

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, OCTOBER 1, 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:** Miss Jones. Good evening, everyone. Welcome to the regularly scheduled City Council meeting. Please turn your cell phones to the off or vibrate position at this time. And if you'd like to speak on a consent agenda item, please turn in your card now because it's going to come up pretty quickly. Madam Clerk, please call the roll.

**Roll Call**

**DEPUTY CITY CLERK ANTHONY:** Mayor Thomas Masters.

**MAYOR MASTERS:** Present.

**DEPUTY CITY CLERK ANTHONY:** Chairperson Judy Davis.

**CHAIRPERSON DAVIS:** Here.

**DEPUTY CITY CLERK ANTHONY:** Chair Pro Tem Dawn Pardo.

**CHAIR PRO TEM PARDO:** Present.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Bruce Guyton

**COUNCILPERSON GUYTON:** Here.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Cedrick Thomas.

**COUNCILPERSON THOMAS:** Here.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Terence Davis.

**COUNCILPERSON T. DAVIS:** Here.

**DEPUTY CITY CLERK ANTHONY:** City Manager Ruth Jones.

**CITY MANAGER JONES:** Present.

**DEPUTY CITY CLERK ANTHONY:** Deputy City Clerk Claudene Anthony is present.  
City Attorney Pamala Ryan.

**CITY ATTORNEY RYAN:** Present.

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

#### **Invocation**

#### **Pledge of Allegiance**

(Everyone stood for a moment of silence followed by the Pledge of Allegiance being led by Mr. Guyton).

#### **AGENDA Approval: Additions, Deletions, Substitutions**

**CITY MANAGER JONES:** Yes, Madam Chair. Would like to add item number 9A, a presentation by the principal, Katrina Granger, from Dr. Mary McLeod Bethune Elementary School as it relates to the 2014 Walk to School Safety Day.

**CHAIRPERSON DAVIS:** Okay. All right.

#### **Disclosure by Council**

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

#### **Adoption of Agenda**

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

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

**CHAIRPERSON DAVIS:** I'm sorry. Wait a minute. Hold on. Any additions, deletions or substitutions, Miss Jones?

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

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

**COUNCILPERSON T. DAVIS:** Second.

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

**DEPUTY CITY CLERK ANTHONY:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Pro Tem Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Chair Davis?

**CHAIRPERSON DAVIS:** Yes. Okay.

**Comments From the Public on Consent Agenda (Three Minutes Limitation)**

### **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.**

**CHAIRPERSON DAVIS:** I have no consent speakers. So is there a motion to approve Consent Agenda?

**COUNCILPERSON THOMAS:** So moved.

**CHAIR PRO TEM PARDO:** Second.

**COUNCILPERSON T. DAVIS:** Second.

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

**DEPUTY CITY CLERK ANTHONY:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Pro Tem Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Chair J. Davis?

**CHAIRPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Unanimous vote.

**CHAIRPERSON DAVIS:** Okay. Item 9A, Boards and Presentations. Mr. Davis.

**COUNCILPERSON T. DAVIS:** Hello, Miss Granger, you want to come up now and do your presentation?

**PRINCIPAL GRANGER:** Thank you, Chair, Mayor and Council, residents of Riviera Beach and supporters, it's my honor to stand before you on behalf of Dr. Mary McLeod Bethune Elementary School.

**CHAIRPERSON DAVIS:** State your name and -- and your address, please.

**PRINCIPAL GRANGER:** Katrina Granger, Principal of Dr. Mary McLeod Bethune Elementary School. It's an honor to stand before you to share information regarding an initiative that impacts our students attending Dr. Mary McLeod Bethune, and I would like to invite the Council and Chair, Mayor and residents to join us in our Walk to School initiative. This is parents walk to school on October the 8<sup>th</sup>, but I'd like for the community to come forward and join us on Wednesday, October 8<sup>th</sup>. Those who are interested would report to the school, Dr. Mary McLeod Bethune Elementary School, at 6:30 a.m. on Wednesday, October 8<sup>th</sup>. It is at that time I will provide you with an assignment, a location in our community, where you will be bused to that location and walk with students back to the school -- back to Dr. Mary McLeod Bethune Elementary School.

Now, the purpose of the initiative is not only to regain the support of the community in supporting our students, but also to bring awareness to safe passage to and from the school. As you know, students living within two miles of the school are not afforded a school bus and many of them are walking twice in one day; to school and back to home at the end of the day.

**CHAIRPERSON DAVIS:** Uh-huh.

**PRINCIPAL GRANGER:** So I really would love to have you volunteer and meet us at Dr. Mary McLeod Bethune Elementary School on Wednesday, October 8<sup>th</sup>, at 6:30 a.m. and walk our children to school. And love to share some additional things with you on that morning at about 8:15. Thank you.

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

**CHAIRPERSON DAVIS:** Mr. Davis.

**COUNCILPERSON T. DAVIS:** Miss Granger, thank you for coming today.

**PRINCIPAL GRANGER:** Thank you.

**COUNCILPERSON T. DAVIS:** We had a discussion about this, how important it is to ask all the leadership to come and support this great initiative. It's very important that the -- the community see us out, if you can be there on next Wednesday. I'll be there.

**PRINCIPAL GRANGER:** Thank you.

**COUNCILPERSON T. DAVIS:** I have some volunteers that's going to come and I hope that those who have a schedule -- a flexible schedule do come out and show support of our community and our young people.

**PRINCIPAL GRANGER:** Thank you on behalf of the students of Dr. Mary McLeod Bethune Elementary School and I have flyers as well.

**MAYOR MASTERS:** Madam --

**CHAIRPERSON DAVIS:** Okay.

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** Thank you, Mrs. Granger.

**PRINCIPAL GRANGER:** Thank you.

**CHAIRPERSON DAVIS:** Mayor Masters.

**MAYOR MASTERS:** Yes, Miss Granger. Welcome to Bethune.

**PRINCIPAL GRANGER:** Thank you.

**MAYOR MASTERS:** I -- you -- certainly I'm -- know that you're going to go beyond expectations in your new position. Previously -- what was your previous position with the School Board?

**PRINCIPAL GRANGER:** Okay. Previously, I was an Instructional Team Leader in the Area 4 Superintendent's Office, where I served in that capacity for 10 years and prior to that in other capacities. So I've been in the School District 25 years.

**MAYOR MASTERS:** Well, we're expecting that you're going to bring those 25 years of expertise and experience to Bethune.

**PRINCIPAL GRANGER:** Absolutely.

**MAYOR MASTERS:** And take it to the A level.

**PRINCIPAL GRANGER:** Yes.

**MAYOR MASTERS:** Because you -- you are most qualified. Your last name is Granger?

**PRINCIPAL GRANGER:** Yes.

**MAYOR MASTERS:** Do you know another Granger at Mount Cal --

**PRINCIPAL GRANGER:** I do.

**MAYOR MASTERS:** -- with the same name? What's his name?

**PRINCIPAL GRANGER:** I do. Bishop W. Oshea Granger.

**MAYOR MASTERS:** And he is?

**PRINCIPAL GRANGER:** My husband.

**MAYOR MASTERS:** Thank you.

**PRINCIPAL GRANGER:** Thank you.

**MAYOR MASTERS:** Yeah.

**CHAIRPERSON DAVIS:** Thank you, ma'am. Okay. We're now down to ordinances on first reading, item 10.

## **MINUTES**

### **RESOLUTIONS**

- 1. RESOLUTION NO. 105-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF RITO SOTO V. CITY OF RIVIERA BEACH, CASE NO. 502013CA018185XXXMB AO, IN THE TOTAL AMOUNT OF \$150,000; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT ON BEHALF OF THE CITY AFTER RECEIVING A GENERAL RELEASE; AND PROVIDING AN EFFECTIVE DATE.**
- 2. RESOLUTION NO. 106-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING FUNDING IN THE AMOUNT OF \$145,802 FOR THE CONTINUATION OF REENTRY SERVICES; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME AND AUTHORIZING THE**

MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

3. RESOLUTION NO. 107-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING FUNDING IN THE AMOUNT OF \$264,700 FOR THE CONTINUATION OF REGIONAL AND STATE TRANSITIONAL OFFENDER RESTORE INITIATIVE; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
4. RESOLUTION NO. 108-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH GALLAGHER BASSETT SERVICES AND AUTHORIZING THE DIRECTOR OF FINANCE & ADMINISTRATIVE SERVICES TO MAKE MONTHLY PAYMENTS FROM THE INSURANCE LIABILITY FUND ACCOUNT NO. 602-0539-513-0-3101 UP TO THE AMOUNT OF \$89,394 FOR CLAIMS ADMINISTRATION; AND PROVIDING AN EFFECTIVE DATE.
5. RESOLUTION NO. 109-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF RIVIERA BEACH, FLORIDA AND ALCALDE & FAY, LTD., TO PROVIDE LOBBYIST REPRESENTATION AT THE FEDERAL LEVEL ON BEHALF OF THE CITY OF RIVIERA BEACH IN THE AMOUNT OF \$5,000 PER MONTH FOR TWO (2) YEARS COMMENCING OCTOBER 1, 2014 TO SEPTEMBER 30, 2016; THE SAME TO BE PAID FROM THE PROFESSIONAL SERVICES-OTHER ACCOUNT NO. 001-0203-519-0-3106; AND PROVIDING AN EFFECTIVE DATE.
6. RESOLUTION NO. 110-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDS FROM PALM BEACH COUNTY 911 EMERGENCY MANAGEMENT IN THE AMOUNT OF \$217,763 TO PROVIDE FOR A GRANT REIMBURSEMENT OF PUBLIC SAFETY ANSWERING POINT (PSAP) OPERATIONS; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO INCREASE THE 2014-2015 911 GRANT BUDGET FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.
7. RESOLUTION NO. 111-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING

THE PARKS AND RECREATION DEPARTMENT TO PIGGYBACK PALM BEACH COUNTY BOARD OF COMMISSIONERS CONTRACT RENEWAL FOR BID #10-072/PR WITH THE PLAYMORE COMPANY FOR THE PURCHASE OF REPLACEMENT PLAYGROUND EQUIPMENT FOR JERRY SCHULTZ AND LONE PINE PARKS; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM CAPITAL IMPROVEMENT ACCOUNT NO. 310-1234-572-0-6405 IN THE AMOUNT OF \$75,217.14; AND PROVIDING AN EFFECTIVE DATE.

8. RESOLUTION NO. 112-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF 180 WINDOWS PROFESSIONAL DELL WORKSTATIONS TO REPLACE 180 OUTDATED WINDOWS XP DELL WORKSTATIONS AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAME; AND PROVIDING AN EFFECTIVE DATE.
9. RESOLUTION NO. 113-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, TERMINATING THE CONTRACT BETWEEN THE CITY AND LV SUPERIOR LANDSCAPING, INC. OF LOXAHATCHEE, FLORIDA FOR PROVIDING LANDSCAPING MAINTENANCE ON STATE ROAD A1A BETWEEN US1 AND BURNT; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING

NONE

AWARDS AND PRESENTATIONS

NONE

PUBLIC HEARINGS

NONE

ORDINANCES ON FIRST READING

10. ORDINANCE NO. \_\_\_\_\_ AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE IV, SEC. 14-75 ENTITLED BOARD OF TRUSTEES; CREATED, POWERS, DUTIES, SUBSECTIONS (g) (1) d (i) and (ii) AND e OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE POLICE PENSION PLAN

**BY PROVIDING FOR AN INCREASE AND CLARIFICATION OF INVESTMENT LIMITS IN CERTAIN INVESTMENT CATEGORIES; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**COUNCILPERSON GUYTON:** So moved.

**CHAIR PRO TEM PARDO:** Second.

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

**COUNCILPERSON T. DAVIS:** Item was 10.

**CITY MANAGER JONES:** Yeah. This item is before us at the request of the Police Pension Board as it relates to clarification and increases as it relates to their investments. Staff from the Pension Board is available to answer any questions that you may have. It's a Mr. Ken Harrison is here, available to answer any questions.

**CHAIRPERSON DAVIS:** Okay. Is there anything you're going to present or --

**PENSION BOARD ATTORNEY HARRISON:** I'm just here to answer questions.

**CHAIRPERSON DAVIS:** All right. Any comments or questions from the board?

**COUNCILPERSON T. DAVIS:** I would just like to hear him explain some of the -- the amendments.

**CHAIRPERSON DAVIS:** Okay. You know which ones you want him to explain?

**COUNCILPERSON T. DAVIS:** No, the -- the purpose of it.

**PENSION BOARD ATTORNEY HARRISON:** The purpose of it is to enhance the ability to diversify and enhance the return on their investments. This -- it -- it allows them to invest in -- in a broader bond area and it also changes the valuation from the cost to market so that the allocation doesn't have to be changed as the market fluctuates.

**COUNCILPERSON T. DAVIS:** Okay.

**COUNCILPERSON GUYTON:** And Madam Chair?

**CHAIRPERSON DAVIS:** Mr. Guyton.

**COUNCILPERSON GUYTON:** Just let me add, too, and, Ken, correct me if I'm wrong, the -- the fund would also still be required to adhere to the investment restrictions in the State Statute as well as it relates to those risky investments, which are not allowed.

**PENSION BOARD ATTORNEY HARRISON:** That's correct.

**COUNCILPERSON GUYTON:** Okay.

**PENSION BOARD ATTORNEY HARRISON:** And this -- these changes comply with the Statute.

**COUNCILPERSON GUYTON:** Okay. So they're still not allowed to take risky investments or anything like that.

**COUNCILPERSON THOMAS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mr. Thomas.

**COUNCILPERSON THOMAS:** Why -- why is this -- why did this need to come before us? What is -- what happened to warrant these changes?

**PENSION BOARD ATTORNEY HARRISON:** Well, this -- we've been -- we've been working on this for some time. The consultant and the investment managers had made these recommendations and the board has considered them and evaluated the potential on both, not only the negative but the positive consequences of these actions and the board decided that it would be in their best interest to, for instance, change the valuation from cost to market because every time the market would fluctuate, we found we'd have to sell stocks to get in compliance with the allocation.

**COUNCILPERSON THOMAS:** Uh-huh.

**PENSION BOARD ATTORNEY HARRISON:** Because we were valued at cost and the market fluctuates so much so by changing the market, you reduce that volatility. You won't have to be -- you won't have to be changing the stocks, buying and selling, as often.

**COUNCILPERSON THOMAS:** How does this impact whatever monies that the city has to come to continue to make it sound? How -- how would that impact it?

**PENSION BOARD ATTORNEY HARRISON:** Well, the hope is that by broadening the ability to move into the more -- the -- the areas of investments that give the biggest return, we'll be able to reduce the cost to the city. But all this does is to clarify the ability

of the fund to move certain assets in and out of equities and fixed -- fixed income as it relates to the market volatility. That's really what this is about.

**COUNCILPERSON THOMAS:** Right. But it -- it -- it has to have some type of effect. So if you move to a different type of risk factor and it does bad, then that could cause for the city to have to put more money into it.

**PENSION BOARD ATTORNEY HARRISON:** If -- if the board doesn't achieve its assumed rate of return, yes, the city guarantees the plan, so they would put in. The -- the theory of these changes is, though, it will enhance the ability of the board to reach those assumptions.

**COUNCILPERSON THOMAS:** I I -- I get what you saying. You saying if you have more flexibility, it's a good chance that you could get in and it could lower.

**PENSION BOARD ATTORNEY HARRISON:** Right.

**COUNCILPERSON THOMAS:** But because the city has to guarantee that these funds stay sound, that is a bigger risk and I didn't get very much information in terms of what that would be. So if -- if you decided to invest in something that was a little bit more risky and it failed, next year, or whenever it is, the city still has to make that sound.

**PENSION BOARD ATTORNEY HARRISON:** The -- the city is the sponsor of the plan and they have the responsibility to keep it actuarially sound. But these changes will give the board the ability to move to more profitable areas. For instance, right now, the fixed market is very poor. So you would want most of your assets in the equity markets. If you're saying like individual investments, we can only invest by Statute up to five percent of the fund in any one holding. These changes don't -- don't change that at all.

**COUNCILPERSON THOMAS:** Okay. But what -- it wouldn't be before us if it wasn't something that had some type of effect -- some type of effect.

**PENSION BOARD ATTORNEY HARRISON:** It's before you because the ordinance has language in it that we felt needed to be changed.

**COUNCILPERSON THOMAS:** And why is that?

**PENSION BOARD ATTORNEY HARRISON:** Because we -- we felt that we need to have the flexibility so we can better reach our assumptions. And they -- the -- the current language in the ordinance mandates that we value everything at cost, which puts us at a disadvantage as the market fluctuates.

**COUNCILPERSON THOMAS:** Okay. Do we have both of those ordinances available?

**PENSION BOARD ATTORNEY HARRISON:** You have -- in the package, you should have --

**COUNCILPERSON GUYTON:** Yeah. They were part of this like --

**PENSION BOARD ATTORNEY HARRISON:** -- a copy of the State Statute, a copy of the investment policy of the board as well as the changes that are being recommended in the ordinance.

**COUNCILPERSON THOMAS:** The -- the -- the -- the old Statute that we were going by -- or the old ordinance and the proposed new one?

**PENSION BOARD ATTORNEY HARRISON:** Well, the -- the package --

**COUNCILPERSON THOMAS:** Because I didn't see that original.

**PENSION BOARD ATTORNEY HARRISON:** -- the copy that you have, the underlying provisions are the changes and anything that's stricken through would be old language being removed. So you have that in front of you.

**COUNCILPERSON THOMAS:** Okay. So --

**CHAIR PRO TEM PARDO:** Can I ask a question --

**COUNCILPERSON THOMAS:** Yes.

**CHAIR PRO TEM PARDO:** -- while you --

**COUNCILPERSON THOMAS:** Yes.

**CHAIR PRO TEM PARDO:** -- okay. So my question to you is: are you guys going to be investing in derivatives?

**PENSION BOARD ATTORNEY HARRISON:** No.

**COUNCILPERSON GUYTON:** No.

**CHAIR PRO TEM PARDO:** Absolutely not?

**PENSION BOARD ATTORNEY HARRISON:** No. We --

**CHAIR PRO TEM PARDO:** Okay. And the junk bonds?

**PENSION BOARD ATTORNEY HARRISON:** No.

**CHAIR PRO TEM PARDO:** Okay. So you'll be investing 40 percent in equities, 10 percent in -- right? That's the part that I'm reading correctly?

**PENSION BOARD ATTORNEY HARRISON:** That's what we're -- we're gonna -- we're --

**CHAIR PRO TEM PARDO:** Ten percent in international equities?

**PENSION BOARD ATTORNEY HARRISON:** -- we -- we're asking that the limit be increased to 60 percent at equities. From --

**CHAIR PRO TEM PARDO:** What about international equities?

**PENSION BOARD ATTORNEY HARRISON:** -- from 50. International, we're limited --

**CHAIR PRO TEM PARDO:** To 10 percent?

**PENSION BOARD ATTORNEY HARRISON:** To 10 percent. Actually the Statute --

**CHAIR PRO TEM PARDO:** All right. Limited by Statute?

**PENSION BOARD ATTORNEY HARRISON:** The Statute limits us to 25 percent.

**CHAIR PRO TEM PARDO:** Okay.

**PENSION BOARD ATTORNEY HARRISON:** We're only investing 10 percent in it.

**CHAIR PRO TEM PARDO:** And then what about in the fixed market?

**PENSION BOARD ATTORNEY HARRISON:** Fixed market is -- it -- generally, it's U.S. Treasuries.

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

**PENSION BOARD ATTORNEY HARRISON:** Unfortunately, that has not been the vehicle of preference of late.

**CHAIR PRO TEM PARDO:** So -- right.

**PENSION BOARD ATTORNEY HARRISON:** It's usually --

**CHAIR PRO TEM PARDO:** 'Cause interest rates.

**PENSION BOARD ATTORNEY HARRISON:** -- corporate bonds, which are usually high rated. They have to be rated on at least one national rating service, that no lower than investment grade.

**CHAIR PRO TEM PARDO:** And which -- okay. So it doesn't matter if it's, you know, Moody's or Fitch or -- as long as it's just one agency?

**PENSION BOARD ATTORNEY HARRISON:** As -- one rating agency rates the bonds at least investment grade or higher.

**CHAIR PRO TEM PARDO:** Or higher.

**COUNCILPERSON THOMAS:** Um --

**COUNCILPERSON GUYTON:** Madam Chair.

**COUNCILPERSON THOMAS:** -- Madam --

**CHAIRPERSON DAVIS:** Okay. We're still -- Mr. Thomas, are you still looking?

**COUNCILPERSON THOMAS:** I -- I am. I just, you know, had some other questions. But --

**CHAIRPERSON DAVIS:** Do you want me to come back to you or what?

**CHAIR PRO TEM PARDO:** Oh --

**COUNCILPERSON THOMAS:** Well, I, you know --

**CHAIR PRO TEM PARDO:** -- and I have one more.

**COUNCILPERSON THOMAS:** You can come back to me.

**CHAIR PRO TEM PARDO:** Okay. Can I ask --

**COUNCILPERSON GUYTON:** Go ahead.

**CHAIRPERSON DAVIS:** Go ahead and finish yours (unintelligible).

**CHAIR PRO TEM PARDO:** Okay.

**CHAIRPERSON DAVIS:** You're not gonna be (unintelligible).

**CHAIR PRO TEM PARDO:** So I just want clarification. This is pure and simple. Right? It's just equities and corporate bonds and that's it. Or you might get into treasuries if the, you know, if the interest rates turn around, you might get into that. But nothing is going to be linked. There will be no derivatives -- no derivative transactions.

**PENSION BOARD ATTORNEY HARRISON:** We do not -- we do not invest in derivatives. If you look at the -- the investment policy --

**CHAIR PRO TEM PARDO:** Okay.

**PENSION BOARD ATTORNEY HARRISON:** -- that's included in your package, you'll see the board imposes on itself some restrictions as well as the Statute.

**CHAIR PRO TEM PARDO:** Okay.

**PENSION BOARD ATTORNEY HARRISON:** And we do not invest in derivatives, no.

**CHAIR PRO TEM PARDO:** Okay.

**PENSION BOARD ATTORNEY HARRISON:** We don't -- we don't invest in alternate investments either. It's strictly -- pretty straightforward --

**CHAIR PRO TEM PARDO:** Okay, fine. I just wanna make sure that nothing is gonna be linked, you're gonna take, you know, an -- an equity and put it against something.

**PENSION BOARD ATTORNEY HARRISON:** No.

**CHAIR PRO TEM PARDO:** Okay.

**CHAIRPERSON DAVIS:** Mr. Guyton.

**COUNCILPERSON GUYTON:** Thank you. Let me also say before I got elected, I mentioned to a few of the Councilpeople who were sitting at that time that I needed to speak to them, this is what I wanted to speak to you all about, because we had done a

lot of research. It was determined that this would be the best route for us to go in order to minimize the investment that the city would have to give. And we would still be restricted only to, I think, approximately five percent of -- of our funds anyway. We don't -- oh, I'm still saying "we" --

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** But the pension board does not and is not allowed to dump the majority of their funds in any one area. It must be diversified.

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** The areas that are invested in are those areas that don't include any linkage or derivatives or -- or any high risk areas. That is governed not only by Statute, but also by our ordinance. And our ordinance, the reason why we're here, sometimes we are allowed to be more restrictive and in this case we were and the board is just asking now for just a little bit of leeway in order to make the investments more profitable and in return, the city wouldn't have to be contributing as much. But we all know that the market is volatile, it fluctuates, so there are no guarantees. But this is the best route that I think that the pension board can take and I am in full support of it and I definitely wouldn't be supporting it if I thought that our funds would be at risk. Thank you, Madam Chair.

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

**CHAIRPERSON DAVIS:** Mr. Thomas.

**COUNCILPERSON THOMAS:** I guess what I'm trying to -- and you're the attorney for the police --

**PENSION BOARD ATTORNEY HARRISON:** Yes -- yes, sir.

**COUNCILPERSON THOMAS:** -- pension? Are you the attorney for any of the other pensions?

**PENSION BOARD ATTORNEY HARRISON:** The general plan also.

**COUNCILPERSON THOMAS:** Why is the general plan not doing this?

**PENSION BOARD ATTORNEY HARRISON:** Why is the general plan not doing as well?

**CHAIRPERSON DAVIS:** No, they are --

**COUNCILPERSON GUYTON:** No. He -- he said not making the same request, not that --

**PENSION BOARD ATTORNEY HARRISON:** Because they -- they don't have the restrictions that the Statute put on and the ordinance put on them. And they -- they -- they pretty much are comfortable with the policy that they have within the ordinance.

**COUNCILPERSON THOMAS:** Okay. But let me understand this correctly. All of the pensions are performing much better than the general pension is performing.

**PENSION BOARD ATTORNEY HARRISON:** We -- we just -- the -- from the general plan perspective, they just had a comparison done and that -- that statement's not totally accurate.

**COUNCILPERSON THOMAS:** Well, you can say the statement's not totally accurate if you want to but the numbers that you gave us up here, the fire and police are performing better than the general. Now, if you say it's totally inaccurate, then I got a real problem with the numbers that you all are giving us.

**PENSION BOARD ATTORNEY HARRISON:** Well, that's not -- I --

**COUNCILPERSON THOMAS:** 'Cause I'm only going off of what you're giving us.

**PENSION BOARD ATTORNEY HARRISON:** I said it's not exactly accurate. The -- the --

**COUNCILPERSON THOMAS:** Well, what -- show me --

**PENSION BOARD ATTORNEY HARRISON:** -- the general plan --

**COUNCILPERSON THOMAS:** -- where the inaccuracies are.

**PENSION BOARD ATTORNEY HARRISON:** -- the general plan has not performed as well as the police and, I guess, the Fire plan. I'm not the attorney for that.

**COUNCILPERSON THOMAS:** That's exactly what I said.

**PENSION BOARD ATTORNEY HARRISON:** But to say that they're not performing well is not totally accurate because they have --

**COUNCILPERSON THOMAS:** I said that they're not performing well as the other plans.

**PENSION BOARD ATTORNEY HARRISON:** Then that's accurate.

**COUNCILPERSON THOMAS:** Thank you.

**PENSION BOARD ATTORNEY HARRISON:** Okay.

**COUNCILPERSON THOMAS:** So my question would be, if this is going to do something to help better perform in the pension police plan, why are we not looking at it in the general plan as well?

**PENSION BOARD ATTORNEY HARRISON:** Because the board that operates that plan has decided not to move in this direction. They already have the -- some of the flexibility that the police board didn't have.

**COUNCILPERSON THOMAS:** So this particular -- our ordinances reflect the different plans and language differently for all three?

**PENSION BOARD ATTORNEY HARRISON:** Each -- each one is a little different. They -- they have a lot of similarity but there are differences, yes.

**COUNCILPERSON THOMAS:** Okay. So basically, you're saying that the general employees could do this already.

**PENSION BOARD ATTORNEY HARRISON:** They have more flexibility, yes.

**COUNCILPERSON THOMAS:** Can they do what you're asking to do? Can they do this already?

**PENSION BOARD ATTORNEY HARRISON:** Well, I -- I'd have to go back and look. You're saying can they go to 60 percent allocation in equity? I don't know that off the top of my head. I'd have to go back and look at their policy.

**COUNCILPERSON THOMAS:** Okay.

**PENSION BOARD ATTORNEY HARRISON:** But I believe -- I believe they're close to 60-40 allocation as it is now. But I'm going from memory at this point.

**COUNCILPERSON THOMAS:** Okay. So has anybody, aside from -- and maybe I should be asking Miss Jones or Miss Ryan -- has anybody on our side, aside from the pension board's attorney, have they looked at this to tell us what --

**COUNCILPERSON T. DAVIS:** Hmm.

**COUNCILPERSON THOMAS:** -- is -- is our risk greater or have they looked at this to go through it to see is this actually the best, you know, scenario? Let -- let me tell what my thinking is. My thinking is if it's before us, that means that there's some risk that we gotta say we understand that we're taking. I don't know what that risk is right now. So it may be a perfectly good way to go, but I don't know what the risk is. If it doesn't perform well, where does the city, you know, where -- where -- where are we lying with this? Are we gonna be at 2 million, 3 million, 4 million? You know, I need to know some of the -- the risk.

And unlike Mr. -- my colleague, Mr. Guyton, who's a certified pension board person, he probably understand -- well, it's not probably -- he understands it in a better depth, but it's more than Mr. Guyton up here that has to make this decision, you know. We -- we don't -- I don't understand it quite like that. So that is what I need articulated to me, you know, what is our actual risk and did we get some type of actuary -- aside from --

**COUNCILPERSON T. DAVIS:** What they are saying.

**COUNCILPERSON THOMAS:** -- this particular attorney, who I know is very good at what he does. But did we get some other -- a second opinion, so to speak, to see what -- how this would affect us?

**CITY MANAGER JONES:** We did not get, Councilman Thomas, a second opinion as it relates to any down the road impact pending on the performance of that particular plan.

**COUNCILPERSON THOMAS:** Okay. So because -- because essentially -- I don't want to use the word "close" the plan -- but essentially, the city is moving away from this particular plan for the new -- the new police officers, correct?

**CITY MANAGER JONES:** Correct.

**COUNCILPERSON THOMAS:** So there's already going to be some -- some consequences that, whether they're positive or negative, there's some things that we have to look at here.

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

**COUNCILPERSON THOMAS:** And if we're saying we're getting more aggressive, whatever savings that we're due to make over time or whatever it is, I wanna know how that --

**COUNCILPERSON T. DAVIS:** What that --

**COUNCILPERSON THOMAS:** -- going to affect this particular decision. It -- if it was a simple decision, it just wouldn't be before us. By being before us, we're saying we understand this, we understand the risk and yes, pension board, go ahead with what you're trying to do. That may be fine and I would probably be inclined to support it. But I want to know exactly what it is and that is what I don't know at this point.

**PENSION BOARD ATTORNEY HARRISON:** If I might add, don't you have a statement of impact on this -- with each of the ordinances that come before you?

**COUNCILPERSON GUYTON:** No. They didn't -- I -- I --

**CHAIRPERSON DAVIS:** Mr. Guyton.

**COUNCILPERSON GUYTON:** -- I didn't see the statement of impact with that.

**CITY ATTORNEY RYAN:** Before -- Madam Chair. Before --

**COUNCILPERSON THOMAS:** Who's he talking to?

**CHAIRPERSON DAVIS:** Miss Ryan.

**MAYOR MASTERS:** I know who he's talking to. He's talking to me.

**CITY ATTORNEY RYAN:** -- we submit any of these items, there's always an actuarial impact. I don't know why it's --

**CHAIR PRO TEM PARDO:** It's in --

**CITY ATTORNEY RYAN:** -- is it in there?

**COUNCILPERSON T. DAVIS:** Nope.

**CITY ATTORNEY RYAN:** Miss Perry is saying it is actually in the packet. And there is no actuarial impact on the city --

**COUNCILPERSON GUYTON:** Oh, oh, yeah. There was a statement.

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON GUYTON:** I -- I remember that.

**CITY ATTORNEY RYAN:** Yes. Yes.

**COUNCILPERSON GUYTON:** Yes, it was.

**CITY ATTORNEY RYAN:** As reflected --

**COUNCILPERSON GUYTON:** That's a statement not a --

**COUNCILPERSON T. DAVIS:** Study.

**COUNCILPERSON GUYTON:** -- document of numbers that --

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

**CITY ATTORNEY RYAN:** Right.

**COUNCILPERSON GUYTON:** Yeah. There's a statement. And -- and Madam Chair.

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

**COUNCILPERSON GUYTON:** Okay.

**CHAIRPERSON DAVIS:** (Unintelligible).

**COUNCILPERSON GUYTON:** I -- I was gonna try to answer one of my colleague's questions.

**CHAIRPERSON DAVIS:** Oh, you done, Miss Ryan?

**CITY ATTORNEY RYAN:** Yes.

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

**COUNCILPERSON GUYTON:** Yeah. The -- the question is a very valid question as to why is it before us? And -- and -- and it's been articulated but clearly not as -- as -- as probably direct or clear as it should be. But our ordinance dictates to us certain investments, the level of investments and what we can do. That's in addition to State Statutes that we have to comply with. We were more restrictive.

So if the board decided, as we did when I was on it because I was part of these discussions, that we wanted to make some minor changes, none of which would be

overly risky, we would have to go before the Council because it's in an ordinance. We can't unilaterally say that we're gonna start doing things outside of what the ordinance said. So because the ordinance does have certain restrictions and certain levels that we're able to invest in, whatever the board decides to do that is different, not just the police, the fire and the general, it would have to come before this board in order to effectuate that change. So that is why it's here because it's in the ordinance.

And the Statute -- the Florida Statutes is another safeguard where it does not allow derivatives and other things that make these type of investments more riskier than what they feel would be appropriate for public funds. So the bottom line is it's an ordinance and they wanted -- we wanted to make a change and in order to do that -- it's a minor change, granted. But we can't even make minor changes. We can't make any changes without getting your approval.

**COUNCILPERSON THOMAS:** I -- I -- I understand that part of it. Let me ask you this, who is the financial manager?

**PENSION BOARD ATTORNEY HARRISON:** Who is the financial manager? Several. We have a consultant which is Bodkin Consultant. They -- they recommend and evaluate each investment manager. We have several. Off the top of my head, I couldn't tell you all of them. We're in the process of changing one for lack of performance. You know, I -- I'm hesitant because, you know, I work with these boards and have for awhile and they're very dedicated and they work consciously with one objective in mind and that's to control or reduce the cost to the city. The factor that the - - that they deal with that creates the most problem is the volatility of the stock market of recent years.

It creates an up and down problem for us and from year to year, as you adopt a budget, if the market's bad, there's going to be an increase in costs. The market's been good the last few years. As a matter of fact, we just ended a fiscal year. We end in -- our fiscal year ends in September -- and we, once again, exceeded our assumed investment return, which creates an overall impact -- the -- it reduces the overall cost of the plan which means the city has a reduction in costs.

Does that mean you're going to see the contribution go down? I -- I defer to the actuary. They do the numbers. I deal with it from a legal perspective. The simplest answer I can give as why are we here, because it's an ordinance change and you're the only body that has the authority to make the ordinance change. Are these things going to create volatility? The impact statement from your actuary, I believe, says this is de minimis, if at all, as far as having an impact on risk or cost.

**COUNCILPERSON THOMAS:** Well, where is that impact statement?

**PENSION BOARD ATTORNEY HARRISON:** I'm sorry?

**COUNCILPERSON GUYTON:** It's in the packet --

**CHAIRPERSON DAVIS:** It's a letter.

**COUNCILPERSON GUYTON:** Can we --

**CITY MANAGER JONES:** Under item 10.

**COUNCILPERSON THOMAS:** Yeah. It's -- where is it?

**COUNCILPERSON GUYTON:** Here it is. Can you pass this down to --

**PENSION BOARD ATTORNEY HARRISON:** We -- we wouldn't submit an ordinance change without having the actuary take a look at it to see what the potential impact is. So I -- I mean, that's in your package, I'm told.

**CHAIR PRO TEM PARDO:** Yes.

**COUNCILPERSON GUYTON:** It's on the other page there.

**CITY MANAGER JONES:** Other side.

**COUNCILPERSON GUYTON:** Turn it -- other side.

**COUNCILPERSON THOMAS:** Uh-huh.

**CITY MANAGER JONES:** There it is.

**PENSION BOARD ATTORNEY HARRISON:** And I think if you read that --

**COUNCILPERSON GUYTON:** At the bottom -- the bottom line.

**PENSION BOARD ATTORNEY HARRISON:** -- it says -- it says that it's de minimis or no impact, these changes.

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

**CHAIRPERSON DAVIS:** Miss Pardo.

**CHAIR PRO TEM PARDO:** Okay. So which investment advisor are you looking to get rid of?

**PENSION BOARD ATTORNEY HARRISON:** Atlantic Capital is the one that's being removed.

**COUNCILPERSON THOMAS:** Do they invest with the general employees as well?

**PENSION BOARD ATTORNEY HARRISON:** They had been.

**COUNCILPERSON THOMAS:** Are they still investing or have they been removed from them as well?

**PENSION BOARD ATTORNEY HARRISON:** I think they're being evaluated. Whether the board has -- I don't think has made the final decision but they are under -- under watch right now.

**COUNCILPERSON THOMAS:** Okay. This is my -- this -- this is my problem. When we get these reports and we see that the general employees, which I think have the largest amount of people in them, is -- is performing at a -- at a -- a rate not equal to the other pension plans that we have, I'm saying if this is going to do something that's going to enhance the pension plan that is performing good, why are we not mirroring it - - did I mess that up?

**CHAIRPERSON DAVIS:** No, you didn't.

**COUNCILPERSON THOMAS:** Oh, okay.

**PENSION BOARD ATTORNEY HARRISON:** No, I -- I -- I understand what you're saying.

**COUNCILPERSON THOMAS:** Across the board but it just doesn't make --

**PENSION BOARD ATTORNEY HARRISON:** I -- I -- I work for five people on the police board and I work for --

**COUNCILPERSON GUYTON:** Seven.

**PENSION BOARD ATTORNEY HARRISON:** -- seven on the general plan.

**COUNCILPERSON GUYTON:** Different people.

**PENSION BOARD ATTORNEY HARRISON:** Different people, different approaches. Each board makes its decisions. They vote on things and then I am vested with carrying them out. The reason is, one board operates a little bit different than the other.

One board's larger. You get more input, more comments, more ideas. The other board -- that board doesn't have a State Statute that says, Here are your limitations, as the police and fire board do. So it -- it's just -- it takes a little longer, there's more discussion. But I will tell you, all of these boards are dedicated to looking out in the best interests of the participants in the city and these pension plans. They work hard.

**COUNCILPERSON THOMAS:** Well, I -- I understand that. What I don't understand is if we have two pension plans that are performing good --

**PENSION BOARD ATTORNEY HARRISON:** Uh-huh.

**COUNCILPERSON THOMAS:** -- or at least at a satisfactory level, why are we not -- since we are still the parent of all of these plans -- why are we not saying we have a child that needs some remedial help? Why are we not trying to do the same thing to -- to get that pension plan performing well. That -- that's the only point I'm trying to get to.

**PENSION BOARD ATTORNEY HARRISON:** Well, you have. You had some commissioners come to that plan and express that concern, and the plan reacted. They told their consultant, We want you to look at these investment managers. We wanna know why -- if they're not performing, we wanna know why. So I mean, you -- the commission has expressed that interest. That board is seven members.

**CHAIRPERSON DAVIS:** And it's really the board votes and they follow their direction.

**COUNCILPERSON THOMAS:** Okay. All right.

**CHAIRPERSON DAVIS:** And he can't -- he can't -- he can't overstep that.

**COUNCILPERSON THOMAS:** Yeah. I did not get this from the actuary for some particular reason, but I'm gonna pass that back down. And --

**CHAIRPERSON DAVIS:** Okay.

**COUNCILPERSON THOMAS:** -- I'm -- I'm done with my questions.

**CHAIRPERSON DAVIS:** You're done? Okay.

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

**CHAIRPERSON DAVIS:** Any other questions or comments? Madam Clerk? Thank you, sir.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Absolutely.

**DEPUTY CITY CLERK ANTHONY:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Pro Tem Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Chair Davis?

**CHAIRPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Unanimous vote.

**CHAIRPERSON DAVIS:** Item 11.

**11. ORDINANCE NO. \_\_\_\_\_ AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE POLICE OFFICERS' PENSION PLAN; TO PROVIDE FOR COMPLIANCE WITH THE INTERNAL REVENUE CODE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**COUNCILPERSON GUYTON:** So moved.

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

**COUNCILPERSON THOMAS:** Second.

**CHAIRPERSON DAVIS:** Okay. Miss Jones.

**CITY MANAGER JONES:** Yes. The item that you have before you is an item that is submitted by the Police Officers' Pension Plan in order for it to comply with section 41A or the Internal Revenue Codes.

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

**COUNCILPERSON THOMAS:** Yes. Can we have a more detailed presentation?

**CHAIRPERSON DAVIS:** Okay. Good evening, sir.

**PENSION BOARD ATTORNEY HARRISON:** Okay. Ken Harrison once again, from the firm of Sugarman & Susskind. I am the attorney for the Police Pension Board. This -- this ordinance comes about at the insistence of the Internal Revenue Service. The reason for this is about six years ago, the Internal Revenue Service decided that they were gonna mandate governmental plans to apply for what's called a determination letter on a 5-year cycle. And they -- we went through that process and asked -- they -- and sent them --

**COUNCILPERSON THOMAS:** I'm sorry. Mr. Ken, you said a determination letter on a 5-year cycle.

**PENSION BOARD ATTORNEY HARRISON:** Yeah. On a 5-year -- a determination letter means that your plan is determined to be qualified. What that means to you is you can now make contributions that are pre-tax, which is a savings to the city as opposed to post-tax. If you're not a qualified plan, you cannot make pre-tax contributions. So that's why it's important to have this determination letter that you're a qualified plan.

And the IRS used to only require it once. They've put us on this cycle where we have to apply every five years now. And when we submitted the original application, we had to submit the -- we had to fill out the form and we had to submit the ordinance as it existed. They responded and said, Your ordinance doesn't comply with the IRS code the way we want it to comply. The way we used to comply with the IRS, we would say, "We're in compliance by reference to Section 451 of the Internal Revenue Code." They said that's not good enough. You have to put the actual language in your ordinance.

**CHAIRPERSON DAVIS:** Uh-huh.

**PENSION BOARD ATTORNEY HARRISON:** That's why this thing is as massive as it is. And they said to us, "We're going to give you a determination letter contingent upon you passing these changes." So they've mandated that we make these changes, and it's language that they've suggested to us, required of us. Now, the importance of this is that we're entering into our second cycle and they've questioned why these changes have not been passed.

**CHAIRPERSON DAVIS:** Yeah.

**PENSION BOARD ATTORNEY HARRISON:** We had said we've submitted to the -- "We have submitted them to the Council for consideration," and they have accepted that to date and accepted the application for the second determination letter in the second cycle. But we need to comply with their insistence that we put the language that they want in the ordinance. And again, you're the legislative body to make the changes in the ordinance.

**COUNCILPERSON THOMAS:** But how --

**PENSION BOARD ATTORNEY HARRISON:** Therefore --

**COUNCILPERSON THOMAS:** -- does that language effect us?

**PENSION BOARD ATTORNEY HARRISON:** How does it affect you?

**COUNCILPERSON THOMAS:** Yes.

**COUNCILPERSON GUYTON:** There's no fiscal affect.

**PENSION BOARD ATTORNEY HARRISON:** There's no fiscal affect. Again, you should have an impact statement.

**COUNCILPERSON GUYTON:** It's just administrative.

**PENSION BOARD ATTORNEY HARRISON:** What this does is say that there's certain -- there's certain language in the Internal Revenue Code that's now in your ordinance verbatim. You can't do it by reference any more.

**COUNCILPERSON THOMAS:** Okay. You -- you've mentioned this impact statement. We are not pension board attorneys or even pension board members or any certification of one with the exception of one of us. So my question is, if I don't understand how something's working, I'm just not gonna say fine. Because I don't know how that's going to affect us down the line.

**PENSION BOARD ATTORNEY HARRISON:** I understand that.

**COUNCILPERSON THOMAS:** Qualified, what does that actually mean?

**PENSION BOARD ATTORNEY HARRISON:** What does it -- what is --

**COUNCILPERSON THOMAS:** You said that you have to be -- the IRS won't allow you to have a qualified letter to say that you're qualified.

**PENSION BOARD ATTORNEY HARRISON:** Say you're a qualified plan. What that means to you is you could no longer do pre-tax contributions. Which means --

**COUNCILPERSON THOMAS:** And what does that mean? Yes.

**PENSION BOARD ATTORNEY HARRISON:** -- that means that you're gonna -- you're going to pay the employer side of the taxes that are in -- that are part of those contributions that come from the employee.

**COUNCILPERSON THOMAS:** So what do we do now? How -- what -- what do we do right now as it stands?

**PENSION BOARD ATTORNEY HARRISON:** You -- you make pension contributions pre-tax. They go -- there's no tax taken out. It goes into the -- the employees' contribution goes into the plan, pre-tax.

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

**PENSION BOARD ATTORNEY HARRISON:** That's -- we -- we have operated that way from the beginning of this plan. We just now have to have the affirmative response from IRS to allow us to continue to do that.

**COUNCILPERSON THOMAS:** Okay. So if we didn't get qualified, then you're saying instead of being able to put the contributions into this plan without taxes, we'll have to pay taxes on it and then put the --

**PENSION BOARD ATTORNEY HARRISON:** Well, the worst case scenario is you'd have to go back and pay all the prior taxes that you haven't paid since the inception of this policy. That would be the worst case scenario. The best case scenario is you just have to go collect that from the -- the employees and you'd only have to make your share going forward. Can I tell you which one it will be? The IRS would rule on that. They'd fine you. I can tell you this. I have one plan that didn't do this and they fined them \$8,000. The first cycle, they said, We're not gonna do it and the IRS said fine.

**COUNCILPERSON THOMAS:** Well, if it's so significant, why is it just getting to us now?

**PENSION BOARD ATTORNEY HARRISON:** The process? We -- we prepare it, send it forward. We had the actuary look at it. I -- I'm not sure that I can answer that

question. It took time to get to you. There's a process that -- that's followed through -- in the city from the pension board to the city and it takes time to get to you.

**COUNCILPERSON THOMAS:** And by us not acting on this now, you're saying that that makes -- that's -- it makes some type of difference in this determination letter?

**PENSION BOARD ATTORNEY HARRISON:** In the second cycle -- they've already responded and said they'd like to see an enacted ordinance, and we've said it's been forwarded, and they said, "Okay. As soon as you get it enacted, we want a signed copy." That's where we're at right now.

**COUNCILPERSON THOMAS:** How long ago did you try to get this to this board?

**PENSION BOARD ATTORNEY HARRISON:** 2013, when we originally submitted it.

**COUNCILPERSON THOMAS:** A year ago?

**PENSION BOARD ATTORNEY HARRISON:** Well, approximately.

**CITY MANAGER JONES:** The correspondence in the attachment that is attached to the agenda, the most recent is dated August 16<sup>th</sup>, August 26<sup>th</sup>, 2014, and that was from the actuary, I guess, the actuarial impact statement. The heading is August 26<sup>th</sup>, 2014. They've been working on it for awhile but it's worked its way through the process and then that's when the actuarial --

**COUNCILPERSON THOMAS:** From the time that they actually gave this to Finance or the Manager's Office or whatever, to get to the agenda to where we are right now, when did they do that? That -- that was just August?

**CITY MANAGER JONES:** Yes. I mean, it -- and then --

**COUNCILPERSON THOMAS:** So it hasn't been --

**CITY MANAGER JONES:** No. They've been working on it that long.

**CHAIRPERSON DAVIS:** The actuarial that --

**CITY MANAGER JONES:** The final documents haven't gotten to us.

**COUNCILPERSON THOMAS:** So it wasn't a -- a holdup that the city was doing, it was actually on the pension plan side.

**CITY MANAGER JONES:** And making -- and getting through their process. They've been trying to do this for some time.

**COUNCILPERSON THOMAS:** Well, you are aware that he doesn't feel that -- well, Mr. Ken doesn't feel that way. He feels that they've been trying --

**PENSION BOARD ATTORNEY HARRISON:** I'm not -- I -- I have very good cooperation with the City Attorney and the City Administration.

**CITY MANAGER JONES:** Yeah.

**PENSION BOARD ATTORNEY HARRISON:** It took time to get this through. We started -- we sent this forward in 2013. Why -- why the actuary and all of that has -- I can't answer those questions. You asked me how long have we been working on this. We started in 2013. I believe Mr. Guyton was on the board when this started.

**COUNCILPERSON THOMAS:** He was on the Pension Board when this started?

**PENSION BOARD ATTORNEY HARRISON:** Yes.

**COUNCILPERSON THOMAS:** That was probably before the -- the -- the year 2013 then.

**CHAIRPERSON DAVIS:** Before the election.

**COUNCILPERSON THOMAS:** Okay. So what I'm trying to figure out is, I just hate being put in this position where if we don't do something right now, then it's going to be some type of negative impact. And that's what I'm trying to get to. See, I'm trying to stop all of that from continuing to happen.

**PENSION BOARD ATTORNEY HARRISON:** I -- I understand that and I -- I'd like very much to see it expedited. But I -- we -- we've been working on this for quite awhile and I cannot tell you what the holdups were. My -- my objective was to get it forward. And once -- once we got everybody -- as a matter of fact, you were at a meeting when I was having it with Miss Perry and -- and Miss Ryan. You walked in at that meeting. That's what we were talking about, this ordinance.

**COUNCILPERSON THOMAS:** I'm -- I've been known to do that from time to time.

**PENSION BOARD ATTORNEY HARRISON:** Yeah.

**COUNCILPERSON THOMAS:** Well, let me -- let me ask you this right here. You said that from the time you sent it forth, it was -- it was in the '13 -- who did you send it forth to?

**PENSION BOARD ATTORNEY HARRISON:** We sent it forward -- well, the administrator takes it and sends it forward to the actuary and to the city.

**COUNCILPERSON THOMAS:** So you sent in 2013 to the city.

**PENSION BOARD ATTORNEY HARRISON:** Yes, sir.

**COUNCILPERSON THOMAS:** But from 2013 to 2014, it's just now getting to us, which is what I was getting at a little earlier. And I -- and I understand and nothing -- well, I can't -- I can't say that no repercussions will come with the Manager or the Attorney or whoever be upset with you.

**PENSION BOARD ATTORNEY HARRISON:** I -- I --

**COUNCILPERSON THOMAS:** That may happen. But that's not my concern right now. My concern is so that this board does not continue to be put in a position to where if you don't make a decision right now, it negatively effects, you know, what happens. And that's basically what you're saying. You basically saying we can -- we can really get hit hard and have to go back -- we've -- these pension plans have been in place for, what, 50 years?

**PENSION BOARD ATTORNEY HARRISON:** You asked me -- the worst case scenario, I gave you, you know. I -- I can't sugarcoat that any. That's --

**COUNCILPERSON THOMAS:** And I'm -- I'm definitely not asking you to.

**PENSION BOARD ATTORNEY HARRISON:** -- that's the worst case scenario. The best thing is that we, you know, we -- we get this done and we're gonna be -- we're gonna be reviewing this with IRS every five years. Okay? That's the new cycle. So we're -- they're gonna be looking at this ordinance and any changes we make to it every five years. So I can't -- I believe that you're gonna see me or -- or somebody -- not -- not me, I don't know how much longer I'm gonna do this -- but you'll see somebody up here saying we're back with the IRS determination letter package.

**COUNCILPERSON THOMAS:** I get it.

**PENSION BOARD ATTORNEY HARRISON:** Okay?

**COUNCILPERSON THOMAS:** Thank -- thank you, Mr. -- Mr. Ken. Madam Chair, I'm concerned -- not about necessarily this -- I think we should move forward with it. But I'm concerned that, yet again, I feel like it's a rush thing. If you don't do it right now, that, you know, it's something negative going to affect us some type of way. And, you know, I'm just of the belief that we just can't keep operating, you know, like this. And I'm just addressing the Chair, but, you know, it's for the board.

I just don't, you know, clearly, you know, he said that 2013, we've had a year to look through all of this and if it took that long because of whatever reason, you know, I would like to know that. But you didn't hear a reason that it should've taken a year. I want to know why it's taking that long to -- to -- to do these things and I think that the entire board should know why it's taking this long to get certain things done. So that's just my -- my little plea to my -- to my colleagues to say, Hey, look, you know, once again, it's rush, rush, rush. We -- we need to quit saying, Okay, are we going to get on Miss Ryan? Are we going to get on Miss Jones? Are we, you know, whoever the -- the problem is, we need to pull the layers back, find out what's the problem and let's, you know, make our staff operate, you know, in a better -- in a better function than this.

So I'm not pointing any fingers at anybody but I would like to know, you know, why it took this long.

**CITY MANAGER JONES:** Madam Chair.

**CHAIRPERSON DAVIS:** Yes, Miss Ruth, Miss Jones.

**CITY MANAGER JONES:** And in response to Councilman Thomas, I will question staff as to when they received the documents and the information and the timetable for this item coming forward.

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

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON DAVIS:** Mr. Guyton.

**COUNCILPERSON GUYTON:** I -- we -- I think that we should start -- we, the board -- should start requiring a timeframe to get pension items before us. Whether it's two months after receiving or three months, we should direct staff that you have either 60 or 90 days, once the item is submitted to the city, to get it to us. If you can't make that timeframe, submit a letter or memo indicating that we're working on X, Y, Z and it's gonna take this amount of time. And again, I agree with my colleague, Mr. Thomas. I don't wanna point any fingers anywhere, but we need to do better about moving on items that we get from these pension boards. This is about people livelihood after they've worked all of their lives or they're in the pension plan and I want to make sure --

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** -- that we're doing things expeditiously and timely and I -- it's our, the board responsibility to give staff a directive that from this point on, once you get pension board information, it needs to get to us within 90 days or you explain why it can't. And -- and that is where I am on it.

**COUNCILPERSON THOMAS:** I definitely agree.

**CITY MANAGER JONES:** Then --

**COUNCILPERSON THOMAS:** Madam Chair, I'm sorry.

**CHAIRPERSON DAVIS:** Go ahead.

**COUNCILPERSON THOMAS:** I definitely agree with that and, you know, a few years ago I said that, you know, this board needed to be more educated on the pension plans. I actually said that we need to get the same training because of decisions like this. It makes a big difference understanding it a little bit better. If all of us had the same level of expertise, and I use that very loosely, that Mr. Guyton has, I know -- I know Miss Pardo has, you know, has expertise in this matter, too. But if all of us had it, then we would, you know, we would understand it a little bit better, you know, and we would know.

The -- the other thing about what Mr. Guyton was asking for, if we don't know that, I don't -- we don't get reports from these pension boards and maybe we should be directing the pension boards to come before us every --

**CITY MANAGER JONES:** Quarter?

**COUNCILPERSON THOMAS:** -- you know, 90 or 60 days or 60 month --

**CITY MANAGER JONES:** Quarter?

**COUNCILPERSON THOMAS:** -- or every quarter to, you know, to give us what they're looking for or what new things that they want so that we actually, you know, know what's going on so that this doesn't take that long. I -- I gotta tell you, you know, this -- this really -- it's -- it's gotta be the last time that anybody, staff, attorneys, consultants, anybody stands at that podium and says, If you don't do this right now, there is going to be effecting you or impacting you in some type of negative way. We just cannot operate like that. I just can't, you know, stay in the woods. So, me, I'm gonna be very aggressive on that point from here on out and I'm just giving you that prelude right now to say, I'm done with that. That's all for me.

**PENSION BOARD ATTORNEY HARRISON:** Well, I'd say I -- I -- I look forward to coming here 'cause Commissioner Thomas always keeps me on my toes when I come. And I would tell you that the general plan has an educational seminar every November and I believe you're all invited, which may be (Unintelligible).

**CHAIRPERSON DAVIS:** Yeah. I -- I just have one -- one question for you.

**PENSION BOARD ATTORNEY HARRISON:** Yes, ma'am.

**CHAIRPERSON DAVIS:** And Miss Jones, you know, I heard that in one of the questions, you said that it had been sent to the actuarial and that we only received it in August of 2014. But you're saying that you sent it to the city a year ago. So --

**PENSION BOARD ATTORNEY HARRISON:** Within -- since -- within the year, yes. 2013 is when we sent it.

**CHAIRPERSON DAVIS:** Okay. So you weren't aware that it was here or somebody -- on somebody's desk?

**CITY MANAGER JONES:** Yeah. I wasn't aware, I'm going by the backup that's in --

**CHAIRPERSON DAVIS:** Uh-huh.

**CITY MANAGER JONES:** -- the document, and that's the date on the document information.

**CHAIRPERSON DAVIS:** Who would -- who would normally handle that kind of thing, Finance or, I mean, our Finance Department.

**COUNCILPERSON T. DAVIS:** It's legal.

**CITY MANAGER JONES:** HR.

**CHAIRPERSON DAVIS:** HR?

**CITY MANAGER JONES:** Well, both of them staff it out.

**CHAIRPERSON DAVIS:** Okay. All right.

**PENSION BOARD ATTORNEY HARRISON:** I can -- I can tell you that when -- after I had the meeting with Miss Ryan and Miss Perry, I called the actuary and said, Send the

impact statement that you did before. That's the memo that you've got. So he did send them down.

**CHAIRPERSON DAVIS:** Uh-huh.

**PENSION BOARD ATTORNEY HARRISON:** But if I might, I can tell you that it -- your City Attorney is -- is pretty much a one-person operation --

**CITY ATTORNEY RYAN:** Uh-huh.

**PENSION BOARD ATTORNEY HARRISON:** -- and she has a lot to do and you could help her out by giving her some opportunities to bring interns in during the summer from law schools or --

**CHAIRPERSON DAVIS:** She paid you to say that, right?

**CITY ATTORNEY RYAN:** I didn't.

**PENSION BOARD ATTORNEY HARRISON:** All right? I -- I mean, I -- I have to hasten to my fellow attorney's defense here, because I know she -- she has a busy time. And, you know, without -- but doing -- running a one-person shop for a city of your size is pretty tough. And I can't say enough about Miss Perry, but you're about to lose her and I -- I'm not sure you'll ever replace Miss Perry. But I definitely have a very good working relationship with those people and those offices. I cannot tell you why this stuff sat. I will tell you that I'll take some of it because I didn't push it hard for my client.

**CHAIRPERSON DAVIS:** Okay.

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** All right. Mayor Masters.

**MAYOR MASTERS:** Mr. Attorney, just for FYI, my -- and for the public information -- knowledge as well, generally, how long does this process take?

**PENSION BOARD ATTORNEY HARRISON:** About six months usually.

**MAYOR MASTERS:** Thank you, sir.

**CHAIRPERSON DAVIS:** Okay. Thank you very much, sir. Any other questions or comments? Okay. Madam Clerk.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Guyton?

**COUNCILPERSON GUYTON:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Pro Tem Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Chair Davis.

**CHAIRPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Unanimous vote.

**CHAIRPERSON DAVIS:** Okay.

**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.

**SYLVIA BLUE:** Madam Chair, members of the board. It's been an enlightening meeting, let's say. It is proven to be true that a lie will travel halfway around the globe before the truth even gets its shoes on. Repetition does not transform a lie into the

truth. Repetition does not transform a lie into a truth. You know, the City of Riviera Beach is quite unique and a lot of my comments are based on other comments prior to me.

The National League of Cities study is not based on Riviera Beach demographics because of the uniqueness here. 2013, District 1, the winner was Bruce Guyton. I don't know what all the figures were, but that's who the winners were -- the winner was. I came before you approximately a month ago and asked for your consideration in enhancing, not eliminating, enhancing the position of mayor.

Mr. Davis, when you speak, when you say some people or a small group of people from the mainland get together with a small group of people on the island, if you're referencing the city, I'm sorry, the Committee for a Better Riviera Beach, that's me. I'm the Chair. I say that every time I come up here. I also speak as a resident. I enjoy the relationship that we have, mainland, Singer Island, because we are one community. The only way you all have gotten to where you are today in your efforts is because of the unity in the community. So, yeah, we meet. I enjoy it. After which, we have a cocktail and we go home.

We never -- there was never a part of my discussion from this lectern to eliminate the position of mayor. Now, that's how that lie somehow got magnified because it's not something that came from me; it's not something that was represented by me on behalf of the committee because it's not something we even discussed. We discussed enhancing the position of the mayor. Now, the current mayor --

**CHAIRPERSON DAVIS:** Forty-five seconds.

**SYLVIA BLUE:** -- talks about, Oh, I don't have a vote -- I don't have a vote. Well, what we're saying is let's give the mayor's position a vote. Let's not disenfranchise whoever the mayor is. Let's not disenfranchise that person. Let's give him a vote. And to your credit, sir, I'm going to retract one thing I said. Let's not combine that mayor's position with the District 5 seat. Okay? Let's take Mr. Guyton's seat. Why don't we do that?

**CHAIRPERSON DAVIS:** Okay.

**SYLVIA BLUE:** So it's not putting you against the person in the mayor's seat, Mr. Guyton is certainly willing to put that seat up for grabs because I know he can win it. Thank you very much.

**CHAIRPERSON DAVIS:** Thank you Miss Blue. Miss Shepherd.

**MARGARET SHEPHERD:** Margaret Shepherd, Riviera Beach. Mr. Thomas, I almost said amen. I almost said thank you, Jesus. I really did feel the spirit of God in what you were saying. Continue, young man. You're going places. You are. You really are.

The city is -- the city is really going places and I'm so happy to have been a part of the island on the 18<sup>th</sup> to see the historical groundbreaking of our new garage that's going on over there. Such a pleasure where we had good food and we just had a good time -- the steel bands, it was wonderful. Such a great host, Mrs. Pardo, and -- and our Chair. Such a -- such a great honor as well as Mr. Brown.

Another thing that I liked is that we did two cleanings. One united -- united --

**CHAIRPERSON DAVIS:** Citizens United.

**UNIDENTIFIED SPEAKER:** Neighbors United.

**MARGARET SHEPHERD:** Neighbors United, yes. Mrs. Daniels and Mrs. Wooten, it was fabulous, nice. But I have to talk about my group, Southside Coalition. And I think we must've picked up close to about 75 bags of trash right in that area. And I want to thank Miss Hope and her daughter and everybody that came out because -- Hope really got into the bushes. I mean -- I mean -- I mean, I -- I wouldn't have done it. But, you know, while she was doing it, I kept saying there's a piece there, there's a piece there. You know, I was like you -- you, but, Hope really got into it. I mean, she motivated the young people. Thank God for Summer and her -- and Mrs. Hope's daughter who's such a nice lady. That is a nice lady. But I want to encourage people. This is our city and we should be cleaning up our city and we should be keeping it clean and we should report anybody that dump anything in our city.

So I want to encourage you for that and -- and truly, once again, Mr. Thomas, you gave me something really to think about. Really. You really gave me something to think about because I know if I continue with this, you know, I'll drop dead. Because this is just -- it's overwhelming that we can't talk about anything without black and white. Thank God my mother, when she brought us here from the North, I asked her, Did I see the signs, did we see -- she says, They were there but I shield you from it. I thank God, being this late age, I'm shield from it. I just don't see it. But if people want to take up this time --

**CHAIRPERSON DAVIS:** Thirty seconds.

**MARGARET SHEPHERD:** -- and continue this hatred, God bless you. And I tell you, you -- you can really have this wonderful day. Thank you.

**CHAIRPERSON DAVIS:** Thank you, Miss Shepherd. Miss Mary Brabham. After Miss Brabham is Rose Anne Brown.

**MARY BRABHAM:** Miss Mary Brabham. I've already stated my address. When I speak, I speak in reference to Miss Brabham. I speak in reference to all of the residents that I know, not just inside of Riviera Beach or outside of Riviera Beach. I'm not a racist.

My in-laws are Jewish; my grandkids are Jewish. I have a big in-law family that loves me and I love them. I also have a Hispanic family. I love them and they loves us. My husband is from a Seminole tribe. My relatives loves me and I loves them. So I can't -- I'm not prejudice. But if we sit here and we say that it's not divisiveness and bigotry here, you're fooling yourselves.

We have a United States President and I have been in the company -- in -- in company with some that say they hate our President. Look at what's happening in Washington. They don't work with him. And if we sit here and say that this does not exist, no, no, no, we're fooling ourselves. When I made the comment last night about this that -- that you all are speaking in terms here now, when I said by disenfranchising -- if you put yours on the ballot, if another -- if -- if the residents want another one, then -- then it's more than right for you to do that.

Yes, we will be in an uproar. We may not be like Ferguson because it would not be in a shooting, but we will be in an uproar. I can guarantee you that. So I -- I said leave it alone. Continue to work together for the good of the city. But it -- but it is divisiveness. And you sit on that board there, and you play that card, so -- so what do you expect from your residents? You all have to get it together. The sign back there, we're supposed to be a non-partisan city. When we look on TV, all we can see is -- is Rick -- Rick Scott. I have nothing against Rick Scott. I have nothing against Charlie Crist. But you can't do these things here and expect for the residents to say that we can't not express our viewpoints without someone else coming up -- coming up here and say that. We need to cut it out. Well, perhaps they need to cut it out, too.

This is a form of democracy. This is what this is about. That sign been up there for over three months.

**CHAIRPERSON DAVIS:** Thirty seconds.

**MARY BRABHAM:** For over three months. As City Manager, we're supposed to be non-partisan. That should've done been down. That should've done been down. So we're not saying that we have anything against the two candidates but when we see that -- and I don't care whether you receive the monies or not, it doesn't represent a body of democracy. The peoples will vote for who they want to vote for. I did not vote for the Mayor.

**CHAIRPERSON DAVIS:** Miss Brabham, you're three minutes are up.

**MARY BRABHAM:** I did not vote for Terence Davis, but I work in conjunction with the board that is there. I voted for Bruce. Yes, I voted for Judy and yes, I voted for Cedrick.

**CHAIRPERSON DAVIS:** Okay, Miss Brabham. You need to wrap it up.

**MARY BRABHAM:** But that does not disenfranchise -- we don't want to be disenfranchised. So you all stay together as a board.

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

**MARY BRABHAM:** Stay together as a board. Thank you.

**CHAIRPERSON DAVIS:** I appreciate it. Thank you.

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** Rose Anne Brown. As she comes up, Mayor Masters.

**MAYOR MASTERS:** Yes. To the manager, what will it take -- I think Miss Brabham is correct. The sign should -- should come down. What --

**CITY MANAGER JONES:** (Unintelligible).

**MAYOR MASTERS:** I'm just asking a question, please, I'm just ask -- I have -- I have the floor. Can we just take it down?

**CITY MANAGER JONES:** Mr. Thomas, would you take it down, please?

**MAYOR MASTERS:** I think Miss Brabham is -- is correct it --

**CHAIR PRO TEM PARDO:** You mentioned everyone else.

**MAYOR MASTERS:** -- it should have been down. Thank you.

**CHAIRPERSON DAVIS:** No. He (unintelligible).

**CHAIR PRO TEM PARDO:** Sure.

**MAYOR MASTERS:** In all fairness to the election.

**CHAIR PRO TEM PARDO:** Yeah. I think in all fairness, we need to remember that, you know, Bobby Powell signed it; Jeff Clemens signed it; Hager signed it.

**CHAIRPERSON DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** Multiple signatures.

**MAYOR MASTERS:** Two wrongs don't make a right.

**CHAIRPERSON DAVIS:** Miss -- Miss Brown.

**RA:** Good evening, Mayor, the City Council and staff. I came up here to talk to you about scholarships. But before I do that, let me just say this. Riviera Beach is still the best waterfront city, the best city -- it doesn't even have to be waterfront -- to live, work and play. There is no I in team. So prayerfully, we will continue to make it better and better and better and better, everyone working together.

Thank you for the opportunity to speak this evening and I want to talk to you about closing out the Education Scholarship Program. Very quickly, we had 42 applicants this year. 30 of them were qualified. \$19,000 was given by the City Council. Thank you so much for that. Law Enforcement Trust Fund from the Police Department gave \$2,000. We thank them for that.

**CHAIR PRO TEM PARDO:** Maybe we should tell them, you know --

**RA:** West Palm Beach Fishing Club, \$2,000; Chairwoman Davis, \$1,000; Councilman Bruce Guyton, \$1,500 -- \$1,500, for a total of \$25,500. That's what's already in Finance. When I leave here this evening, I hope I don't miss them, I'm picking up a check from TP Trucking Company for \$1,000. They gave that last year. And last evening I was able to convince some members of the Education Advisory Committee to give \$500 to be -- round out what Mr. Guyton gave us, that extra \$500. I will bring that to be deposited also, which will take us to \$27,000.

I say that to say this: that means that there's still three young people who qualified who we did not have financing for. Two people who had committed to give us the additional monies so far have not come through with that so we've asked some other people. I am asking you this evening for permission to close this out in phases. That you would allow City Manager to send the emails advising that they've won to as many young people as we have money in the bank for. And we did it in phases another year and we actually finally got enough money to give to everyone. We will continue our fundraising, which means that now she could send the emails to the top 25 students. When I bring in the additional \$1,500, she can send emails to the next two on the list and as we bring in \$1,000, she's able to send that congratulatory to those young people and prayerfully, by November, we will have brought in the additional funds. But I'm asking for permission for City Manager at this point to send the notifications in --

**CHAIRPERSON DAVIS:** Twenty seconds.

**RA:** -- phases based upon the money that is already deposited.

**CHAIRPERSON DAVIS:** Thank you, ma'am. So you need -- you need permission from us right now?

**RA:** I don't know. City Manager will tell you whatever it is she -- she needs but I know -

**CHAIRPERSON DAVIS:** What do you -- what do you need?

**RA:** -- that it -- it -- it is historically closed out --

**CHAIRPERSON DAVIS:** Okay.

**RA:** -- all at one time.

**CHAIRPERSON DAVIS:** We'll -- we'll get -- we'll --

**RA:** And we're asking for a phase now based upon monies that's in the bank.

**CHAIRPERSON DAVIS:** Okay. Let's get through this first and then we'll come back to that. Thank you Miss Rose Anne Brown. Doshia Newbold. After Miss Newbold is Mami Kisner.

**COUNCILPERSON GUYTON:** She -- she's the one that gave me the message that she withdrew her card. Did you read that note?

**CHAIRPERSON DAVIS:** Oh, okay. Mami Kisner and then Tina White.

**MAMI KISNER:** Good evening, Mayor.

**MAYOR MASTERS:** Good evening.

**MAMI KISNER:** Madam Chairperson and Council, City Manager Jones. I came before you earlier. Some of you may not have been here when I spoke at the Utility District meeting. I have been before you before and I showed you a list of residents and employees who have contacted me -- I've been a civil rights advocate for, since I was 16 years old -- and I continue to fight for those who do not have a voice. And tonight I am here to thank you and thank the City Manager and the staff and the meetings that I was able to hold with most of you except for one, I did also meet with the Mayor, regarding the budget item of the Backflow Technician's position being removed. I think you saw the data that we supplied to you along with the union representation and in the meetings, I think you've thoroughly reviewed it and made a great decision for the residents of this city.

There is an issue with the water in the Utility District and the management of the Utility District. I have asked for a meeting with the City Manager to work with her on this. Your job is very difficult. I've dealt with politicians across this country. I know it's not an easy job. There are hard decisions and there are hard conversations that you have to have when you're dealing with many issues. But you are elected by the people who include many employees of this city.

You cannot ignore employees who are saying that they are in a hostile work environment, who are being mistreated, who have cameras and microphones that are being put into their area as if they are coming to prison. That is not creating cohesiveness within the city. And what is that saying to our future employees who are young people in this city? Does that mean that they have to get a job and there's going to be a camera and a microphone when they come to work because they're being treated almost as if they're criminals? I wouldn't want to come in that environment and nobody up there on that dais would want to come in that environment.

There is an issue with the water. You have heard the residents speak about their water bills that are escalating. We need to do the research, work together and solve this problem. I'm not accusing anybody of any problems. But I am saying there is mismanagement. We have got to get to the bottom of it whether it is for the employees or the residents who are dealing with these water bills. You have seniors who have escalating water bills and they can barely buy their medicine. Now, this is an issue and this is the issue what we need to be talking about.

You have employees who are leaving the Utility District because of the way they are being treated. You have residents seeing vehicles that they're taxpaying money is paying --

**CHAIRPERSON DAVIS:** Thirty seconds.

**MAMI KISNER:** -- going to softball events and going to other events that are not part of the city, a -- a city job. We've got a problem. There are promotions that are being ignored with employees within that district. You're bringing in outside people and promoting them and giving them jobs. Look at the Utility District and what is happening. And I have been here for 20 years. This is not the first time I have spoken about the Utility District. It is the largest revenue generator in this city. You must look at the issues. Thank you very much.

**CHAIRPERSON DAVIS:** Thank you, Miss Kisner.

**MAYOR MASTERS:** Madam Chair for Miss Kisner, please.

**CHAIRPERSON DAVIS:** Mayor Masters.

**MAYOR MASTERS:** Thank you, Madam Chair. Miss Kisner, let me just say to you -- let me assure you that the Office of the Mayor is conducting an investigation into several of the allegations and charges which -- which include some other documentation as relates to possible misconduct. I will assure you that the Mayor, it is on the desk of the Mayor as we speak -- suspension. And after reviewing these documents and -- and looking at, as Mr. Guyton always says, document, data and evidence. I will assure you it's on my desk and I will take the appropriate action because there's two grounds that -- for the Mayor for suspension: misconduct and negligent of duty. And it's on -- it's on the Mayor's desk. Thank you.

**MAMI KISNER:** I appreciate that, Mayor. And thank you Miss Jones for taking my call and setting up the meeting.

**CHAIRPERSON DAVIS:** Okay. Miss Tina White.

**TINA WHITE:** I just want to tell for my side -- my story in terms of what I know to be lies that were told by Pamala Hanna Ryan in reference to the Code Enforcement Magistrate.

Yes, I am suing the city. Dawn Pardo sued the city in 207. It's her Constitutional right. Bruce Guyton sued the city. That's his Constitutional right. And I'm suing the city. It's my Constitutional right. But what is not the city's Constitutional right is to use Code Enforcement as a measure to countersue me because you may have to pay me some money if the judge so decides.

When the city took before the magistrate, she was not a magistrate. She was impersonating a magistrate since 2008. What Pamala Hanna Ryan did not tell you is that not only she was impersonating, but there have been several others since 2005, impersonating. She has no authority, Pamala Hanna Ryan, to hire a Code Enforcement Magistrate. The Florida Statute, 162.032 is very clear. The hiring of the magistrate is by the City Council. If the City Council does not hire the magistrate, everything the magistrate does is void because it was not approved by the Council.

When I brought this to the magistrate attention -- when I brought it to Christy Goddeau who represents Code Enforcement from Glenn Torcivia office, throughout -- when I brought it to Natalie Moore's attention, all in the quasi-judicial hearing, they had a duty as sworn officers of the court, to halt that hearing when they knew that I was right, that that woman had not been appointed by the City Council. But because Miss Ryan is so corrupt and this city is so corrupt --

**CHAIRPERSON DAVIS:** Okay.

**TINA WHITE:** -- they proceeded on to adjudicate a fine against me for \$68,000 simply because they want to countersue me. Under the Florida Statute 162.09, in order to

adjudicate a fine or a lien, you must consider what has happened. There was no impartiality because the magistrate is hired in other cities by Glen Torcivia law firm wherever they are the attorney of record. The city, Miss Ryan, could not come up with any other case law other than somebody on death row. Tell me how death row inmates have anything to do with a magistrate. A magistrate is not a real judge. The word quasi-judicial means not a real judge.

The de facto doctrine only applies to real judges. Miss Ryan, everybody knows you're ignorant. You're only showing it --

**CHAIRPERSON DAVIS:** Okay. Miss -- Miss Ryan. I mean --

**TINA WHITE:** -- more so today. You are only showing it --

**CHAIRPERSON DAVIS:** (Unintelligible) no, no, no, no. Hold -- hold on, Miss Ryan.

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

**TINA WHITE:** (Unintelligible) yes. Yes, we can talk about ignorance because --

**CHAIRPERSON DAVIS:** No. Miss -- Miss -- Miss White.

**TINA WHITE:** -- you're sitting there laughing --

**CHAIRPERSON DAVIS:** Miss White.

**TINA WHITE:** -- and that shows you're acting ignorant.

**CHAIRPERSON DAVIS:** Miss White. We are going to not do that --

**TINA WHITE:** But anyway --

**CHAIRPERSON DAVIS:** (Unintelligible).

**TINA WHITE:** -- as I said before -- as I said before --

**CHAIRPERSON DAVIS:** Miss -- Miss White. I'm speaking --

**TINA WHITE:** Miss -- Miss -- as I said before --

**CHAIRPERSON DAVIS:** -- I'm speaking and you are out of order.

**TINA WHITE:** Judy Davis and Bruce Guyton --

**CHAIRPERSON DAVIS:** Now will you let me -- let me say --

**TINA WHITE:** -- cannot approve something that happened --

**CHAIRPERSON DAVIS:** -- this. Please stop calling --

**TINA WHITE:** -- and Bruce -- Bruce -- Bruce Guyton and Judy Davis --

**CHAIRPERSON DAVIS:** -- people names, okay, or you will be removed from the Council chambers.

**TINA WHITE:** -- cannot approve something that happened in 2008 because they were not elected officials in 2008. So how can they approve the hiring of the special magistrate by Pam Ryan who had no legal standing in 2008. That's how ridiculous her legal --

**CHAIRPERSON DAVIS:** Okay. Your time is up --

**TINA WHITE:** -- advice is.

**CHAIRPERSON DAVIS:** -- Miss -- Miss White.

**TINA WHITE:** Miss Ryan constantly commits --

**CHAIRPERSON DAVIS:** Your time is up Miss White.

**TINA WHITE:** -- malpractice in this city --

**CHAIRPERSON DAVIS:** Your time is up, Miss White.

**TINA WHITE:** -- and somebody eventually is going to do something about it.

**CHAIRPERSON DAVIS:** Your time is up, ma'am.

**TINA WHITE:** The ACLU is looking into it --

**CHAIRPERSON DAVIS:** Police Officer, please --

**TINA WHITE:** -- and so is the Justice Department.

**CHAIRPERSON DAVIS:** -- escort Miss White out.

**TINA WHITE:** You don't have to escort me. I know the way out.

**CHAIRPERSON DAVIS:** Pastor Martina Walker.

**COUNCILPERSON GUYTON:** Madam Chair.

**CHAIRPERSON DAVIS:** Yes, Mr. Guyton.

**COUNCILPERSON GUYTON:** Let me just say that first of all, Miss White is not an attorney, and she --

**TINA WHITE:** And you aren't either. You're just an educated (unintelligible).

**COUNCILPERSON GUYTON:** Well, I'm glad you threw educated in there. Thank you for the compliment.

**CHAIRPERSON DAVIS:** Jeez.

**COUNCILPERSON GUYTON:** She alluded to the fact of something that I voted on, an agenda item. And she suggested that I didn't have the authority. I just want to put on record that I was advised by counsel that I was within my right to do that and it was an agenda item and I fulfilled my responsibilities when the item hit my -- hit the dais. So I just want everybody to know it wasn't an arbitrary vote where I decided to bring something up from 2008 and vote on it. It was an item that the legal counsel brought to us and advised that we needed to take action and I did. Thank you.

**CHAIRPERSON DAVIS:** Okay. Minister Walker. Pastor Walker, sorry.

**PASTOR WALKER:** Greetings.

**MAYOR MASTERS:** Greetings.

**CHAIRPERSON DAVIS:** Good evening, Miss.

**PASTOR WALKER:** I come to you from the Nipotent [phonetic] Outreach Ministry.

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

**PASTOR WALKER:** Oh, I'm sorry. Pastor Martina Walker from the Nipotent Outreach Ministry. I'm just going to read this to you.

**CHAIRPERSON DAVIS:** Okay.

**PASTOR WALKER:** It is a honor to have Dr. Banks, principal in Inlet Grove High School to host our third annual youth seminar. It's free. The title is Developing to Commune Harmony]. This event will take place on Saturday, October the 11<sup>th</sup> in the -- in Inlet Grove Community High School Auditorium, located at 600 W. 28<sup>th</sup> Street, Riviera Beach, Florida. The purpose of the conference is to empower our students and parents with knowledge of Federal, State, City and County school laws and rules. We do not want our students to experience what happened in Ferguson, Missouri. We also want to let our children and parents know that we cannot answer all of their questions, but we can surely help them find the answers.

Our guest speaker is none other than Palm Beach County Mayor Priscilla Taylor. Also in our platform will be newly elected Honorable Judge Jaimie Goodman; Principal of Lake Worth High School, George Lockhart. Re-elected School Board member, Marcia Andrews; Community Action Program Coordinator, Mr. James Green and former County Commissioner Etta Green. Our moderator will be none other than Congressman Alcee Hastings and Dr. Licata from -- the Director of Choice and Career Options will be there. I'm coming before you now to invite you all to come to this meeting.

You know, a lot of times things happen and then we talk about it. But my son-in-law, one of my sons-in-law, he's a Chief in the Coast Guard. Have a friend that used to be a policeman. She said, "You know what? When a policeman pull his gun, they're not to injure you, they're to kill you." She said, If I shoot that target and I shoot and hit them in the stomach somewhere, I just -- I'm gonna say, I just -- I didn't pass my test, okay? I didn't pass my test because I'm to shoot to kill. I'm to shoot you in the head, in the heart, on a place that you are to die. If our children knew that type of law, do you think they'll be taking chances, saying I can do this because they'll shoot me in the arm or shoot me in the leg? Those policemen got to go home, too. They don't know what you have. So they're going to shoot to kill.

We talk about our students, we talk about the parents, but as the leaders, I pray that you all will be out there so if they come to you, a parent or student, come to you to ask a question, if you don't have the answer, please tell them you're going to get the answer. Thank you.

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

**CITY MANAGER JONES:** Thank you.

**MAYOR MASTERS:** Madam Chair. Madam Chair.

**CHAIRPERSON DAVIS:** Mayor Masters.

**MAYOR MASTERS:** Pastor, Pastor I want to ask you a couple of things for the benefit of the television audience. The date -- give us the date one more time.

**PASTOR WALKER:** October the 11<sup>th</sup>, 5 p.m. at -- in Inlet Grove High School.

**MAYOR MASTERS:** And is there a contact number that someone can contact you for further information or more details?

**PASTOR WALKER:** Oh, yes. 561-379-4782.

**MAYOR MASTERS:** Okay. Debbie LeBlanc-Isaacs, our Chief of Staff -- stand up Debbie -- that's -- she's going to talk to you in a minute. I'm going to invite you to be our guest on the Mayor's radio program for Sunday morning that we're going to be taping Thursday. So stay around for we can set that up.

**PASTOR WALKER:** What time -- what time Thursday?

**MAYOR MASTERS:** 2:30.

**PASTOR WALKER:** Good, good -- good time.

**MAYOR MASTERS:** And we're going to put you in on -- on that slot because I think it's important that the people that listen to 102.3 on Sunday mornings at 6:30 a.m. will hear -- hear -- hear about this great program that the -- that's going to come forth at Inlet Grove. And Dr. Banks is doing a excellent job with the young people so you got a good place to do it with a -- a great woman.

**PASTOR WALKER:** Yes, thank you.

**MAYOR MASTERS:** She's going to get with you in a few minutes.

**PASTOR WALKER:** Okay. Thank you.

**MAYOR MASTERS:** You're welcome.

**CHAIRPERSON DAVIS:** Thank you, ma'am. Okay. That ends our public comments. We are now moving down to board appointments, item 13, which is the reappointment of Hyacinthia Becton and Betty Kendrick to the General Employees Pension Board.

**REGULAR**

**DISCUSSION AND DELIBERATION**

## **12. DISCUSSION BY MAYOR THOMAS A. MASTERS ON SINGLE MEMBER DISTRICTS IN RIVIERA BEACH.**

**CHAIRPERSON DAVIS:** We're now down to item 12, which is a discussion by Mayor Masters on single member districts in Riviera Beach.

**MAYOR MASTERS:** Thank you, Madam Chair. I'm going down to the podium. I'm going to ask the Mayor's Chief of Staff to come, please. Certain times I like to look this way since we are going to be actually talking to the Council.

A couple of the organizations in our community, a couple of the pacts have asked that we take a look at the possibility of having a single -- single member districts in the City of Riviera Beach or have what is called a hybrid or a mixed system where you have so many single member district seats and then you have so many seats that are voted by the people at-large.

As you know, Madam Chair, the County has single member districts, the school board has single member districts. Lake Park has single member districts and there are other cities that we can identify. I have asked the Chief of Staff to do the research based upon the request that we have received from a couple of the organizations as well as people in the community have asked the Office of the Mayor to look into it.

So I'm going to defer now to the Chief of Staff, Debbie LeBlanc-Isaacs. Thank you.

**MAYOR'S CHIEF OF STAFF LEBLANC-ISAACS:** Good evening.

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

**MAYOR'S CHIEF OF STAFF LEBLANC-ISAACS:** The research that I found came from the National League of Cities, and they noted in their footnotes or referenced the Department of Economics by -- at Florida State University. When defining a city's government structure, according to the researchers, three areas are considered. Its form of government, the size of its council and the method of electing each council.

The most popular forms of government they have found are the mayor-council and the council-manager. The mayor-council consists of an elected city council that serves as the legislative body and a separately elected mayor who has administrative authority. The mayor usually does not vote unless there is a tie. Otherwise, the mayor's power is viewed in his executive veto of either ordinances, resolutions or both. The council-manager consists of an elected city council that then appoints a city manager. And in this form of government, it is the city manager who has the -- the administrative authority. However, most cities, according to the research, do not incorporate both

forms of government simultaneously. That is electing the mayor-council plus a council-manager.

B, the second form is the most common size of a council is either five or seven members. And based on the research conducted by Mr. Troy Perry, the majority of the cities in Palm Beach County are five but there are a great number of them that are six and seven. And according to his research also, the way that they are elected versus being appointed, the mayor that is, 24 of the cities elect their mayors out of the 41 which would constitute nearly 60 percent of the cities, they actually elect their mayor instead of appointing it.

The most common methods of electing councilors are by single member districts and at-large elections. At-large elections of city councilors are promoted with the argument that the winners of these elections will support policies that benefit the entire city. In contrast, district elections, they say, may improve citizen participation in the election process. Also, council members may be more responsive to their individual constituency due to the extent that preferences for public goods vary across individual districts. The argument also holds that improvements may likely come -- may occur, more likely, throughout the city, as each council member supports the others in their lobbying for improvements in their individual districts.

There's the third form, which is the mixed system, and it is defined when municipalities combine at-large and single member districts with voters within a district electing councilors from within the district in which they reside and other councilors are elected city-wide, as we have here. Mixed systems are most likely to be found in parts of the South and Central jurisdictions. They are also more likely to have smaller populations, from 25,000 to 69,999, just under 70,000 residents. Combining the mixed system and district system of voting, that is -- when you combine the two of them, they equate more than 51 percent of the -- the systems, which means if you have a mixed system is 25 percent, district is 26.1 percent and the at-large is 48.9. Thanks.

**MAYOR MASTERS:** Madam Chair, Miss Isaacs, the statistics that you found, will you please let us know where -- gives us those statistics?

**MAYOR'S CHIEF OF STAFF LEBLANC-ISAACS:** I told you.

**MAYOR MASTERS:** Again.

**MAYOR'S CHIEF OF STAFF LEBLANC-ISAACS:** I got them from the National League of Cities research.

**MAYOR MASTERS:** The National League of Cities research tells us that the majority of small cities, and I want to make that point, the majority of small cities in the United States of America, have the single member combined with the -- the mixed system. So

it would not be foreign to the City of Riviera Beach, which fits directly in that over 25,000 population. Now, we have districts: District 1, District 2, District 3, District 4 and then a city-wide seat and my esteem colleague that's holding that seat, Mr. Davis.

What is the point of requiring someone to live in a district and you say you are the representative of District 2 or District 3. What's -- what's the point if everybody's home vote for -- according to your district, which -- which simply means that you may not even carry your district. You may lose your district and if it's city-wide, then -- then you can win the election. So if that's the case, who do you represent? How can you say you are the representative of District 2 or District 3 if you have not -- can't carry that district?

I was speaking to some people who have been elected city-wide and they, you know, honestly said, you know, I don't want single member district because I don't do well in my district. You know, I did well everywhere but in my district, you know? And that's -- I don't know if that's what -- what we really want. Also, I was speaking to someone on the island that was very concerned about single member district, and they said to me, "Well, Mr. Mayor, we -- we totally disagree and if that gets on the ballot, I'm going to knock on every single door on -- on the island to tell people that's not -- that's not good for the island."

But I beg to differ because it could be very good for the island and I'll tell you why. If we continue voting the way that we've been voting, city-wide, obviously the numbers are on the mainland. So if you get someone who moves on the island that's popular on the mainland -- say you get a Marie Cole [phonetic] or you get somebody who's well-known on the mainland -- say you got Lynne Hubbard. She decides to move to the island and then you may be stuck with someone who's been elected by the mainland but certainly doesn't -- does not represent the island.

So to me, single member district or a mixed system could even benefit a saved seat no matter where you live because you will be able to determine who represents you. Now you can't. Because you may lose your -- your district but win. So I thought it was worth looking at for Riviera Beach, simply because the majority of cities -- the majority of small cities, have one or the other. And so I thought that I would look at it and see in 2014 if this is a direction could possibly benefit our city. And I would think that a mixed system is sort of what we could -- could possibly have where you have four districts and then the mayor's seat and the city-wide seat would be voted on by the -- by the -- the public.

In a case like that, you still have two seats that would be voted city-wide and you still will have your single member districts. So you have the best of both worlds. You almost have what is exactly what we have in the Congress of the United States of America: House of Representatives, single member districts; the Senate is not. So therefore it's by population. In the House of Representative, you cannot vote for a representative unless you live in that district. So when we look at Congress and we look at Tallahassee and we look at the school board, when we look at the County, you will see that these people are elected by the people of their districts regardless of population,

regardless of geography, regardless of size. It is one man, one vote and that person can proudly say, I live in District 3; I represent District 3. I won. The people of District 3 elected me to serve -- or 2 or 4 -- in that seat.

So we thought I should share this with you inasmuch as you have two political action groups, several citizens, Miss Brabham and others. Even last night, as of late -- as of last night, asked for single member districts in the City of Riviera Beach and it is my fiduciary duty and obligation as the mayor of this city to bring to your attention something that people -- or some people and some political actions groups -- I know others feel differently. But I've done my job and I've brought it to your attention. Thank you Madam Chair.

And I would like to ask the Council members how they feel about that as well in order for the people to know. And also, how do you feel about continuing electing a mayor as we have always had in the history of the city. And I can tell you that it is troubling in the South, when African-Americans did not have the right to vote, 1963, we were given the right to vote. People died for the right to vote. We voted for mayors for the first time. We voted for councilpeople, we voted for other representatives. And there has been some talk about denying -- denying the people the right to vote for mayor, but yet giving them the right to vote for a councilperson.

Now, the research that I've done, the cities that select the mayor rather than elect a mayor, never elected a mayor. So it wasn't like they were electing a mayor then all of a sudden they changed the whole system and they started appointing a mayor. These cities were always appointing a mayor. There's not a city, to my attention, in my research, where they were electing a mayor as we are doing and they regress to something else and allowed three people to decide who the mayor of a city would be in a city that has always elected a mayor. Thank you, Madam Chair. Thank you Chief of Staff.

**CHAIRPERSON DAVIS:** Okay. We have some speakers. Tina White is first and then after her is Mike Sloser.

**TINA WHITE:** Hi. Tina White. I'm not going to beat around the bush like the mayor has done. This is nothing but a political ploy to get rid of the mayor because they cannot beat the mayor. So that's why the new -- the concerned citizens of Riviera Beach want to eliminate the mayor position. I have always been in support of single member districts. I do not want Singer Island deciding who should represent me. I am tired of the people that are supposedly our representatives only pushing the agenda of Singer Island. And when we have single member districts, then these members, our elected officials, will be accountable for us. I have never heard anybody on that dais say, "I make a motion to have funding for my district," other than Dawn Pardo and then the rest of you all endorse what Dawn Pardo want for Singer Island.

I want Mr. Thomas to be reelected in my district. If he wants to step up to the plate to be accountable to the citizens on the west side of Riviera Beach, because I want out of his mouth, is what he's going to do for us, not what he's going to second the motion for, for Singer Island. Of course Singer Island does not want single member districts. If I lived on Singer Island, I would not want them either because they have been controlling everything that happens in this city through the members that are supposedly in our district representing us.

So therefore, I'm sure they are going to come out in droves to fight this. But if this Council is going to approve having a vote on the referendum to decide whether we continue with the same charter system that we have for our mayor, then this Council have a duty to the other people in this city that want single member districts put on the ballot as a referendum question and let the voters make the decision either way. And that's what I would like for you all to do. I don't have a problem with you putting it on the ballot that you want to eliminate the mayor's position because I believe it will be voted down.

So I say, bring it on. I also say bring on single member district and let the people decide what they want. That is what democracy is supposed to be. I know this city is run as a dictatorship, as if we are in this -- the country of Cuba. So I know that's a foreign word to you, democracy, but if you're going to put on a referendum to decide whether we keeping our charter, a mayor, the fair thing to do, which is also a foreign word up there, but the fair thing to do is to put -- Cedrick, stop laughing -- but the fair thing to do is to put on single member districts, because let the voters decide. That's what the power of the vote is and if we all come out to the poll and if one group want to get rid of the mayor --

**CHAIRPERSON DAVIS:** Five seconds.

**TINA WHITE:** -- and the other group wanted to go to single member district, then everybody has won. So I highly support single member districts.

**CHAIRPERSON DAVIS:** Okay.

**TINA WHITE:** You can't get rid of the mayor. You're not gonna get rid of the mayor even with your referendum. So Mayor, don't embrace it.

**CHAIRPERSON DAVIS:** Okay, Miss White.

**TINA WHITE:** Tell them to come forth with their -- their referendum.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON DAVIS:** Thank you, ma'am. I'm gonna have to start the clock.

**CITY MANAGER JONES:** Madam -- Madam Chair.

**CHAIRPERSON DAVIS:** Yes.

**CITY MANAGER JONES:** Something is wrong with the clock --

**CHAIRPERSON DAVIS:** Okay. So I need to (unintelligible).

**CITY MANAGER JONES:** -- in there, but we've changed the batteries and it's not working.

**CHAIRPERSON DAVIS:** Okay. Go ahead.

**CITY MANAGER JONES:** So they will keep the time on the side and signal to you --

**CHAIRPERSON DAVIS:** Okay.

**CITY MANAGER JONES:** -- to let you know when time is up.

**CHAIRPERSON DAVIS:** All right. Mr. Sloser. After Mr. Sloser is Miss Blue.

**MIKE SLOSER:** Thank you. Chair Davis, Chair Pro Tem Pardo, members of Council, Mayor. My name is Michael Sloser. I live at 4100 North Ocean Drive. Like many of you, I've been active in our community trying to bring people together. Together, we've begun the revitalization of the Marina District. Together, we've created institutions to fight crime and focus on our young people. Together, we've seen Broadway and A1A rebuilt and beautified. And together, we've found common ground to overcome the divisiveness of the past that pitted one section of our community against another. That's called progress. What I've just listened to is not progress. It's actually quite sad. I had a number of comments that I was going to make until I listened to the Mayor and I listened to Miss White.

It's hard to say what the words are to explain the disappointment you could have as a citizen of this community when you hear the attitudes. When I was younger and lived up North, there was a headline in the paper that said government to New York City, drop dead, and that's kind of what I'm hearing tonight.

It's too bad that we've -- this has become a political football. What we're hearing tonight is politics. Please don't mistake it for anything else but that. This is hard ball, naked, raw politics. You can make it pretty, you can say what you want, but what you're

hearing tonight is a fight over how the city has been run. Now, we've made a lot of progress. We've done a lot of things together.

My question to everybody, to you and the people who are watching this is, where do we go from here? It seems to me we've got a choice. I ask you to think about the consequences. Is this really good for our city to come up with a new way of governing? I've heard statistics; I've used statistics when I had my career to make anything you like sound good. I could do it then; I can do it now. The fact of the matter is what we're hearing is an argument to take the city, reconfigure it and then come up with the rationalization to divide the city. We have a choice. Together we've accomplished so much and my question really is, where do we go from here?

**CHAIRPERSON DAVIS:** Mr. Sloser.

**MIKE SLOSER:** Yes.

**CHAIRPERSON DAVIS:** Okay.

**MIKE SLOSER:** Is that 30 -- is that three minutes?

**MAYOR MASTERS:** Madam Chair, I have a question of Mr. Sloser.

**CHAIRPERSON DAVIS:** Yes.

**MAYOR MASTERS:** Mr. Sloser.

**MIKE SLOSER:** Thank you.

**CHAIRPERSON DAVIS:** Okay.

**MAYOR MASTERS:** I have a question to Mr. Sloser.

**CHAIRPERSON DAVIS:** Mayor Masters.

**MAYOR MASTERS:** Mr. Sloser, come back to the microphone, please. You know, you and I both went to the White House together, didn't we?

**MIKE SLOSER:** I remember.

**MAYOR MASTERS:** And you -- you know that we -- you and I both on the same page as it relates to progress and that's why we went to the White House, to continue to talk about jobs and progress and all the issues that were being expounded by the President.

**MIKE SLOSER:** I co-chaired a commission on that, yes.

**MAYOR MASTERS:** Okay. Now let me ask you this. You -- you feel that there has been progress. You stated that, right?

**MIKE SLOSER:** Uh-huh.

**MAYOR MASTERS:** Progress has made with an elected mayor, correct?

**MIKE SLOSER:** Progress is made by a city, sir.

**MAYOR MASTERS:** No. What I'm asking you is, we have this system here --

**MIKE SLOSER:** Right.

**MAYOR MASTERS:** -- electing a mayor as we've been doing, has not progress been in the way that we've been doing it?

**MIKE SLOSER:** I can't answer that question.

**MAYOR MASTERS:** Thank you very much.

**MIKE SLOSER:** I don't know the answer to the -- that question.

**MAYOR MASTERS:** So --

**MIKE SLOSER:** I know we as a city have accomplished a lot. Each of us as individuals, together as a Council; the mayor has a role. Everyone has a role.

**MAYOR MASTERS:** Thank you, Mr. Sloser.

**MIKE SLOSER:** And the issue -- the issue, sir, is what you put on the agenda which is single district. The question of the mayor is something that was raised subsequent to putting that on the agenda. Those are two issues. Now, we can talk about electing single districts, or we can talk about electing a mayor. But they're two separate issues. You're putting them together. I'm taking them apart. I'm here to tonight to talk about one issue and one issue only: how we elect this Council.

**CHAIRPERSON DAVIS:** Okay.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON DAVIS:** Thank you, Mr. Sloser.

**MAYOR MASTERS:** You answered my question.

**MIKE SLOSER:** Okay.

**CHAIRPERSON DAVIS:** Miss Blue.

**MAYOR MASTERS:** Which I figured that you would (unintelligible).

**CHAIRPERSON DAVIS:** After Miss Blue is Miss Brabham.

**SYLVIA BLUE:** Madam Chair, members of the Council. My name is Sylvia Blue. I reside at 748 W. 1<sup>st</sup> Street here in the City of Riviera Beach. I want to retain my right to choose my elected officials. Single member districts were created, to the best of my knowledge, to ensure that African-Americans and people of color were not disenfranchised.

We don't have that problem here in the community. We don't have that problem here. Mayor Masters --

**MAYOR MASTERS:** I'm listening very well.

**SYLVIA BLUE:** -- in this community. Excuse me?

**MAYOR MASTERS:** I'm listening to you very well.

**SYLVIA BLUE:** I -- I really hope that you are, sir.

**MAYOR MASTERS:** I am.

**CHAIRPERSON DAVIS:** Okay. Could -- let's --

**SYLVIA BLUE:** In the City of Riviera Beach, what the mayor is proposing would disenfranchise a group of residents. Is that what we want to do here? I think not. We don't need safe seats. What is a safe seat? Elected officials, you get elected to have a safe seat? We don't need safe seats here. What we want is elected representation of integrity, responsibility and moral character. Each and every one of you that were elected that's sitting up there now, went to the residents on Singer Island and the groups on Singer Island. You not only asked for their money, you asked for their vote. Now you want to disenfranchise them. That doesn't work here in this community and I'm hoping this Council would not support that. Thank you very much.

**CHAIRPERSON DAVIS:** Thank you, Miss Blue.

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mayor Masters.

**SYLVIA BLUE:** You want me to stand back there?

**MAYOR MASTERS:** No, no. No, ma'am. I didn't call you back. Thank you. Just a point of clarification. I've run for the Office of the Mayor four times. I have never had the support of the Singer Island but once. Every time I've won, it was the people on the mainland. I don't know why because everything they've asked me to do, I've done it. I have worked with Councilperson Pardo. We have walked the beach -- who I still support 100 percent. So this is not about what was said because they never voted for me in the last two or three elections. I just run and the people vote.

**CHAIRPERSON DAVIS:** Mrs. Brabham.

**MAYOR MASTERS:** And my vote has always been from the mainland. Thank you.

**CHAIRPERSON DAVIS:** After Mrs. Brabham, Mrs. Shepherd.

**CITY MANAGER JONES:** Right.

**MARY BRABHAM:** Good evening, Chair.

**CHAIRPERSON DAVIS:** Good evening.

**MARY BRABHAM:** And board members. Miss Brabham, 1564 Riviera Beach. First I would like to say, I am for the single member district, not only myself, there is organizations, widespread residents in the community. This is something that just not just happen overnight. Within our city and our communities and in our groups, we've talked about this for years -- for years, Miss Jones. We have talked about this for years. It doesn't matter to us who the mayor is. It matters to us because we're saying whether these elected officials go over there and get money from Singer Island, that's your kickback. But we don't look at it as being the residents' kickback in doing what they want you to do over there. We say that with us in the community, if we are to continuously to build, we need representations to do -- to build up those districts -- to build up those districts.

All the time, you hear Miss Pardo up there saying about Singer Island, all four of you all sit up there and do exactly what she wants you to do. We want that same effective government within these communities. We've always believed that it would help build

up -- build up the city in general, as a whole; not just one. It is not saying that we dislike, you know, the ones that are sitting there. When we -- when -- when -- when we were saying this here years ago, it wasn't about, you know, a division or divisiveness or whether you like a person or -- or you dislike a person. It's doing what's good for the city.

Now, if you put yours on the ballot,, we already have in conjunctions, you would have to put ours on the ballot, too. You would have to do that or you have another suggestion; leave it alone. Leave it alone. Leave it alone. Let us continue to work together. If you decide to do this, we will come out, I guarantee you, we will come out in droves. Because I know for a fact and it's a lot more other residents.

**CHAIRPERSON DAVIS:** Okay. 30 -- 30 seconds.

**MARY BRABHAM:** You all have not seen nothing as of yet. So I'm asking this board here, leave -- leave it alone. If you can't win it like this, let's leave it alone. We'll -- we'll agree with that but we would not agree with the way that you all want to do this. Just -- just leave it alone and let's continue to work for the good of the city.

Masters, nobody up there is gonna stay forever.

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

**MARY BRABHAM:** Nobody's (unintelligible) Bruce always said, "I'm not here for -- forever."

**CHAIRPERSON DAVIS:** Okay.

**MARY BRABHAM:** So let's look at it like that. Judy says it, Cedrick says it. So leave things alone.

**CHAIRPERSON DAVIS:** Thank you, Miss Brabham.

**MARY BRABHAM:** Leave it alone. Leave it alone.

**CHAIRPERSON DAVIS:** Miss Shepherd. After Miss Shepherd is Mr. Gonstead.

**MARGARET SHEPHERD:** Margaret Shepherd, Riviera Beach. It's all about politics. All about politics, and it's so sad that we are here with such a great mask of productivity in the city. I would employ, since the people of Riviera Beach have asked me and they must think I do tell the truth, I'm going to tell the truth. That the way that we have been voting is how the people feel like we should continue.

It's shameful that we single out Mrs. Pardo. I think she's doing a fantastic job and every time I've ever been in a meeting and somebody say, Do anybody run -- want to run against Dawn? They said no. They're happy with her. And if they're happy with her, I'm definitely happy with her. I think she's doing a fantastic job, but, once again, to single her out is disruptive and it's the worst thing that you can sit there and continue to put into the minds of the people.

And I'm gracious enough that they ask me. I'm gracious enough, I think Reverend Davis pulled me to the side and I'm going to have a meeting with him so he can understand my viewpoint of how our elections should go. Now, with what the mayor is saying, it -- it was more confusing. I'm like what is he talking about? And someone asked me, What is it? Well, how in the world I know what he's talking about? This is something that just came up out of the blue. It -- it -- it's ridiculous. If you're gonna run, run. If you feel like you're gonna lose, jump off the boat and I hope you on the boat so I can blow you up off of it. 'Cause I know when I go to the polls, people ask me, Miss Shepherd, how should I -- I vote? They don't have to ask me.

**CHAIRPERSON DAVIS:** Thirty seconds, Miss Shepherd.

**MARGARET SHEPHERD:** Give them my paper. So I think this should stop and stop making people a target. Because it -- it just sound very ignorant to me and unlearned. Thank you.

**CHAIRPERSON DAVIS:** Thank you, Miss Shepherd. Okay. Mr. Gunstead.

**BOB GONSTEAD:** Mayor, Council, members.

**MAYOR MASTERS:** Good evening.

**BOB GONSTEAD:** My name is Bob Gonstead. I reside at 4000 North Ocean Drive, Riviera Beach. The history of single member --

**CHAIRPERSON DAVIS:** Could you pull the mic to you, sir?

**BOB GONSTEAD:** Pardon?

**CHAIRPERSON DAVIS:** Pull the mic to you.

**BOB GONSTEAD:** Oh, I'm sorry. Can you hear me better now?

**CHAIRPERSON DAVIS:** Yes.

**BOB GONSTEAD:** Is that all right?

**CHAIRPERSON DAVIS:** Uh-huh.

**BOB GONSTEAD:** Thank you. The history of single member districts is very simple. It goes back to 1965 when the voting acts legislation was passed and it was implemented and approved by the Department of Justice where there were minorities in a community, specifically located in a specific geographic area, who were constantly outvoted. They were a minority in population. They were a minority in terms of the definition of a minority. Riviera Beach is not like that. We are a majority-minority. The majority of residents in Singer Island are the minority. There's approximately 37,000 people in the city. 68 percent are classified as African-American. 28 percent are classified as Caucasian, 3 percent mixed, 1 percent Asian. So why would we fix the system that doesn't need fixing?

Let me cite a study done by two professors at Princeton and Portland State University. As the Supreme Court anticipated in the landmark case Thornburg versus Gingle, 1986, would demonstrate that "compared to city-wide elections, districts increase representation when a group is geographically concentrated and moderately sized. Further, we find districts only benefit black men. That is, the positive effect of districts is conditional on contest. Districts can increase opportunities for representation but in some cases, districts are not helpful. We analyzed data from the surveys of city clerks and elections from more than 7,000 cities and connect the analysis with experience of local legislatures to the interviews with city councilors. To conclude, single member districts would harm voters by taking away their ability to vote for three of their five councilmen." That's voters all over the city, just not on Singer Island. "Single member districts make council members accountable to the whole city, not just to their district. Single member districts lead to parochialism. Council members make poor decisions based solely on what may be good for their district at the expense of the rest of the city. Single member districts" --

**CHAIRPERSON DAVIS:** Thirty seconds.

**BOB GONSTEAD:** -- "make it harder for residents to have their voices heard and to effect change because majority of council members, three of five, no longer need their vote." In the end, if it's not broke, don't fix it. Thank you.

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

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mr. Mayor.

**MAYOR MASTERS:** I would propose to Mr. Gonstead that he -- that speech, very eloquent speech that he just made, he should probably make that same speech to Palm Beach County Commissioners, that same speech to the School Board, and that same

speech to over 52 percent of the majority of small cities in America. This has -- does not have anything to do with African-Americans. The majority of those small cities, the population has -- has absolutely -- it's foreign. It may have started because of that, but it has evolved into a much bigger picture now where it is a proven fact when you have single member districts and people are responsible to their district, and what I forgot to tell you is that I had a very popular person on the island tell me that that -- they supported single member districts as well because they were sick and tired of vote -- coming over here, going over there, getting the vote and then coming back over here and then who were they representing? You know. So it goes both ways. Thank you.

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

**COUNCILPERSON GUYTON:** Madam Chair.

**CHAIRPERSON DAVIS:** Mr. Guyton.

**COUNCILPERSON GUYTON:** Thank you. Let me just say, as we say in the 'hood, off the rip. I would never, ever support single member districts, ever. I want y'all to understand me and if somebody else speak a different language, have somebody to scroll it in French Creole and Spanish. I would never support single member districts. I'm gonna tell you why.

First of all, here in Riviera Beach -- no. Let's go back to the County Commission that has been referenced. Do we know why we have single member districts? Because there were no blacks. That was the reason. We had no blacks on the County Commission. So this is the mechanism that we used for minorities, for us, for blacks, so that we can have some representation on that board. That's why we have single member districts with the County Commission.

Scroll up and down this dais here. We are a majority-minority. African-American city, County Commission was create -- created single member districts because they had no blacks. We have six elected officials. Five of them, five, are black. Now, I'm still looking for this need for single member districts because the purpose of it is so that under-represented groups, Latinos, African-Americans, Cubans, whoever the minority may be, would have an opportunity to participate.

The reason I would never support this move, and we're all big boys and girls here, because it's a racial move. I've been in politics a long time. It has been designed to isolate and disenfranchise white folks. Those who have not been able to gain the support of the island in the last couple of elections, you know what we'll do? We'll just isolate them. We'll recommend single member districts. That would cut them off.

Mind you, now, most people in their first election, do you know how they get here, to include the Mayor? By the support of the island. When they lose that support, it's time

to cut them off now. I don't roll like that. I am fortunate to have principles that one, I support my culture. I'm African-American. Wherever I am, I'm gonna make sure that we're treated fairly. But on the same token, I'm not living my life 50 years ago. That's not happening with me. I'm not holding no 50-year, 60-year resentment and I'm gonna tell you why that is the case.

We have been trying for years to get our people jobs that paid more than minimum wage. No offense to the minimum wage, but it doesn't pay any mortgages. So you know what we decided to do? A few of us decided to start an organization called the Committee for a Better Riviera Beach. We strategically decided that we needed representatives from the island and from the mainland, and what we have found is that we have been very effective when we pursue these issues in a unified manner. Not separate. I'm not trying to be blacker than you and I'm -- I'm going to show you that I cannot like white folks or that mean I love blacks more. That is absolutely ridiculous.

I've found that I can help my people, black folks, when I'm unified in the community with white, brown, blue and black and we're sitting down deciding what is best for the entire community. What's best for black folks, what issues are on the island, or, you know, what do we have that we have to deal with?

As a result of this unified approach, we just had a major project approved. Weiss Construction is our construction manager-at-risk. That unified group that I just referenced, we vocally and openly supported a high level of local participation. Local participation, code word, we're 65, 67 percent black. Weiss Company, in its wisdom, put four -- four local general contractors on their team. Count them, four. I'm not talking about paying minimum wage either. Four of them. You know what? I need to name them, too. Joe Anderson, Michael Carter, Nu Boll [phonetic], Ezra Siefor [phonetic]. Local people, grew up in this community. They're not making minimum wage, working three days a week and getting training that is going to benefit them for the rest of their life. Most of them have not worked on a job of this magnitude.

White folks and black folks did this, keep this in mind now, as a unified force. So if we're talking about helping our people, we need to get more strategic in our approach. And I'm -- I'm getting -- I'm talking racial now because some people think that if you go out and oppose white folks, that mean that you like black folks more. Dudes. It's more than one way to skin a cat. I'm not racist; I don't like to be around racists. Whether you're black or white, if you treat me in the manner that I feel is racist, I'm going to deal with you on an individual basis. I'm not gonna group you that all white folks are racists or all black folks are racists.

We often recite Martin Luther King, mostly ministers, too. They love to recite it. We're not going to judge you by the color of your skin --

**MAYOR MASTERS:** A lot of ministers. Have all the ministers here.

**COUNCILPERSON GUYTON:** -- but by the content of your character. That's what we need to do, people. And we're not doing that because we are designing these strategic moves with these racial undertones and thinking that I'm going to be pressured into supporting something that I know with racial undertone. It would never happen with me. You can go an round up your crew and people and we gotta get Bruce Guyton out of there. I wouldn't care. When I go to bed I have principles that I sleep on. I'm not partaking in that type of activity, ever.

Now, it -- I'm -- and I'm about to wrap up, Madam Chair. But the four contractors that are now with the Weiss Company, who are making good money, I might add, and getting good training that they're going to be able to take with them for the rest of their lives. They also had the opportunity to bid on a project. We're going to pay you good money; we're going to give you training that would help you for the rest of your life; and you can bid on a contract or on the project.

Weiss and many of those minority contractors told me they have never, ever experienced that in all of their career.

**CHAIRPERSON DAVIS:** That's right.

**COUNCILPERSON GUYTON:** We are trailblazing here in Riviera Beach in a unified manner, though. But things are looking too good now so we got to throw some milk -- some flies in the ointment here. Something, you know, people are getting along; people are getting jobs and not minimum wage. People are talking about our projects. I -- I'm on a Treasure Coast Regional Planning Council. I go up to Stuart, people are coming up to me, talking about how excited and proud they are to see Riviera Beach moving forward and we're getting respect that we never got before. And now, this move that would obviously create racial division is something that can undercut all of that work that we've been doing.

I would never be a part of that because I'm helping my black folks now the way it is. What -- I mean, and you talk about representation. When people vote, when we sit up here, we make decision based on city-wide, not by districts. Our decisions are city-wide. We are elected, we have to live in the district, and that was brought up, but why should you live in a district if you were just not -- we live in a district so that the people who live in that district can articulate the concerns from that district. So that it can be a city-wide vote and every district has a voice.

Oh, but some of the people can't even get elected in their district. That's what I'm told. I'm curious to know who that person was that said that I don't want city-wide districts according to the Mayor, because I can get -- uh, I mean single -- single member district because I can't get elected in my district. That name was never revealed.

**MAYOR MASTERS:** Did you carry your district?

**COUNCILPERSON GUYTON:** Huh?

**MAYOR MASTERS:** Did you carry your district? No.

**COUNCILPERSON GUYTON:** I -- I --

**CHAIRPERSON DAVIS:** Mr. Mayor, stop (unintelligible).

**COUNCILPERSON GUYTON:** That's fair. The Mayor just posed a question to me. The Mayor has just said, "Did you carry your district?" See that's just where this is going.

**MAYOR MASTERS:** Did you answer?

**COUNCILPERSON GUYTON:** And -- and I'm going to be honest. I don't know. I'm gonna be honest.

**MAYOR MASTERS:** No, you didn't. You (unintelligible).

**COUNCILPERSON GUYTON:** Wait, wait, sir. Mayor, let me finish.

**MAYOR MASTERS:** Okay, Bruce, I'm sorry. My time will come.

**COUNCILPERSON GUYTON:** What I looked at the election, and it's the God in heaven truth, I looked at the bottom line. Bruce, did you have enough votes or more votes than your opponent? Yes. It's time to party. And that's what I did.

**MAYOR MASTERS:** Gonna tell you where his votes came from.

**COUNCILPERSON GUYTON:** So I -- I -- I -- and, you know, I didn't do the strategic looks because this is a city-wide election, okay? If I did or I didn't, and -- and I say this often, I'm not one of those that have a desire to be here a long time. I don't. So I can be honest; I can be frank; I can -- I don't need to kiss up. I'm not kissing up to be elected. But what I'm not going to do is allow people to 1, embarrass the group of which I am a part, African-American, and advocate racial issues that I'm going to sit quiet about. And I notice that those people who came into the chambers that advocated single member districts, they're gone now. Because they're getting a different side that they don't agree with. But that's okay.

I did my research, too, and single member districts, here's an article. Reality of single member districts complex, in the first sentence, let me tell you what it says. "Some people supporting single member districts might be in for a surprise if they get their wish on Election Day." It goes on to say that, "District maps must be pre-approved by the US

Department of Justice as doing the best they can to give a -- to give a minority a chance to be elected." That's the purpose of single member districts.

Not only do we have five out of six elected minorities, we have a minority City Manager, a minority City Attorney. We have a female Community Development Director. We're rocking and rolling here. This is not Ferguson. Dude. They have no elected officials, none. No police officers. So I would never support it. It's not pure. I'm not trying to pacify any racist sentiments. I'm not trying to prove people how black I am because I know what I'm doing for my people. I -- and I'm not one of those that a lot of people, every time they have something, they have to list everything that they've done. I did this, that, that. I don't do that.

I meet frequently with my friends on the island -- and I do have friends on the island. And if an issue were to surface over there that impacted black folks --

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** -- I would expect them to do what I'm doing, to stand up, just like I'm doing in my community on my side of the bridge. And I can say that there have been times when that has happened.

**CHAIRPERSON DAVIS:** You talking about (unintelligible).

**COUNCILPERSON GUYTON:** When people over there -- I'm -- I'm wrapping up -- wanted to succeed and they may generate this discussion again, that were good people on the island that said, No. Nope, nope. We don't think that's the best thing to unify our community. We need people on both sides of the bridge that when those naysayers surface on whatever side it is, the rational thinking people stand up and take a stand. And for this I will fight vehemently against. I would never support single member districts because it's a racial move. Thank you.

**CHAIRPERSON DAVIS:** Okay. And let me just add this. I totally agree with -- I think Mr. Gonstead and Mr. Guyton pretty -- pretty much summed it up very well. I do believe it is political to create racial division but I also think that it is about District 2 and the upcoming election. The Mayor recently, a couple of weeks ago, came up to me and told me that he was definitely not going to support me in this election.

**MAYOR MASTERS:** And I told you why.

**CHAIRPERSON DAVIS:** And you told me why.

**MAYOR MASTERS:** Tried to.

**CHAIRPERSON DAVIS:** Okay. However, that's, you know, I -- I can believe it or not. But --

**MAYOR MASTERS:** Believe it.

**CHAIRPERSON DAVIS:** -- I -- I think that -- that, you know, when he talks about someone not carrying their district, that person was me in the 2012 election. In District 2, I lost by about 55 votes, okay, out of a total of a little over 400 votes cast in District 2. However, there are more than 4,300 votes in District 2. Okay? So I am quite certain that this is all geared towards the upcoming election, and I have always said that, you know, I've been called by residents all over this city when they did not get their representative to respond to them. I responded. Not a big deal.

But I also feel that, you know, as I have said many times before, in my upcoming election, the voters are going to decide and if they decide something differently than what I would hope for, so be it. And I feel that voters, you know, whatever their will is in anything, whether it be enhancing the -- the Mayor's position, whatever the voters' will is, that's what it's going to be. Let the people speak, as I so frequently hear. So those are my comments. Anybody else?

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mayor Masters.

**MAYOR MASTERS:** Thank you. It's so sad that you would think that the single member district could affect your election because if it goes on the ballot, it doesn't even affect your election.

**CHAIRPERSON DAVIS:** Well, that's up to the board.

**MAYOR MASTERS:** No. Well, I don't see how you could have something on a referendum in March, single member district wouldn't even come into effect until the following year. It doesn't affect -- so it's not about you. You wouldn't even -- your election would -- trust me, would have not anything to do with what's on the ballot at that point because it would be impossible to go back and redo single member districts for number 2. It -- it -- it doesn't even make sense. Secondly, it's a -- it's -- it's very disappointing that I say something to you, one on one, and every time I say something to you, you make it public.

**CHAIRPERSON DAVIS:** So what?

**MAYOR MASTERS:** Well, I mean, why don't you make it public when I asked you do you support not -- do you support not giving the people the right to vote. Why don't you make that public? What did you say? Make that public.

**CHAIRPERSON DAVIS:** What did you -- what did you ask me?

**MAYOR MASTERS:** I asked you, Do you support -- and I'm going to ask you public -- publicly now because anything I say to you I might as well be talking to the Post, obviously, in the parking lot. I asked you as you came out at Council meeting, one-on-one -- make that public -- I asked you do you support not giving the people the right to vote in Riviera Beach for the Office of Mayor. Do you remember your answer?

**CHAIRPERSON DAVIS:** I do.

**MAYOR MASTERS:** Make it public. You made everything else public I said.

**CHAIRPERSON DAVIS:** And my vote is my business.

**MAYOR MASTERS:** Okay.

**CHAIRPERSON DAVIS:** Okay?

**MAYOR MASTERS:** That's what your Chair says.

**CHAIRPERSON DAVIS:** Exactly.

**MAYOR MASTERS:** It's -- it's her personal business. Everybody heard that.

**CHAIRPERSON DAVIS:** Uh-huh.

**MAYOR MASTERS:** All right. It's been a lot of talk about the minority and the majority and the single member would -- would -- would benefit the minority. Who is the minority? The minority is Singer Island. No matter who the minority is, the single member district benefits the minority. So in -- in this -- if you want to use that, which I don't think you should, but if that's what you want to go, go there. It's amazing how we can talk and join the National League of Cities -- here it is, right here. Look it up. Google it. The National League of Cities. No one is accusing the National League of Cities of being racist, trying to divide a community.

But when someone else brings it up, then we talk about racism. How can -- dare you to use that when I have produced data, document and evidence from the National League of Cities. Conclusion, let me read it verbatim (unintelligible). "The strengths of single member districts rests in the close ties between representatives," it doesn't say anything

about black or white -- "representatives and constituents, the accountability of representatives to the voters, and the constituency service." Need to read it again because I -- my voice broke. Let me read it straight through. "The strengths of single member districts rests in the close ties between representatives and constituents, the accountability of representatives to the voters, and the constituency service." That's what it's all about. Because single member district -- and -- and here they go on the National League of Cities. People, we're a member of it. Because -- this is their reasoning. "Because single member districts are used in conjunction with plurality or majority voting rules," they also said, quote National League of Cities, "to foster strong and stable government."

Argue -- take your argument to the National League of Cities. Ask them to take this out of their data -- document, evidence. And this is 9/22/2014, Municipal Elections, National League of Cities. It's -- it's very troubling to me to hear Mr. Guyton talk about single member districts, African-American, this is racist. And yet when you ask him, Did you carry your district, he can't even answer that. "I don't know." Well, I know. I know he didn't carry his district. I know that my distinguished colleague to my far left did not carry hardly precinct on the mainland for the exception of one or two precincts. He did not carry the major -- I -- there's a conversation going on. I'll wait.

**COUNCILPERSON GUYTON:** Madam Chair.

**CHAIRPERSON DAVIS:** Uh --

**MAYOR MASTERS:** No. I'm -- I'm -- I have the floor.

**COUNCILPERSON GUYTON:** Well, talk if you have the floor.

**MAYOR MASTERS:** I'm not talking to the Chair.

**COUNCILPERSON GUYTON:** Okay, Madam Chair, well, I'll talk.

**CHAIRPERSON DAVIS:** I'm -- I'm asking her some questions. You can talk -- you can go ahead and finish your comments.

**MAYOR MASTERS:** Okay. Well, that's fine. Everybody knows I'm treated like a dog anyway. But let's get back. Look, don't take my word. Look at the election. Look at 2013. And since Mr. Guyton does not know that he did not carry, you find out. And find out, did he carry any of the districts, any of the precincts on the mainland? Find out and tell me, did he carry Lindsey Davis; did he carry Bethune; did he carry Calloway; did he carry Wells; did he carry Hurst; did he carry Washington? And then you come back and you tell me who carried it.

So he is an epitome of why we need single member districts. If he did not carry the mainland, who does he represent? He's representing, obviously, the people who voted for him. And the people that voted for him, that put him in office according to what I saw in the election books, are my beloved constituents and representatives on the island. Now I have knocked on doors on the island before and I have gone into condominiums in districts. I think anybody who knows me know I'm not about black versus white. I'm about right. I have championed as many causes on the island with Councilperson Dawn Pardo, as much or more than anybody up here. But yet, they never vote for me.

They go out sometimes and have recruited other people. I don't know why but I'm going to continue to do the best I can to be vocal as far as the ocean, as far as the -- the beach rather, and whatever she has talked about, I support Dawn Pardo because she does what's right when it comes to her constituency. And I'm going to continue to do what's right. This is not about black and white. It's exactly what the National League of Council, of Cities, have said. You don't have to do it. We don't -- I mean, you don't have to do it. The votes -- the bottom line, the votes are still over here. So if we want to have a voting match, as Miss Brabham said, she can get the votes without Singer Island, with -- I mean, without single member districts; without Singer Island; without four or five or two or three or one. Let the people speak and let the people vote.

No one said any -- no one talked about the fact about a safe district. But I'm going to reiterate it. If a person of the majority of voters go over on the island and live for one year, they may get stuck with somebody who doesn't care anything about the island. And you've had that before. You want another person like a Jim Jackson, represent you that the mainland put in, over the -- the island? I don't. I want somebody like Dawn Pardo for the island because Dawn Pardo is the represent -- and she represents her constituency. And she can tell you, Did you carry the island? She wouldn't have to hesitate. She wouldn't say, I don't know. She knows and she knows she's done well other places because we respect her because she fights for her constituency. Thank you.

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

**MAYOR MASTERS:** I'm done.

**CHAIRPERSON DAVIS:** Miss Pardo.

**CHAIR PRO TEM PARDO:** Okay. Since my name has been brought up by the public and up here on the dais, the first thing I'd like to say is I don't think anyone can say I don't represent my district because I do, but I represent this entire city. And if you go back the past seven years and look at all of the votes I have taken, the majority of the votes that come before this Council are issues affecting mainland Riviera Beach and not the island. And, you know, to throw a couple of things out there, you know, I was the one that was able to get into our procurement policy, the apprenticeship program. And

it wasn't because we have people on Singer Island who have gone through apprenticeship programs.

You know, as you all know, the majority of our people over there are retirees. But I wanted to make sure that the people here, on mainland Riviera Beach, would be able -- would be able to get jobs in their city. All right? So it didn't affect me or any of the people on Singer Island but it was an issue for the people here on the mainland.

The daycare centers. When some people were against putting, you know, adding to daycare centers, Mr. Thomas was very passionate about it and I was always there supporting it.

**CHAIRPERSON DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** You know, just go back --

**CHAIRPERSON DAVIS:** (Unintelligible) too.

**CHAIR PRO TEM PARDO:** -- and look at all of the issues, all right?

**CHAIRPERSON DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** I was the one supporting the mainland. So I don't like the fact that people try to, you know, or they're trying to do divide this city. The last thing you want to do is divide this city. And, you know, I don't like all of the personal attacks that are going on up here.

**CHAIRPERSON DAVIS:** Hmm.

**CHAIR PRO TEM PARDO:** It just -- it isn't right. You know, we only have a couple of people in the audience, but we do have a lot of our -- our constituents at home watching this. We have potential developers watching this and the last thing we want to portray is a divided city and, especially, a divided Council. And, you know, we -- we just can't do this. We have to stay away -- and let me tell you, I'm still not comfortable with some of this racial stuff that I hear. I spent 33 years, I grew up in New York City, the melting pot of the world. I didn't know about black and white and the Hispanics. We were one -- we were all one.

So I'm still not comfortable after 20 years living in Riviera Beach having, you know, people talk about, you know, those white people over there and, you know, us black people over here. I'm not comfortable with that. We are all one. In my eyes, we are all one. We all live in this city; we are all taxpayers in this city and together, we should be moving this city forward.

**CHAIRPERSON DAVIS:** And we have -- we have.

**CHAIR PRO TEM PARDO:** Instead of having little groups saying, you know, it's election time, so, okay, so let's attack this person over here and let's attack this one because, you know, she's not giving community benefits to, you know, certain organizations so we're gonna attack her. And it, you know, this -- this is pure politics, this is total nonsense.

And if the people really want to -- if they really think that they're going to be represented better by having, you know, by voting for just one member instead of voting for five plus the mayor, then go out and get your signatures. Let the people speak; put it on the ballot.

**CHAIRPERSON DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** But am I going to support that right now? No. I -- I'm -- I -- I can't support that. I totally understand -- I've had conversations with the Mayor through the years about this -- right, Mayor?

**MAYOR MASTERS:** Yes, I --

**CHAIR PRO TEM PARDO:** We have, about this. I understand where some people are coming from thinking, Well, if I vote for just my member, I'm going to be represented better, and I don't think so. I can't see that happening. I think having five people with the vote, knowing that you all voted for us, that -- that makes you --

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

**CHAIR PRO TEM PARDO:** -- that makes us more accountable to you. So, you know, like I said, please let's -- let's try to stop, you know, the personal attacks and if they're -- and I don't know if there's a majority of the people that really want this, but if there are, you know how to do a referendum. We've had many referendums in this city. We've had several since I've been here. I'm here because of a referendum.

**MAYOR MASTERS:** And me, too.

**CHAIR PRO TEM PARDO:** And the Mayor also. So -- and Mr., you know, Mr. Thomas. So, you know, if you all think that that's the way that you want to go, you know how to go out and do your signatures. But my personal opinion is, you're better off with five people with a vote, knowing that you can hold each of us accountable. Thank you, Madam Chair.

**CHAIRPERSON DAVIS:** Yes, ma'am. Any other questions or comments?

**COUNCILPERSON GUYTON:** Madam Chair, just some closing, very quickly. We have been working hard to move our city forward and clearly, this proposal has irritated me because of all of the hard work that many people have done. And now there's this suggestion that somehow a community that has strong representation already, from minorities, that somehow single member districts is going to better something. I don't see that. The reason I said it was racist because we already have a lot of seats. What other reason is there? We're not trying to get minorities elected. We're already sitting here.

I happened, because I wanted to see what the outcome was in my last election and I'm going to let this go, I got 1,800 votes. In that election, Singer Island only had 6 or 700 total. So -- so most of my votes came from the West side. Now who won this district or not? I don't care. But most of my votes came from the West side. It shows like most people in politics as they say in Congress, you need to be able to cross the aisle. You need -- you need to be able to talk to people from a different culture, a different background. That's when you become most effective. If you're isolated within your own area, you're not as effective when you're trying to do things for your constituency. So I'm going to end with that. I would never support putting this on any ballot. I don't support this move. We have good minority representation and I do think it's a racist move, personally. Thank you.

**CHAIRPERSON DAVIS:** All right. That is the end --

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

**CHAIRPERSON DAVIS:** Mr. Davis.

**COUNCILPERSON T. DAVIS:** I'd like to make a brief comment. As we all know, I'm the District 5 at-large representative, which is the entire city. I heard the constituents from across this entire city, which all are all our constituents. They all share their personal concern based on their historical or research belief. But when I look at this city, I ask, the situation, what did it stem from? And a conversation came to the podium with that particular group that stated that the Mayor and the at-large seat should be combined and then the Council should be vote -- choose the -- choosing the Mayor. That shows some concerns. And then at that point, it showed that group that was created to cause and show that we're together are starting to pull us together, based on that -- what was stated at that podium.

Moving forward, we gotta look at the bigger picture here. When we have elections, the people vote and unfortunately, enough of the mainland don't come out and I -- I really encourage them to come out even more. The island has their group which is Singer Island Civic Association that's been around for many of years. I would like to encourage that group then we have debates. They make the decision before the debates. The best candidate should win.

I sit up here on this dais, and I've been here just a year and a half, and I'm the rookie. I got a lot of learning to do. But I made some very sound decisions and recommendations on this board. And a lot of times you can hear crickets. Okay? And I represent the entire city. And you will hear me time and time again, ask Councilman Thomas what is it that you would like to see happen in your district? Try to give him the support hoping that, you know, someone else can support what he wants.

I ask Councilman Guyton about his sidewalks on -- in Myer Heights Park, which is a part of my district. Ask yourself, this is not about race. This is about rich and poor. The majority of this city is black. The majority of the votes are rich. Let's be real here. Let's leave it alone like Miss Mary Brabham said. Leave the mayor's seat alone. Let the people vote. The process is working. It needs improvement with the process. Regardless of who voted for me and who voted against me, I'm going to do my job to represent everybody.

And if you didn't vote for me last time, I hope you vote for me next time because I'm doing my job and I'm being very unbiased through the process. I come to every one of the events, no matter where your district is at. When I host events, I ask everyone to come out and I hope that you'll be there. And when these elections come up, we're in a political position. This is -- everything is politics. Politics means that's the -- some decisions that you make. That simple. So every decision we make up here is going to be a political decision.

So when we have these elections, we have our discussions on it, on board, everything that was said tonight, we need keep all that in mind. Let's work for the better good of the city. Is the election coming? Yes, it is. People are going to say whether or not they want change or not. It's all about representation. It's very simple. When you go -- when there's a small group of us that -- well, I don't -- I try and go whenever I can -- but I go all over the city. But when you go to some of these neighborhood association meetings, you don't see the togetherness where you see the island over here in these association meetings.

There's some people that told me they would like to go sit down and hear what SICA want. I said, You know what? I said, I do believe that SICA wants a transformation with understanding that they want some accountability no matter what happens in the city. I think they want the same thing that we want when it comes to transparency. But the problem that people have is there is a small group of people on this side, who meets with a small group of people on that side, and dictates what happen in this entire city and that's not fair to everybody.

What I ask that small group on that side that's meeting with the small group on this side, is to put your guard down and let the chips fall where they lay and let the best candidate win. And -- and we need to start doing more for Councilman Thomas's district. We got -- okay. You -- I try not to address race. Okay. You got four people that -- that look a

lot alike on this dais. And then you have Miss Pardo, you know, she -- she's a -- she can be a sister from another mother. But --

**CHAIR PRO TEM PARDO:** No. I don't want to be that.

**COUNCILPERSON T. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** I don't want to be that.

**COUNCILPERSON T. DAVIS:** All right. But --

**CHAIR PRO TEM PARDO:** All right? I am an elected official --

**COUNCILPERSON T. DAVIS:** You are elected -- you --

**CHAIR PRO TEM PARDO:** -- like everyone else. And, you know what, and once again, like I said earlier, I don't like the fact that you guys look at me as the white lady that --

**COUNCILPERSON T. DAVIS:** Whoa, hold on, hold on, hold on. I -- I'll --

**CHAIR PRO TEM PARDO:** -- the white lady from over there.

**COUNCILPERSON T. DAVIS:** Hold on.

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

**COUNCILPERSON T. DAVIS:** Hold on -- hold on, hold on. Councilman --

**CHAIR PRO TEM PARDO:** (Unintelligible) shouldn't be (unintelligible).

**COUNCILPERSON T. DAVIS:** -- hold on, hold on. I have the floor.

**CHAIRPERSON DAVIS:** Miss Pardo, Miss Pardo.

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

**CHAIRPERSON DAVIS:** Hold on.

**COUNCILPERSON T. DAVIS:** Hold on, Miss Pardo.

**CHAIR PRO TEM PARDO:** You shouldn't be looking at (unintelligible).

**COUNCILPERSON T. DAVIS:** Hold on, hold on, hold on, hold on, hold on, hold on, hold on. Let's --let's be clear here. Since I've been on this dais, I've always addressed you as Chair Pro Tem and given you the all -- utmost respect. Okay? Everybody on this dais. No one -- I would never let no one treat anybody as white or black. So you maybe heard some things in the street about some people in the community, but that's them. Go knock on those doors and talk to those people. This is not about Miss Pardo. This is not about Miss Davis. This is about an entire City of Riviera Beach.

When the island has something, and there's something going on, we all go over there and show up. We give you what you want. That's what we're supposed to do. When -- when somebody wants something done on this side, stop getting quiet on this board. You all get quiet. Miss Pardo get what she want. That's what she's supposed to do. What I'm saying is make sure you get what you want in your district. I'm not going to be here forever. But when I leave here, when I walk down Blue Heron and I walk in Myer Heights Park, I want to see what we was able to do up here. I want be able to sit in that park with my feet up and see some kids in a skate park someday with their skateboards.

Because someone recently told me when we had our neighborhood cleanup, said, You know what? We need to take those bars down in that park and create an environment that doesn't look like a jail. I said, Okay, well, bring it to the city. Maybe we can get something done. This is not about race. I treat everybody like colleagues. But when you mention the word race, it creates tension and you just saw what went -- went on with Chair Pro Tem Pardo. That's what it creates, tension, discomfort. Just the conversation alone.

So let's take that out of the picture. And that's why I say rich and poor. Reality is, we need to get some work done, the best man or woman is going to win when they get elected, focusing on the issues. The issues are going -- issues are going to change just like these seats are going to change. So don't mention that. When you mention race, that's what it creates. A big explosion on the dais about somebody because they felt like -- I've always treated everybody the same. Okay? I have a brother that's white as snow but he's my brother. You wouldn't know it if you walked in the room. But that's my blood brother.

So if anyone tried to call me a racist, we got a problem. And when he come to that door, he's going to -- he's going to explain it to you, too. Let's leave that out of the picture. Leave the seats alone. Leave the Mayor's seat alone. Let's work together, encourage the Mayor to be a better Mayor; encourage one another to get -- become better Councilpeople. And that's what the people want to see and leave race out the picture. I'm done.

**MAYOR MASTERS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mr. Mayor.

**MAYOR MASTERS:** Thank you. I think that I have a right to poll this board to ask the question. I think the people have a right to hear how you feel. I would like to know, because I would like to share it with the people. We have heard from the Chair who feels that is her personal business, how she feels about whether the people of this city should be denied the right to vote for a mayor. I have heard from Commissioner, Councilman Bruce Guyton how he feels. He has publicly stated it on the record. And that's one thing I can say about Councilman Guyton. You don't never have to guess where he is because he's going to let you know and he's going to bring it to you if -- if necessary.

But he has stated right up here that he felt that they're -- the mayor or the office or whoever is the -- mayor is, and if the people continue to vote for me, if I continue to run, then let it be. And I have other aspirations, whether it Congress or wherever, let that be. But he has stated, on the record, courageously stated by the way, that the Council should appoint the mayor. And of course, that is saying, in a nutshell, three people -- three people would select the -- the mayor rather than the Council -- rather than the people voting for the mayor.

I would like to ask every elected official, and they don't have to answer. I mean, they don't have to be like Mr. Guyton and state how they feel. But I think the people of Riviera Beach should have a right to know. It came up on this dais. It has been talked about up here as well as down there. Nicodemus came to Jesus by night because he didn't want the others to know that he was coming to the master. So he -- he hid in the dark and he came at night. And I'm asking people now, in the light, in the sunshine, do you feel that the people of Riviera Beach should be denied the right to vote for a mayor? Simple as that. That's my question. I can be ignored. No one has to answer if they choose. But at least I have asked and I think I have the right to ask. And I'm asking out of respect and dignity and humility. Thank you, Madam Chair.

**COUNCILPERSON THOMAS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mr. Thomas.

**COUNCILPERSON THOMAS:** I didn't get an opportunity to address item 12 and I -- I heard the Mayor. He wants to talk about another issue at this point, and before he does that, if -- if that's going to happen, I just would like to give my viewpoint.

You know, I sat back and I've gone through a -- a range of emotions while sitting here. Actually sitting here quiet, which is, you know, a change, especially when it's something that's so passionately being discussed. I think that the discussion here, although needed, it is a -- a item on the agenda. I think it's been discussed at great length. I've

sat here for over an hour listening at what was being said by all of my colleagues and by the community.

I feel like that what's really needed here at this point in time is prayer. I just -- I -- I -- I do. I -- you know, I'm -- I'm really of the, you know, I mean, people can say what they feel. I've -- I've never hid what I feel and how my decision-making matrix goes. Everyone knows that, you know, I invite God in when -- when I'm making it and I know the attorney who just left probably didn't think I knew anything about God, but I do. And this is so divisive, just the nature. It's just not, you know, what a team does.

You know, I -- I've been on a team all my life: sports, police department, funeral homes. What -- whatever -- wherever I worked and there was a team atmosphere, you -- you -- you never always liked all of your team members, but somebody had to play quarterback; somebody had to play tight end; somebody had to play receiver. And you practice together, you work together, but when you came out for the game, you were on a united front.

Most times, in my playing days, we actually forgot that we had issues when it was the game. When I come out, I want to know what's in the best interest of the city. I think that this board, this entire board, has worked hard just like the boards previously have worked extremely hard and the boards after this board would continue. You know, I've -- I've run several times for the city that I love. I love this. I want to come back. I want to continue to do this. I'm not going to sit here and say I don't want to be back. I want to be back. I'm enjoying it.

It's -- it's -- it's getting good to me. I love it. Now granted, I'm pretty sure that there's some people who feel a little differently. They feel that maybe I should go on to another area of -- of work. I represent them as well. I just don't think that we should be divisive in this and, you know, I -- I understand politics are going to play out. That's what happens. But it's October. You know, I -- it's going to be counterproductive for these type of things to continue to happen every meeting. Let's concentrate on the positive that we have going on and let's try to move toward a peaceful resolution.

Now, I'm not saying that because I don't believe that it can be done. I do believe that it can be done and I understand in March, in January, in December, in November, that it's going to come up. But I'd much rather see a board that is not fragmented in its efforts to continue to do a job. You know, the majority of this board is not up. It's not up in the upcoming election. There's two seats that are up in this coming election but you hired those two people to work until March of next year. And if you rehire them again in March, they'll continue to work. So let them work. Let them do, you know, their job. It gets heated up here. It gets -- I mean, it gets downright ugly sometimes. You know?

But, you know, I'm -- I'm just going to ask in the most humble way, I'm -- I'm definitely not the Chair and -- and -- and, you know, at this point, the Chair has a real tough job,

but I say if we're not going to do something peacefully, then there's no sense in beating up on this particular issue any longer.

Now, I haven't much mentioned about the single member districts because frankly, when it was put on the agenda, I thought it was going to be just a discussion. I really thought that I would be able to ask the Mayor certain questions about it. I don't know, you know, a whole lot about it. If it's something that definitely needs to be discussed further, you know, if there's a certain group of -- of residents who -- who want that, it should be heard, you know? But just like it's a certain group of residents who may want, there's a certain group who I'm sure, you know, don't want it. And we can't just arbitrarily just throw things out just because we feel like it, you know, at times. That's just not good governance, in my opinion.

Now the -- the majority of the business of this meeting got over very quickly and then we went to belaboring this issue. I heard that there was an announcement made on Facebook to, you know, watch, you know, the meetings tonight. You know? I was -- I, you know, I'm hoping that these meetings become very business-oriented and very boring. You know, I -- I really don't want it for entertainment purposes. We're making some great strides, you know, this city, that allow us to sit here, and I humbly sit here and appreciate the opportunity to be here. We're doing some wonderful things.

I don't have to campaign for another year and a half and when that year and a half comes, I am going to campaign vigorously for my seat. So I'm not saying that the people who are up shouldn't -- shouldn't do it but, you know, I definitely don't think we should be, you know, pulling up numbers and who won whatever district and who -- you know, it's eight square miles. I mean, good gracious, you know. It's not like it's a -- a huge, huge, you know, city. I mean, so you don't have to win every precinct in order to have the most votes. Mr. Guyton said he looked and saw that he had more votes than his opponent and that's what it was.

**COUNCILPERSON T. DAVIS:** That's right.

**COUNCILPERSON THOMAS:** And to be honest with you, that's what the majority of us or anybody who's in politics, or anybody who's playing a football game or a basketball game. You know, the only ones who care about how many you win by is the bookies. You know? I'm glad I've won by thousands and I've won by 10. And each and every time, I've been on pins and needles waiting for that -- that -- that time to come out. I just don't think that we ought to do it. I think that everybody pretty much understands, you know, what the -- the process is; what we need to go by.

If this is going to be discussed, if we're going to do it, put it for an action item if that's what needs to be and let it, you know, happen if we need to discuss it. But what I would suggest is that we do this as a team. If this team loses, it's the team. It's not Miss Davis; it's not Miss Pardo; it's not even the rest of the members of this board. It's the entire city. One band, one sound, whatever you want to call it, man, I just hope that

that's what we can go, you know, by to do it. So I'm -- I'm not going to participate in any other questions, discussions, that I perceive to be divisive unless it is an action item that comes up on this board. It's needless. It's needless.

So, you know, I appreciate you allowing me to just, you know, say my piece on the matter. You know, this is, you know, not against the Mayor and not against anybody else who, you know, who said anything but, you know, at some time, I -- I think that, you know, that it needs to be an action item if that's what's going to happen. But most of all, Madam Chair, I'm hoping that you'll find it in your humble rulership here of this meeting, that in some future meetings that we, you know, people believe in changing the chairs around for feng shui. I believe that we ought to have some type of higher power that's invited to be with us and that higher power to me would -- would be God. So I'm hoping that you -- you think about it at least, but if not, I only think that this will get worse and I do want it to get better. So that's all for me.

**CHAIRPERSON DAVIS:** Okay. Well, I'm going to poll a question to the board. Is this an item that you want to see on a future agenda or not?

**COUNCILPERSON THOMAS:** From me, if -- if the residents want this or if the Mayor thinks that it should be on, then I think it should be on the agenda.

**CHAIRPERSON DAVIS:** Miss Pardo?

**CHAIR PRO TEM PARDO:** We're talking about single member districts again?

**CHAIRPERSON DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** If you want to discuss it. You know, I think --

**CHAIRPERSON DAVIS:** I -- I -- I don't support it.

**CHAIR PRO TEM PARDO:** Yeah. I thought I made it clear. I don't support it. If the residents want to go out and get signatures, it is their right to get signatures. But --

**CHAIRPERSON DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** -- I don't support it. I think you have five people --

**CHAIRPERSON DAVIS:** I don't support it either.

**CHAIR PRO TEM PARDO:** -- representing you.

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

**COUNCILPERSON GUYTON:** I -- I think that my sentiments have been made very clear.

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

**COUNCILPERSON T. DAVIS:** I support what the people want. If that's what they want, yes.

**CHAIRPERSON DAVIS:** Okay. All right. So at this point in time, I think we have a consensus that it's not going to go on the agenda. There's -- the majority of support is not for it. Okay. We're got -- we have to go to public comments. Miss Sylvia Blue. Next is Margaret Shepherd.

**13. ORDINANCE NO. \_\_\_\_\_ AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE POLICE OFFICERS' PENSION PLAN; TO PROVIDE FOR COMPLIANCE WITH THE INTERNAL REVENUE CODE; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

#### **BOARD APPOINTMENTS**

**14. RE-APPOINTMENT OF HYACINTHIA BECTON AND BETTY KENDRICK TO THE GENERAL EMPLOYEES PENSION BOARD.**

**CHAIRPERSON DAVIS:** Any questions or comments?

**COUNCILPERSON THOMAS:** Yes.

**CHAIRPERSON DAVIS:** Mr. Thomas.

**COUNCILPERSON THOMAS:** Madam Chair, are these two individuals certified, pension certified?

**CHAIRPERSON DAVIS:** Yes.

**COUNCILPERSON THOMAS:** Pension Board certified? Both of them?

**CHAIRPERSON DAVIS:** Yes.

**COUNCILPERSON THOMAS:** Okay. Then I -- I make a motion that we reappoint both Hyacinthia Becton and Betty Kendrick to the General Employees Pension Board.

**COUNCILPERSON T. DAVIS:** Second.

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

**DEPUTY CITY CLERK ANTHONY:** Councilperson Thomas?

**COUNCILPERSON THOMAS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Councilperson Guyton? Councilperson T. Davis?

**COUNCILPERSON T. DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Pro Tem Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**DEPUTY CITY CLERK ANTHONY:** Chair Davis?

**CHAIRPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK ANTHONY:** That motion is approved with Councilperson Guyton out.

**CHAIRPERSON DAVIS:** Okay. Discussion by the City Manager.

**DISCUSSION BY CITY MANAGER**

**CITY MANAGER JONES:** Nothing, thank you.

**CHAIRPERSON DAVIS:** You sure?

**CITY MANAGER JONES:** Yeah.

**CHAIRPERSON DAVIS:** Legal?

**LEGAL DISCUSSION/REQUEST**

**CITY ATTORNEY RYAN:** I have a couple of things. First, I want to apologize for the outburst. This is what I'm going to say on the issue. I fight my battles in court. My strategies are mine and this Council's. I'm not going to get into details. I won't even get into details privately because one of the things that hurts -- Tina White's comments don't hurt me. I wish she'd get the -- she'd pronounce the words correctly but what hurts me is the fact that I have Council members who are in constant contact. If you want to talk to her, if you want to deal with her, that's fine. But when -- when information that belongs to this city, to the residents of this city, gets leaked, and it -- it's factually leaked, not a rumor of leaking -- when my confidential documents are given to a person who is filing a frivolous lawsuit against this city and spending taxpayer dollars, that's what hurts. It hurts me as a professional; it hurts me as the City Attorney for this city for 14 years. It hurts. So, you know, maybe I got emotional because all of those things play in my mind.

**CHAIRPERSON DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** I wonder how many people on this board are continuing to feed this person city information and it really does hurt. I will not have another outburst like that again, I assure you. As I said, I will fight my battles in court as long as I am the city attorney. And I will take care of that issue in court, the way I'm supposed to do. So I apologize and I apologize to my children who just had to see that. My middle child, she's from Riviera Beach, so she enjoyed it. But I -- I apologize for that.

**COUNCILPERSON T. DAVIS:** What does that mean?

**CITY ATTORNEY RYAN:** Now on to the business. I need to ask the Council to have a closed executive session in the case of McKinley Financial Services versus the City of Riviera Beach and Bernstein. My assistant already polled the Council and the best date that we can find that you all are available, and the month of October is a very busy month for this City Council, I know that, and we appreciate you indulging us. But October 13<sup>th</sup> was the best date. That would be next Monday. In talking to several of you, I understand that you would prefer the daytime. So if you could just give me a time, I know that Mr. Thomas hoped for something around 9:30 in the morning, if -- if the Council can do that.

**CHAIR PRO TEM PARDO:** I can (unintelligible) 9.

**COUNCILPERSON THOMAS:** Yeah. I think 9:30 is fine.

**CITY ATTORNEY RYAN:** Is that okay?

**CHAIRPERSON DAVIS:** Yeah.

**CITY ATTORNEY RYAN:** Okay. So we will -- I have to announce this for the record. I already said the name of the case. The session will be held on Monday, October 13<sup>th</sup> at 9:30 a.m. and present at this closed executive session will be the Mayor and City Council, myself, the City Manager, Ruth Jones, or if Miss -- are you in -- okay, and special counsel Richard Jerolem on this case. Thank you very much, Madam Chair, I appreciate it.

**CHAIRPERSON DAVIS:** Okay. And, you know, all I can say it's -- if it is somebody on this Council, it's really shameful because I think all of us have a fiduciary responsibility to the residents of -- of this city and to you as well, you know, and vice versa. So, you know, but what motivates people, I don't know. But anyway, we're going to move on. City Council Committee reports.

### **CITY COUNCIL COMMITTEE REPORTS**

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

**CHAIRPERSON DAVIS:** Miss Pardo.

**CHAIR PRO TEM PARDO:** Okay. I have a couple of things. The first is Treasure Coast Regional Planning. We brought this to you about a month ago or so. The County Commission originally was going to have a workshop to talk about Treasure Coast and whether or not Palm Beach County should stay with Treasure Coast or move down to South Florida Regional Planning. We just learned about a week ago that they decided not to have the workshop. Instead, they have an agenda item on October 7<sup>th</sup>, where they're going to vote whether or not to move forward with Treasure Coast. I do have backup that I received right before the Council meeting, so I'll -- I'll pass this out.

I was at a North County Intergovernmental Committee meeting on Monday -- I believe it was Monday. And the cities surrounding us from Riviera Beach north, all said that they do not want to be part of South Florida Regional. They would like to stay with Treasure Coast because we are more similar to Martin County and St. Lucie than we are to Broward and Miami. The -- there was a County Commissioner there, Mr. -- Mr. Hal Valeche, he was at the meeting, and he encouraged all of the cities to attend the meeting on the 7<sup>th</sup> and speak their piece.

I'd like to know from the Council, you know, we did have a -- a short discussion about this I believe at the last meeting, but I think we need to decide what we want to do and whether or not we want someone at the meeting or if Miss Jones should write a letter, so, you know, Riviera Beach is part of this discussion.

**CHAIRPERSON DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** That's -- all right. That's my -- my first issue. Can we just --

**CITY MANAGER JONES:** Yeah. We need to -- yeah.

**CHAIR PRO TEM PARDO:** Decide, you know, so here. I'll -- here's the backup. Let me send it down and -- you know, we all know what -- we've been hearing it in the League of Cities. Mr. Guyton is on the Treasure Coast Committee through the League so we need to decide what we want to do. So while you guys take a look at that, let me tell you a couple of other things.

Also on the County agenda on the 7<sup>th</sup>, through the Lagoon Initiative Steering Committee that I sit on, for two years I've been pushing the County to fund some of the derelict vessels. I don't think it is up to -- it shouldn't be up to each municipality along the waterfront to remove the -- the derelict vessels. So the County is finally stepping up and they're going to start allocating funds to -- to lagoon keepers and with the hope that lagoon keepers will now be able to have some matching funds so they can go after fined money. So that's a good thing.

The other thing at this intergovernmental meeting, there was discussion about possibly having District 1, which is Commissioner Valeche's district and that encompasses part of Riviera Beach. It's Singer Island north and then it goes all through the Gardens and up to Tequesta. There's a parcel of land that the County owns in Palm Beach Gardens and he's thinking about trying to find some funding so the County can build a district park. And the park will have baseball fields and soccer fields and, you know, all of that stuff that all of the members in District 1 can use. But, you know, it's going to be discussed for a long time. The County doesn't have money to move forward with that but it is part of the discussion.

One thing that I brought up to them while they were, you know, everyone had their two cents, I reminded them, especially Commissioner Valeche, that Riviera Beach is home to three County parks. And we provide all of the policing because the sheriff claims he doesn't have enough money to police their parks. So I said to Palm Beach Gardens, if you're going to allow this in your city, be willing to -- to pony up because you're going to have to, you know, you're going to have to make sure that the parks are safe.

And what else? That is all I have for my committee reports. But, again, we need direction for the -- for Treasure Coast.

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

**COUNCILPERSON GUYTON:** On the Treasure Coast issue, Madam Chair, as -- as the Vice Chair Pardo indicated, I serve on -- on the -- on Treasure Coast Regional Planning Council and I was also selected to serve on the Governmental Committee and represent Palm Beach County and that's, not -- not the Governmental Committee --

**CHAIR PRO TEM PARDO:** Yes.

**COUNCILPERSON GUYTON:** -- either Governors or Governmental. But we set -- we recommend legislative policy to the rest of the Council so I've gotten very involved, as I normally do, in serving. The Mayor of Palm Beach County is, if I'm not mistaken, is -- is advocating for a change. I was appointed by the Palm Beach League of Cities of which Miss Vice Chair Pardo is the first President --

**CHAIRPERSON DAVIS:** Vice.

**COUNCILPERSON GUYTON:** -- first Vice President. So clearly, it's a difficult decision for me. But I'm comfortable with the -- with the Treasure Coast. We do have differences, granted, we do.

**CHAIR PRO TEM PARDO:** Right.

**COUNCILPERSON GUYTON:** And sometimes they are serious differences, but we have good representation now on that -- when I say we, Palm Beach County --

**CHAIR PRO TEM PARDO:** Palm Beach --

**COUNCILPERSON GUYTON:** -- does. I don't know anything about the new Regional Planning Council that is being recommended. So, you know, I'm -- obviously it's a difficult decision for me -- but I'm -- I'm really -- I'm -- I'm struggling but I'm comfortable where we are but Palm Beach County is the one that pays the fee. I'm wondering how - - how would that work if we decided not to and the County decided to go to the South Florida Regional Planning Council, do we then have to pay our own fee if we decide to stay? Does it -- do you know, Miss Vice Chair, how would that work? Or --

**CHAIR PRO TEM PARDO:** I believe we would or what the County, what I've been told what the County can also do, they can become their own planning council.

**COUNCILPERSON GUYTON:** Hmm.

**CHAIR PRO TEM PARDO:** It could be -- we could have just Palm Beach County. I guess by State Statute --

**COUNCILPERSON GUYTON:** Uh-huh.

**CHAIR PRO TEM PARDO:** -- and I think you would know. You're a planner.

**COUNCILPERSON GUYTON:** Yeah.

**CHAIR PRO TEM PARDO:** But by State Statute --

**COUNCILPERSON GUYTON:** But we would --

**CHAIR PRO TEM PARDO:** -- you need to be -- each County needs to be part of a regional --

**COUNCILPERSON GUYTON:** Uh-huh.

**CHAIR PRO TEM PARDO:** -- right?

**COUNCILPERSON GUYTON:** Uh-huh.

**CHAIR PRO TEM PARDO:** A regional planning association.

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM PARDO:** So --

**COUNCILPERSON GUYTON:** Yeah. I'm -- and I'm, just to be honest, I'm really comfortable where I am. I know sometimes it's a challenge.

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

**COUNCILPERSON GUYTON:** It is. There are a lot of -- nothing against Tea Partiers, but there are a lot of Tea Party people that come up there.

**CHAIRPERSON DAVIS:** In north county.

**COUNCILPERSON GUYTON:** Yeah. As a matter of fact, I met one very pleasant. She was talking about Riviera Beach and the barber shop that does the reading to the kids, she was telling me about how she contribute books and she's excited about what's going on at the marina, so all Tea Party is not -- not too conservative. So -- but I'm -- I'm comfortable up there. But I know that the Mayor has a desire to move and I know that they're paying the fee and I was just curious how that would work should we decide to stay. But I'm -- I'm -- I'm comfortable there.

**CHAIR PRO TEM PARDO:** Yeah. And I think --

**CHAIRPERSON DAVIS:** Has she made a decision or it would -- was it --

**COUNCILPERSON T. DAVIS:** She's lobbying it.

**CHAIRPERSON DAVIS:** -- it was just something she wanted to discuss. I think she -- when I learned about it, she just wanted to discuss it, open it up for discussion.

**CHAIR PRO TEM PARDO:** Yeah.

**CHAIRPERSON DAVIS:** I don't think she really had made a decision. But, you know, you never know.

**CHAIR PRO TEM PARDO:** Yeah. And like I said earlier, the, you know, the Northern counties are --

**CHAIRPERSON DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** -- you know, they're upset about it because they don't want Palm Beach County to become a Broward County. You know? The North end, we're -- we're special.

**CHAIRPERSON DAVIS:** We would -- we would -- we would lose -- we would get lost in -- in -- in Martin, Glade and Broward County.

**CHAIR PRO TEM PARDO:** In Broward and -- right.

**CHAIRPERSON DAVIS:** You know, we have a voice here.

**CHAIR PRO TEM PARDO:** And we won't have as many seats. Right.

**CHAIRPERSON DAVIS:** So --

**CHAIR PRO TEM PARDO:** Right now --

**COUNCILPERSON GUYTON:** Yeah. We do have --

**CHAIR PRO TEM PARDO:** -- Palm Beach County rules --

**CHAIRPERSON DAVIS:** Yeah.

**CHAIR PRO TEM PARDO:** -- Treasure Coast.

**COUNCILPERSON T. DAVIS:** So Madam Chair --

**CHAIR PRO TEM PARDO:** And we will lose that with --

**CHAIRPERSON DAVIS:** Hold on for one second, Mr. Davis.

**CHAIR PRO TEM PARDO:** -- Broward, going down to South Florida. We will not have the majority seats. Miami would.

**CHAIRPERSON DAVIS:** Okay. Mr. Davis.

**COUNCILPERSON T. DAVIS:** So has anyone talked or had a conversation with Commissioner Taylor to find out why she's having discussion with Palm Beach County? I'd like to hear some of the concerns Guyton have with -- with Treasure Coast versus South Florida. Because no one's speaking about really what's the problem with South Florida?

**COUNCILPERSON GUYTON:** And as I indicated, I know nothing --

**COUNCILPERSON T. DAVIS:** I don't know -- I don't --

**COUNCILPERSON GUYTON:** -- about South Florida. I did speak about some differences that Palm Beach County has with some of the Treasure Coast communities --

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

**COUNCILPERSON GUYTON:** -- i.e., All Aboard Florida.

**COUNCILPERSON T. DAVIS:** Oh.

**COUNCILPERSON GUYTON:** There is no stop -- there are no stops that gonna be --

**COUNCILPERSON T. DAVIS:** On the Treasure Coast?

**COUNCILPERSON GUYTON:** -- up in that area.

**COUNCILPERSON T. DAVIS:** Okay, okay.

**COUNCILPERSON GUYTON:** There's going to be a stop in West Palm, though, so just those type of issues because of the geographic location they're more posed as some of us down here who may reap some of the benefits from it are in support. So -- and -- and -- I can understand some of their positions. But oftentimes, Palm Beach County is able to make an argument and get the support on the Council to move forward on many of our issues. So -- but, like I say, I don't know anything about South Florida and I know about Treasure Coast. I'm comfortable there. I -- I know where the line -- line --

landmines are there and so I know how to navigate there. But, you know, but we don't -  
- the County pays the fee, though. We don't pay a fee. The County pays it. So --

**COUNCILPERSON T. DAVIS:** Uh-huh. Uh-huh. Just wondering why they haven't  
reached out to us as a body --

**COUNCILPERSON GUYTON:** Yeah.

**COUNCILPERSON T. DAVIS:** -- to get the support to -- I'd like to know why we are not  
having a conversation together, with us and the County.

**COUNCILPERSON GUYTON:** Yeah. I -- and I -- Mayor Taylor has been on there  
much longer than I.

**COUNCILPERSON T. DAVIS:** Okay.

**COUNCILPERSON GUYTON:** And she does have knowledge from past experiences.  
I'm only going by my experience there and my experience has been pleasant and --  
well, and I'm -- I'm a planner. I like it. You know, I -- those -- those issues I get involved  
in and, you know, and like I do here. I'm engaged in the conversations and --

**CHAIRPERSON DAVIS:** Okay. I mean we'll have to -- okay.

**COUNCILPERSON GUYTON:** So where are we? What are we gonna do?

**CHAIR PRO TEM PARDO:** Well --

**COUNCILPERSON T. DAVIS:** I don't -- I don't want to overstep the boundaries of what  
the County's doing.

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

**CHAIRPERSON DAVIS:** Miss (unintelligible) Miss Pardo. Are you -- are you done Mr.  
Davis?

**COUNCILPERSON T. DAVIS:** No, I'm just saying I didn't want to overstep the  
boundaries of what the County is trying to do and if they're going to pay those fees, we  
need to really sit back and do more research on the issue because --

**CHAIRPERSON DAVIS:** Well, you know how --

**COUNCILPERSON T. DAVIS:** -- no one's talking about the other side.

**CHAIRPERSON DAVIS:** You know what though? You can reach out to her, you know.

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

**CHAIRPERSON DAVIS:** She's more than willing to (unintelligible).

**COUNCILPERSON T. DAVIS:** Well, I -- I -- I -- I'll do that. That won't be a problem. It's just -- I'm just being asked to make a decision tonight and I would like to maybe tomorrow morning give her a phone call --

**CHAIRPERSON DAVIS:** We can -- yeah.

**COUNCILPERSON T. DAVIS:** -- and just kind of get some feedback on -- on where this is going.

**CHAIRPERSON DAVIS:** Okay.

**COUNCILPERSON GUYTON:** And then the City Manager can poll us and --

**CHAIRPERSON DAVIS:** Did you have something, Miss Pardo?

**CHAIR PRO TEM PARDO:** Yeah. We have --

**COUNCILPERSON T. DAVIS:** Then the City Manager can poll us?

**CHAIR PRO TEM PARDO:** -- Madam Chair, we have until Tuesday. The meeting is next Tuesday. And, you know, I would suggest everyone read the backup --

**CHAIRPERSON DAVIS:** Yeah.

**CHAIR PRO TEM PARDO:** -- and then have staff give us a recommendation. Miss McKinney deals with them, the City Manager. You know. Take a look at it; give us a recommendation and then we, you know, decide.

**CHAIRPERSON DAVIS:** Okay.

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

**CHAIRPERSON DAVIS:** Anybody else? Okay. Statements by Mayor and Council.

## STATEMENTS BY THE MAYOR AND CITY COUNCIL

**CHAIRPERSON DAVIS:** Mr. Guyton, we'll start with you.

**COUNCILPERSON GUYTON:** Well, I'll be very brief. Tonight, as usual, I got a little passionate and it's never to offend anyone but I never want to be a phony either. I like to keep it real, all right? And sometimes that makes some people a little uncomfortable because when we start talking about race relations, that is not something that people really like to engage. So -- but I'd just like to say that I never called anyone a racist. I said that move to put the single member districts on, that was my opinion, that we were trying to isolate the island, which is the white portion of our community. So -- but there was another issue that we didn't address.

**CHAIRPERSON DAVIS:** (Unintelligible).

**COUNCILPERSON GUYTON:** Okay. So the -- my comments that I made in regards to the single member district, I meant every word. I am here to help move this city forward. You know, it's just in my DNA. I keep it rough and raw and, you know, that's -- that's -- that's just me and -- and I don't really do the political correctness and -- but most people that know me know that my heart is in the right place. I'm going to work hard for this city. I'm going to make sure we get as much as we can get. I'm going to do my research; I'm going to advocate for Riviera Beach. I'm going to be inclusive, you know, and it's my hope that, you know, those who do hear me sometime get passionate, understand that, you know, it's -- it's just me and I'm not doing it to offend anyone. So -- but that's all I have right now, Madam Chair.

**CHAIRPERSON DAVIS:** Okay. Mr. Thomas.

**COUNCILPERSON THOMAS:** Oh, okay. Really, I just would like to thank the Southside Coalition and the Concerned Mothers for the cleanup that went on in the South end of the city. They, as usual, did a wonderful job. I was only out there for a brief moment. I had husband duty on Saturday and Sunday.

**COUNCILPERSON GUYTON:** What is husband duty?

**COUNCILPERSON THOMAS:** So I couldn't stay, though, as long as I would -- as long as I would have liked to. But I -- I do appreciate them doing that and being consistent with it. But as -- as usual, my very dedicated, trustworthy staff member, Miss Hope Jeanty, as Miss Shepherd said, was in the bushes. Hope she had on the proper protective wear so that she didn't injure herself but we appreciate her being out there as well.

So it is raining so I'm being brief because I'm ready for adjournment.

**CHAIRPERSON DAVIS:** Mr. Davis.

**COUNCILPERSON T. DAVIS:** I, too, would like to -- to thank Councilman Thomas for working with the South side. I also there for a brief moment. I would also like to thank the Neighbors United, Atkins Daycare, the -- we also had the Girl Scouts. All those who came out, Miss Wooten, we want to thank you. This will be her last time organizing that event. She has -- she's passing the buck on. She's got some things she wants to address. But we want to thank you. We're going to keep that initiative going.

I want to also say to the young ladies and young children of Riviera Beach who have come to me lately to inform me that they have been watching these meetings. That whatever it is we do in these meetings is for the greater good of this community. Our job is to represent you and we hope that some day, as you watch these meetings, that you take and eye that this may be something that you would like to do, whether just a staff member, a city attorney, city manager -- no offense to nobody up here -- city councilman, mayor. So please stay encouraged and stay by the TV. I encourage the parents to watch it just as hard as the children do.

To this board, today was -- it was a very fast business meeting. You almost -- I think you almost broke a record today with -- with these agenda items. We had a -- a discussion that brought up tension. No matter where you go in this country, it's going to always draw attention and take people out of their comfort zones. But I hope that this board understands that we still have business to do. No one on this board is special. We work together, one unit. When one speak, we all listen. No one cuts no one off. We work together as one unit, just like Councilman Thomas said, "One band, one sound," and though he is the drum major, I think, of Riviera Beach. We see him in a nice suit.

Other than that, I look forward to the -- the very next meeting with my committee update.

**CHAIRPERSON DAVIS:** Okay. Miss Pardo.

**CHAIR PRO TEM PARDO:** Thank you. Some of us attended the Port meeting last week. We had staff there and there were a couple of councilpeople there and we heard a couple of the Port Commissioners blasting Riviera Beach, which was totally uncalled-for, but their Chair took control of the meeting which I think most of us appreciated. So Miss Jones, I would like to know what's going on with the scrap heap that's sitting on the dock between the, you know, on the Intercoastal. What's going on with that?

**CITY MANAGER JONES:** We have tentatively been working to set up an appointment and we will be meeting with the Port as well as the leasee and lease -- everyone, it's either the 13<sup>th</sup> or the 14<sup>th</sup> of October, to see if we could understand our differences and - - so we can understand exactly what they're doing and that permit process. So that's scheduled for, I believe, it's --

**CITY ATTORNEY RYAN:** I didn't confirm.

**CITY MANAGER JONES:** Okay.

**CITY ATTORNEY RYAN:** Because I didn't get back with all the --

**CITY MANAGER JONES:** Okay.

**CITY ATTORNEY RYAN:** -- staff. But I think it's going to be on the 9<sup>th</sup>. We're meeting with --

**CITY MANAGER JONES:** Oh, the 9<sup>th</sup>?

**CITY ATTORNEY RYAN:** -- their representatives, with the Port --

**CITY MANAGER JONES:** Okay. Then that --

**CITY ATTORNEY RYAN:** -- and --

**CITY MANAGER JONES:** -- be quicker. That'll be the 9<sup>th</sup>.

**CITY ATTORNEY RYAN:** -- Stonerock's representatives.

**CHAIR PRO TEM PARDO:** Okay. So right now, they are operating without a license, right?

**CITY MANAGER JONES:** Yes. And we -- we're --

**CHAIR PRO TEM PARDO:** Didn't their license expire September 30<sup>th</sup>?

**CITY MANAGER JONES:** Yeah. We're -- I granted them the right to continue till we were able to get to the table to work those things out.

**CHAIR PRO TEM PARDO:** Okay.

**CITY MANAGER JONES:** Yeah.

**CHAIR PRO TEM PARDO:** And my -- I have another question. So they have a copy of the -- our scrap ordinance?

**CITY MANAGER JONES:** Yes.

**CHAIR PRO TEM PARDO:** That clearly states that something like that is an exception.

**CITY MANAGER JONES:** Yes.

**CHAIR PRO TEM PARDO:** Okay.

**CITY MANAGER JONES:** They have all of that, yeah. They have that.

**CHAIR PRO TEM PARDO:** Okay. All right. So before you guys do anything, you'll come back to the Council and --

**CITY MANAGER JONES:** Yes. We'll be able to come back to you on our --

**CHAIR PRO TEM PARDO:** Well, you would have to, right? If you granted them --

**CHAIRPERSON DAVIS:** Right.

**CHAIR PRO TEM PARDO:** -- a license --

**CITY MANAGER JONES:** And they have an exception --

**CHAIR PRO TEM PARDO:** -- you would have to come back --

**CITY MANAGER JONES:** -- they would have to come back.

**CHAIRPERSON DAVIS:** And exception, yeah.

**CHAIR PRO TEM PARDO:** Okay.

**CITY MANAGER JONES:** If it's -- if it's an exception.

**CITY ATTORNEY RYAN:** And -- and -- and let me just state this --

**CHAIR PRO TEM PARDO:** Please.

**CITY ATTORNEY RYAN:** -- because I've had some correspondence, I'll call it, with their attorney -- Stonerock's attorney. They -- we're not on the same page.

**CHAIRPERSON DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** You know, they think that they've done everything that they need and that's why we're having this meeting. We will be very clear with them and, you know, this may not end here. I mean, if we tell them that they have to come back to this Council, you know, I -- I was threatened with a Writ of Mandamus. Right. And that's what I did. Okay, you -- you do what -- I'm sorry.

**COUNCILPERSON THOMAS:** And what does that mean?

**CITY ATTORNEY RYAN:** You do what you have to do. A Writ of Mandamus -- I know I'm always coming at you with you different kinds of writs.

**COUNCILPERSON THOMAS:** Uh-huh.

**CITY ATTORNEY RYAN:** Yeah. A Writ of Mandamus is a special kind of action where you're asking the court to force a government to perform a ministerial duty. So they are of the opinion that they already -- that we should just give them a license and we won't give it to them. And so, Judge, make them give us a license. So they want to go file that in court.

**CHAIRPERSON DAVIS:** Yes. They think that because they're a Special Taxing District, that they do not have to conform to our home rule.

**CITY ATTORNEY RYAN:** Well, that's the Port. I mean, I don't want to -- us to misunderstand. That email that I got came from Stonerock's attorney --

**CHAIRPERSON DAVIS:** Oh, okay.

**CITY ATTORNEY RYAN:** -- who was just very --

**CHAIRPERSON DAVIS:** Okay. I'm talking about the Port.

**CITY ATTORNEY RYAN:** -- he's not in town. He's just -- it's very weird. The -- the email was weird. But I have to be honest, the Port has been very calm in this and willing to meet. I went back and forth with their attorney, Greg Picken. He's fine so I don't want to -- I'm not going to do to them what they do to us all the time.

**CHAIR PRO TEM PARDO:** Okay.

**CITY ATTORNEY RYAN:** So we're going to meet with them.

**CHAIR PRO TEM PARDO:** All right. That's great. But at the end of the day, we are looking out for --

**CITY ATTORNEY RYAN:** Uh-huh.

**CHAIR PRO TEM PARDO:** -- our residents --

**CITY ATTORNEY RYAN:** Oh, of course.

**CHAIR PRO TEM PARDO:** -- we are looking out for our property.

**CITY ATTORNEY RYAN:** Uh-huh.

**CHAIR PRO TEM PARDO:** And this city has a history of getting hit by hurricanes, getting hit by tornadoes. And that -- seriously. And that's the bottom line. Go over there and take a look at the scrap. It's just sitting there.

**COUNCILPERSON GUYTON:** (Unintelligible) Port there.

**CHAIR PRO TEM PARDO:** Well -- no, seriously. So --

**CHAIRPERSON DAVIS:** Okay.

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

**CHAIRPERSON DAVIS:** Mayor --

**CHAIR PRO TEM PARDO:** So that's it. Thank you very much, Madam --

**CHAIRPERSON DAVIS:** Okay. Mayor Masters.

**MAYOR MASTERS:** Yes. Madam -- Madam Chair, I -- I -- I heard -- I'm not for sure but I think you were saying -- had said, when Mr. Guyton was talking about the other issue, that you were going to poll the -- the board. Are you going to poll the board to see what the board want -- would like to do about whether or not they want to -- what -- whatever they want to do. As you polled the -- conveniently polled the board on the single member district, I ask if you could likewise poll the board on the not electing the mayor by -- by popular vote, and rather than appointing the mayor. That is an issue. And my question to you, Madam Chair, will you poll the board and see what the feeling is on that as you did the other issue? I think Mr. Guyton was -- is correct in getting ready to ask that if he was going to ask that.

**CHAIRPERSON DAVIS:** Are you done with your comments?

**MAYOR MASTERS:** No. I'm just asking a question.

**CHAIRPERSON DAVIS:** Okay. I'm going to do it --

**MAYOR MASTERS:** Okay.

**CHAIRPERSON DAVIS:** (Unintelligible).

**MAYOR MASTERS:** I just wonder if you're going to ask -- you're going to do it. Okay, good. Madam Manager, was a Town Hall Meeting last night and one of the residents stated and implied that they had tried to contact you many, many times -- I think they said a month and a half and didn't seem to be any response from your office and you were not here to defend how you handle calls. Would you take a moment and tell the public that you have a policy or -- or a procedure that when a person calls you, or want to talk to you or put a note, you receive a note, and they would like to meet with you, could you take a minute and answer that for the public if you -- if you wish?

**CITY MANAGER JONES:** Mr. Mayor, when individuals call my office, there is a couple of things that occur. If they will give me what the content is, I conduct the research so I have something to -- of some -- to backup the meetings. And then we schedule a meeting with them. Some -- if people are just wanting to set up an appointment or just get an answer, if there's a department that conducts that, they return that call rather than me. So there really is no blanket response as to, Here's the hard, fast rule as to calls being returned. This individual that made the statement last night has been saying this ever since I've been here. I don't know why this gentleman insists that he wants to continue to do this. But out of my respect for my elders, I will not go to the same level that he does. But all I will say is that he is not telling the truth.

**MAYOR MASTERS:** Okay. Moving right along, last night at the Town -- Town Hall Meeting, we had an opportunity to meet, I think, all the principals -- well, there were two that were not here -- but, certainly, 80 percent of the principals here in Riviera Beach and we made it -- I made it very clear that a D and an F grade is not acceptable to the Office of the Mayor.

An A is an A, a D is a D and a F is a F. So I know sometimes people say that the F grade is misleading but they don't say that about a A grade. There's nothing misleading about an A grade so why is anything misleading about a F grade? So after the discussion and as a result of that discussion, the -- we were able to discuss several initiatives and several recommendations that went forth to help the principals to bring their schools up to an A -- to a B or an A.

And, personally, today I had an opportunity to go to every school that was represented here last night, Miss Brabham, and -- had an opportunity to talk to the principals and administrators and they're very excited about these initiatives from the Office of the Mayor and others working with us to join together to make sure that next year, we will not have any schools in Riviera Beach that would receive a D or F.

I didn't know until today how popular Councilman Terence Davis is. I went to Lincoln Elementary School and the parents there and -- and the administrators there -- now I know why he was elected because this young man is very, very popular. And they all seem to think and know that he's done an impeccable job in staying committed and staying connected to the community. I didn't really -- I -- I thought it but I saw it today, Mr. Davis. So whatever you're doing for our kids in Lincoln Elementary School, continue to teach them as you do and to show them the example of a strong African-American man setting -- being a role model for our children that many times, that are raised in single parent homes and cannot see African-American men in that type of role. So your popularity with the parents speaks for itself.

The discussion on single member district tonight, I heard someone mention a action item. Well, it wasn't an action item. It was not an action item, it was a discussion. And discussion is just that. You bring it -- bring it forth, you bring it out. I was asked to do it by a couple of pacs, I said yes. We did the research, we laid it out and it was a discussion. And so a discussion is just simple -- simply that.

Also John F. Kennedy Middle School has agreed to host, with the Office of the Mayor in this re-established partnership that was re-established last night, I've always been a -- a big supporter of JFK and the principal was talking today and reminded me of the incident when I actually stood between a police officer who had his gun drawn and a student who had his gun drawn. And I asked the student to put the gun down and thank God that no one got hurt and no one got shot or killed, but -- but we have that kind of commitment to the school and to our children at -- at Kennedy. And Mr. -- the principal there has agreed to host a Job Fair during the Thanksgiving holidays for ex-felons, and we call them returning citizens. And this Job Fair will only be for people who have made mistakes in their lives that is at the level of a felony. And if you have a felony, you will be invited. Only -- you will be the only people that will be invited to attend and we will have employers there who will commit to the Office of the Mayor and to others that they will certainly consider hiring you.

The attorney mentioned that she was hurt when people up here communicate with Miss White, be it by phone; be it by email; or be it by whatever. When I went -- everybody know I was hurt, too, when the City lost my check, which I should have been paid -- should have had my check on Friday and to this very day, nobody knows anything. So I know what it means to be hurt. And when I say the City, I don't mean the whole city, I mean the people that were responsible. I didn't see it, still haven't seen it. But I want to thank the Finance Director, Mr. Sherman, who readily fixed it and -- and also Danny Jones and I got the check within two or three hours. But I -- I know what it means to be hurt.

Madam Attorney, you mentioned tonight the -- can you -- what was the name of the -- Mr. -- Mr. Thomas asked you about Mandamus -- what -- what was the name of that?

**CITY ATTORNEY RYAN:** Writ of Mandamus.

**MAYOR MASTERS:** And you explained it so eloquently.

**CITY ATTORNEY RYAN:** Oh, thank you.

**MAYOR MASTERS:** Would you explain what is a dec action?

**CITY ATTORNEY RYAN:** A declaratory action?

**MAYOR MASTERS:** Yes. I know it's referred to sometimes as a dec action.

**CITY ATTORNEY RYAN:** Yeah. Well, right. That's a --

**MAYOR MASTERS:** It's a known nickname.

**CITY ATTORNEY RYAN:** That is a nickname.

**MAYOR MASTERS:** Explain that to -- to me and to the people who are listening and viewing, please.

**CITY ATTORNEY RYAN:** A declaratory action is one where parties can agree, sometimes they don't agree, to submit an issue to the courts when they don't -- when they're unsure as to what their rights are.

**MAYOR MASTERS:** Okay. And also whether there is a pending action as to whether it is legal or not or Constitutional? Is that --

**CITY ATTORNEY RYAN:** Are you going to tell me or are you --

**MAYOR MASTERS:** No. I'm asking you. Does it also include -- is it also inclusive if there's a question of legality and the judge will tell us, or tell whoever the party is, that this pending action is legal or it's not. Is that a dec action as well?

**CITY ATTORNEY RYAN:** I don't have a dictionary. I gave you the definition that I have and I'm going to be honest with you, just tell me what is you'd like to know.

**MAYOR MASTERS:** Okay. Well --

**CITY ATTORNEY RYAN:** Because I'm not answering question in -- in iCloud.

**MAYOR MASTERS:** Okay. Well, I didn't mean to put it in the iCloud. I just meant to ask you a simple -- a simple question --

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

**MAYOR MASTERS:** -- what a decision is and it -- and for you to explain what it is. But let me just -- let me just say this. I've -- I've really thought a lot and have prayed a lot about the -- this whole controversial lien situation. I know that it has been said that the members up here felt and feel that because it was not brought before us that we were denied the -- the privilege to confirm or un-confirm, if that's a word, your appointee. Well, let me just say for the record, there's only five people that I can count on one hand have never lied to me and you're one of the ones in the administration. You're one of those five and maybe one of those two or three, but I'll make it be gracious, five. So your integrity with me is -- is not even a -- a -- the issue. You've always been very honest and -- and very forthright and very truthful and you've always -- have always said the truth. And you admitted it was oversight and a mistake.

Now, it doesn't make any sense to me for this Council to hire an outside attorney to check another attorney. You can get five attorneys and three of them will think one way and two could think the other way. If you get one, that one may say your interpretation --

**CHAIRPERSON DAVIS:** Mayor.

**MAYOR MASTERS:** Yes.

**CHAIRPERSON DAVIS:** Can I -- can I interrupt you one --

**MAYOR MASTERS:** Yes, of course.

**CHAIRPERSON DAVIS:** -- one moment. The direction from the board was to get an outside opinion. That has already been done.

**MAYOR MASTERS:** Okay.

**CHAIRPERSON DAVIS:** But, I mean, they've been hired.

**MAYOR MASTERS:** Okay.

**CHAIRPERSON DAVIS:** The opinion isn't there yet.

**MAYOR MASTERS:** Okay. Well, I spoke to the Manager and -- about this and what I'm asking, although they've been hired, but my point is it doesn't make much sense to me -- be it that I should have raised it then but I just wasn't thinking in that -- that way -- because an attorney -- one attorney can say you're right, another one can say you're absolutely wrong. So if it's not too late --

**CITY ATTORNEY RYAN:** May -- may I just say this?

**MAYOR MASTERS:** No. I'm -- let -- let me --

**CITY ATTORNEY RYAN:** You can't have an advisor -- well, you asked about a dec action.

**MAYOR MASTERS:** Oh, yes. Go ahead. I'm sorry. I just want to finish. But go ahead.

**CITY ATTORNEY RYAN:** This is on the dec action. You -- who's the party? You can't just go to court and ask for an advisory opinion. They won't give you that. If you'd like to ask the Attorney General's Office, they will give you an advisory opinion. But in a dec action, you've got to have a plaintiff and defendant. So I don't know who we're -- to me, we're fighting against ourselves. So I don't know who the -- the other party would be. Also you may get your dec action in another way. I've been told --

**MAYOR MASTERS:** Go ahead. (Unintelligible).

**CITY ATTORNEY RYAN:** -- that they're filing a class action lawsuit so let them file their lawsuit and then you will get your determination and it won't be a dec action, but it will be a determination in court.

**MAYOR MASTERS:** By a judge.

**CITY ATTORNEY RYAN:** But you have to have --

**MAYOR MASTERS:** Two parties.

**CITY ATTORNEY RYAN:** -- two parties in a dec -- in a dec action.

**MAYOR MASTERS:** Okay. Well, that's why I was asking now.

**CITY ATTORNEY RYAN:** Right.

**MAYOR MASTERS:** Since you've said that --

**CITY ATTORNEY RYAN:** But that was the definition but --

**MAYOR MASTERS:** -- let me -- let me ask you this.

**CITY ATTORNEY RYAN:** -- when you talk, I can fill it in.

**MAYOR MASTERS:** Okay. Let me ask you this. Is it too late to get an opinion from the Attorney General of the united -- of -- of the State of Florida on this action?

**CITY ATTORNEY RYAN:** No.

**MAYOR MASTERS:** Okay. Well, I would like to request that the -- your esteemed office would get an opinion from the Attorney General.

**CITY ATTORNEY RYAN:** Don't ask me. You have to ask the board.

**MAYOR MASTERS:** Okay. I'd like to ask the board, do they -- any -- does anyone up here have any problem, because the Attorney General is certainly more of a neutral party than another attorney that can say you're right, they can say you're wrong, but the Attorney General definitely speaks for the State and gives his view as very -- I don't think it can get any more unbiased than that. So I'd like to ask the board, is there anyone here that has a problem for the Honorable Attorney to ask the Attorney General for a independent opinion?

**CHAIRPERSON DAVIS:** I will come in on my comments --

**MAYOR MASTERS:** Okay. Okay. Well, I just -- I'm just asking. But I'd like to ask the board. I'm asking the board and whatever's in your comments is in your comments. But I'm ask --

**CHAIRPERSON DAVIS:** Well, that's what I'm saying. I would -- I will ask.

**MAYOR MASTERS:** You -- you're going to ask that --

**CHAIRPERSON DAVIS:** Yes.

**MAYOR MASTERS:** -- under your comment? Okay.

**CITY ATTORNEY RYAN:** And Mr. Mayor, I'm not arguing with you, I'm just --

**MAYOR MASTERS:** No. I mean, I think it's --

**CITY ATTORNEY RYAN:** -- it's --

**MAYOR MASTERS:** -- a good idea.

**CITY ATTORNEY RYAN:** -- I just want to, you know --

**MAYOR MASTERS:** I think it's a good idea.

**CITY ATTORNEY RYAN:** -- stay focused. I don't like just answering (unintelligible).

**MAYOR MASTERS:** Okay. I think it's a good idea. The -- the veto on the vote, I just want to make people understand the difference. Most mayors do not vote in this type of system. You have in this type of system, the balance of power -- separation of power. The mayor is not a legislator. The mayor is an -- an executive. The mayor has veto power. You can't veto and vote at the same time. The only time the mayor can vote is when there is a tie and that's what's important to me that this Charter is respected. And the Charter -- the Charter is clear that the mayor has the veto power which checks and balance patterned after the U.S. government, the President and the Governor. So please keep that in mind. Thank you very much. The best is yet to come.

One quick announcement. I've been asked to announce that Governor Charlie -- Governor Crist have -- his people have asked me to announce that there's only one office in the City of Riviera Beach for the election of a governor and that's his office. And it's located at 1601 Old Dixie Highway, Unit 2. So they asked that if there's anyone that would like to volunteer for Charlie Crist's office to stop by. I have not heard from Governor Rick Scott to see if there's any plans of having a office in Riviera Beach. Thank you, Madam Chair.

**CHAIRPERSON DAVIS:** Okay. And I touched on this just a moment ago but I want to let everybody know the process that I used in carrying out your order for an outside attorney to get -- provide us a -- an opinion concerning the special magistrate issue. I contacted the Palm Beach County Bar Association and gave them the gist of what the issue was and it was taken to their Board and their Board recommended two names, one of which is a former judge. I then, after being contacted by them, I met with Mrs. Jones because the directive was for me and the City Manager to select the attorney. I met with Mrs. Jones and we chose the former judge. Her name is Cynthia Angelos, who will have an opinion within 30 days or sooner.

Now -- and I was also at that Port meeting last Thursday, I believe it was. And actually the Port has threatened to sue us because we're not really cooperating with them. And the last thing is the Attorney General opinion. Is there anyone who wants to move forward with getting the Attorney General opinion?

**COUNCILPERSON THOMAS:** I have no problem with it.

**CHAIRPERSON DAVIS:** Mr. --

**COUNCILPERSON THOMAS:** I don't have a problem with it, either.

**CHAIRPERSON DAVIS:** In addition to --

**COUNCILPERSON T. DAVIS:** I have no problem.

**CHAIRPERSON DAVIS:** -- the outside attorney?

**COUNCILPERSON THOMAS:** I don't think it's needed but if the Mayor feels like it's needed, then I don't see why we can't have it.

**CHAIRPERSON DAVIS:** Okay. Is there a cost associated with that?

**CITY ATTORNEY RYAN:** No.

**COUNCILPERSON T. DAVIS:** Nope.

**CHAIRPERSON DAVIS:** Okay.

**CITY ATTORNEY RYAN:** There's no cost. It will just take me time to write the letter.

**CHAIRPERSON DAVIS:** Okay.

**CITY ATTORNEY RYAN:** And I'll -- what I will do is -- I don't know if you want me to bring the letter back to Council.

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

**CITY ATTORNEY RYAN:** I can definitely circulate --

**COUNCILPERSON THOMAS:** She's thinking.

**COUNCILPERSON T. DAVIS:** Yeah.

**CITY ATTORNEY RYAN:** -- a letter.

**COUNCILPERSON T. DAVIS:** She got no competition.

**CITY ATTORNEY RYAN:** Just so you know what I'm doing.

**COUNCILPERSON T. DAVIS:** No competition.

**CITY ATTORNEY RYAN:** I don't want to be accused of writing a letter a certain way --

**CITY MANAGER JONES:** Well, I just (unintelligible).

**CHAIRPERSON DAVIS:** Okay. Well, we have Mr. Thomas --

**CITY ATTORNEY RYAN:** Okay.

**CHAIRPERSON DAVIS:** -- saying he is okay with it; Mr. Davis is okay with it. Mr. Guyton, what is your --

**COUNCILPERSON GUYTON:** I don't have a --

**CHAIRPERSON DAVIS:** -- pleasure?

**COUNCILPERSON GUYTON:** -- problem. If we were to get our opinion back first from the judge, I would be ready to move --

**CHAIRPERSON DAVIS:** Former judge.

**COUNCILPERSON GUYTON:** -- forward. Former judge, I mean. I would be ready to move forward and not wait for the AG, but I don't have a problem. Maybe they can come in at the same time and we'll have two different opinions. Unlike Councilman Thomas, I don't see where it's really needed but if that's what the board wants to do --

**CHAIRPERSON DAVIS:** Okay.

**COUNCILPERSON GUYTON:** -- I don't have a problem.

**CHAIRPERSON DAVIS:** Good. You have three votes are -- I mean, three people who are in favor --

**CHAIR PRO TEM PARDO:** Yeah. And I would say -- right.

**CHAIRPERSON DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** Our Attorney General, Pam Bondi, is very competent.

**CHAIRPERSON DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** So I have full faith in her.

**CHAIRPERSON DAVIS:** Okay. And lastly, it has been brought up by the Committee for a Better Riviera Beach, and I think also by Mr. Guyton, so I'm asking this board what is the pleasure of the board as it relates to enhancing the Mayor's position?

**MAYOR MASTERS:** Not enhancing it. It doesn't enhance it at all.

**CHAIRPERSON DAVIS:** Okay. Enhancing the Mayor's position.

**MAYOR MASTERS:** Not enhancing.

**CHAIRPERSON DAVIS:** Mr. Thomas? What is your feel on that, sir?

**COUNCILPERSON THOMAS:** Okay. All right. First of all, I have not had enough information on which -- you know, I head the Mayor say it a certain way. I've heard other people say a certain way of this -- this is going to be done. In my opinion, this is not the proper way to do it. This is just my opinion. I think it should be a discussion item and actually hear how it's going to be done. Is it -- is the enhancement of the mayor position meaning that you -- you -- you -- you vote for five members and you pick the mayor from the -- the five-member board or does it mean that you combine a seat and make it down to five seats? It's too many unanswered questions to poll it like this, in my opinion. But with that being said, the same way I said that if the people want to see it, the -- on the single member districts, I think that it should be -- that it should go -- and if the people want to see this on enhancing the mayor's position, I think that it should go. I think it should be the vote of the people. But I would like to know exactly what it is.

**CHAIRPERSON DAVIS:** Okay. Well, I think what my understanding is, just to clarify, is -- and Mr. Guyton, correct me if I'm -- if I'm wrong -- it is to -- it's for a five-member board whereby the Council appoints a mayor and vice-mayor as they do now with a chair and vice-chair.

**COUNCILPERSON THOMAS:** Okay. So is -- what we're saying now is we want to do what with this? What is this poll for? What are we saying we want to do?

**CHAIRPERSON DAVIS:** Put it on the agenda for a vote.

**COUNCILPERSON THOMAS:** Yes. I think we should.

**CHAIRPERSON DAVIS:** Okay. Miss Pardo.

**CHAIR PRO TEM PARDO:** I would say let's do it as a discussion item like we did with -  
-

**COUNCILPERSON THOMAS:** Yeah.

**CHAIRPERSON DAVIS:** Uh-huh.

**CHAIR PRO TEM PARDO:** -- with the mayor's --

**MAYOR MASTERS:** So it's not a action item --

**CHAIR PRO TEM PARDO:** Right.

**MAYOR MASTERS:** -- it's a discussion item.

**CHAIR PRO TEM PARDO:** With the -- with the Mayor's issue, just so the public can be part of it.

**CHAIRPERSON DAVIS:** Will it be an action item?

**CHAIR PRO TEM PARDO:** That's up to the majority.

**COUNCILPERSON THOMAS:** Well, a discussion. I mean --

**CHAIR PRO TEM PARDO:** I really --

**CHAIRPERSON DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** -- don't care.

**COUNCILPERSON THOMAS:** -- any discussion can turn into an action item.

**CHAIRPERSON DAVIS:** I -- exactly. Yeah. Okay. Mr. Davis.

**CHAIR PRO TEM PARDO:** Either way, I'm fine.

**COUNCILPERSON T. DAVIS:** Will it have backup?

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

**COUNCILPERSON T. DAVIS:** Will it have backup on it, information, documentation?

**CHAIRPERSON DAVIS:** There is no backup. It's just a discussion.

**COUNCILPERSON T. DAVIS:** Well, I'd rather have some discussion with some information.

**CHAIRPERSON DAVIS:** So your answer is?

**COUNCILPERSON T. DAVIS:** If you want to talk about it and people want to talk about it, you can put it on there but I'd like to see some backup, some information on it.

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

**COUNCILPERSON GUYTON:** Absolutely. And let me just say quickly, ultimately, too, as we decided on the single member district issue whether it's going to go on the ballot, we're going to have to decide on this fairly quickly if it's going to go on the ballot. At the next meeting, I would suggest doing the discussion item that we be prepared to make a decision whether to direct staff to advise us of the timeline should we decide to put it on the ballot. We're getting close to that point now. It's -- if an item is going to go on the ballot, we're going to have to notify the Supervisor of Elections. So it is my hope that my colleagues come prepared to -- and even before, request any information that you need to make a decision.

**COUNCILPERSON THOMAS:** Uh-huh.

**COUNCILPERSON GUYTON:** This item has been out there for over a month, a long -- well, really, years. So we -- we need to stop fiddling around and we're going to make a decision one way or the other. No, it's not going on or, yes, let the people vote. And we can move on.

**CHAIRPERSON DAVIS:** Okay. So your answer is?

**COUNCILPERSON GUYTON:** Is absolutely to put it on because I -- I think it's time to enhance that position. It's time for that position to have a vote. It's time for that position to be the premier elected position that we have and that is why it is my position as we've done since we have been a municipality, that the colleagues selected who they wanted their leader to be. And if that position becomes the chair, as it would be under this scenario, I think that the system that we have in place now needs to remain. It's not taking a vote from someone. Right now the vote for the ceremonial mayor that position has no vote. The dynamics of this position is going to change drastically. So -- and we'll get into those different scenarios and people can choose what they want to do. So --

**CHAIRPERSON DAVIS:** Okay. Well, it's unanimous.

**MAYOR MASTERS:** Point of clarification.

**CHAIRPERSON DAVIS:** Mr. Mayor.

**MAYOR MASTERS:** In that discussion, would you also -- discuss that the mayor would -- people keep saying "enhance"; it's not enhance. Any time you take away the veto, it's

the opposite of enhancing. So in that same discussion, would you discuss -- and this is the pattern behind the -- that's very -- that lines with the West Palm Beach system and other cities, that the mayor only votes when there is a tie and therefore, if he votes only when there's a tie, it does not take away the right of the veto; the veto stays. And he only votes when there's a tie. That's the exact system that we have with six in West Palm Beach and other cities. That the mayor only votes when there's a tie. And he vetos -- so I'm asking for that to be a part of that discussion.

**CHAIRPERSON DAVIS:** To be part of this discussion. Okay.

**COUNCILPERSON THOMAS:** Madam Chair.

**CHAIRPERSON DAVIS:** Mr. Thomas.

**COUNCILPERSON THOMAS:** Just -- just quickly. First of all, and we'll discuss it, but I just want to make sure people are getting the right information. The Mayor only votes in a tie in this City.

**MAYOR MASTERS:** Correct.

**COUNCILPERSON THOMAS:** If it's to appoint a councilperson. I happened to have --

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON THOMAS:** -- been involved in that, so I know how it works.

**CITY ATTORNEY RYAN:** Oh, yeah.

**COUNCILPERSON THOMAS:** Up close.

**CITY ATTORNEY RYAN:** Right?

**COUNCILPERSON THOMAS:** But that's the only time that the Mayor votes in a tie.

**CHAIRPERSON DAVIS:** Right.

**COUNCILPERSON THOMAS:** Any other time, in this City, if it's a 2-2 --

**CHAIRPERSON DAVIS:** It dies.

**COUNCILPERSON THOMAS:** -- it fails.

**CHAIRPERSON DAVIS:** Right.

**COUNCILPERSON THOMAS:** So I -- I want to make sure people understand that. But by all means, whatever he wants added to that discussion, I definitely think it should be then. The other thing that I'm thinking is that I -- I would like for the public to be able to speak on it --

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON THOMAS:** So I -- if it needs to be an action matter for them to do that --

**CHAIRPERSON DAVIS:** Absolutely.

**COUNCILPERSON THOMAS:** -- I would be willing to allow it. I think that that needs to happen.

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON THOMAS:** I want to make sure of the poll that we took about the single member districts, was that to -- was that to bring it back on the agenda or what was that poll for?

**CHAIRPERSON DAVIS:** Nobody supports it.

**COUNCILPERSON THOMAS:** Right. No, I support --

**COUNCILPERSON T. DAVIS:** I support it.

**COUNCILPERSON THOMAS:** -- I support it --

**COUNCILPERSON T. DAVIS:** You know what I'm saying?

**COUNCILPERSON THOMAS:** -- coming to the --

**CHAIRPERSON DAVIS:** Oh, you want to put it on the agenda?

**COUNCILPERSON THOMAS:** I was asking when we originally took the poll --

**CHAIRPERSON DAVIS:** I think it was 2-3.

**COUNCILPERSON THOMAS:** Right. It was 2-3.

**CHAIRPERSON DAVIS:** Yeah.

**COUNCILPERSON THOMAS:** But I want to -- I want to make sure that -- I am making sure that I'm consistent.

**CHAIRPERSON DAVIS:** Right.

**COUNCILPERSON THOMAS:** The same way that I'm saying I think we should discuss that issue --

**CHAIRPERSON DAVIS:** Uh-huh.

**COUNCILPERSON THOMAS:** -- I think we should discuss the -- this -- both issues. However the board goes, that's how the board goes, but I think that both issues ought to be discussed.

**CHAIRPERSON DAVIS:** Okay. Well, we -- there was a discussion this evening --

**COUNCILPERSON THOMAS:** It -- it was --

**CHAIRPERSON DAVIS:** -- but we -- we did take a poll.

**COUNCILPERSON THOMAS:** -- it was a poll. I just want to make sure --

**CHAIRPERSON DAVIS:** And the vote was --

**COUNCILPERSON THOMAS:** -- we're real clear. It was a poll and --

**CHAIRPERSON DAVIS:** It was 2-3.

**COUNCILPERSON THOMAS:** -- it's not coming back. I understand that.

**CHAIRPERSON DAVIS:** Okay.

**COUNCILPERSON THOMAS:** I was on the losing side of that, I get it. I just want to make sure that I understood what was happening --

**CHAIRPERSON DAVIS:** Uh-huh.

COUNCILPERSON THOMAS: -- with that. I understand.

CHAIRPERSON DAVIS: Okay. Anything else?

**ADJOURNMENT**

CHAIRPERSON DAVIS: Motion for adjournment.

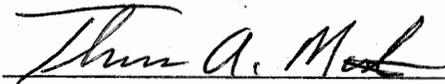
COUNCILPERSON GUYTON: So moved.

CHAIR PRO TEM PARDO: So moved.

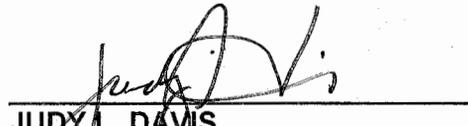
COUNCILPERSON T. DAVIS: Second.

(CONCLUSION OF MEETING)

APPROVED:

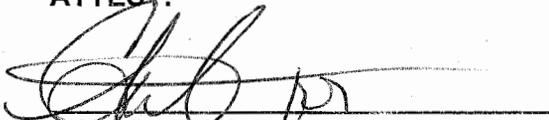


THOMAS A. MASTERS, MAYOR



JUDY L. DAVIS  
CHAIRPERSON

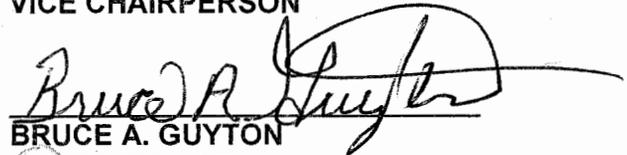
ATTEST:



CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



DAWN S. PARDO  
VICE CHAIRPERSON



BRUCE A. GUYTON  
BOARD MEMBER



CEDRICK A. THOMAS  
BOARD MEMBER



TERENCE D. DAVIS  
BOARD MEMBER

**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:** 11/05/14