes. We will probably delete our transportation and some other minor budget items. But the cost will not be incurred or put on the backs of the children of Riviera Beach.

COUNCILPERSON DAVIS: Thank you, Madam --

CHAIRPERSON DAVIS: Okay. Are you -- are you done?

COUNCILPERSON DAVIS: Yes.

CHAIRPERSON DAVIS: Mr. Guyton?

COUNCILPERSON GUYTON: Thank you, Madam Chair. Let me just say -- Miss Mitchell, you can sit. You can sit. I was on the council when this decision was made years ago. And the vision that was just articulated was also my vision, because at the time there was not an abundance of day care centers in Riviera Beach. Those that we did have were not at the level that Miss Mitchell and her team came to us and said that they would have. And that's -- I don't want to take that as any disparaging comments on those that was there at the time. But we encourage our people to give back to the community. Miss Mitchell's skill and talent and expertise was day care. We gave them blank land. Nothing on it. You want to do a day care, you're gonna have to pay for it. You contribute, whatever it takes to make it happen. Miss Mitchell and her nonprofit stepped up to the table and -- and improved that property some \$300,000 now. There's no telling what we might have done with it had we kept it. But I do not regret my decision because of the value on kids, which is our future, that they have provided to this community. They've improved the property. In my mind, we're still going to get our return. One, because the business is still there. Two, we're going to have a financial income that we badly need. And Madam Chair, I would like to know if this deal were to go through, do you have an idea where those funds would be directed? And then I have one more comment.

CHAIRPERSON DAVIS: Miss Jones?

CITY MANAGER JONES: What we would recommend to staff and that is since the facility of which we're selling and the properties are located on the west side, that we be able to bring you back a resolution to allocate these dollars for community development, landscape, sidewalks on the west side.

COUNCILPERSON GUYTON: Thank you very much, Madam Chair.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON DAVIS: Well, he -- he wasn't finished. He wanted to make one more comment.

COUNCILPERSON GUYTON: Okay. And -- and just one last comment. And -- and thank you, Madam Manager. One of the areas in our community that has been neglected is the west side. Primarily because we have not had the funds. And this would be an opportunity, I think, and certainly the decision would be up to the Council where the funds would be directed, but certainly I would hope that a portion, if not a lion's share if this were to go through be directed to an area, the west side, that has not gotten the attention that it so deservingly need. My last comment is that I would like to know if my colleagues, were this to be a hundred percent sale -- would they support a deal of that nature? Because my -- my value is put on the kids. I'm -- you know, we're talking about material things as it comes to those funds and we need to address it. We need to protect the City's interest. But we need to ensure that we keep a safe quality place for our kids in our community and to me, there's no value to that to me. Thank you.

CHAIRPERSON DAVIS: Okay. But -- okay. Before we even entertain the hundred percent, let's -- let's get past this one first. Miss Pardo?

CHAIR PRO TEM PARDO: Okay. On behalf of the residents on Singer Island, I am highly insulted by the comment that the City Manager made saying that the \$800,000 would all stay on the west side. You know, contrary to popular belief, we do have issues over on the island. And a lot of -- very few of the City's tax dollars make their way over to Singer Island. You can take a look at the A1A project. The majority of that money came from the State. Okay? That's the development that we had on the island. And I'd like to remind you that eight, nine, 10 years ago, when the City was allowing the overdevelopment of the island, the -- or not the condo owners. The -- the developers put -- they were mandated to put money into a community benefits fund. And the majority of those dollars came over here to the west side. So we didn't say, Because the overdevelopment was happening on the island, all of the money had to stay over there. So I would hope that if this issue goes through and we do get this \$800,000 that the Council will determine where that money is spent and the -- the -- every district would get a piece of the pie. Thank you.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON DAVIS: And --

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Mr. Mayor?

MAYOR MASTERS: Thank you. I will be very brief. I -- I hope and pray that it goes through. I think we've discussed it pro and con. But I think Mr. Guyton's comments brings it home for me. You -- we have to look at the history. You have to look at the

community impact and the commitment. From a garage to where it is now, the value of the children, the parents and the community, I certainly -- if I had a vote, which I don't have, but if I was voting, I would certainly be voting for this deal. This young lady's to be commended. She's given us more money than what we asked for, basically. Well, not more money but it was 85 percent and she's giving us, what, 95 percent. So 10 percent more. Most people don't do that. Most people try to get away with at least as possible on a sale. So that in itself is commendable for me. And my vote is with you. My courtesy vote is with you.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS: Madam Chair? Madam --

CHAIRPERSON DAVIS: Let me make my comment --

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: -- first. The only concern that I have -- and it's a minor one -- and I know it can't be put in your -- your financing document. But I would just be -- I would just want to know if -- I just want to be sure that we're not going to give you the property and then you sell it. I don't think that's what you're going to do, but to be assured of it, is there any way that we can do a -- an individual promise with -- with -- a contract with you indicating that you won't sell it for at least X number of years? Would you be willing to do that? It doesn't have to -- I'm not talking about putting it in your financial documents.

COUNCILPERSON DAVIS: You talking about independent contract? Yeah. We can do that. It's up to (inaudible).

CHAIRPERSON DAVIS: So --

GREGORY KINO: Yeah. Greg Kino. One never knows what happens -- you know, what happens. But what I -- what I could offer I think that might work for the -- the lender is that we could probably stipulate that for a period of let's say five years --

CHAIRPERSON DAVIS: Uh-huh.

GREGORY KINO: -- that if it sold --

CHAIRPERSON DAVIS: Uh-huh.

GREGORY KINO: -- the property is sold, that -- that we would pay the difference between what you're selling it to us for and what it was -- you know, the -- the -- the appraised --

CHAIRPERSON DAVIS: That would be great.

GREGORY KINO: -- appraised value of the -- give you some protection.

CHAIRPERSON DAVIS: That would work for me. I don't know about anybody else but --

COUNCILPERSON GUYTON: Uh-huh.

GREGORY KINO: You know, we -- 'cause -- and we offered that because we don't foresee that happening.

CHAIRPERSON DAVIS: Uh-huh.

GREGORY KINO: But I think we could probably sell that to the -- to the lender.

CHAIRPERSON DAVIS: Okay.

GREGORY KINO: 'Cause they -- you know, if it's worth what the appraisal says, we should be able to -- to get that if it were --

CHAIRPERSON DAVIS: Right.

GREGORY KINO: -- sold.

CHAIRPERSON DAVIS: Right. I mean, you know --

GREGORY KINO: But we don't want to sell it.

CHAIRPERSON DAVIS: -- and -- and my thing is, you know, like in -- in a couple of years, it might be worth 2 million. Who knows? You know? So I would just want to make sure that, you know, we don't give it to you -- and I think you're doing a fantastic job. I just want to make sure that you don't turn around and --

GREGORY KINO: Yeah.

CHAIRPERSON DAVIS: -- and sell the property.

GREGORY KINO: That's certainly not the intention.

CHAIRPERSON DAVIS: Without some kind of benefit to -- to the City.

GREGORY KINO: I -- I -- I would make a commitment to try to get the lender to agree to it and I believe that they would.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON DAVIS: Okay. I -- I need to go to Mr. Davis and then come to you, Mr. Thomas.

COUNCILPERSON DAVIS: Thank you, Madam Chair. Really brief, Miss Mitchell, please. How many employees do you have?

TERRI MITCHELL: At capacity and with summer camp, we average about 25 employees. And our commitment to the community and to the board when we first established was that we would hire from within our city. We have always held strong to that belief and we will continue that belief until -- until.

COUNCILPERSON DAVIS: So about how -- what percentage of your employees are from Riviera Beach?

TERRI MITCHELL: I would -- I would safely say 85 percent.

COUNCILPERSON DAVIS: So that's money that you're reinvesting into the community.

TERRI MITCHELL: Exactly.

COUNCILPERSON DAVIS: So they --

TERRI MITCHELL: In addition to that, we provide other services in the community as far as we have our laundry done in the local area. We buy gas in the local area.

COUNCILPERSON DAVIS: You get (inaudible).

TERRI MITCHELL: So we also offer ancillary -- ancillary dollars back into the community on a constant basis.

COUNCILPERSON DAVIS: Thank you for what you're doing.

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: Yes, ma'am. I understand that we are, you know -- everybody's speaking about the children and I demonstrate how I feel about the children. This has absolutely nothing to do about the children. In my opinion this has absolutely nothing to do with Miss Mitchell. Nothing to do with Life Span. It has everything to do with us doing our job as a city council. Now, we've gone down this road one time with another property. I dare bring up the Tiki restaurant. We gave them a cheaper lease because they had expanded. They had done all of the extra work over there. And we said, Hey, look, it's benefiting our community. And everybody who's always worried about the Inspector General's Office, no one has touched that. No one has talked about that aspect of it.

All I'm saying is protect the City. Fine. If that's what we want to do, let's show that we're trying protect the City. They offer five -- five years? Then 10 years, you know? Something to show that we're protecting the City. I want to see this done. I really want to see it done. But I'm -- I've given my struggles, you know, with it. And I do think -- I don't think that we can do this one way for Life Span or whatever not-for-profit this is under and not experience the same thing that we experienced with the Tiki restaurant, you know? It's -- it's just we have to be consistent with what we're -- with what we're doing here. I would like to see if -- if we sell it to her at the 95 percent price, that, you

know, she's been made to definitely do what they're saying about the -- paying the difference if they sell it. I will -- I would like to see at least 10 years, not five. But the other thing I'd like to see her do is put up security cameras around the -- the -- the exterior of the building that -- that our police department has a opportunity to patch in to. And I just want -- I just want us to be cautious of the fact that once we sell this, it's done. I mean, it's done. She -- you know, she can say whatever right now and her attorney. I noticed that it's a different attorney than whatever -- who originally came. But they can say whatever they want right now. An agreement, you know, is fine as long as everybody's happy. It's when -- it's when people are not happy. So she can say one thing right now today. I don't believe that she will. But five, 10 years down the line, may dictate a different situation and may dictate something that we wasn't intending. You know? Over the past 20 years she had to do what she said because we still owned the property, you know? So I would like for us not to think about, you know, the -- the -- the -- the things that pull on the heartstrings but for us to make a -- a true business decision and trying to protect, you know, the -- the property. Not take her business away from her but protect it as much as we can. The attorney gentleman stood up and said, Hey, look. The banks say you can't have a reverter, because if she doesn't pay us back, we don't have a way to come back and get our property. You're going to take it. Well, the bank is looking out for their interests. The attorney is looking out for his client's interest. And all I'm saying is look out for the City's interest. That's all I'm trying to get everybody, you know, to see. Got nothing to do with them. Let's make some business decisions on protecting the City. And that's all I'm going to say about it.

CHAIRPERSON DAVIS: Okay. Okay. And, you know, I -- I conferred with the City Attorney. We are following our own policy. So I think we're on the -- the right track here. And I'm going to ask the maker of that motion would they include or revise their motion, amend their motion to include those comments that I made about the --

COUNCILPERSON GUYTON: Absolutely. That would be me. I made the motion.

CHAIRPERSON DAVIS: Okay. And who seconded?

CITY CLERK WARD: T. Davis.

CHAIRPERSON DAVIS: Would you agree to those terms?

COUNCILPERSON DAVIS: Yes.

CHAIRPERSON DAVIS: Okay. And Miss Ryan, you'll --

COUNCILPERSON THOMAS: Can you acknowledge those terms now?

CHAIRPERSON DAVIS: Okay. The -- the -- so the amended motion is to go forward with the -- with adding the language in the agreement between the City and the corporation for Life Span, that they will agree not to sell the business for at least five years or, if they do so, they will pay us back the difference. Okay?

COUNCILPERSON THOMAS: I have a question about that.

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: I would ask that -- I would ask that you would say 10 but if you don't, that's how it goes sometime. But --

CHAIRPERSON DAVIS: Would -- you're making that to --

COUNCILPERSON THOMAS: -- I'm asking. I'm asking to make it 10.

CHAIRPERSON DAVIS: -- make it a motion?

COUNCILPERSON THOMAS: But also -- also, what teeth do we have to -- if she decides to -- 'cause this is like a side deal. So what teeth do we have to enforce anything with this if she decides to say, Never mind? What teeth do we have with that?

CHAIRPERSON DAVIS: Miss Ryan? Miss Ryan?

CITY ATTORNEY RYAN: What do you mean? If she says, Never mind --

COUNCILPERSON THOMAS: If we have a -- if we have a side deal --

COUNCILPERSON GUYTON: No, we don't have a side deal. This is going to be in the original documents.

CHAIRPERSON DAVIS: Right.

COUNCILPERSON THOMAS: Okay. Well, let me make sure I'm understanding this correctly.

CITY ATTORNEY RYAN: We're going to -- we're going to include it in the sales agreement.

CHAIRPERSON DAVIS: Yes.

CITY ATTORNEY RYAN: We're going to go back and modify the language.

CHAIRPERSON DAVIS: In the sales agreement.

COUNCILPERSON THOMAS: Okay. So if -- if next week she says, Whatever, Riviera Beach. I know what I said. I'm going to sell, then what is our recourse? What do we do?

CITY ATTORNEY RYAN: Then we would sue them. We would have to sue the nonprofit to get our money. We would have to file a lawsuit.

COUNCILPERSON THOMAS: So we're going to have to file a lawsuit. We're going to have to pay to -- so that means that she needs to indemnify this, as well?

CITY ATTORNEY RYAN: You would have -- no. You would put in the -- we would have to put in here that the prevailing party would -- would win, would get attorneys' fees taken --

COUNCILPERSON THOMAS: But why does that make sense? Why -- this is what I'm saying. We're not protecting us enough. If we have to go -- what she has to pay or -- I don't see where we're protecting the City. Can somebody just show me that, please?

CITY ATTORNEY RYAN: So --

GREGORY KINO: Can I try?

CITY ATTORNEY RYAN: -- but what you're -- what you're saying is, if we disagree with her and we file a lawsuit against her, you want --

COUNCILPERSON THOMAS: That we may or may not win --

CITY ATTORNEY RYAN: And if we lose, that she would pay our attorneys' fees?

COUNCILPERSON THOMAS: No. I didn't say if we lose. I want them to pay for us to have to go to court or whatever we need to do. They need to indemnify the City. Look, I get what y'all are saying but we gotta make business decisions. We sit up here all the time and say, Man, that was a bad idea. Why did we do that? Let's think about this now. That's what I'm telling you. Come up off the hype. Everybody want to say her have it. We want to see her do it. I'm just saying let's protect the City in it. And each way that I try to get that, it's like, No, let's not really do it. Man, we got a bunch of redevelopment going on. You know that property's going to be much more expensive, much more valuable. And you know that the risk is there to -- for what has happened, the same thing I'm saying as what's happening.

If somebody comes and offer her three times that price, I'm pretty sure that she's gonna probably say, Listen. I'm -- I'm -- I gotta take it. I gotta do what's in the best interest of my family. All I'm saying is -- and I don't have much of a voice left and I'm gonna need it for the rest of the agenda, so if -- if nobody is seeing what I'm saying, then we move on. But if you are, please think about that before we make this decision.

CHAIRPERSON DAVIS: Mr. Attorney, what --

TERRI MITCHELL: Yeah, Kino.

CHAIRPERSON DAVIS: -- and -- I'm sorry, what's your name?

GREGORY KINO: Greg Kino.

CHAIRPERSON DAVIS: Kino.

GREGORY KINO: Yeah. The way I would envision it, it would be in the contract that is signed by both parties. The provision would be there in the event of the sale, that the

difference would be paid. And if it's not, like any contract, the City would have to sue. But if they're right and it's -- it's -- she has sold and she didn't pay, they win. We pay the attorneys' fees. That's the way it works. We can't pay it if you lose because --

CHAIRPERSON DAVIS: Uh-huh.

GREGORY KINO: -- because you could bring it for whatever reason you want. We'd assume you'd bring it in good faith. So that's how it's done and we -- we would agree with that.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: Madam Attorney?

GREGORY KINO: I think that's a very unlikely event anyway but we'll do it to -- to satisfy anybody's concerns.

CHAIRPERSON DAVIS: Okay.

GREGORY KINO: Okay?

CHAIRPERSON DAVIS: Have we --

COUNCILPERSON THOMAS: My 10 year --

CHAIRPERSON DAVIS: -- have --

MAYOR MASTERS: Madam -- Madam Attorney? I mean, Madam --

CHAIRPERSON DAVIS: -- are you making that to a -- yeah, are you amending that motion?

COUNCILPERSON THOMAS: I'm asking. I'm -- I'm asking the maker of the motion.

COUNCILPERSON GUYTON: To amend it for what?

CHAIRPERSON DAVIS: Ten years instead of five.

COUNCILPERSON GUYTON: Personally I -- I'm okay with five.

CHAIRPERSON DAVIS: Okay. All right.

COUNCILPERSON GUYTON: You know, I -- I'm --

MAYOR MASTERS: Madam Chair?

CHAIRPERSON DAVIS: Mr. -- that's all I need. Mr. Masters, Mayor Masters.

MAYOR MASTERS: Yes. Would you explain -- well, I'm sorry. This is for the attorney. Madam Attorney, would you explain the difference -- Mr. Thomas brought up a -- a point about the Inspector General and what he said about how we dealt with the Tiki Bar when others were offering more money and we went with the one less because of da, da, da. I -- how is that different than what we're looking at today or is it?

CITY ATTORNEY RYAN: Number one, Madam Chair, you can't stop a person from making an allegation with the Inspector General's Office. They make allegations all the time.

MAYOR MASTERS: Right.

CITY ATTORNEY RYAN: So if somebody made an allegation, we would deal with it. I'm not going to get into the issues with the Tiki Bar. They had their reasons for making their -- their report on that. But in this instance, we have a policy regarding the sale of property. And this is for the sale of property. The Tiki Bar was about renting City property, not selling City property. The attorney -- the Inspector General's Office is a new agency. The City entered into a -- an arm's length decision 20 years ago with Life Span under a different name back then to rent -- to lease the property for one dollar. You leased a property to the Tiki for more than one dollar. I mean, you just -- you have to look at things over the years. Things change, people change. The city council has -- in this situation, this is a nonprofit organization that the city council has given deference to, not just with this organization, with the Boys & Girls Club. We entered into a one-dollar-a-year agreement with the Boys & Girls Club to lease city property a few years ago. Again, that was before the Inspector General's Office. They might have an issue with that.

But in terms of the Inspector General on this matter, the -- from what I understand, the Inspector General is concerned with you following your policies. Your ordinances, your policies, your codes, those types of things, your charter. And in this case there is nothing that we're doing that is different from what's in our policy.

MAYOR MASTERS: So we're being -- we're --

CITY ATTORNEY RYAN: Now, we are adding some things which we -- we can do. But we have not -- we have not done anything that is --

MAYOR MASTERS: Okay. I understand.

CITY ATTORNEY RYAN: -- in my opinion --

MAYOR MASTERS: I'm sorry.

CITY ATTORNEY RYAN: -- Inspector General worthy.

MAYOR MASTERS: I understand fully.

CITY ATTORNEY RYAN: However, as I said --

CHAIRPERSON DAVIS: Okay. That's enough.

CITY ATTORNEY RYAN: -- you never know what they -- they -- what -- they can always investigate.

MAYOR MASTERS: I understand fully that one situation is about rental. The other is about purchasing and that based upon what I -- I'm hearing you to say, we're comparing apples with oranges in my mind. But the other point I wanted to make and I'm -- I conclude, someone mentioned about the cameras, requiring --

COUNCILPERSON THOMAS: I did but it was (inaudible).

MAYOR MASTERS: -- this -- they care to do cameras. But if we did that, would -- would not we have to make every day care in Riviera Beach get cameras? Wouldn't -- wouldn't we --

COUNCILPERSON THOMAS: (Inaudible) property (inaudible).

MAYOR MASTERS: -- I'm -- excuse me.

COUNCILPERSON THOMAS: (Inaudible) property.

MAYOR MASTERS: I'm just say -- asking -- anyway, I'm going to withdraw but I just don't think we ought to be unfair. I think we ought to be very fair. And I think all of us up here are interested in protecting the City. We just have a different -- different ideas. That's what makes us different, humans. We don't think alike. But we all are concerned about protecting the City, every one of us. So I hope it goes through, again. Thank you.

CHAIRPERSON DAVIS: Okay. I've cleared up the amended motion. Are we ready to vote on that?

COUNCILPERSON THOMAS: No, I still have another question.

CHAIRPERSON DAVIS: Mr. Thomas?

COUNCILPERSON THOMAS: I'm looking at the -- the -- the contract right here. It's saying that we're only requiring \$1,000 for earnest money?

CHAIRPERSON DAVIS: Are you asking -- who --

COUNCILPERSON THOMAS: Who -- whoever did the contract.

CHAIRPERSON DAVIS: Miss Ryan, go ahead.

CITY ATTORNEY RYAN: Can you tell me what section you're reading?

COUNCILPERSON THOMAS: One. I'm on the first page under section 3A. It says, "Within three business days of the effective date of this agreement," so they don't even have to put any money upfront already.

DEPUTY CITY MANAGER JONES: Section 3.

CITY ATTORNEY RYAN: Yeah. Yes. That's --

COUNCILPERSON THOMAS: Why are we only requiring \$1,000 on an \$800,000 purchase?

DEPUTY CITY MANAGER JONES: (Inaudible). Okay.

COUNCILPERSON THOMAS: I really don't want to talk to him. I want to talk to our staff.

CITY ATTORNEY RYAN: Well, I -- I -- I don't know if you recall --

GREGORY KINO: (Inaudible).

CITY ATTORNEY RYAN: -- right. We went through all of this. We discussed this and I think this was all the cash that they had on hand. This was an issue that was raised.

COUNCILPERSON THOMAS: Okay. See, you know, the board can say whatever they want to say. All right? You can say whatever you want to say. But you all know that's not realistic to put \$1,000 down on an \$800,000 purchase three days from now and you're going to come up with the excuse that's all the cash that they had on hand when they've been running a business for 17 years? That -- that's -- that's not a very likely excuse to me.

CHAIRPERSON DAVIS: Uh --

COUNCILPERSON THOMAS: I don't want to talk to this attorney. I want to talk to our staff.

CHAIRPERSON DAVIS: -- let -- just please have a seat, sir. Have a seat. Have a seat. I'm sorry.

CITY ATTORNEY RYAN: Okay. And the financing, if it doesn't go through, we will retain the thousand dollars. She has 90 days to get the financing for this -- for this project. If she doesn't --

COUNCILPERSON THOMAS: I mean, do you -- do you think that's reasonable, Miss Ryan, for a thousand dollars on an \$800,000 purchase? \$1,000 on a \$800,000 purchase?

CITY ATTORNEY RYAN: Again, we reached out to get more. I spoke with our real estate attorney and he was -- he thought it was low but said that it was not completely abnormal.

COUNCILPERSON THOMAS: Then that real estate attorney needs to be fired. This is ridiculous. The -- I cannot be the only person up here that thinks that that's ridiculous, you know? Come on, guys. Let -- I mean, you know what?

CITY ATTORNEY RYAN: Please let him (inaudible).

COUNCILPERSON THOMAS: Go ahead. Go ahead. Do -- do whatever you need to do. Whatever you do --

CHAIRPERSON DAVIS: Please get up, sir, and give us -- give us an explanation.

GREGORY KINO: Yeah. Let me give you some (inaudible). Greg Kino again for the record. The reason it's a nominal deposit is typically when you have -- when -- when you go into a contract, you're -- you own the property and you're selling it to -- it's out on the market. You know, offers come in. You don't want to pass up other offers because you put it under contract. In this case there's another year on the lease. The City's not damaged if -- if it falls through for some reason. We still own -- we still own the buildings for another year and we're still leasing under the current lease for another year. So there was not a reason to put up a big deposit that would be forfeited 'cause we're still under lease with the City. So that's the reason for it. It's not -- it's not a usual situation where you're holding it off the market and someone defaults after 90, 120, 150 days and you -- the City's damaged. So that's what the deposit is, for damages. The City won't be damaged. And that's why it is. So that's the --

COUNCILPERSON THOMAS: That's a very good explanation from the attorney of Life Span. I'm talking about the attorneys for the City. I just don't think that that -- that that's reasonable. I don't think it's reasonable.

CHAIRPERSON DAVIS: Okay. Well, we've heard your concerns. Do we have any other questions? Okay. Madam Clerk?

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: No.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Absolutely.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: No.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK WARD: That motion passed with Councilperson Pardo and Thomas dissenting.

CHAIRPERSON DAVIS: Okay. We're now down to 9A. Oh, I'm sorry. I just looked at my watch -- it's -- two minutes ago and said, Okay. Public Comments.

9A CONTINUED DELIBERATION FOR RFP NUMBER 417-13, THE AGENT OF RECORD.

CHAIRPERSON DAVIS: What I'd like to say at this point is that we -- we -- we deliberated extensively on Monday. But because one of our council people -- council members was not here, now she committed that she was -- would watch the video on Tuesday and, which she did, right?

CHAIR PRO TEM PARDO: Yes, I did.

CHAIRPERSON DAVIS: Okay. And so at this point in time, you know, everybody -- we've heard all of the -- the -- the comments from everybody. So -- and everybody will be included at this point. The three responders. So is there -- do we want to go ahead and do a motion to award the contract to whomever it shall be? Or Mr. Guy?

CHAIR PRO TEM PARDO: I have --

DIRECTOR OF PURCHASING AND I.T. GUY: Excuse me, Madam Chair.

CHAIRPERSON DAVIS: Hold on one second, Miss --

DIRECTOR OF PURCHASING AND I.T. GUY: Members of the City Council, Mayor Masters. If I may, staff would like to advise the board of an issue pertinent, we believe, to your deliberations tonight.

CHAIRPERSON DAVIS: Okay.

DIRECTOR OF PURCHASING AND I.T. GUY: And that surrounds an issue that was an inquiry that was made by the board regarding the commission rates for the different presenters. In response to that request, each presenter provided their rates. McKinley Financial unfortunately incorrectly reported their rates. They reported a rate of 3 percent commission for the health insurance and it was actually 3.5. And we just wanted to advise the board of that so that you would have that information. Thank you.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON DAVIS: Miss Pardo?

CHAIR PRO TEM PARDO: All right. So Mr. Guy?

DIRECTOR OF PURCHASING AND I.T. GUY: Yes, ma'am.

CHAIR PRO TEM PARDO: So if they received the contract it would be 3.5. But currently they're charging 5 percent; is that correct?

DIRECTOR OF PURCHASING AND I.T. GUY: Yes, ma'am.

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

CHAIRPERSON DAVIS: Yes, Miss Pardo?

CHAIR PRO TEM PARDO: Okay. I was not at the meeting on Monday night. I had a meeting with three community leaders over on Singer Island. And by the time we were finished, the first respondent had completed their presentation. So I thought it would not be proper for me to come into the meeting without hearing from them and just hearing from the other two. So I did watch the meeting from home, the other two respondents, and then I committed to Miss Ryan that I would watch the entire tape again. And I must say I'm quite happy I wasn't here on Monday.

I enjoyed watching it in the comfort of my home. But I will -- I will say this. I really appreciate everyone coming out and responding. I thought Gallagher Bassett did a great job. I had some issues with McKinley and I'll tell you what they are. McKinley had this contract eight, nine, 10 years. They had it prior to me coming on board and I've been here close to seven years. In 2008 we had -- we were in financial straits. And we were trying to decide what to do with our employees, if we were to lay them off, if we were to put them on furlough. And also at that same time, the health insurance, our premiums were increasing. And that was a big concern to those of us who were here.

And wanting to, you know, continue to provide health insurance to the employees, we asked McKinley to go out and find us someone else. And you know, see if we could get cheaper rates. And they were able to. They brought in, I believe it was Coventry. And I can tell you from conversations I've had with a lot of our residents, they have -- not our residents, with our employee -- employees, they have a problem with Coventry. It's very difficult to get doctors, prescriptions, all of that.

My real problem with all of this is everyone knew that we were -- that we were having a hard time balancing the budget and everything. But they maintained their 5 percent. And now we go out for bid and it's just my feeling that they're aware that there are other people out there so now they lower what their percentage is. Now, I appreciate you lowering it. But I think it would have been nice when we were having these issues. The other thing is one of the council people had asked about -- and I believe it was Mr. Thomas, about, Do you have an office in Palm Beach County? And the answer was, No, but we're looking into opening an office in Riviera Beach.

Well, you had eight or nine or 10 years to look for space in Riviera Beach. I have a problem with that -- with that part of the presentation. With Bernstein, their rate was 3.9

percent, and they said that they were willing to negotiate. I believe the lowest was Gallagher. They came in at 3. -- was it 3.0 or 3.2?

CHAIRPERSON DAVIS: 3.5.

COUNCILPERSON DAVIS: .5.

CHAIRPERSON DAVIS: 3.5.

CHAIR PRO TEM PARDO: 3.5? Okay. The one thing that I do like about the Bernstein Group is this. They are local. They know our community. They are invested in our community. And not just by saying they have a couple of employees that live in Riviera Beach. You know, that's great. And I hope they've been your employees for a long time and they just weren't hired for this presentation. But they're invested here. They live here. They know this community. And that, I believe, says a lot. For too long we had someone from Broward County and I just -- after hearing from Bernstein, going through the materials that they provided to us, I was very impressed with them. And I also like the fact that they said if there are residents out there who are looking for health insurance, they have this phone number and you can call and you can speak with someone, a local person, and they can direct them. And that says a lot to me. And you know, I think everyone knows, if we can -- how I feel about this, if we can have local businesses -- for far too long we had businesses outside the county. We had businesses outside the state, businesses all overcoming in and trying to represent Riviera Beach. And I think it's high time if we have a business that seems to have impeccable references and they think that they can do the job, I would say let's give them a shot. So at this point, Madam Chair, I'd like to make a recommendation -- I'd like to make a motion --

CHAIRPERSON DAVIS: Wait a minute. We've got -- we've got one public comment card. Let me take that.

CHAIR PRO TEM PARDO: Okay. Can I make my motion first?

CHAIRPERSON DAVIS: Sure. I'd like to make a motion to -- to move forward with negotiating a contract with the Bernstein Group.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON DAVIS: Okay. We have a public comment card from Mr. Ralph Campbell.

RALPH CAMPBELL: Thank you. Madam Chair, Mayor, Council Members, my comment card was in regards to correcting the 3 percent versus 3.5. The 3.5 percent was included in our response in October so that was my response. But now that I have the microphone, I'd like to make a correction. I don't have my data in front of me but Councilwoman Pardo, our commission rate in 2008 was not 5 percent. I believe it was 3 percent. So just I want to put it on public record. It was not 5 percent.

CHAIR PRO TEM PARDO: Do you recall why it was raised?

RALPH CAMPBELL: Well, after we went through the various renewals with Coventry, if you remember, hmm -- or even before Coventry, but the rate increase was single digit. In one year it was a rate pass and before that they increased our commission. Our contract with the City when we began eight -- I think it was eight years ago, said the commissions could go up to 5 percent but no more. So it started at, like, 2 percent and then that -- 2008, I believe, is, like, 3 percent. And then over the years it capped out.

CHAIR PRO TEM PARDO: At 5 percent?

RALPH CAMPBELL: Yeah. Thank you.

CHAIR PRO TEM PARDO: That's fine.

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

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Cedrick Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: No.

CITY CLERK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLERK WARD: Chair Davis?

CHAIRPERSON DAVIS: No.

CITY CLERK WARD: That vote passed with Councilperson Davis and Guyton dissenting.

CHAIRPERSON DAVIS: All right. We're now down to item -- Community Benefits Requests, item 10.

DISCUSSION AND DELIBERATION

COMMUNITY BENEFITS REQUEST

10. T.E.A.M. ELAM - \$750 - CHAIR PRO-TEM DAWN S. PARDO - TO HELP DEFRAY COSTS OF 'DAY IN THE PARK' EVENT TO BE HELD JUNE 7, 2014.

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. It's been moved and second. Madam Clerk?

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Thomas?

COUNCILPERSON THOMAS: 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: Item 11.

11. CITY'S PARKS AND RECREATION DEPARTMENT - \$320 - COUNCILMAN BRUCE A. GUYTON - EMPLOYEE APPRECIATION LUNCHEON IN RECOGNITION OF THE PARKS AND RECREATION OUTSTANDING WORK ETHIC IN GOING ABOVE AND BEYOND THE CALL OF DUTY.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

CITY CLERK WARD: Councilperson B. Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: 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: Item 12.

**12. PAINT YOUR HEART OUT PALM BEACH COUNTY - \$800 - COUNCILMAN
BRUCE A. GUYTON - A COMMUNITY PAINTING AND REPAIR PROJECT IN
THE CITY OF RIVIERA BEACH ON JUNE 28, 2014.**

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

CITY CLERK WARD: Councilperson B. Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: 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: Item 13.

13. YOUTH RECREATION ASSOCIATION - \$1,080 - COUNCILMAN BRUCE A. GUYTON - TO REPLACE THE UNIFORMS OF THE WAVERUNNERS GIRLS BASKETBALL TEAM.

CHAIRPERSON DAVIS: Is there a motion?

COUNCILPERSON DAVIS: So -- so moved.

CHAIRPERSON DAVIS: Is there a second?

COUNCILPERSON GUYTON: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk.

COUNCILPERSON THOMAS: I -- I -- I have a question on that, or a statement. I, too, want to do it. I have not submitted the paperwork but I'll just go ahead and actually submit the paperwork by the next meeting. That's for the uniforms for Mr. Brown's group, right?

COUNCILPERSON GUYTON: Yeah. That you committed half to.

COUNCILPERSON THOMAS: Say that again. I didn't hear you.

COUNCILPERSON GUYTON: Huh?

COUNCILPERSON THOMAS: It was half of --

COUNCILPERSON GUYTON: It -- it was half of --

CHAIRPERSON DAVIS: Was it half of 1,080?

COUNCILPERSON GUYTON: Mr. Brown is in the audience but it was the --

COUNCILPERSON THOMAS: Is -- is Mr. Brown -- is he here?

COUNCILPERSON GUYTON: -- love of two brains. Yes.

COUNCILPERSON THOMAS: Oh, oh.

COUNCILPERSON DAVIS: He just walked in.

COUNCILPERSON THOMAS: Mr. Brown, what was the actual price on that?

MR. BROWN: I have to look. I -- I've e-mailed that to your -- your office.

COUNCILPERSON THOMAS: Okay.

CHAIRPERSON DAVIS: Sir, please come to the mike.

MR. BROWN: Yes, ma'am.

COUNCILPERSON THOMAS: I'm sorry, Madam Chair. I just wanted to make sure that I --

MR. BROWN: I don't have -- I don't have the exact numbers with me but I did e-mail that information to your office.

COUNCILPERSON GUYTON: Yeah. It was right under 2,100. It was 2,000 and --

COUNCILPERSON THOMAS: Was it 1,000?

MR. BROWN: Right.

COUNCILPERSON GUYTON: -- 80 something.

MR. BROWN: Exactly.

COUNCILPERSON GUYTON: Yeah. It was right under 21.

COUNCILPERSON THOMAS: Okay. We'll -- we'll -- we'll be getting paperwork, but we're going to also support that, as well.

MR. BROWN: Thank you so much.

COUNCILPERSON THOMAS: Yes.

MR. BROWN: Appreciate it.

CHAIRPERSON DAVIS: Okay. All right. Thank you. Did we take the vote yet on that?

COUNCILPERSON GUYTON: No.

CHAIRPERSON DAVIS: Okay, Madam Clerk.

CITY CLERK WARD: Councilperson B. Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: 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: Item 13A

13A. T.E.A.M ELAM FOUNDATION - \$500 - COUNCILMAN TERENCE DAVIS

COUNCILPERSON GUYTON: So moved.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson C. Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson B. 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. Is there any discussion by the city manager? Oh, 11. Miss Shepherd, I forgot you.

MARGARET SHEPHERD: (Inaudible).

CHAIRPERSON DAVIS: I'm sorry?

MARGARET SHEPHERD: (Inaudible).

CHAIRPERSON DAVIS: You okay? You want to come up and say something?

MARGARET SHEPHERD: (Inaudible).

CHAIRPERSON DAVIS: I'm sorry.

MARGARET SHEPHERD: Well, it's almost over. Thank you to the members of the Chair. I just had to comment because I might be going out of town. Not sure. But number 11 to Bruce Guyton, we want to thank you, sir, publicly. The swim team. We already understand that some dollars are over there and we want to bring back some awards. And we want to make sure that we put your name on one of them and that you know we thank you for stepping forward. I want to go on record by saying no disrespect to no members of the council. I have great favor in all of you. Because I know you guys have great favor in God. And I want to thank you, Miss Pardo and Miss Davis, for soliciting for Somer as well as Miss Sylvia Blue. I thank you for pushing your children forward. Your children are the key to your success. Every time that bus goes out, people look at that bus in amazement by saying, Where did that bus come from? And of course that's our key to say what? Riviera Beach. So you guys have invested in our children and we are investing in you. And I can't stop saying thank you to Mr. John Lee Williams. The young lady just talked about it, but with John Lee Williams and Mrs. Franks, Miss Green and all those girls over there, the sisters of Miss Franks for not -- helping those girls be dressed appropriate, that's my key. Can't dress out of whack. And Mrs. Franks, who's a very conservative dresser, a very concerned parent, she makes sure that those girls are dressed. And we thank Mr. John Lee Williams because when that bus de-bark [sic] and they have to go to the restroom, John Lee Williams say, Hey, all boys get together, all girls get together. So we have not only learned from staff and from you all, we learned from our employees. Never would diss the city manager, never would diss the -- the councilperson. But we want you to know, Mr. Guyton, thank you 100 percent.

COUNCILPERSON GUYTON: You're welcome.

MARGARET SHEPHERD: Thank you, again.

CHAIRPERSON DAVIS: Thank you, Miss Shepherd. Okay. Do we have any discussion from the City Manager?

DISCUSSION BY CITY MANAGER

CITY MANAGER JONES: Just a couple of announcements very quickly. The first one is tomorrow night there is a community meeting for the renovation of Cunningham Park. It will be held tomorrow, June the 5th at 6:00 at Lindsey Davis Community Center. We're encouraging all the residents in that community to come out and give their feedback and suggestions for the kind of renovations and things they would like to see in Cunningham Park. We've already had the reminder as it relates to the Riviera Beach Public Library and their strategic initiative and encouraging residents to come to the library any time

between 9 a.m. and 8 p.m. on June the 12th and just leave with the library staff their comments. (Bell sounds). Oh, I guess my three minutes are up. That works pretty good. I might want to use that again. Also just to announce to the public that on June the 16th, we will hold a budget workshop on the revenue projections for the 2015 budget year here in the council chambers at 5:30. And then finally -- well, not finally. Someone going to talk about the chamber award?

CHAIRPERSON DAVIS: Sure.

CITY MANAGER JONES: You're going to talk about it?

CHAIRPERSON DAVIS: No, go ahead.

COUNCILPERSON DAVIS: What was it?

CITY MANAGER JONES: Oh. Okay. One of the other things is I wanted the residents to know, and they'll be hearing more about it in our upcoming newsletter, is that the City of Riviera Beach and the CRA were awarded the Board of Directors Distinguished Award from the North Palm Beach Chamber of Commerce on last Thursday. This was an excellent display of their -- of the business community's understanding and appreciation for what is happening and what has happened and what is still going to happen in the City of Riviera Beach. Council Member Davis accepted the -- I mean, Chair Davis accepted the award on the City's behalf and made comments. Almost all of our council members were there except the ones that we knew were out of town on other official business. But I just wanted the residents to know that the business community is recognizing what is happening and what is taking place in the City of Riviera Beach.

Lastly, on the June 25th agenda for the CRA, you will have two items that are time-sensitive as it relates to financing transactions that need to occur before the end of the month. In order to do that, we need to have a special city council meeting immediately either after the CRA meeting or the CRA meeting adjourning, because the City also has to approve those documents in order to facilitate the financing for any closing by the end of the month. So we would like to have it on the same night so it would be either right at the end of the CRA agenda or the CRA will adjourn after you've discussed, deliberated and voted on the items on the CRA side, adjourn. We convene the city council meeting, vote on those same two items, then we adjourn and then the CRA just goes back and finishes.

CHAIRPERSON DAVIS: I think that'll work, yeah.

CITY MANAGER JONES: So we will be working with the 25th and we will let you know which arrangement works best in order to get those documents executed by the end of the month.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM PARDO: Manager?

CHAIRPERSON DAVIS: Miss Pardo?

CHAIR PRO TEM PARDO: Are they the new market tax credit documents?

CITY MANAGER JONES: Well, in order -- one of them is dealing with the agreement between the CRA and the City as to how they're going to pay us back as a result of the money that they will get for the new market tax credits, one of them.

CHAIR PRO TEM PARDO: Okay. All right. Thank you.

CITY MANAGER JONES: The other one is dealing with a lease.

CHAIR PRO TEM PARDO: Thank you, ma'am.

CHAIRPERSON DAVIS: Is that it? Anything from Legal?

LEGAL DISCUSSION/REQUEST

CITY ATTORNEY RYAN: No, ma'am, not this evening.

CHAIRPERSON DAVIS: Anything from City Council Committee Reports? Okay. Statements from the Mayor and Council? Mayor, we'll start with you.

CITY COUNCIL COMMITTEE REPORTS

STATEMENTS BY THE MAYOR AND CITY COUNCIL

MAYOR MASTERS: Thank you, Madam Chair. I want to ask the City Attorney a couple of questions first. The Mayor has the authority to suspend employees. Previous council tried to take it away from me but the people said, No, we want the Mayor to continue. Well, 65 percent of the vote approved that that charter right would be maintained. My question is, if the Mayor suspends an employee but does the Council have the right to override the suspension of the Mayor and reinstate the employee as if anything had not happened?

CITY ATTORNEY RYAN: Madam Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

CITY ATTORNEY RYAN: I don't have the charter in front of me but that is my recollection of that section of the charter.

MAYOR MASTERS: Okay. Now, my question also is, is the same charter provision or policy since it's only the manager and the mayor that has these suspension powers. Does that also equate to the same suspension powers of the Mayor and the Council having the -- the right to override a suspension by the Manager?

CITY ATTORNEY RYAN: I'm sorry. I'm not understanding you.

MAYOR MASTERS: Okay. Let me ask you this. Can the Council set aside or reverse a suspension that the Manager effectuates?

CITY ATTORNEY RYAN: No, you may -- you can't do that.

MAYOR MASTERS: Okay. So the Council does not have the authority to override of the suspension of -- of the -- by the Manager when it comes to employee. You're saying no?

CITY ATTORNEY RYAN: That's correct.

MAYOR MASTERS: Okay. But in other matters the Council does have the final word of any other decisions made by the Manager most of the time; is that correct?

CITY ATTORNEY RYAN: Well, it depends on what the decisions are. You all have delegated certain responsibilities to the Manager. And under the charter, the dealing with employees is something that belongs to the Manager. The -- the one exception is the provision that says the Mayor also has the right to suspend an employee of the City on his or her own and the Council can override that suspense. I don't know, you -- you know, in other matters, you have the budget. The Manager makes recommendations. I -- I guess I would have to know specifically what you're talking about.

MAYOR MASTERS: Well, I guess what I'm -- I'm asking is that I've heard you generally say in the past that the Council can do whatever they want to do, that the Council can have the last word about anything. But if -- if they don't have that authority, then they --

CITY ATTORNEY RYAN: Well, for example --

MAYOR MASTERS: -- then they don't.

CITY ATTORNEY RYAN: -- you all have delegated the authority of the Manager to make expenditures up to \$25,000. If the Manager makes that expenditure, I don't think the Council can undo that at -- at a vote of the Council. You've given her that authority.

MAYOR MASTERS: Okay. Well, I've had a private conversation with the Manager and the Manager understands that I will publicly say it tonight that I'm asking the Manager to rethink the decision to suspend the Department Head, to set that aside or reverse. And the reason why, because first of all, if -- if it was somebody that I would have done -- suspended, I would have never done it because I don't think that based on what I saw on the tape and based upon the e-mail, that doesn't rise to the level of insubordination, neither does it rise to the level of neglect of duty and whatever else the third one was, or misconduct. For me, embarrassment is -- is not misconduct. But that's my personal opinion. It's a subjective opinion.

So I want to speak to my supporters and my voters. I want you to know because I have to face you. The Manager does not. I have to face the people that have put me in this office. And I have a fiduciary duty to speak, whether I agree or whether I disagree. I want you to know that the Mayor is not on the side of this suspension. And I hate

censures. I have fought against -- fought for freedom of speech all of my life. I hate it. And I -- I just could want see where I could ever support it. So I'm asking you that -- to make those phone calls, send those e-mails and let the Manager know how you feel, as Pastor Davis has courageously done and Reverend Evans who was here. I also, Madam Manager, have a letter, that I've been asked to read into the record. And I know I have 10 minutes so I'm trying to go forward within my time allowed.

Now, I don't agree with some of the language in this letter that I read, but I have to read it because it was given to me to read and I stated to Reverend that I would read it. And this is to the City Council of Riviera Beach, Florida, May the 26th, 2014. "I, Reverend William H. Burrs, request that Mayor Bishop Thomas A. Masters read this letter for me into the record at the Council Meeting on June 4th, 2014. I do regret that I'm not able to attend this meeting. This letter is concerning the 10-day suspension from the City Manager, Miss Ruth Jones, proposed to give to our City Clerk, Miss Carrie A. Ward, for not accepting a bribe from one of the City councilpersons. Miss Ruth Jones must understand that she cannot make an employee accept anything from a councilperson even by authority or -- authority or orders. The City Clerk serves in a very exclusive position and she should not accept favors, gifts or bribes from any executive officers. I asked the City Clerk concerning this matter, and she told me that once she was in a court hearing and a judge asked her have she or any of her staff members ever received any gifts from any elected person, and she told them no. Our City Clerk has an impeccable record, and to have anybody talking about suspending her are setting -- are setting this city up for another -- it's setting this city up for another lawsuit. I feel Mrs. Jones should be suspended indefinitely for even making such a suggestion. And if any councilperson supports Miss Jones in this matter, they, too, should be removed from serving. I wholeheartedly support our city clerk in this effort, Reverend William A. Burrs."

Last but not least I will give a written report to the City Council and to our residents as relates to the trip, expense paid, all -- everything by the Turkish Federation. It was wonderful and a lot of wonderful things that came out of that trip that I'll bring back to this City that the City will benefit from and the County, as well. But I have to say this for the record. What I was so impressed with more than anything other than visiting the -- the house of Holy Mary, Mother of Jesus in Ephesus, but I was so moved by the fact that our President has renewed the standing of America with the people in Turkey and other places in Asia. President Obama is an idol almost, an icon. They love him beyond reproach. And the Scripture says, "A man is not honored in his home -- home." So, President, there may be people here that may not love you or support you, but I do want you to know that the peoples of Asia and Europe that I've visited greatly admire what you've done. And of course, you know what I think about the President 100 percent.

Madam Chair, the -- while I was gone, this country, this world has lost a great legend. A poet, one of a kind. None that has risen to the level of Dr. Maya Angelou. And as Councilperson Pardo and others mentioned tonight that our city is rising in very, very -- many, many aspects. And on Father's Day at 5:30 p.m. at the Mount Calvary Baptist Church, our county will come together and pay tribute to Dr. Maya Angelou who said,

"Still I rise." I conclude. "You may write me down in history with your bitter twisted lies. You may tread me in the very dirt but still like dust I'll rise. Does my sassiness upset you? Why are you beset with gloom? 'Cause I walk like I've got oil wells pumping in my living room. Just like moons and like suns with the certainty of tides, just like hope springing high, still I rise. To you want me -- to see me broken? Do you want to see me broken, bowed head and lowered eyes, shoulders falling down like teardrops weakened by my soulful cries. Does my haughtiness offend you? Don't you take it awful hard 'cause I laugh like I've got gold mines digging in my own back yard. You may shoot me with your words. You may cut me with your eyes. You may kill me with your hatefulness but still like air I'll rise. Does my sexiness upset you? Does it come as a surprise that I dance like I've got diamonds at the meeting of my thighs. Out of the huts of history's shame, I rise. Up from a past that's rooted in pain, I rise. I'm a black ocean leaping and wide, welling and swelling I bear in the tide. Leaving behind nights of terror and fear. I rise into a daybreak that's wondrously clear. I rise bringing the gifts that my ancestors gave, I am the dream and hope of the slave. I rise, I rise, I rise. Riviera Beach, keep rising. The best is yet to come. Thank you, Madam Chair.

CHAIRPERSON DAVIS: Mr. Thomas, you have anything?

CHAIR PRO TEM PARDO: How can you follow that?

COUNCILPERSON THOMAS: You want to follow that?

CHAIR PRO TEM PARDO: Yes.

CHAIRPERSON DAVIS: Miss Pardo? Nothing?

COUNCILPERSON THOMAS: All I'm going to say is I can't follow that so I'm just going to keep my comments very short. I just want to say that to Miss Mitchell, that she didn't say that she wouldn't do any of those things that we were requesting. So I want the community to know that that wasn't her -- she never said she wouldn't do 10 year. She never said that she wouldn't pay more. She never said any of those things. So all of that resides with this board. And I just want to make sure that -- that deal is done. But for future, I want to make sure that we're as consistent as we possibly can be. That's the reason for me not supporting that particular project. But because of the information that's been coming in to me, I just want to let the community know that she never said that she would not do 10 years. The maker of the motion refused to accept 10 years into it so that wasn't Miss Mitchell. And I -- I don't want the community to feel like it was. So I wanted to address that. And she has never said no about pretty much anything that the City's asked for. My problem with that relies within the City and I'll deal with that with management and the -- the actual attorney prior to that commencing. Other than that, that's all. Thank you.

CHAIRPERSON DAVIS: Miss Pardo?

CHAIR PRO TEM PARDO: I have nothing, Madam Chair. Thank you.

CHAIRPERSON DAVIS: Mr. Davis?

COUNCILPERSON DAVIS: Did you say the meeting's tomorrow? I want -- I want --

CITY MANAGER JONES: Cunningham.

COUNCILPERSON DAVIS: -- over Cunningham Park? I want to thank staff for conducting that meeting at Lindsey Davis Center tomorrow at 6 p.m. I had no idea this was happening until recently I heard the phone recording over the -- once you call City Hall. It's so funny because I was down S. Avenue, was it one Sunday? And some people stopped me, questioning about that park. So now you know I will be calling you if you're not watching the show to remind you to be there since you /AO*E been on my tail about that park. So now I expect you to be there giving your influence so the staff can hear how excited you are about that park.

Secondly I would like to congratulate all the Riviera Beach graduates that are in our local elementary schools, our local high schools and middle school. John F Kennedy graduates. Transition's tonight on a job well done. Wish you well as you transition in life from elementary to middle school, middle school to high school and high school to your next career or training opportunity. And I want to thank our board for working well together tonight.

CHAIRPERSON DAVIS: Mr. Guyton?

COUNCILPERSON GUYTON: Thank you, Madam Chair. I'd like to echo, too, the meeting tomorrow about the park, and it's -- it is -- it's -- it is in my district. Unfortunately most of us will be out of town tomorrow. And I will be unable to attend -- attend. It was a trip that was already planned prior to scheduling this meeting. But I want to encourage everyone to come out and give your input. It is very important that you give your input in regards to what you would like to see so that it can be considered when the final decisions are made.

Also I'd like to congratulate my colleagues for now being recognized not just here in Palm Beach County but up and down the coast. I serve on the Treasurer Coast Regional Planning Council. And there is not a meeting that I go to that someone does not mention the progress and the project that we have going on here in Riviera Beach. We are being recognized. We are being respected. And it just feels good now that we're not associated with a lot of negative comments. So I want my colleagues to know that we are being recognized for progress in our city.

The -- the -- the last thing, there was a letter read by the Mayor and this is not directed at the Mayor. But the allegation about bribes I think was very inappropriate.

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON GUYTON: I didn't see anything that would suggest or confirm or allude to any criminal activity.

MAYOR MASTERS: I agree.

COUNCILPERSON GUYTON: And -- and, you know, suggesting that about a colleague, I think, was inappropriate. And I just want to put it on the record that there is nothing that I saw to suggest that there was any indication about a bribe being suggested.

MAYOR MASTERS: Uh-huh.

COUNCILPERSON GUYTON: Thank you.

MAYOR MASTERS: Reverend Burr said that, not me.

COUNCILPERSON GUYTON: I -- I know. And I -- I pointed that out. Thank you. I -- that's all I have, Madam Chair.

CHAIRPERSON DAVIS: Okay. And I'll end my comments. And I -- I also was gonna make a statement about that. I -- I -- I just want to say my record is impeccable, too. And as it relates to bribery, bribery means that you're going to pay somebody for something in return, that you want in return. For the life of me I don't know what I could even ask for from anyone, any employee here, for \$2. That's ridiculous. So you know, I'll end it by saying some of Jesus's disciples worked against him to help capture him to be crucified. So who am I that someone wouldn't try to do that to me, too? Thank you. Is there a motion for adjournment?

ADJOURNMENT

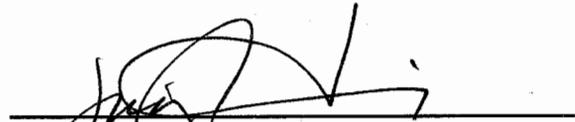
CHAIR PRO TEM PARDO: So moved.

UNIDENTIFIED SPEAKER: So moved.

(CONCLUSION OF MEETING)

APPROVED:


THOMAS A. MASTERS
MAYOR

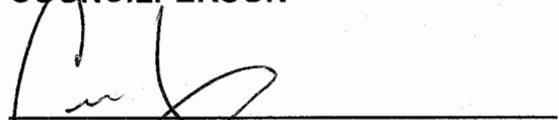

JUDY L. DAVIS
CHAIRPERSON

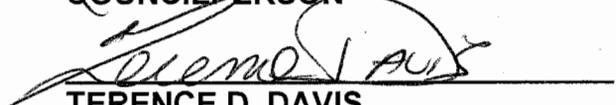
ATTEST:


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: D. PARDO

SECONDED BY: B. GUYTON

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: 07/16/2014