

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 17, 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

CHAIR PRO TEM PARDO: Welcome, everyone, to the City of Riviera Beach. Tonight we have our regularly scheduled Council meeting. Madam Clerk, roll call, please?

ROLL CALL

INTERIM CITY CLERK ANTHONY: Mayor Thomas Masters. Chairperson Judy Davis. Chair Pro Tem, who's Chair of the meeting tonight, Dawn Pardo.

CHAIR PRO TEM PARDO: Present.

INTERIM CITY CLERK ANTHONY: Councilperson Bruce Guyton.

COUNCILPERSON THOMAS: Here.

INTERIM CITY CLERK ANTHONY: Councilperson Cedrick Thomas.

COUNCILPERSON THOMAS: Here.

INTERIM CITY CLERK ANTHONY: Councilperson Terence Davis.

COUNCILPERSON THOMAS: Here.

INTERIM CITY CLERK ANTHONY: City Manger Ruth Jones.

CITY MANAGER JONES: Present.

INTERIM CITY CLERK ANTHONY: Interim City Clerk Claudene Anthony is present. City Attorney Pamala Ryan.

CITY ATTORNEY RYAN: Here.

CHAIR PRO TEM PARDO: Okay. Thank you. We have a quorum. I'd like to invite everyone to stand for a moment of silence followed by the Pledge.

INVOCATION/PLEDGE OF ALLEGIANCE:

(Everyone stood for a moment of silence followed by the Pledge of Allegiance led by Chair Pro Tem Dawn Pardo).

AGENDA APPROVAL: ADDITIONS, DELETIONS, SUBSTITUTIONS

CHAIR PRO TEM PARDO: Okay. Madam Clerk -- I'm sorry -- Madam Manager, do we have any additions or deletions to the agenda?

CITY MANAGER JONES: Yes, Madam Chair. We have a couple of things. First of all, in your additional information package, you have replacement information for Consent Item number 8, the proposal for surveyance service from the Wantman Group. Also, as it relates to the item -- I don't have the -- they don't have -- they don't have the number.

CHAIR PRO TEM PARDO: Community Benefits?

CITY MANAGER JONES: Related to Lockheed Martin. Thank you, sir. Information's not up yet. Item number 16. You have in front of you a revised Resolution and contract. The prior one said, "contingent upon approval by West Palm," and now that they've taken the action to -- we went ahead today and changed the Resolution and the information there.

There are two additions under Community Benefits. One to Southeast Florida Public Market Fair Association, Incorporated, \$2,000 from Councilman Terence Davis. And the Riviera Beach Human Resources Department, \$1,500 from Chair Judy Davis to defray cost of the 2015 Doctor Martin Luther King celebration activities.

CHAIR PRO TEM PARDO: Okay. Thank you. Do we have a motion to accept the agenda?

DISCLOSURE BY COUNCIL:

CHAIR PRO TEM PARDO: Do we have any disclosures by Council? Okay. Any comment -- any comment cards for Consent? I don't see any. Hold on a second.

CITY MANAGER JONES: No.

CHAIR PRO TEM PARDO: Public comments? No?

COUNCILPERSON THOMAS: No, no Consent.

CHAIR PRO TEM PARDO: Good, okay.

ADOPTION OF AGENDA:

COUNCILPERSON THOMAS: So moved.

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: Properly moved and second. Madam Clerk.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you.

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.

CHAIR PRO TEM PARDO: Do we have a motion to accept the Consent?

COUNCILPERSON THOMAS: Madam Chair, I have an item I would like to pull.

CHAIR PRO TEM PARDO: Okay. What is that?

COUNCILPERSON THOMAS: Uh, Item 3.

CHAIR PRO TEM PARDO: Okay. We will pull Item 3. Anything else?

COUNCILPERSON THOMAS: Move to approve.

CHAIR PRO TEM PARDO: Do we have a second?

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: Properly moved and second. Madam Clerk?

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Thank you. Item 3.

MINUTES

- 1. MINUTES OF THE CITY COUNCIL WORKSHOP HELD, JUNE 30, 2014.**
- 2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, NOVEMBER 5, 2014.**

RESOLUTIONS

- 3. RESOLUTION NO. 143-14 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 AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PITTMAN LAW GROUP P.L. TO PROVIDE LOBBYIST REPRESENTATION AT THE STATE LEVEL ON BEHALF OF THE CITY OF RIVIERA BEACH; COMPENSATION SHALL BE \$5,000.00 PER MONTH FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2016; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FROM THE**

**PROFESSIONAL SERVICES - OTHER, ACCOUNT NO. 001-0203-519-0-3106;
AND PROVIDING AN EFFECTIVE DATE.**

CHAIR PRO TEM PARDO: Is there a --

COUNCILPERSON THOMAS: So moved.

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: Properly moved and second. Okay. Mr. Guyton.

COUNCILPERSON THOMAS: Thank you, Madam Chair. I pulled this item because our lobbyist has been with us for four years and, in my opinion, he's done a phenomenal job. But I also know, too, that he reaches out to others up in Tallahassee to assist in this endeavor and, um, the last four years his -- his fee has been consistent. And it's my hope that my colleagues were -- would consider an increase in -- in his fee. I know one of the lobbyists that he works with -- I hope he don't mind me putting it out there -- but he's one of the best up there, Ron Brook.

CHAIR PRO TEM PARDO: Book.

COUNCILPERSON THOMAS: Book. Yes. And he's at the top of the line up there as I consider ours to be. And he shares this. And it's my hope that we would take that under consideration, that he's put together not just him, but a team of effective lobbyists and I -- I would like to put a motion on the floor to move it to at least 80. He's -- he's at -- I'm sorry, he's at five --

CITY MANAGER JONES: Five thousand a month.

COUNCILPERSON THOMAS: Sixty a year.

COUNCILPERSON THOMAS: A month. Yeah.

CITY MANAGER JONES: Sixty. That's sixty a year.

COUNCILPERSON THOMAS: What -- what would 80 be a month? Somebody? But annually, that is what I'm shooting for.

COUNCILPERSON THOMAS: I could -- I could support that.

CHAIR PRO TEM PARDO: All right. So Mr. Guyton, was that a motion?

COUNCILPERSON THOMAS: That is a motion.

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: And we have a second. Okay. Any discussion? Miss Jones, would you like to give us your two cents, please?

CITY MANAGER JONES: I just want the public to know that that would be an additional \$1,666 a month. It is not an astronomical fee. The firm has done and the -- an excellent job for us. I just want to remind you that this will mean that we will have to come back mid-year for additional funding because we only budgeted at the current level. And so mid-year, we would have to be making some adjustments in the budget for that particular line item.

CHAIR PRO TEM PARDO: Okay. And I think one thing we owe to the public is -- I think we need to remind them that we have -- Mr. Pittman and also Mr. Book have been bringing funds back to the City the past couple of years.

COUNCILPERSON THOMAS: Yes.

CHAIR PRO TEM PARDO: Last year, we received \$1.3 million. I think we were only one of two municipalities in Palm Beach County that received allocation from the State. We received a half a million dollars for 13th Street.

COUNCILPERSON THOMAS: For 13th.

CHAIR PRO TEM PARDO: We will be going back to Tallahassee this year with a -- with more requests and, you know, so I just want to put that out there. It's not like our lobbyists are just sitting on their hands and not doing anything. Okay. Any other comments? We good? All right. Madam Clerk.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you. That is the end of Consent Agenda. We will go to Petitions and Communications for filing.

4. **RESOLUTION NO. 144-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE POLICE DEPARTMENT TO EXECUTE AN ADDENDUM MASTER TAXEXEMPT LEASE/PURCHASE AGREEMENT WITH U.S. BANCORP GOVERNMENT LEASING AND FINANCE, INC. TO FINANCE THE PURCHASE OF SIXTEEN (16) POLICE VEHICLES AND TWO (2) CODE ENFORCEMENT VEHICLES; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME; AND AUTHORIZING THREE (3) ANNUAL PAYMENTS IN THE AMOUNT \$209,792.42; AND PROVIDING AN EFFECTIVE DATE.**

5. **RESOLUTION NO. 145-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE COMMUNITY GRANT AWARD OF \$1,000.00 FROM TARGET, INC. TO BE USED TO EQUIP A "COMMUNITY INVOLVEMENT TRUCK" FOR THE RIVIERA BEACH POLICE DEPARTMENT'S GREAT RESISTANCE EDUCATION AND TRAINING (GREAT) PROGRAM; AUTHORIZE THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR SAME; AND PROVIDING AN EFFECTIVE DATE.**

6. **RESOLUTION NO. 146-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF TEN (10) TASER ELECTRONIC CONTROL DEVICES AND ACCESSORIES FOR THE CITY'S POLICE DEPARTMENT FROM TASER INTERNATIONAL; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO PAY \$18,989 TO TASER INTERNATIONAL FROM THE LAW ENFORCEMENT TRUST FUND, ACCOUNT NUMBER 150-0822-521-0-5250; AND PROVIDING AN EFFECTIVE DATE.**

7. **RESOLUTION NO. 147-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE RECOMMENDATION OF SELECTION COMMITTEE AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTINUING SERVICES CONTRACT TO PROVIDE PROFESSIONAL SURVEYING AND CONSULTING SERVICES WITH THE TOP THREE RANKED FIRMS OF WANTMAN GROUP OF WEST PALM BEACH, FLORIDA, ENGENUITY GROUP OF WEST PALM BEACH, FLORIDA, AND KEITH AND SCHNARS, P.A. OF FORT LAUDERDALE, FLORIDA, FOR AN INITIAL THREE (3) YEAR PERIOD; PROVIDING FOR TWO**

(2) ADDITIONAL TWELVE (12) MONTH RENEWAL OPTIONS BASED UPON THE MUTUAL CONSENT OF THE PARTIES; AND PROVIDING AN EFFECTIVE DATE.

8. RESOLUTION NO. 148-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH WANTMAN GROUP, INC. OF WEST PALM BEACH, FLORIDA FOR SURVEY SERVICES FOR ARDMORE WAY, MANOR DRIVE, MORSE BLVD, POWELL DRIVE, SINGER DRIVE, ISLAND DRIVE, FAIRVIEW LANE, EMERALD DRIVE, DOLPHIN ROAD, CORAL WAY, GRAND BAHAMA LANE, AND SUNSET LANE TO FACILITATE ROADWAY IMPROVEMENT PROJECTS IN THE AMOUNT OF \$131,060; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 311-1127-541-0-6351; AND PROVIDING AN EFFECTIVE DATE.

9. RESOLUTION NO. 149-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH KEITH AND SCHNARS, P.A. OF FORT LAUDERDALE, FLORIDA FOR SURVEY SERVICES FOR WEST 1ST TO WEST 3RD STREET BETWEEN AVENUE O AND AUSTRALIAN AVENUE, AVENUE O FROM WEST 1ST TO WEST 3RD STREET, WEST 4TH STREET FROM AUSTRALIAN AVENUE TO AVENUE J, AVENUE R AND T FROM WEST 10TH TO WEST 14TH, WEST 11TH TO WEST 14TH STREET FROM AVENUE T TO AVENUE R, AVENUE H WEST FROM SILVER BEACH ROAD TO WEST 13TH STREET TO FACILITATE ROADWAY IMPROVEMENT PROJECTS IN THE AMOUNT OF \$118,856; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 311-1127-541-0-6351; AND PROVIDING AN EFFECTIVE DATE.

10. RESOLUTION NO. 150-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH ENGENUITY GROUP, INC. OF WEST PALM BEACH, FLORIDA FOR SURVEY SERVICES FOR WEST 31ST TO WEST 37TH STREET BETWEEN AVENUE S AND AVENUE T, WEST 23RD TO WEST 26TH STREET

BETWEEN AVENUE M AND AVENUE R, AVENUE H EAST FROM SILVER BEACH ROAD TO WEST 18TH ST, WEST 20TH STREET, WEST 21ST AND WEST 34TH STREET TO FACILITATE ROADWAY IMPROVEMENT PROJECTS IN THE AMOUNT OF \$128,650; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 311-1127-541-0-6351; AND PROVIDING AN EFFECTIVE DATE.

11. RESOLUTION NO. 151-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH STANTEC CONSULTING SERVICES, INC. OF BOCA RATON, FLORIDA FOR CIVIL ENGINEERING DESIGN SERVICES FOR WEST 18TH TO WEST 22ND STREET EAST OF AVENUE S, AVENUE O AND WEST 24TH STREET, WEST 6TH STREET AND WEST 7TH STREET ROADWAY IMPROVEMENT PROJECTS IN THE AMOUNT OF \$84,217.50, \$69,279.50, \$53,838.00 RESPECTIVELY; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 460-1127-541-0-6355; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING

INTERIM CITY CLERK ANTHONY: There are none.

CHAIR PRO TEM PARDO: Thank you. Awards and presentations. Item 12.

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: I request that -- that we skip that 'cause the Mayor isn't here yet, please.

CHAIR PRO TEM PARDO: Okay. And then how about Item 13?

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: He's not here.

CHAIR PRO TEM PARDO: Is he coming?

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: Yes, he is coming.

CHAIR PRO TEM PARDO: All right. So we can do that at the end --

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: Thank you.

CHAIR PRO TEM PARDO: -- of our meeting. Okay. Public hearings.

AWARDS AND PRESENTATIONS

12. PROCLAMATION FROM THE OFFICE OF MAYOR THOMAS A. MASTERS PROCLAIMING AUGUST 28TH AS CENTENARIAN ALBERT ROCHELLE DAY IN THE CITY OF RIVIERA BEACH.

CHAIR PRO TEM PARDO: Are you ready, Mayor?

MAYOR MASTERS: I am.

CHAIR PRO TEM PARDO: Okay. Item 12.

MAYOR MASTERS: Madam Chair, let me apologize for being somewhat late. We have a small delegation from Freeport, Bahamas, our sister city, that's in town and I was trying to be the best host that I could be. And it took me a little longer.

But as this young gentleman is coming forward, let me just tell the audience he's 101 years of age. Give him a big hand. And let me tell others, that only happens in the City of Riviera Beach. We've had several centenarians -- is that right? Did I say that right?

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: Yes, sir.

MAYOR MASTERS: Such a big word. Let me read this. Let me read -- I'm gonna proclaim this for you and -- and to you. You can come closer. We want people to know that 100 -- 101, you're talking and ticking and moving and God has been good to you.

UNIDENTIFIED SPEAKER: Amen.

MAYOR MASTERS: Proclamation from the City of Riviera Beach. Miss Debbie Leblanc-Isaacs will read most of it.

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: Okay. Whereas Mr. Albert Rochelle was born August 28th, 1913, in Ormond Beach, Florida, to Henry and Rachel Rochelle. They moved to the Palm Beaches in 1923 when Albert was merely a 10-year-old lad. Now, at age 101, one hundred and one, having outlived his parents, all eight of his brothers, and having baby sister Ellen Harris as his only living sibling, is a resident in Riviera Beach, blessed to reach a milestone that few people anywhere ever live to see. Mr. Rochelle and his young bride, Ida May Reeves, were among the first couples to buy a home on 1st, 2nd, or 3rd Streets in the City, an area selected by the government in 1950 to build and set aside homes strictly for retired military personnel.

ALBERT ROCHELLE: That's right.

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: Mr. Rochelle served in the U.S. Navy during World -- World War II. He and Miss Ida May shared all 62 years of their marriage in that veteran home. And whereas many long time Palm Beach-ers may remember Mr. Rochelle from the famous Morrison's Cafeteria. Albert was usually the one greeting and serving patrons with a smile in the main dining room for nearly 35 years. Then in 1972, began working in the machine shop at Pratt & Whitney until his early retirement at the young age of 70. Even though Mr. Rochelle's driver's license is still valid until his next birthday in 2015, he voluntarily gave up driving two years ago, gladly parking his 2000 Honda Civic.

And whereas Mr. Rochelle enjoys reading the newspaper and watching sports on television, when after hours and hours, it isn't watching him sleep. His favorite pastime, however, is sharing what history he can remember at his age with his nieces, neighbors, friends and anyone he meets.

ALBERT ROCHELLE: Sure.

MAYOR MASTERS: Now -- now therefore, I, Thomas A. Masters, the elected Mayor of the City of Riviera Beach, Florida, by the power vested in me by our citizens in this great City, I do hereby joy -- joyously -- where'd you get that word from -- joyously proclaim August the 28th as Albert Rochelle Day in the City of Riviera Beach, Florida. In witness whereof, I have hereunto set my hand and caused the official seal of the City of Riviera Beach, Florida, to be affixed on the 17th day of December, 2014, AD. It is with much joy and a great esteemed opportunity and privilege that I have now to present this historic proclamation to one who has lived to see, walking and talking, and almost still driving, at 101 years of age, to one of our oldest residents in the City of Riviera Beach. Mr. Rochelle, you have earned the right at this time to say anything you want to say. You got -- you got 10 seconds. I'm just kidding. Come right here to the mic. You can -- you can -- you can --

ALBERT ROCHELLE: Oh, excuse me. But I don't know what to say now, Reverend.

MAYOR MASTERS: Whatever you want to say. We're going to take our time. If you want to bring greetings.

ALBERT ROCHELLE: Oh, well -- well -- well, one thing about it is it's blessed. You know what I mean? And the good Lord was great to me to let me see these few years, you know. And I don't feel bad. I feel pretty good for a young fella.

MAYOR MASTERS: Let -- let me just -- let me just ask you one question and then we're going to get back to business. What -- what do you think have contribute to your longevity, these long years that God has blessed you with?

ALBERT ROCHELLE: Well, I -- well, I don't -- the good Master up -- up there.

MAYOR MASTERS: All right. And that's good enough, isn't it?

ALBERT ROCHELLE: Yes, sir.

MAYOR MASTERS: Thank you so much. Can we give him another hand?

ALBERT ROCHELLE: Thank you. Okay, Reverend. Thank you very much.

MAYOR MASTERS: Thank you. Thank you for coming.

ALBERT ROCHELLE: I appreciate it very much.

MAYOR MASTERS: Thank you.

ALBERT ROCHELLE: (Inaudible). Hey, oh, that's (inaudible). I do -- I need her. I didn't know it was you in there. I felt somebody touch me on the back. It's nice, nice, nice talking with you.

MAYOR MASTERS: Thank you so much, sir.

CHAIR PRO TEM PARDO: Okay. That's great. Thank you.

MAYOR MASTERS: 101 and he's still giving orders. But they are divine orders at this point. He's the boss.

CHAIR PRO TEM PARDO: He's the boss. Okay. That's great. Thank you. Item 13.

13. PROCLAMATION FROM THE OFFICE OF MAYOR THOMAS A. MASTERS PROCLAIMING DECEMBER 5, 2014, A SPECIAL DAY IN THE CITY OF RIVIERA BEACH IN HONOR OF RETIRING MASTER MUNICIPAL CITY CLERK CARRIE E. WARD AND PRESENTATION OF A KEY TO THE CITY.

MAYOR MASTERS: Okay.

CHAIR PRO TEM PARDO: It's great. Where's Miss Ward?

MAYOR MASTERS: We're gonna -- we're gonna ask the Acting City Clerk or the Interim City Clerk -- the City Clerk is in charge of the City Clerk's Office, the CEO of the City Clerk -- to come and stand instead of -- in place of Mrs. Ward. She was not able to be here tonight. I want to thank -- Madam Chair?

CHAIR PRO TEM PARDO: No. I'm -- I'm sorry.

MAYOR MASTERS: Oh, okay. No problem.

CHAIR PRO TEM PARDO: Go right ahead, sir.

MAYOR MASTERS: I want to aggressively thank Pastor Griffin Davis, Sr., Pastor Burrs, Pastor Parris and Maurice -- Pastor Maurice Johnson and Pastor Lonnie Lovett and the other ministers who courageously came before the City Council and asked that there would not be one blemish on the record of this young lady who has served our City for, what, almost 40 -- 40 -- 36 years plus. Thank you for making those demands. Thank Council members who agreed. And as a result of that, it is a great honor that Carrie Ward leaves the City of Riviera Beach with great pride and acclamations and honor without one blemish in her record. And as the Mayor of the City, I will certainly give her a letter of high recommendation in case that she ever decides to do a little part-time work. She can get a letter from me reflecting the legacy that she has given to this City. And thank God justice prevailed.

Proclamation from the Office of the Mayor, City of Riviera Beach, Palm Beach County, Florida, Miss Isaacs.

ADMINISTRATIVE ASSISTANT LEBLANC-ISAACS: Whereas Carrie E. Ward moved to Riviera Beach, Florida, from her hometown of Brunswick, Georgia, and became a faithful member of Hilltop Missionary Baptist Church. Her municipal government career with the City began in October, 1978, and continued till December 5th, 2014. And whereas Miss Ward started serving City residents working as a secretary for the Police, Fire and General Employees Civil Service Boards. The following year, she began -- she became the secretary to the Mayor and City Council. The year 1981 marked the first of 16 years Miss Ward filled the position of Deputy City Clerk before accepting the appointment to City Clerk on January 24th, 1997, where she served until her last day some 36 years later.

And whereas in her determination to be the best municipal government employee she could possibly be for the City of Riviera Beach, Miss Ward immersed herself in continual education to the point of earning the highest certification of her profession, that of Master Municipal Clerk, in August, 2002. She participated in numerous related seminars, became an active member of various State committees, and over the years has held every office within the Palm Beach County Association of City Clerks, from treasurer to president and remained very influential, even in the office of past president. And whereas Carrie Ward has performed her duties and responsibilities of the Office of the City Clerk with the utmost professionalism, utilizing and sharing her knowledge and expertise to serve the residents of the City of Riviera Beach with excellence.

And whereas after instituting and overseeing the development of Channel 18, the Riviera Beach cable television station on which tonight's proceedings are being aired and can also be seen now on AT&T U-verse, Channel 99. Miss Ward made it possible

for residents to stay informed about their government business actions or inactions, taken during Council meetings and other informative and entertaining occurrences throughout the City.

MAYOR MASTERS: Now therefore be it resolved that I, Thomas A. Masters, the elected mayor and not the appointed mayor -- but the elected mayor -- of the City of Riviera Beach, Florida, by the power vested in me by the people of this great City, do hereby proclaim the last date of Miss Carrie E. Ward's employment, December the 5th, 2014, and every December the 5th, hereto, now and forevermore as Miss Carrie E. Ward Day in the City of Riviera Beach, Florida. And I've presented her the key already at her retirement. But in witness whereof, I have hereunto set my hand and cause the official seal of the City of Riviera Beach, Florida, to be affixed on this 17th day of December. Special thanks, again, to Madam Pardo, Councilman Mr. Thomas, Mr. Terence Davis for making sure that we did the right thing, justice prevailed, and not one blemish is on the record of someone who has served this City with longevity and has done a great job.

And I append to this proclamation that the greatest tribute to Mrs. Ward would be for the Acting City Clerk to be moved up and become our City Clerk after 25 years of service and then 14 years she has served as acting -- I mean, 25 years as Assistant City Clerk. The right thing to do, she should be promoted. We don't need anyone else. She's been there that long. I'm advocating for promotion. Thank you, Madam Chair.

CHAIR PRO TEM PARDO: Okay. Thank you.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, sir.

COUNCILPERSON THOMAS: Let me just clarify one thing. We all are very grateful for the service that, not only Miss Ward, but everyone has devoted to our City, especially those with over 30 years, 35 years. There is nothing more -- more grateful than having someone to devote their entire life to the City. But clearly, the Mayor is trying to make that a political issue now. And I think at some point that needs to stop. I'm not one of those -- I'm not a shrinking violet. My decision was not based on the person; it was based on the process. You thinking people about undermining the City Manager. That issue could've been handled behind the scenes, period. It didn't need a public display; it didn't need all of the public drama that surrounded it.

Carrie has been a friend of mine for years. And when I make a decision, it's gonna be based on principle and not politics. It's my opinion that decision was made on politics and now it's being continued on into this political climate. Carrie was definitely one that deserves the honor and respect of anyone who served 40 years. But to have someone to continue to try to make it a political issue, I think that's a bit disingenuous to suggest

that if we did not decide to undermine the authority of our City Manager, that somehow we didn't support the City Clerk. That is absolutely not true.

MAYOR MASTERS: Madam Chair.

COUNCILPERSON THOMAS: We have different ways of dealing with issues. I have been in government for years and I would never undermine the City Manager's authority in public. If I wanted to speak to the City Manager, as I did, I'd do it behind the scenes. I -- I don't need a public display. Some people do 'cause they think about politics. But I just have a different way of handling things so I don't want people to think that every time the Mayor get up here and talk about thanks to these three who saved or that the others had no consideration for what was being done, and they don't know what was being done behind the scene by the others. So let me just put that out there. I'm one to deal with issues head on and I'm not gonna sit here and let the Mayor just keeping saying, Oh, thanks to these three and these three and these three and these three and - it's politics. And every time he say it, I'll probably be addressing it. Thank you.

MAYOR MASTERS: (Inaudible), Madam Chair.

CHAIR PRO TEM PARDO: Yes, sir.

MAYOR MASTERS: First of all, Mr. Guyton is not my father. Secondly, he does -- does not get in my head to know why I say what I say. Thirdly, I'm not running for an office now. I'm not a candidate. Chair Judy Davis is. The facts -- and Mr. Guyton is not running. The facts are what they are. Two people had an opportunity to do what the President does from time to time, veto -- it's just reverse a decision. That's all. You had an opportunity to make it right or reverse it and you didn't. Others did. I'm proud that they did. I stay on the record. I'm not running for office so whenever I speak, you people or you can say whatever you want to say. You can make it political or not. The facts are what they are and I rest. I'm finished; I'm done.

CHAIR PRO TEM PARDO: All right. Okay. That's it. All right. Miss Shepherd. And then we're moving on.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. I didn't -- didn't hear you say Reverend Burrs.

MAYOR MASTERS: Yes. Pastor Burrs. Here's here, too, by the way.

MARGARET SHEPHERD: Okay, Pastor Burrs. Okay, okay. He was there. But to everybody, especially those from Hilltop Missionary Baptist Church, Reverend Davis and all of them wanted to convey to you all we thank you for honoring our sister Carrie. Carrie was a very warm, receptive woman over at Ivy Green. It was 52 units where I

was at and I think we're down to, like, 11 that are still alive. And so we thank Carrie for coming to show them how to vote, how to get their absentee ballots. It was Carrie that made sure that we got over to the luncheon. It was so many wonderful things that Carrie Ward done.

MAYOR MASTERS: That's -- that's right.

MARGARET SHEPHERD: So we wanted to thank you and -- and the Honorable Michael Brown, he was there.

MAYOR MASTERS: That's right.

MARGARET SHEPHERD: So many people paid homage to Carrie. Jean Enright, Port of Palm Beach. Everybody was there to make sure she had a send-off.

MAYOR MASTERS: That's right.

MARGARET SHEPHERD: So I thank you, Mayor.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: From the bottom of my heart, showing love and --

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: -- compassion for Carrie. I think I heard you say a key to the City. I almost grabbed that key. I almost grabbed it, Mayor. I was looking for that key. But we thank you.

MAYOR MASTERS: We gotta make a special one for you one day.

MARGARET SHEPHERD: Got to make one. Got to make one. I'll cut it in half for Carrie because she has been my mentor, my lifeline. She's been a sister when I needed a sister; a brother with I needed a brother. She's been one of my everythings.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: I want to thank the entire Council, from the City Manager to everybody that really stuck with Carrie Ward. And we thank you.

MAYOR MASTERS: Thank you.

CHAIR PRO TEM PARDO: Okay. Thank you. It is 7:00. We're gonna go to public comments.

PUBLIC HEARINGS

ORDINANCES ON SECOND READING

14. **ORDINANCE NO. 4056 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 10, ARTICLE VI ENTITLED "TELECOMMUNICATIONS REGULATIONS" OF THE CODE OF ORDINANCES BY RENAMING THE ARTICLE TO "PLACEMENT AND MAINTENANCE OF FACILITIES FOR COMMUNICATIONS SERVICES IN RIGHTS-OF-WAY"; UPDATING DEFINITIONS IN CONFORMANCE WITH STATE LAW; PROVIDING FOR WIRELESS COMMUNICATIONS FACILITIES; UPDATING AND REVISING THE REGISTRATION AND PERMITTING PROCESS; REQUIRING DESIGN FEATURES FOR CERTAIN ABOVE GROUND FACILITIES; PROVIDING PLACEMENT PARAMETERS FOR WIRELESS TELECOMMUNICATIONS FACILITIES IN RESIDENTIAL RIGHTS-OF-WAY; REVISING ADMINISTRATION AND ENFORCEMENT PROCEDURES; PROVIDING REGULATIONS FOR "PASS THROUGH PROVIDERS" IN ACCORDANCE WITH STATE LAW; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

COUNCILPERSON THOMAS: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: Okay. We have one public comment card. Lisa Maxwell.

LISA MAXWELL: Thank you, Madam Vice Mayor, Commissioner. My name is Lisa Maxwell. I'm here tonight with -- representing Crown Castle, and I'm just here to answer any questions, if you have any, from the industry. Thank you.

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

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Okay. This is a -- an ordinance on second reading.

CITY MANAGER JONES: Right.

CHAIR PRO TEM PARDO: So any questions? Mr. Guyton?

COUNCILPERSON THOMAS: Yes.

CHAIR PRO TEM PARDO: You have something?

COUNCILPERSON THOMAS: I have one for our staff.

CHAIR PRO TEM PARDO: Go right ahead, sir.

COUNCILPERSON THOMAS: There were several issues at our last meeting that were brought up and if I remember correctly, AT&T had an issue. Were any of those issues addressed or modified? This --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Yes. And we had a discussion with AT&T and there's a memo in your packet that said that we did revise some of the language in section 1 -- 10-266, to clarify the amount of the construction bond and that it would only be replaced when it was depleted. And they were satisfied with that. So --

COUNCILPERSON THOMAS: Okay.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: -- all their issues have -- were resolved.

COUNCILPERSON THOMAS: Okay. Thank you, ma'am. That's it.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: I've had several issues with this --

CITY ATTORNEY RYAN: Me, too.

COUNCILPERSON THOMAS: -- item since the inception of it. First, do we know, Miss McKinney, if any other city has adopted any ordinance to permit these?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Yes. I believe the City of Miramar and -- what other city? If I -- I don't --

CHAIR PRO TEM PARDO: Green Acres.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Green Acres adopted it, yes. Green Acres.

CHAIR PRO TEM PARDO: They were --

COUNCILPERSON THOMAS: Yeah, but Green Acres kind of got blindsided --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: They did.

COUNCILPERSON THOMAS: -- by it.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: They did. But we -- we didn't get blindsided.

COUNCILPERSON THOMAS: Well, they were trying to blindside us.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: They were, yes.

COUNCILPERSON THOMAS: Yeah. They -- they were. I'm not really happy about it. I also asked for, you know, a residential area, anywhere else, that they had put these ridiculous-looking poles and I've yet to get any.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Oh.

COUNCILPERSON THOMAS: I'm -- I'm really not happy about it. I do not want Riviera Beach to be the dumping ground --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Uh-uh.

COUNCILPERSON THOMAS: -- for these particular poles. I'm very offended because the proposed sites of their four poles happen to all be in the District 3 area, which would be right in front of Stonybrook, right in front of the Public Services building on Avenue U. And I think it was somewhere on 15th or 14th Street as well, which is right in our residential areas, put right in our right-of-ways. And it's just going to make the place look horrible. What did we do to try to get some type of clarity with that?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: We did. We put restrictions where they would have to, number one, if they could be stealth, to be stealth, which means that you wouldn't notice them as being a pole. That would be number one. Number two is distance requirements between the poles, minimum distance requirements of 1,000 feet. We can't prohibit them from being in the right-of-way because they are protected by Federal law just like other communications facilities. But we've made it as restrictive as possible for them so that they're --

COUNCILPERSON THOMAS: Can they put it in the back of the house or -- 'cause right now they're trying to put it right in the front.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Well, right. And we do have language in there about not being right in the front of a house.

COUNCILPERSON THOMAS: Well, I don't want it on the front of the streets, period. Can they go in the back where FP&L is or the --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: They -- well, they could --

COUNCILPERSON THOMAS: -- phone lines are or --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: -- they can go in the right-of-way if there's a right-of-way. Now --

COUNCILPERSON THOMAS: In the back.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Well, it all depends if it's right-of-way. Some of the -- what FPL is in is not right-of-way. Some of it is easements. Property --

COUNCILPERSON THOMAS: I --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: -- right, FPL easements (inaudible).

CITY MANAGER JONES: It's an easement.

COUNCILPERSON THOMAS: -- I -- I get it. I'm just not comfortable that we have enough teeth to make sure -- they're -- they're not going to care. They're going to come and throw up these poles anywhere and two or three years down the line, we're going to just be stuck with this. They're going to move on to try to degrade somebody else's community. I just don't think that we need to do this. I don't think that the time is right for it. I know that we're getting dropped calls for whatever service provider they have, but we, Riviera Beach, should not be the area, throughout Palm Beach County, that they have to fix their problems county-wide. Or -- or -- I mean, I don't see them in Boca, Delray, Boynton --

CHAIR PRO TEM PARDO: Palm Beach.

COUNCILPERSON THOMAS: -- definitely not the town of Palm Beach. Palm Beach Gardens, anywhere. And for this particular company to think that it's okay to come and litter our neighborhoods with them, where they can put them anywhere. The residents don't have a say-so if it's the right-of-way that they can put it in. So I -- I just don't think we have enough teeth in this. Can we do something to put more teeth in this so that they cannot just place these in the front of someone's house?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Well, we made it as difficult as possible and still be in compliance with Federal law. We did do that. Our lawyer, Keith Davis, is here. He'll attest to that. We -- we all worked very hard on that because we all feel the same way. And we made it as difficult as possible in all of the residential neighborhoods, especially as far as the distance requirements are concerned.

COUNCILPERSON THOMAS: Okay. So 1,000 feet, that means that the average street is how many thousand feet? Whoever wants to answer that can --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: It all depends on -- I mean, a -- a block is 250 -- 250, 300 feet for one block.

COUNCILPERSON THOMAS: Okay.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Average.

COUNCILPERSON THOMAS: So it would probably be that they could only put one of these on a street.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Uh-huh.

COUNCILPERSON THOMAS: Do they have to come to us and permit each one?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Yes. Yes, they do.

COUNCILPERSON THOMAS: And what is the penalty or violation for not coming to us to permit each one? And who's going to monitor that?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Well, they're -- we monitor anyone doing work without permits. But the telecommunication companies have always been pretty diligent. We've never had a problem with them not coming to get permits. They don't want to have that problem because the City could sue them. They can't just do work without permits. And it's not like a little contractor that will try to sneak a little job. They come and get their permits. So we -- we monitor them and they do come in and get them.

COUNCILPERSON THOMAS: For some reason, no other city has approved this or they have not been successful, any other city. Why is it that they're seeming to be successful in our city with this?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Well, every city is going to end up adopting regulations and if they don't, then they'll just come in and be able to pull a permit to put in their poles. So the best thing to do is to have regulations to the best that you can have to protect yourself as much as possible. I mean, they are going to be probably in every city. They've already approached a lot of cities. They've approached the County; they've approached Palm Beach Gardens. They have -- many of them are in Broward County already -- Broward County. So they are going to be in every city. Not every city has been pro-active as we have and adopted a moratorium and then adopted regulations. But they'll probably be using our ordinance as a template for their future regulations.

COUNCILPERSON THOMAS: Well, I'm -- I'm -- I'm gonna be -- I'm gonna be honest with you. I'm not really happy about being the trailblazer with this here.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Okay.

COUNCILPERSON THOMAS: My -- my only issue, I mean, if there's something you wanna say, by all means, say it. But my only issue is I don't think we're going to be able to control this. The fact that they get to just put these just about anywhere they want to

if it's the right-of-way is what really bothers me. And I asked. I said, "Listen, please provide me any area, anywhere that you've done this, where it's in a residential area." They couldn't. In West Palm Beach, they had it right in front of the racetrack. And to be honest with you, it wasn't really too much out of place. It was okay. You know, it -- it -- it almost blended in but that's on a major thoroughfare, 45th Street. They're looking to put these in our residential areas and that right there is what, you know, provides the issue for me. So is -- is there something you wanted to say about that?

ATTORNEY KEITH DAVIS: Yes, please.

CHAIR PRO TEM PARDO: He's our attorney.

COUNCILPERSON THOMAS: He's our attorney?

CHAIR PRO TEM PARDO: Council -- Madam Chair Pro Tem, Council and -- my name is Keith Davis. I'm the attorney that was hired by the City to help prepare this document. I guess I want to explain, right now under your current code, the City has zero protection for how these types of things can get placed in your rights-of-way, or which rights-of-way. Zero protection completely. When -- when the code that's in the City's books was written, as is the case with -- with many municipal codes, there was no such thing as wireless infrastructure that went in the right-of-way. Everybody was accustomed to the -- you know, the great big cell towers that are typically on private property. There -- there were no wireless facilities that went in your rights-of-way.

So this ordinance really is -- is at the -- at the -- the front end of trying to put regulations on the books that limit and restrict where these things can go, you know, within the framework of the Federal Telecommunications Act and State law that -- that we have to work within. So, no, it doesn't allow you to completely prohibit them but this gives you as defensible of a protection as -- as I believe is possible in -- in regulating where they can go and steering them out of the residential neighborhoods to the extent we can.

CHAIR PRO TEM PARDO: That's where all the business is.

ATTORNEY KEITH DAVIS: As Miss McKinney indicated, the City of Miramar -- and I worked -- I was hired to work with them as well. They went through a similar exercise when Crown Castle applied for permits to put these -- these poles in in some of their residential rights-of-way. So they adopted a moratorium and went through a very similar exercise that we're going through here to try and get these protections on their books. So it's not so much the providers coming in and taking advantage of the City. Quite -- quite the -- in my view, quite the opposite has happened. They have come in; they have applied for permits. The City was pro-active, adopted and enacted a moratorium and is now working to put what code we can put on the books that is defensible and that allows you as much reasonable regulation as is possible under the law.

COUNCILPERSON THOMAS: Why -- why can't we prohibit them from being in residential areas?

ATTORNEY KEITH DAVIS: Essentially, the -- the Federal Telecommunications Act, which trickles down into State law, requires that all telecommunication service providers be treated on equal footing. So --

COUNCILPERSON THOMAS: What does that mean?

ATTORNEY KEITH DAVIS: Well, it means --

COUNCILPERSON THOMAS: Because the rest of the telecommunications are in the back.

ATTORNEY KEITH DAVIS: -- you could -- you could say nobody's allowed to put anything in our rights-of-way and that would create different problems. But to the extent that you allow things in your rights-of-way, these things have to be treated in the same way. And this code speaks to -- again, as Miss McKinney indicated, speaks to how you regulate things in your -- in your rights-of-way. If there's a private easement on property where -- where -- where things have gone, you know, that -- that's a private easement between -- and I'm not sure if that's what we're talking about or not. But that would be an easement -- an agreement between the property owner and the -- whatever utility is seeking to put those facilities in place. But you--

COUNCILPERSON THOMAS: Between the property owner. So --

ATTORNEY KEITH DAVIS: Well, the easement would be on private property. This -- this --

COUNCILPERSON THOMAS: So should we have some type of agreement with FP&L and the property owner? Is that what you're saying?

ATTORNEY KEITH DAVIS: No. That's not -- what I'm saying is that --

COUNCILPERSON THOMAS: Okay.

ATTORNEY KEITH DAVIS: -- this addresses how the City's rights-of-way are managed and handled in terms of what utilities, what telecommunications utilities can go in your rights-of-way. That's what it's --

COUNCILPERSON THOMAS: So is the --

ATTORNEY KEITH DAVIS: -- about.

COUNCILPERSON THOMAS: -- is the front -- is the, like, the front of your yard -- I'm trying to figure -- you --

ATTORNEY KEITH DAVIS: Right.

COUNCILPERSON THOMAS: -- you have the sidewalk and then you have that area out front.

ATTORNEY KEITH DAVIS: That's exactly where we're talking about.

COUNCILPERSON THOMAS: Right. So that -- that right there is considered the right - - the -- the right-of-way.

ATTORNEY KEITH DAVIS: That is City's -- that is the City's property. And that's the City's --

COUNCILPERSON THOMAS: I get it. But --

ATTORNEY KEITH DAVIS: -- right-of-way, that's right.

COUNCILPERSON THOMAS: -- if it's a person, like myself, who like to see their grass nice and neat and don't want anything in that right-of-way, I no longer have a choice. This company can come and say, I want to put a pole right there. I'm putting it right there whether you like it or not, right in front of your house blocking whatever view you may have. Is -- is that what you representing to me is -- to be correct?

ATTORNEY KEITH DAVIS: Under your current -- under your current code, that's exactly correct. With -- with this, we have certain regulations that -- that restrict -- that guide placement in -- in -- in a certain way that -- that --

COUNCILPERSON THOMAS: Okay. What does that mean?

ATTORNEY KEITH DAVIS: Well, it -- as Miss McKinney indicated, that, you know, they can't impede the view from a residence. They can't be right in front of a house. If - - if there's a situation where there are residences, for example, on one side of the street but not the other, they have to go on the other side of the street. There's the stealth design requirement; there's the -- the separation requirements. We're putting all those things in place. You have none of that on your books right now for these things. So with -- right now, it -- it would basically be a free-for-all.

COUNCILPERSON THOMAS: Do we have in there that they have to bring back to Planning & Zoning and then to the City Council every time they want to put one in?

ATTORNEY KEITH DAVIS: It doesn't -- it's not a Planning & Zoning and City Council process. It's more a process akin to a building permit that would go through the Building Department and, I believe, the City Engineer is gonna look at it.

COUNCILPERSON THOMAS: But can we put those regulations in? See, what I don't want to happen is four or five years down the line, when nobody's paying attention to this, that they start popping up all over the place. And it's not that I don't trust them. Well, I don't trust them. So --

ATTORNEY KEITH DAVIS: Well --

COUNCILPERSON THOMAS: -- you know, that's my thing. They're in business to make money. And we have a -- a -- a lot of Metro --

ATTORNEY KEITH DAVIS: Sure.

COUNCILPERSON THOMAS: -- and Boost customers here in the City. I get it. I understand they need better reception. It's overloading in this area. I get it. My problem is that they don't care about the aesthetics. They care about getting more people on their service plans and they care about their bottom line, never mind our quality of life here. I care about our quality of life as well as I want us to have better reception to do it. I think we rushed it. I think we could've looked at this a little bit better and we're only rushing it because they want to hurry up and stop the issues from happening. But we're going to have to be living with this.

ATTORNEY KEITH DAVIS: Yeah. And I -- I guess to answer your questions, I'll kind of go backwards. I've been working with the City for -- it'll almost be a year -- it'll be a year in the Spring is when Miss Ryan first approached me about working. So we have been working on this for a while. To go back to your original question about bringing these types of things through your Planning & Zoning and then City Council hearing process, technically, you could do that. But if you do that, you'd have to do that for every telecommunications application that comes in, whether it's these wireless things; whether it's an AT&T regular wired pole.

COUNCILPERSON THOMAS: Even if they're going in the easements and not the right-of-way?

ATTORNEY KEITH DAVIS: Anything going in your right-of-way would have to come through here.

COUNCILPERSON THOMAS: But if they continue to do what they've been doing and going to the easement -- I prefer they buried the lines actually -- but if they continue to go into the -- to the back of -- in the easements, then they don't have to go through that process?

ATTORNEY KEITH DAVIS: I guess I would have to ask. Are we -- is there -- can I get some clarification on what he's --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: If that was the case, and you took -- brought every telecommunication, it would be probably, I will say ridiculously burdensome. And you have to have criteria, standards that everyone meets, which is in there now. If a Board decided that they just didn't like it even though they met the standards, could put us in a position where we might be facing some types of lawsuit. So we have to be careful that we meet -- do we have standards, which we put in the code that they have to meet? So --

COUNCILPERSON THOMAS: I get it -- I get it.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: It's like -- right. Every building permit.

COUNCILPERSON THOMAS: Let me -- let me ask a -- let me ask a question, though, Miss McKinney. Say, for instance, could this company not have tried to enter into some type of agreement with a -- a BellSouth or an FP&L to go on their poles?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Well, that's one of the things we encourage is that first, you have to try to co-locate.

COUNCILPERSON THOMAS: Right.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: So they will have to try to co-locate first. And they have to --

COUNCILPERSON THOMAS: Right. But, I mean, what's the standard of proof to that?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Right.

COUNCILPERSON THOMAS: Because, obviously, they're going to have to pay FP&L to be on their pole. If they put up their own, they don't have to pay anybody, which increase their bottom line, but litters --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Right.

COUNCILPERSON THOMAS: -- and I do use "litter" --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Right. That's why we included the co-location and they have to provide documentation that that -- they couldn't do that. And one thing that we do or that any staff does is check your documentation to see: Is it accurate or not accurate? They have -- they can't -- it's very

difficult for a large company to actually lie in documentation to a City because that puts them in serious jeopardy. So they provide --

COUNCILPERSON THOMAS: I --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: -- right, documentation.

COUNCILPERSON THOMAS: I -- I get it. I know for the next year or two years, you'll be watching that.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Uh-huh.

COUNCILPERSON THOMAS: Everybody here will be watching it and they'll probably be on their best behavior. It's after no one's paying attention to this anymore that I'm worried about, that they'll continue to go up. Is the moratorium ended? Can we extend the moratorium and study this some more or what -- what's going on with that?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: You can extend the moratorium. However, us studying it some more, I will tell you, isn't going to bring us to any more perfect document than we have now. We have done the absolute utmost that we could do to protect the City and to have, you know, laws in place to protect us. I mean, they could demand a permit. I mean, they could continue to demand a permit. We could only have a moratorium for so long before we could then have a problem with not having any regulations in place.

COUNCILPERSON THOMAS: I -- I -- I think can we put in the -- in the requirements that before a permit is issued, that they have to show document that they've reached out to FP&L; that they've reached out to AT&T or whoever else has poles in there? Can -- can that be in the actual --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Right. And we do have language in there --

COUNCILPERSON THOMAS: -- process? Can --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: -- that talks -- that they have to document that they cannot --

COUNCILPERSON THOMAS: No. I'm saying do they have to show proof --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Right.

COUNCILPERSON THOMAS: -- that they did it? We have to see it --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Yes.

COUNCILPERSON THOMAS: -- prior to. We have to -- I -- I -- I'm -- I get what you're saying, Miss McKinney. I really do. And I understand. And you know I highly respect your thought process on this. But what I'm saying is, even after you, I and every member of this Board is -- is gone, I don't want this stuff popping up. I don't want it popping up. And, obviously, they think Riviera Beach is a lame duck. That's why they're here. That's why they haven't pushed it in any other city the way that they have. People want to make sure that they do not litter their areas. They can actually put this into the front of your house, anywhere in that -- in that right-of-way is how it's reading now. So that little pallet of grass or that little area between your sidewalk and the road, they can put that anywhere. And I don't believe that they're going to have the standards of care that the rest of us would have being in our own home.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Okay.

COUNCILPERSON THOMAS: So that's all I'm trying to do. I'm trying to make sure that we're able to do that. Can we put in more preparations to know? Can the homeowner have a say-so when it's going adjacent to their property, in front of their property? Can we look at all of those issues so that they don't think that, Well, it's not blocking your view. But from the homeowner saying, Hey, look. Well, it's blocking my view, you know, at that point. At this, the -- the homeowner doesn't have a say-so. It's the people who don't live here that just want to make money off of placing the poles. So is there any -- any way that we can do that? Is there any way that we can add that regulation in? Is there any way we can add a process in to just better protect the homeowner?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: We do have language in there now that protects the homeowner from it being right in front of their house. We could probably add language that the homeowner has to be notified by both the City and the telecommunication provider that this has been proposed. And then -- then they could provide comments to the City within a certain amount of time. And then evaluate it some more from there. We could put that language in.

COUNCILPERSON THOMAS: Oh -- okay. So can we maybe table this and let you guys go back and work on that and bring it back to us so we can see exactly what it's going to say?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Either that or you could approve it with us putting -- knowing we're going to put the language in there. That's up to you.

COUNCILPERSON THOMAS: Well, I -- you know, I -- I -- I trust you, Miss McKinney. But I -- you know, I got these trust issues that I just want to read it in black and white.

CHAIR PRO TEM PARDO: Right.

COUNCILPERSON THOMAS: If that's okay. I mean, I -- I do trust, but, you know, of course, it's up to the Board.

COUNCILPERSON THOMAS: Madam Chair.

COUNCILPERSON THOMAS: But I would much rather see it in writing before we --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Okay. If you want to do that, we can do that.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Mr. Davis.

COUNCILPERSON THOMAS: I make a motion to table this item to the next meeting.

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

COUNCILPERSON THOMAS: Second. Absolutely.

CHAIR PRO TEM PARDO: All right. Any comments? Madam Clerk?

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you. Item 15.

15. ORDINANCE NO. 4055 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 12, "OFFENSES – MISCELLANEOUS"; BY ENACTING ARTICLE V, "PANHANDLING", TO PROMULGATE REGULATIONS REGARDING

PANHANDLING AND AGGRESSIVE PANHANDLING; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON THOMAS: So moved.

CHAIR PRO TEM PARDO: Do we have a second?

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: Okay. This is an ordinance on second reading. We will go to public comment first. Reverend Burrs.

REVEREND WILLIAM BURRS: Madam Chair, Council.

CHAIR PRO TEM PARDO: Good evening, sir.

REVEREND WILLIAM BURRS: Reverend Burrs. I'm not sure. I put the card in for this item because I'm not discussing concerns like the panhandling and the -- and the etcetera. I was looking at the -- or looking at the -- unfortunately or -- or fortunately, I was looking at the Council meeting before when something -- a issue came up concerning putting fliers on vehicles in public -- on the City property and I was wondering would this -- I wondering is this containing to that? So what I was concerned about is, is this ordinance saying that if I have a vehicle out there or some of my friends got vehicles on City property, or in the parks or wherever, if I'm putting some fliers -- I'm not planning on running for office. Let's get that clear. Some fliers, anybody's trying to raise funds or promoting a -- a -- a event of -- of that nature, you're saying that that would be illegal? And what charges would be filed against me if I put something on my car, or some friend -- or whatever, in the parks or in City Hall? And that's (inaudible) looking at the meeting before when this came up and it was a, you know -- and I -- and I think that was -- you know, it wasn't -- wasn't proper to try tell peoples at this time because somebody may have some problem with another person because they're running for Council or try to hinder them --

CHAIR PRO TEM PARDO: Right.

REVEREND WILLIAM BURRS: -- from letting peoples know that they are running for Council. Maybe somebody putting fliers, as I said earlier, promoting a program. So if this is --

CHAIR PRO TEM PARDO: Yeah.

REVEREND WILLIAM BURRS: -- what this about, then if you're saying that you can't put fliers on a vehicle if you're running for public office, then I couldn't put fliers on a vehicle if I'm promoting a program.

CHAIR PRO TEM PARDO: Uh-huh.

REVEREND WILLIAM BURRS: If this is what this is saying, that's what I'm trying to find out.

CHAIR PRO TEM PARDO: Okay. And we'll have the City Attorney address you but that's really not what it's saying. This is more about strong-arming.

REVEREND WILLIAM BURRS: Oh, okay. That -- that -- that's -- I didn't -- I wasn't sure.

CHAIR PRO TEM PARDO: Yeah. It has nothing to do with distributing fliers.

REVEREND WILLIAM BURRS: Okay. 'Cause I wasn't sure.

CHAIR PRO TEM PARDO: Okay.

REVEREND WILLIAM BURRS: I just wanted to be -- be sure about that.

CHAIR PRO TEM PARDO: That's perfect.

REVEREND WILLIAM BURRS: Thank you.

CHAIR PRO TEM PARDO: All right. Thank you, sir. Next, Bonnie Larson.

BONNIE LARSON: The item deals -- Bonnie Larson. The item deals with panhandling versus aggressive panhandling. Is there something that says we have to have any panhandling at all? I mean, it just -- we're trying to upgrade our City. And you stop somewhere and someone comes up and asks you for money, they're in some -- a parking lot of a store -- there are people in the City who stand in front of the same stores, day after day after day. I don't go to those stores because those people are out there. Now what's aggressive to you, may not be aggressive to me or vice versa. So that's a fine line there. Panhandling -- what I'm suggesting is no panhandling whatsoever. It really -- it really downgrades your City and there are people who -- there are agency -- or non-profits who leave food out on the street. I'm going to talk about that later. Those people come and -- and several have asked me do I wanna buy bread? Do I wanna buy -- no. Now that's not panhandling but they're trying to sell and that really makes your City look bad. And like I said, to be standing outside our stores and stuff, I won't go in those stores. So is there something that says we have to have panhandling at all? Because, like I said, it's a fine line between what you view as aggressive versus non-aggressive. Do we have to have it at all? Thank you.

CHAIR PRO TEM PARDO: I think the reality --

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: -- is, you're always going to have panhandling regardless of what city you're in. What we're trying to do is get a handle on it. We have had people -- I've voiced concerns about what goes on over at Walgreens. You get accosted when you get out of your car. So now we're trying to put regulations in place which will make it easier for the police. But after our last public comment card, we'll have the police -- I think Major Snow is here and she'll get up and she'll explain the ordinance. We had a lively discussion at the last meeting.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: So she'll reiterate -- yes, sir.

COUNCILPERSON THOMAS: One of the issues that was brought out, because I expressed the same concern, was that it can inadvertently hamper good deeds, like the firefighters who may be out there soliciting for a good cause.

CHAIR PRO TEM PARDO: Right.

COUNCILPERSON THOMAS: Once we prohibit one, then it must be enforced for everyone. So as we consider and deliberate, we need to consider the whole picture and -- and it's impact. But I do agree, those who may be approaching cars unwelcomely that can be irritating but we don't want to prevent those -- at least, I don't want to prevent the good causes, like the firefighters and others --

CHAIR PRO TEM PARDO: Right.

COUNCILPERSON THOMAS: -- who may helping -- be helping those in need.

CHAIR PRO TEM PARDO: Okay. Next comment, Margaret Shepherd.

MARGARET SHEPHERD: I was with 13, I think, Mrs. Pardo.

CHAIR PRO TEM PARDO: I'm sorry, ma'am. Okay. So that's the end of public comment. Major Snow, would you like to get up and summarize the ordinance, please?

MAJOR SNOW: Sure, absolutely. Good evening. Thank you for having me. First item to address is the distinction between panhandling versus aggressive panhandling. This ordinance was written with case law to support the distinction between aggressive panhandling and panhandling. The goal of this ordinance is to prohibit the aggressive portions of panhandling and the ordinance does describe what those items are that would make something aggressive versus non. And as Councilman Guyton has pointed

out, the goal is to reiterate that we are not trying to impede on First Amendment rights of free speech or assembly. And the goal is not to restrict some requests for donations versus others.

So, in a nutshell, that encapsulates our -- our goal here to, as you said, Madam Council Pro Tem Pardo, the goal is to deal with the aggressive issues.

CHAIR PRO TEM PARDO: Perfect. Okay.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: Major Snow, how are you this evening?

MAJOR SNOW: I'm well, sir, how are you?

COUNCILPERSON THOMAS: I'm good, good. Good to see you. Does this ordinance -- I was watching the news this morning, and they were speaking that -- of the Board of County Commissioners that were looking at an ordinance sort of like this. Does this mirror it? I know they were speaking of being on the medians versus being on the -- the -- the side of the road. Does this ordinance mirror anything like that in it or is this a stand-alone ordinance that we're just doing just for this area?

MAJOR SNOW: This is a stand-alone ordinance. I haven't had a chance to read the County's goal, but this, again, is backed by case law and if we're having issues with people standing in the roadway, there is Florida State Statute that would address that issue.

COUNCILPERSON THOMAS: Okay. I was looking at a -- a portion of this where it talked about the -- any bus stop or public transportation facility or public transportation vehicle. So are we speaking of just our vehicles? Are we speaking of Palm Tran or are we speaking of school board vehicles? I mean, well, it just says "public." It -- that's kind of general. What are -- what are we aiming to get at from this?

MAJOR SNOW: That would be all of the above. So you're -- you're dealing with the Palm Tran, you're dealing with the School District of Palm Beach County school buses, you're dealing with any matter of public transportation.

COUNCILPERSON THOMAS: Okay. And why are we including all of them in this?

MAJOR SNOW: Because there is a feeling that once people are exiting the bus, they can't get back on to then try and evade the person who's approaching them and trying to seek a donation. So they don't have that freedom of movement when they're dealing with -- when they're relying on public transportation. The bus may be gone.

COUNCILPERSON THOMAS: Okay. So just, case in point, someone gets off a bus. They can't be solicited, period.

MAJOR SNOW: Correct.

COUNCILPERSON THOMAS: So if the -- the Little League basketball team is out trying to raise money, they can't solicit that person because they just got off a bus or they're at that bus stop. So if I'm at H Avenue W. and Blue Heron Boulevard, right in front of our park, right in front of Wells Gym, there's a -- a bus stop right there with a, you know -- I think it's even covered. So if someone was getting there and we were -- the Little Leaguers were out there, that would be prohibited for them to actually solicit them for -- for donation?

MAJOR SNOW: The Little Leaguers can do it in a passive sort of way so that it does not -- it doesn't -- it's not impacted by this ordinance. So as an example, as Councilman Guyton brought up, the solicitations for Breast Cancer Awareness Month or for our firefighters, they're passively standing and waiting for donations to come to them. If the Little Leaguers are acting in that way, then there are no issues.

COUNCILPERSON THOMAS: So passively, just meaning I can't approach the cars, but if they roll down the window and say, Come -- come over here, you can --

MAJOR SNOW: Right.

COUNCILPERSON THOMAS: So this is not going to stop a vagrant or anybody else from being in the middle of the street, long as they're not approaching the cars?

MAJOR SNOW: That's correct.

COUNCILPERSON THOMAS: So does this actually benefit us from doing it?

MAJOR SNOW: Sure.

COUNCILPERSON THOMAS: I mean, why -- why are we doing it if it's really not going to -- to -- what are we trying to stop by doing this? 'Cause it doesn't seem like we're going to stop very much.

MAJOR SNOW: The aggressiveness. So there was a reference earlier to being approached in a Walgreens parking lot. There's the goal. To stop those folks that are approaching our citizens, our residents, our visitors and not feeling comfortable to patron certain businesses. The goal is to stop that activity.

COUNCILPERSON THOMAS: Okay. So one of the questions I was hearing last meeting -- I was actually watching it while I was out of town -- so say this is a -- you know, it's definitely a political season now. It will be that way for the next two years.

Someone wants to hand out a flier. Because this is a public facility, would that be prohibited if the person says, Hey, I want to see -- I -- I want to see what's going on. I want to see who's running. I want to see what's -- the information you're giving out. Would that be considered aggressive or passive?

MAJOR SNOW: That actually is addressed in a different ordinance. This does not deal with fliers. So there is a separate ordinance that deals with fliers.

COUNCILPERSON THOMAS: Okay. Well, you wouldn't happen to know if that what -- that wouldn't violate this ordinance?

MAJOR SNOW: It would not.

COUNCILPERSON THOMAS: Okay. All right. That's all. Thank you.

CHAIR PRO TEM PARDO: Okay. Anyone else?

MAYOR MASTERS: Madam Chair?

CHAIR PRO TEM PARDO: Yes, Mayor. Welcome. I'm sorry, Mayor. You've been on the dais --

MAYOR MASTERS: No, that's fine.

CHAIR PRO TEM PARDO: -- maybe 15 minutes. So welcome.

MAYOR MASTERS: I want -- I would like to take you back to the whereas clauses. "Whereas the City Council finds aggressive panhandling and solicit -- usually includes --" that's not the one. Okay. The -- the -- one of the ones that -- that states that there's been an increase -- there's been -- there's been some activity that's has cause -- throughout the City. Oh, here it is, the second one. City Council finds that an -- that an increase in aggressive panhandling and begging and solicit -- throughout the City has become extremely disturbing -- the City Council finds -- that -- that this has been extremely disturbing and disruptive to residents. I want to talk to you about that that we have found that to be? What -- what do we mean by that? That the City Council finds that an increase in aggressive panhandling, begging, and solicitation throughout the City, has become extremely disturbing and disruptive. Is there any data from the City Council from all that?

CITY MANAGER JONES: Mr. Mayor, if I may answer that question.

MAYOR MASTERS: Yes.

CITY MANAGER JONES: We were directed by City Council, as a result of comments under Council discussions to go and to beef up our panhandling. Chair Pro Tem Pardo

was the one that brought it up under her comments about how she felt and how -- that she did not feel comfortable getting out of her car. She was at Walgreens. Miss Larson just even mentioned it. But we didn't just go out and decide we wanted to change or beef up our panhandling ordinance. It was a direction given by the consensus of the majority of Council that night.

MAYOR MASTERS: Thank you. Is it Major? What's -- what's --

MAJOR SNOW: Yes, Mr. Mayor.

MAYOR MASTERS: Major Snow, you know. Back to that clause. "City Council finds that an increase in aggressive panhandling, begging, and solicitation throughout the City has become extremely disturbing and disruptive to residents." My question now is is there any document, data or evidence from -- at the police department that suggests that?

MAJOR SNOW: We actually did a lot of research to see the types of calls that have been generated as a result of panhandling and aggressive panhandling. Because we don't have an aggressive panhandling ordinance on the books, it's been challenging to track the number of these complaints that we've received, because they sometimes come in just as a citizen complaint or to check out a person. They are categorized in so many different ways, it was very difficult for us to give you a hard and fast number. That's why that information is not contained in this document.

MAYOR MASTERS: So are we saying or are you suggesting that there is any evidence to suggest that there's been an increase? That's -- an increase. Now we have -- there's been -- like, Chair Pardo have said and others, you know, coming out of Walgreens or going into some place there's people that -- Scripture says we're going to always have the poor with us, period. But my -- I'm concerned has -- has there been any increase than usual -- than usual in aggressive behavior? Major?

MAJOR SNOW: Would you like me to respond?

MAYOR MASTERS: I'm directing you to do -- yes.

MAJOR SNOW: Okay. Because we do not categorize aggressive panhandling currently, I cannot pull or provide those statistics to you.

MAYOR MASTERS: Okay. So I'm going to -- I'm going to assume that there really hasn't been. I want to go back to page three of the ordinance. Under the, I guess the middle of the page, "Panhandling acts prohibited." Regarding panhandling and aggressive panhandling, "it shall be unlawful to engage" -- and I'm not really concerned about panhandling that much as I am the solicitation.

MAJOR SNOW: Uh-huh.

MAYOR MASTERS: "Or the person being solicited is located in, on or any of the following locations." Now when we -- when we talk about solicitation, we're talking about to buy this, to purchase this, or --

MAJOR SNOW: An exchange for goods.

MAYOR MASTERS: An exchange for the -- that's basically what we're talking about. Bus stop or any public transportation facility. Public transportation vehicle. Now does that mean that the little girls that are selling the Girl Scout cookies cannot get on the bus -- on any of the City buses -- and ask a passenger on the bus, "Can you buy some cookies from me?" or, "I have a school drive," or selling tickets or trying to go to Disney World. Any of those variables, would this ordinance prohibit any of those variables of someone trying to sell something for a non-profit or a profit organization?

MAJOR SNOW: Well, to be honest with you, Mr. Mayor, I'm not familiar with what Palm Tran's regulations are as far as people being allowed onto their buses for solicitation purposes. Our issue deals with what happens when they step off of the bus.

MAYOR MASTERS: Not on the bus?

MAJOR SNOW: That's correct.

MAYOR MASTERS: So therefore, someone that stops or gets off the bus, would a -- a person who's selling candy or -- for some drive or Girl Scout cookies or whatever, would that person be able to approach someone and say, I'm selling cookies. Can you buy cookies from me for my school? Would that prohibit -- would this ordinance prohibit that?

MAJOR SNOW: No. Uh-uh.

MAYOR MASTERS: Okay. Thank you.

CHAIR PRO TEM PARDO: I'd like to make a comment because I did bring this up six months ago and I know other Councilpeople -- when I brought it up, other Councilpeople chimed in and, as a matter of fact, the Chief did also. I brought it up regarding Walgreens. Now we were -- I don't know. It was either my daughter or I were sick. We were at the hospital. It was, like, 2:00 in the morning. I go to Walgreens to get prescriptions filled and as I soon as I open the car door, you know, two people approached us. And it's just constant over in Walgreens.

And then for the past several years, I've been complaining about the Ocean Mall. There's a lot of panhandlers over at the Ocean Mall and it's to the point where people are afraid to walk through the mall early in the morning or late at night because they're getting approached by panhandlers. The same thing with the gas station on Singer Island. I've complained about that. If you go by that gas station at, you know, as soon

as it gets dark out, you're getting approached. And a lot of times, it's not by the homeless. You're getting approached by the drug addicts.

And, you know, I've mentioned this to the Chief. There are times where I feel more comfortable pumping gas on Broadway and Blue Heron than I do over on Singer Island. All right? Because of that activity. So, you know, we talk about trying to bring this City up, this is just another step. We should not be the dumping ground for -- you know, for people with their hands out. And that's fine.

I think we are all a very generous City. We take care of the homeless; we go above and beyond for the homeless. We have a lot of homeless people in our community. We have a lot of homeless people living in the County parks. And the police, on a daily basis, are trying to show them that there's a better way than living under the Blue Heron bridge. We feed them; we do a lot for them. But we should also feel comfortable -- when we get out of our car to go to a business in our City we should feel safe. We should know that we're not going to get approached by someone.

So I think that's what this does. The Girl Scouts? We all love the Girl Scouts. We see the Girl Scouts in -- you know, in Publix and they're going to be there in the next month or so. And we all stop and we buy the cookies. And, you know, sometimes they're outside City Hall. They're all around. And I think this is just -- this ordinance is really focusing on the bad people. And we're just all trying to make our residents feel safe in our community. Is that basically the -- the gist of it, Major Snow?

MAJOR SNOW: You're exactly right. Yes, ma'am.

CHAIR PRO TEM PARDO: All right. Do we have any other comments?

MAYOR MASTERS: Madam Chair. Yes.

COUNCILPERSON THOMAS: Madam Chair.

MAYOR MASTERS: Madam Chair.

CHAIR PRO TEM PARDO: Sir.

MAYOR MASTERS: Thank you, Madam Chair. And I get that, to use my colleague's word. But I just want to make sure that it does not -- many times we punish our -- the good with the bad.

CHAIR PRO TEM PARDO: Absolutely.

MAYOR MASTERS: And I just want to make sure that the -- the people that are doing good things that we all respect does not get caught up in the web of going after bad people. That's -- that -- that was my concern and I think maybe a couple of the other

colleagues. But I do have one question. Page three, again. C. I just need you to help me understand this a little better. It's -- and I'm reading it for the benefit of the public that may not see this on -- on the television. It says, "Panhandling does not mean the act of passively standing or sitting, performing music or singing with a sign or other indication that a donation is being sought, but without any vocal request." That's my concern. "But without any vocal request, other than a response to an inquiry by another person." What does that mean?

MAJOR SNOW: Well, this goes back to the First Amendment issue. People are allowed to say, sing, whatever they feel in the United States. It's a constitutional right and we're just highlighting that here. And also, to go back to one of your original points, Mayor Masters, with having the good folks getting caught up with the not so good, there is a provision in here that does discuss that private property owners are allowed to give permission to have people seek donations on their property. So, like, Publix allows the Girl Scouts to sell their cookies in front. Wells or whomever can give their permission to other entities to do activities at their bidding on their property.

MAYOR MASTERS: Okay. I understand that. But I -- I just didn't quite understand the -- I understood that part very well. But I -- but when it says --

CITY ATTORNEY RYAN: Madam Chair, if I can. Let me just --

MAYOR MASTERS: Yes.

CITY ATTORNEY RYAN: It just means that if a person is standing there with a sign and another person comes up to them and talks to them, you can do -- and they -- and you speak back, then that's okay. That is not considered panhandling.

UNIDENTIFIED SPEAKER: That's not panhandling.

CITY ATTORNEY RYAN: So the issue is "without any vocal request," that's you, "other than a response to an inquiry by another person." So if I say, "Are you collecting money? Do you want money? Do you need money?" and you say, "Yes, I do. It would be great," that's not panhandling. Because you asked me a question.

MAYOR MASTERS: Okay.

CITY ATTORNEY RYAN: And also --

MAYOR MASTERS: Well, I need -- I need to ask you when I need some money.

CITY ATTORNEY RYAN: Okay. And also, without beating a dead horse, on the issue of the Girl Scout, young person, young lady, I think with a -- you -- you need to understand, under aggressive panhandling, it is about threatening, intimidation. Now if a little girl who's selling Girl Scout cookies has a paddle and she starts hitting you over

the head until you buy a box of cookies, then that may be panhandling. But if they're just asking, like they normally do, unless there's some kind of a threat, if you say no and they just keep asking and begging and, you know, giving you a hard time, then I'm not going to say a Girl Scout cookie seller can't fall under this -- this ordinance.

MAYOR MASTERS: I understand that. I mean, that --

CITY ATTORNEY RYAN: But they're usually --

MAYOR MASTERS: -- I know there's --

CITY ATTORNEY RYAN: Right.

MAYOR MASTERS: -- can be distinctions but --

CITY ATTORNEY RYAN: You gave an extreme example, so I'm -- I'm -- I want to deal with the extreme example. There are cases where even the nicest of people can be aggressive and they might fall under this.

MAYOR MASTERS: Yeah. And I just want to make sure that none of the -- you know, we -- we're not worried about the Girl Scouts becoming too aggressive, but -- or aggressive at all, but --

CITY ATTORNEY RYAN: Right.

MAYOR MASTERS: -- you know, being at the bus stop or at -- we just wanted to make sure, you know, what is --

COUNCILPERSON THOMAS: Can we -- Madam Chair?

CHAIR PRO TEM PARDO: Okay. Yes.

MAYOR MASTERS: -- in front of us.

CHAIR PRO TEM PARDO: Are we good?

COUNCILPERSON THOMAS: Can we -- can we add something to the Girl Scouts? Can they always have to have the shortbread? 'Cause I -- I go where they be out of the shortbread quite a bit. I'm, you know, a little bit bothered. If they're going to sell them -- and they could be panhandling, too. They give you that sad face. That's intimidating, you know?

CHAIR PRO TEM PARDO: Or they can say --

COUNCILPERSON THOMAS: Make you buy it, you know?

CHAIR PRO TEM PARDO: Right. -- or they look at you and say, Oh, hi, Miss Pardo. I watch you on television.

COUNCILPERSON THOMAS: Then you gotta buy it, then.

CHAIR PRO TEM PARDO: And then you have to buy it.

COUNCILPERSON THOMAS: Yeah, wow.

MAYOR MASTERS: One other --

CHAIR PRO TEM PARDO: And it's not just one box.

MAYOR MASTERS: -- one -- one other comment, Major Snow. And there's no money involved in -- in -- in this at all. But for those groups, like, Jehovah Witnesses and other groups, religious freedom, and they have their literature and they offer you their literature, that's -- that's still cool.

MAJOR SNOW: That's right.

MAYOR MASTERS: To -- for lack of a better -- okay. Just to make sure --

CHAIR PRO TEM PARDO: Okay.

MAYOR MASTERS: -- that everybody's protected.

CHAIR PRO TEM PARDO: Great. Thank you, Mayor.

MAYOR MASTERS: That's all. Thank you.

CHAIR PRO TEM PARDO: All right. We good?

COUNCILPERSON THOMAS: Madam Chair --

CHAIR PRO TEM PARDO: Yeah.

COUNCILPERSON THOMAS: -- just one brief question. Two brief questions.

CHAIR PRO TEM PARDO: Right. Okay, Mr. Davis.

COUNCILPERSON THOMAS: One question is it talks about the "amending" of this in - in Chapter 12, section 25. What was the change from the previous policy? I'm interested in understanding when it says "amending."

MAJOR SNOW: There actually was not a ordinance for aggressive panhandling --

COUNCILPERSON THOMAS: Okay.

MAJOR SNOW: -- so this is brand new.

COUNCILPERSON THOMAS: Okay. So --

MAJOR SNOW: We're amending the --

COUNCILPERSON THOMAS: -- there are ones with panhandling and there's one with soliciting. They're separate?

MAJOR SNOW: That's correct.

COUNCILPERSON THOMAS: Would this impact the soliciting?

MAJOR SNOW: Uh-uh.

COUNCILPERSON THOMAS: Have any impact (inaudible)?

MAJOR SNOW: They're totally separate.

COUNCILPERSON THOMAS: Okay. Thank you.

CHAIR PRO TEM PARDO: Okay. We good? All right. Madam Clerk.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you. We are now going to our regular agenda, Item -- Item 16.

COMMENTS FROM THE PUBLIC -7:00 PM Non-Agenda Item Speakers (Three Minute Limitation)

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

CHAIR PRO TEM PARDO: First comment card -- and you have three minutes to speak -- JB Dixon.

JULIE BOTEL: Miss Pardo.

CHAIR PRO TEM PARDO: Yes, ma'am.

JULIE BOTEL: If it's all right, I'd like to speak first, JB, could seize her position.

CHAIR PRO TEM PARDO: Did you put in a card?

JULIE BOTEL: (Inaudible) yes, yes.

CHAIR PRO TEM PARDO: Okay. Go right ahead. All right. So this is Julie Botel.

JULIE BOTEL: Thank you, yes. Mayor Masters, Councilpersons.

MAYOR MASTERS: Good evening.

JULIE BOTEL: I apologize for my hoarseness.

MAYOR MASTERS: Good -- good evening.

CHAIR PRO TEM PARDO: No problem.

JULIE BOTEL: My name is Julie Botel. I'm a resident of Riviera Beach. I live on Singer Island.

CHAIR PRO TEM PARDO: Welcome.

JULIE BOTEL: You may be aware that at its last meeting, the Planning & Zoning Board voted 5-1 to approve the -- to adopt the new -- the 1997 Coastal Construction Control Lines and they will be making that recommendation to you for your decision making. And we wanted to share with you the petition that was signed by 185. May I bring this to the dais?

CHAIR PRO TEM PARDO: No. You can give it to staff.

JULIE BOTEL: The petition that was signed by 185 residents asking that you adopt the amendments to the minimum building setbacks proposed and, in particular, the establishment of the 1997 Coastal Construction Control Line. That you apply this proposed minimum building setback, including the 1997 construction control line, to all buildings, in particular, the Amrit Wellness Resort & Spa, and that you not adopt the proposed amendment which would increase the maximum permitted density, including the density bonus established in the Minority and Affordable Housing Opportunities Plan. When you have an opportunity to look at this -- when you have an opportunity to look at this document, you'll see that many, many people who live on Singer Island, who live in Riviera Beach, are opposed to allowing any kind of building that would be seaward of the 1997 Coastal Construction Control Line. And we urge you to adopt that recommendation of the Planning & Zoning Board. And thank you for your attention.

CHAIR PRO TEM PARDO: Okay. Thank you very much, ma'am. Margaret Shepherd. I have --

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. I'm sorry the Chair is not here, but I do want to thank Chairwoman Davis with the Junior Council that y'all seen by the way of Channel 18. Miss Davis only had two hours for a dry run for what you saw. Two hours for a dry run for what you guys saw on Channel 18. And it was just so marvelous that Miss Jones, everybody, was just calling and talking about it. Those children, they wanted to share, that (inaudible) they spoke so exquisite. I'm so proud of them. Of course, my baby was Park -- Park & Rec; let me do my shout-out. She wanted to be Miss Aladia Franks and she dressed like Aladia Franks. My house is full of clothes 'cause she wanted to look like Aladia and she did and she spoke well. So thank you all for that, Mr. Sloser and Dr. Drayton.

This was the brainchild, I think, of George Carter they said with the Maritime Academy. And we just are just so happy that it aired and it's airing and it's airing. And to Dr. Banks, thank you for just putting up with us because it's been a hard year. So I really want to make sure that -- that you all know that that -- that was such a -- a wonderful part of us, Inlet Grove, and I want you all to know that we're working hard over there. We were even in the paper. So we're doing great over at Inlet Grove.

The one thing I want to say to the Mayor and to all of you, I -- I couldn't get to the doctor today because people were stopping me and stopping me and stopping me. They love Mayor Masters. I want to go on record again. They love Mayor Masters. And one thing I come to terms with, he's the Mayor. And the one thing that he kept pointing in my -- in my face, saying, "Mrs. Shepherd, I want you to always remember that." And I want to say to you, Mayor, I do remember that. And I -- I -- I haven't had any conflict with you but just last week was a little bit much because I was under the weather and I think it was just one of those bad days I had. But I -- I want you to know that we -- we -- we --

we care. At least, I care. You're holding this position that weighs on people shoulders. If they didn't like you, they wouldn't have voted for you. And I just hope that we come to terms. That this is not your election year. This is Miss Davis' year and Mrs. Miller year.

CHAIR PRO TEM PARDO: And my year.

MARGARET SHEPHERD: Let's allow them to go with their campaign.

MAYOR MASTERS: And Miss Pardo --

MARGARET SHEPHERD: This is their campaign.

MAYOR MASTERS: -- and Miss Pardo's.

MARGARET SHEPHERD: If everybody start throwing rocks into the ring, you know, you're not allowing Mrs. -- Mrs. KaShamba Miller to let people manifest who she is. But we already -- we -- we know who Miss Davis is.

CHAIR PRO TEM PARDO: Right.

MARGARET SHEPHERD: But allow them this time. Thank you.

CHAIR PRO TEM PARDO: Okay. Thank you, ma'am. Uh, Miss Dixon.

MAYOR MASTERS: Madam Chair. As Miss Dixon is coming, just quickly. Just for the record, the brainchild of the Youth Council was actually, at the time, Chair Cedrick Thomas; it was his brainchild. And he's the one that brought it forth and the social justice made it happen. And I just wanted to make it -- make the record clear on it. Thank you.

CHAIR PRO TEM PARDO: Good evening, ma'am.

J.B. DIXON: My name is J.B. Dixon. I live in Riviera Beach on Singer Island. The petitions that were just given to you, I am one of the signees. And I -- I wanted -- I know that there will be time later for public comment on the Amrit, but I wanted to tell you that my concern is that by the time there is formal public comment on that specific property, I think there is a lot that goes on with staff and permitting, etcetera, so that by that time I'm concerned that things will be set in stone and that I would like to express what some of the residents are concerned by over there.

And one is the action that you took to exempt the Amrit from the moratorium. And some people are saying that that means that you exempted them from being able -- you exempted them from having to regard the CCL, how far back they had to build. I'm not sure if that's true, but I would like clarification on that.

And secondly, I wanted you to know what it is like to be a resident on the Island when somehow a "resort area" was declared, hopping several residential buildings, and what it is like -- the difference between being in a residential building and having a transient building next to you, like a vacation club, like the Marriott and like the Amrit will be. And that is that when residential buildings are together, we care about each other and the quality of life on Singer Island. When corporations come in to make their money, as Mr. Thomas said, they don't care. And -- and a good example of that is that the Marriott. I can sit in my apartment, within my apartment, and play bingo with them. B12, 09. That is how loud they had their loudspeaker. So we cannot go out and sit on our balconies. We have to close our doors and live in an air-conditioned, you know, tomb. And that starts at noon and it's -- goes through, at least, 8:00 at night and it is allowed as a resort to have loudspeakers from 8 a.m. till 11 p.m. Why that is allowed, again, I would like clarification on that.

Residents were there before resorts. To me, resorts do not -- and certainly the Marriott did not when we complained -- care about anybody else other than filling their rooms. And these people come in for a week. Yaha. Run over the turtle nests. I would really like you to consider that in your -- and -- and have staff consider that in your deliberations on the Amrit when it comes up. Thank you for your attention.

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

ANN REDDY: Good evening. I'm Ann Reddy and I am a Riviera Beach resident on Singer Island and I am president of the Singer Island Civic Association. I would strongly urge the City to adopt the amendment proposed in Section 31-243, paragraph 5, in particular, the establishment of the 1997 Coastal Construction Control Line. We were very pleased at the Planning & Zoning Board's nearly unanimous decision to recommend adoption of the amendment -- amendment proposed to Section 31-243, paragraph 5, and their addition of a provision allowing no exemptions from the 1997 line.

We believe that any exemptions, including the one already granted to the Amrit, would - - would require approval by the Florida DEP. On that point, I would direct the Commission's attention to a provision in Chapter 161 of the Florida Statutes which states, "A coastal municipality may establish coastal construction zoning and building codes in lieu of the provisions of Chapter 161 if such zones or codes are approved by the DEP as being adequate to preserve and protect beaches and coastal barrier dunes adjacent to such beaches."

The statute is clear that the DEP has exclusive jurisdiction of beaches and barrier dunes and that they must approve any activities seaward of the line they established most recently in 1997. As such, we believe that any exemption granted to developers on Singer Island regarding the Coastal Construction Control Line would require DEP approval. In accordance with Chapter 161 of the Florida Statutes, we also believe the

City is required to apply the 1997 Coastal Construction Control Line proposed in the amendment to Section 31-243, paragraph 5, to all buildings which have not yet been constructed on the island. Thank you for your time and consideration this evening.

CHAIR PRO TEM PARDO: Thank you very much, ma'am. Bonnie Larson.

BONNIE LARSON: Bonnie Larson. I have another comment on the panhandling thing. I -- I don't believe Girl Scouts and the fireman and things like that, that's considered panhandling. And maybe -- maybe something we could do is give a special permit, say, to the police or to the fire department or to the breast cancer -- I mean, it's only for a week or a month that they do it, and just outlaw all the rest. Because if you're a homeowner and someone comes up to you and acts in an aggressive way, you tell them no and they keep coming back and coming back, that's dangerous for you. Because you don't know if they're gonna pull out a gun or a knife or whatever. So, again, I would just like to say, let's try and do away with whatever panhandling we can, no matter aggressive or non-aggressive. But the people like the fire department where -- maybe give them a permit or something to do it. Because they're only doing it one time of the year. The breast cancer, maybe for a month, whatever, and approve those things. But all the others, no.

As far as the cell phone towers, I can tell you -- they were talking about stealth design requirement to conceal those towers. There's no way to conceal those towers. You saw them right there. There's no way to conceal them. And as someone who had something like that in their front yard for two years while they were working on -- while DOT was doing work, it's a pain in the neck to have something like that in your front yard. You have to mow around it; the -- the weeds grow up between it. It's just a pain in the neck. It will lower your value. I talked about it. I said we've had it for two years, we don't need it anymore. I spoke about it at this meeting.

Miss Jones contacted them and they picked it up two days later; they were out there digging it up. So thank you. We were really tired of seeing that thing. It's gonna lower your property values and as far as them contacting other -- other organizations or companies such as AT&T, and them not being able to put it on their poles, well, maybe AT&T wants too much money. Well, that's not our fault. We don't want these things in our front yards.

CHAIR PRO TEM PARDO: Okay, fine. This is non-agenda items. This is public comment, non-agenda items.

BONNIE LARSON: Okay, okay. (Inaudible) just going on because we don't get to speak after the presentation so I'm just gonna tell you that I'm just making -- this is public. I can talk about whatever I want. I'm just saying --

CHAIR PRO TEM PARDO: Not non-agenda items.

BONNIE LARSON: All right. Fine. So then we'll move on to something else. We talked about the CRA. We talked about setting up a loan fund using CRA funds to loan out money, up to \$500,000, to start up businesses. And I asked the question to a Councilperson, when was it approved by the Council that we would do this, we would become a lending institution ourselves? Before we get into all the details like we did the other night, when was this basic concept approved? And it didn't seem like it was and Miss Hatcher was going to give me the date when it was brought up in a meeting that the Council voted on it. Because we have borrowed money. We have borrowed 30-some million dollars.

So I don't think we're -- I don't think we should be loaning out money to people from the City, the State, other states, to come into our -- our City and set up a -- set up a small business. Let them mortgage their homes. Let them do that to get some money. And - - and maybe match their money but not go ahead and give them \$500,000. So when you have your workshop, at which we won't be able to speak, please keep those things in mind. Thank you.

CHAIR PRO TEM PARDO: Okay. Thank you. That's the end of public comment. We will now proceed to discussions and deliberations.

INTERIM CITY CLERK ANTHONY: Reverend Burrs said he has a public comment card.

CHAIR PRO TEM PARDO: Well, hold on. Let me see if you have -- hmm. No. You have a comment card for Item 17.

REVEREND WILLIAM BURRS: I have a card for the (inaudible).

CHAIR PRO TEM PARDO: No.

REVEREND WILLIAM BURRS: I have two cards in.

CHAIR PRO TEM PARDO: Item 15. No. Panhandling. Does anyone have any cards?

REVEREND WILLIAM BURRS: (Inaudible) from one of the cards.

CHAIR PRO TEM PARDO: He said he did (inaudible). Well, okay, fine. We don't have a card, Reverend Burrs, but this time, I will let you speak. And then we will continue with our meeting. Please.

REVEREND WILLIAM BURRS: Put two cards up, thank you.

CHAIR PRO TEM PARDO: Right. You put two cards in and that's exactly what we have.

INTERIM CITY CLERK ANTHONY: Fifteen and 17.

CHAIR PRO TEM PARDO: You spoke on the panhandling and now you have a card on item 17. But go ahead.

REVEREND WILLIAM BURRS: Yeah, okay.

CHAIR PRO TEM PARDO: This instance, I'll let you speak.

REVEREND WILLIAM BURRS: I did put one. Thank you but I did put one in. Okay. But anyway, my concern is in public comments, Madam Chair, Council. I -- I -- I like Mr. Guyton's -- I respect him and I hear him say as many times and I agree that I don't -- maybe people don't like the way he said it. But I agree that when he said, "I'm not going to allow anybody to come to my town and disrespect me," I wish you had said "our town" from now on, Mr. Guyton.

COUNCILPERSON THOMAS: I'll do that.

REVEREND WILLIAM BURRS: Because I've been disrespected in our town. I called - when -- at your last town hall meeting, I put -- I gave the Public Works Director a note to give to -- I didn't know the gentleman to -- who has got some potholes in our area. Not potholes but manholes that are low. And I gave a note to the Director of Public Works and he said, "That's not my assignment. I will give it to the gentleman who it goes to." And that was the one at Utilities. And I'm sure he gave it to him and nobody called me for over a month. And when I called Councilman Thomas and Councilman Davis, the next day somebody called me from the office and said that he didn't get the note and -- and get back with him and etcetera.

And I called the Director of Public Works. He said I did give him the note. He did not -- he gave him the note. He said, "What I'll do right now, I will text him and tell him to call you." He never called me. Now this gentleman who I understand live in Fort Lauderdale got three cars to drive home. We paying him lucrative salary and that's disrespectful to the citizen where he don't have the decency to call -- call -- make calls back to the citizens of Riviera Beach. Never called me about the issue. Never said anything. So there was some other citizens on our -- in that street -- have complained about those manholes below the surface and nothing been done.

Now when I make a -- make a statement concerning City Hall -- I mean, concerning Singer Island, I respect Miss Pardo to the highest. 'Cause when she speak, things move in her district. We can't get that service over here and that's what I'm concerned about. Disrespectful for the citizen on this side that can't get anything done proper -- properly. This gentleman has never called me; live in Fort Lauderdale; drive three cars home and won't call the citizen.

Now when I was on the Council -- I'm gonna tell you something else -- every department head live in the City. Ask her. And when they moved here, they didn't get no pay -- no - no moving expense. They stayed -- her and Troy -- Troy Perry who was born and raised in this city, was living in West Palm Beach when I was on this Council. When they got their job, they had to move in Riviera Beach and they did that gracefully and didn't get no moving expense. But we got people living everywhere else and don't respect the citizens in this town.

This guy never called me to this day to say anything about those manholes, anything. I called -- when I called Thomas and I called Davis, the next day, that's when he -- I got a call from somebody from his office. He didn't get the note. He gonna call you. Never heard anything from him. I'd like for you all -- there's four of y'all up there -- your district, come -- and tell your department heads to give us the same respect. And no disrespect for Singer. I -- that lady, I highly respect her because she make sure she get things done on Singer Island. We don't get that done over here.

CHAIR PRO TEM PARDO: Okay.

REVEREND WILLIAM BURRS: I need that respect.

CHAIR PRO TEM PARDO: Thank you, sir. All right, thank you.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: All right. We will continue --

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: If you must.

COUNCILPERSON THOMAS: Yes, I must. I -- I definitely understand the frustration of not returning a call. I'm not sure what happened but I'm sure that will be taken care of.

CHAIR PRO TEM PARDO: Yeah. This (inaudible).

COUNCILPERSON THOMAS: But I respectfully disagree that when we on this side say something, nothing happens. I know for a fact that it does and I make sure that it happens. So I didn't get that call but -- I'm not sure who did. But I don't want the public to think that somehow, when we make a request on the west side, it's not responded to. But I can assure you that all requests are responded to when they hit the right desk. And we, as Miss Pardo, we all advocate for our district. And staff is normally responsive but occasionally a call may slip through. But I'm not sure what happened this incident. But I -- I've heard several people say that when Miss Pardo say it, it moves, but if we say it on the west side it -- that's not true.

CHAIR PRO TEM PARDO: It's not true.

COUNCILPERSON THOMAS: Yeah. That is not true. And I got evidence to prove it. So -- but --

CHAIR PRO TEM PARDO: Thank you.

COUNCILPERSON THOMAS: -- but I do understand your concern, though.

CHAIR PRO TEM PARDO: Okay.

MAYOR MASTERS: I have a comment.

CHAIR PRO TEM PARDO: All right. That's great. We need to move on.

MAYOR MASTERS: Madam Chair --

CHAIR PRO TEM PARDO: -- Item 17.

MAYOR MASTERS: -- I have a comment. I have a comment.

CHAIR PRO TEM PARDO: Mayor, can you please --

MAYOR MASTERS: I have a comment just like Mr. Guyton.

CHAIR PRO TEM PARDO: -- can you please wait until we get to --

MAYOR MASTERS: No. You didn't have him wait.

CHAIR PRO TEM PARDO: I can't (inaudible) --

MAYOR MASTERS: I -- I need a comment like he made one.

CHAIR PRO TEM PARDO: You know, this can't go on. You can have it --

MAYOR MASTERS: But you -- but you can't be an exception.

CHAIR PRO TEM PARDO: -- and then we're not doing it anymore. Because this back and forth -- this is a public meeting. Mayor, have your say and then we are moving on.

MAYOR MASTERS: And that's all I'm asking. For --

CHAIR PRO TEM PARDO: Go right ahead, sir.

MAYOR MASTERS: -- for equality and fairness.

CHAIR PRO TEM PARDO: (Inaudible).

MAYOR MASTERS: Thank you. Reverend Burrs, I agree with you, it's -- it's shameful that that happened. We apologize. It shouldn't happen again. But please let the residents know -- and I think you're referring to Long Pine; is that correct? Were you referring to Long Pine? I'll be there in the -- I think I'm scheduled to be there in 10 days to meet with the residents. So let them know that I -- that -- that's one issue that -- and some other issues that they've called about 'cause I represent the entire City, not just one district as we all do. So I will be there because I have a concern -- some other concerns about the park, as well, and I'll be there. Thank you. Thank you, Madam Chair.

CHAIR PRO TEM PARDO: Discussions and deliberation. Item 17.

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.

REGULAR

16. RESOLUTION NO. 152-14 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH LOCKHEED MARTIN CORPORATION AS A QUALIFIED DEFENSE CONTRACTOR AND SPACE FLIGHT BUSINESS FOR LOCAL FINANCIAL SUPPORT IN THE AMOUNT OF \$160,400 TO BE PAID TO THE STATE FOR LOCKHEED MARTIN AS REQUIRED BY SECTION 288.1045, FLORIDA STATUTES, CONTINGENT ON FINAL COORDINATION WITH OTHER PARTICIPATING ENTITIES AND AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO APPROPRIATE FUNDS FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON THOMAS: So moved.

COUNCILPERSON THOMAS: Second.

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: Properly moved and second. Mr. Jones, good evening.

DEPUTY CITY MANAGER DANNY JONES: Good evening, Madam Chair and Council. Danny Jones, Deputy City Manager. As you may recall, back in May of this

year, staff brought before you a resolution to consider a special project that was presented to the City by the Business Development Board. The project name was Project Palm Tree, where the City gave a conceptual approval of \$160,000 for this company, which is now being identified as Lockheed Martin, to participate in the State Qualified Defense Contractor and Space Program through Enterprise Florida. And what you have before you is the contract and the resolution solidifying the City's commitment.

Lockheed Martin is approaching or has approached the State for \$3.2 million in funding to retain 401 jobs at their West Palm and Riviera Beach sites. And in order to receive this funding, local participation is required. Therefore, the City of West Palm, Palm Beach County, and now, the City of Riviera Beach, are partnering with Lockheed for the local participation funding in order for them to receive the State funding.

Currently there are 256 jobs at the Riviera Beach site of which 19 of those jobs are directly -- are direct jobs of Riviera Beach citizens. Lockheed Martin contributes to the overall economy of the City of Riviera Beach, paying nearly 215,000 in ad valorem taxes. About 75 of that directly to the City of Riviera Beach.

They also partner with our local non-profit organizations, such as the Boys and Girls Club, the Riviera Beach Maritime and Suncoast High School. They also purchase utilities from the City of Riviera Beach in the amount of more than \$45,000 a year for water and about 70,000 for electric. So they are a very good business partner for the City of Riviera Beach and staff supports your approval to enter into a contract to support this effort under Enterprise Florida.

CHAIR PRO TEM PARDO: Okay. Thank you.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: I just want to make sure -- I didn't get a chance to talk with Mr. Jones. He didn't call me back but we'll deal with that later. But I heard Miss Jones tell me earlier today that that's over four years. Is that correct?

DEPUTY CITY MANAGER DANNY JONES: Yes. If you look in your backup, this -- this year's contribution would be \$60,000 for the year 2014. 2015 it will be 40,100. 2016, 40,100. And --

COUNCILPERSON THOMAS: Got it.

DEPUTY CITY MANAGER DANNY JONES: -- 2017, 20,000.

COUNCILPERSON THOMAS: Understand.

DEPUTY CITY MANAGER DANNY JONES: Every year the company will have to prove that it retained a certain percentage of the 401 jobs in order to continue to receive funding.

COUNCILPERSON THOMAS: I got it. We -- you know, this -- this is a company who is always in the community helping. They were painting homes a few weeks ago. You know, I -- I happen to know Mr. Shea, who's always smiling. I see him in the audience tonight, smiling again. We just appreciate -- we know that you, you know, you closed down some sites some other -- some other places. We're extremely happy that you stayed here. We're extremely happy that you employ 19,000 -- I mean 19 residents, a very nice salary. That -- that means a lot to us and -- and I'm more than happy to support this. So, you know, thank you very much for -- for staying here. I still want to be able to come back there and fish. I see those nice fish, yeah, in the back. But, no. Thank you for doing your testing in this and, you know, being a part of our high school and -- and it's -- it's -- it's very important for you to continue to -- to be a part of the -- the community. So Lockheed Martin is -- is -- is definitely a welcome company in my book and I'm -- I'm happy to support this.

CHAIR PRO TEM PARDO: All right. Anything else from the Council?

COUNCILPERSON THOMAS: I -- just a quick question and ditto with my colleague's comments. We are fortunate to have a company like Lockheed in our community and we look forward to keeping you many, many years. But I do have a question maybe staff or maybe Lockheed can answer. How does Lockheed go about recruiting Riviera Beach students and employees?

DEPUTY CITY MANAGER DANNY JONES: I'll defer to Lockheed.

COUNCILPERSON THOMAS: Okay.

ERICA MARSHALL: Good evening.

CHAIR PRO TEM PARDO: Good evening.

ERICA MARSHALL: My name is Erica Marshall and I'm the General Manager of the Palm Beach location here, in Riviera Beach and also in West Palm. So great question. We -- I think, we heard from Cedrick earlier. We work really closely with high school students across Palm Beach County, specifically, volunteering as well as mentoring in Science, Technology, Engineering and Mathematics. So we actually have a intern program that we -- that we host a number of high school students local, specifically, Suncoast High School is one high school that we have a lot of good experience with. Those individuals have gone through college, so we have a great relationship with FAU and some of the other local universities. And a number of those students have actually decided to have full time employ -- employment with -- with Lockheed Martin here in Palm Beach. So I think we have a -- a good record of recruiting, starting as early as

middle school, again, all the way through high school, college, to make sure that folks are focused in a field that is dwindling in the United States which is why our -- we push STEM training/mentoring. And we actually hosted over 50 young ladies earlier this month at our site to kind of share with them what we do at Lockheed Martin so that we can inspire those young ladies to be future engineers.

MAYOR MASTERS: Wonderful effort.

CHAIR PRO TEM PARDO: Okay. All right. Well, you know, always been a fan of Lockheed Martin. I had a discussion this morning with Ed Shea and we talked about the dredge. As, you know, everyone knows, we finally got that dredge permit and now, we've really looked forward to Lockheed Martin taking advantage of it and I know they're going to have conversations with Rybovich and I'm very excited about what you guys will be doing in the City of Riviera Beach. So, again, thank you for staying here and for mentoring our children. Okay?

ERICA MARSHALL: Thank you.

CHAIR PRO TEM PARDO: All right. Thank you. Madam Clerk?

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you. Now we are going to go back to awards and presentations.

DISCUSSION AND DELIBERATION

17. DISCUSSION ON THE UTILITY SPECIAL DISTRICT POLICY BY COUNCILMAN TERENCE "TD" DAVIS.

COUNCILPERSON THOMAS: I want that one -- I had a few residents reach out to me that were some property owners and they had some concerns with this agreement that may have put them into some tough situations with their tenants. And what they -- one of the concerns they had with the agreement is by them signing a contractual agreement stating that they will be obligated to pay whatever their tenants don't pay. And one of the examples that came out of the situation -- let's say I have a tenant and they're renting from me. And let's say something happened, they're a little -- a little dissatisfied with the -- what happened. They can turn the water on, run a bill up for 500 bucks and leave the property and then I'm obligated.

One of the concerns and questions I have, when this policy came before last year in 2013, I would like to know what standard or what -- who did we get this idea from or is this something that's the first time it came out from staff?

CHAIR PRO TEM PARDO: Wait. Hold one second. I have a question. How come this is on the Council agenda and not on the Utility District agenda? Madam -- Miss Jones, who put --

CITY MANAGER JONES: I was asked to put --

CHAIR PRO TEM PARDO: I'm just asking. You know --

CITY MANAGER JONES: -- this on. So --

CHAIR PRO TEM PARDO: -- we have all these departments.

COUNCILPERSON THOMAS: Well, this -- well, this was something that I asked the City Manager to put on because there was no Utility District meeting, just as a -- as a discussion item so that we can talk about it before we get to our next meeting. The residents just wanna come out and express their selves about their concerns with the policy. There will be no action taken on this date, but it's a -- put on as a discussion item.

CHAIR PRO TEM PARDO: Okay. And then they're gonna come back for the Utility (inaudible). So, you know --

COUNCILPERSON THOMAS: I had the same concern.

CHAIR PRO TEM PARDO: Councilman, I'll give you -- you know --

COUNCILPERSON THOMAS: I had the same concern.

CHAIR PRO TEM PARDO: -- if you really want to discuss it. But I would think we would be better off at a Utility meeting because then we will have other people at the meeting, people that do come from the Utility District. But --

COUNCILPERSON THOMAS: But this -- this is -- this -- I understand your concern. But this is an item that's very important.

CHAIR PRO TEM PARDO: Go right ahead, sir. You put it on.

COUNCILPERSON THOMAS: It's a policy that wants to be discussed.

CHAIR PRO TEM PARDO: Go right ahead.

COUNCILPERSON THOMAS: The residents want to hear about it. I don't think that it's something that needs to wait until the next meeting. It's not going to hurt anyone just to have a brief discussion. I'd just like to hear from staff.

CITY MANAGER JONES: The policy that you had before you in 2013 was a result of our needing to do several things. The first thing we needed to do was make sure we had the -- the appropriate documents and procedures in place in order to refinance the debt. Because they look to see what your policies, all your forms look like, when you're getting ready to refinance your debt. And so this was important for us to have in order to do that.

We also looked at other jurisdiction. Every -- whether you're getting Seacoast's water, whether you getting West Palm's water, all of them have it such that the bills have to be in the owner's name. One of the things that we found is that we were losing a lot of money as a Utility District because people were walking away and not paying. According to the -- the bonding documents, you cannot give away water. When people walk away and don't pay, they're -- you're giving away water. And so what we did was look at other procedures for other water utilities, all of which require that they be in the landlord's name and not the tenant's name. If the tenant leaves a water bill, they don't own the property. We can't do a lien; we can't do anything to them. So you have to try to tie it so that you have some mechanism to get the water paid for to stay in compliance with your bond resolutions of not giving away water and those sorts of things.

COUNCILPERSON THOMAS: So what --

CITY MANAGER JONES: So that's how it came about.

COUNCILPERSON THOMAS: -- so what happens when they have -- each tenant have their deposit, turn off their water and if they exceed their deposit, as far as the balance of their bill? At that time, the water's not turned off to prevent this from happening?

CITY MANAGER JONES: No. I will ask the Director of Utility Billing as well as the Assistant Director, Mr. Lamonica Stevens and Miss Kim Lawson, to talk about the internal workings as to when something is turned off and when extensions are given.

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: Good evening, Madam City Manager and Madam Chair, the City Council.

CHAIR PRO TEM PARDO: Good evening.

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: I'm Lamonica Steven. I am the Customer Service Manager for the Utilities Department. I have with me Kim Lawson. She's the Assistant Manager. Since I'm new to the role -- I am familiar with the policy but I am new to the role. I will defer to Miss Lawson for most of the questions and I'll stand here to serve as support for her. So if there's any question that you'd like to ask at this time, Councilman Davis, we would entertain it.

COUNCILPERSON THOMAS: Thank you. No, I'd just like to know how's the disconnection -- disconnection of service policy, how does that policy work?

UTILITY BILLING MANAGER LAWSON: Kim Lawson, Utility Billing, Assistant Customer Service Manager.

COUNCILPERSON THOMAS: Yes, ma'am.

UTILITY BILLING MANAGER LAWSON: What we do -- two months. We give the -- the tenant two months to pay their bill.

COUNCILPERSON THOMAS: Okay.

UTILITY BILLING MANAGER LAWSON: The second month that they have not in compliance, we turn off the water. And then it leads to, if they -- water is back on again, we will ask to remove the meter or insert a disc. The owner is notified. They get a monthly bill each month, advising them also if their tenant is up to date. That owner can call in if they see that the tenant is not paying also and recommend the services be disconnected. We will issue a 48-hour notification for the tenant, advising them if they do not come in within 48 hours, the service will be disconnected.

COUNCILPERSON THOMAS: Okay. Thank you. I just really wanted to get an understanding of how that correlates with a landlord being left with a bill, stuck to being paid and what -- what do we have in process to prevent them from being stuck? So what you're telling me is that they -- they receive a bill as well. So they have a chance to kind of see what's coming down the line so they can make some provisions to keep themselves from getting stuck in the -- with a heavy bill.

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: Yes. They not only receive a bill, they receive any notice that would serve as a change in the service.

COUNCILPERSON THOMAS: Okay.

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: So they receive that and so they have an opportunity to mitigate any -- mitigate any damages that they would have incurred.

COUNCILPERSON THOMAS: Okay.

COUNCILPERSON THOMAS: It's -- Madam Chair.

CHAIR PRO TEM PARDO: Yes, sir.

COUNCILPERSON THOMAS: Mr. Davis. You know, I -- I -- something you said jogged this to me. First, I would like to know -- 'cause you said this is on the policy. When -- when this was implemented, did we explain this to our many landlords that we have?

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: At the time of inception?

COUNCILPERSON THOMAS: Did they have a notice sent out?

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: Notification, from my understanding, was sent to owners acknowledging that this would be a change.

COUNCILPERSON THOMAS: Okay. See, this -- this is my issue and this is my issue with a lot of these policies that are coming. I understand no one really likes change. I get it. Change is necessary and it's good. I get it. This is for the betterment of the City. I get that. But you just can't implement something and don't make sure that everybody who's going to be affected by it understands. That is the issue that's happening. Now this wasn't workshop, this wasn't done -- you could've had some of them in a think tank; you could've brought this forward and said, How else could we do this? There's many ways to do it. Maybe they get a higher deposit if they're renting. Maybe -- I mean, a lot of different things we could do to make it better forward. It's taking these type of policies -- we have several of them. And I understand that you're new. I understand, you know, how this is going -- this probably was made --

UTILITY CUSTOMER SERVICE DIRECTOR STEVENS: Before (inaudible).

COUNCILPERSON THOMAS: -- probably above your supervision level before you got here. So you're just trying to -- to do this. I guess we will probably need to be talking to the -- to the director or the manager of it. But these type of policies -- and it's not just this one. It was some other things that were done with liens and lien searches and some other things that's causing a lot of problem and dissention. Just because someone looks at other cities and says, Oh, that may be good for us to implement -- it may, but it doesn't mean that you just take it and force it down someone's throat. You know?

At -- at this point, if you're gonna put a hardship on a landlord, which in my opinion is a business owner -- which in my opinion the landlord is usually the owner that has to pay the taxes on the property -- I don't think that they should be connected to if they get a bad tenant or not. Up the -- the -- the -- the -- the deposit. Say, Hey, listen. You gotta pay three, four times the deposit just because of the risk. If the risk is higher, up the deposit, but don't stick the landlords with it. And by all means, don't give the landlords something that we have not explained to them. It -- they should have a license or some type of permit. We should know who's a landlord in our city. We should have a registry of that. So we should be able to pull all those people together, bring them in for a meeting. Make it mandatory. For you to get a license to rent property in our city, you have to go through -- when you -- when you give them that training, they have to go over this so that they know what's happening.

The problem, I feel, is that they don't really understand it. They hadn't had a chance to -- to -- to -- to have their input in it and neither did we. You know, as far as that concern. And we gotta stop doing policies like that, you know? 'Cause now at this point, it's a problem. We gotta find a way to fix this. You know? We just got some bond money based on these procedures. We don't know how much of this we're stuck to now. We don't know how much of -- of this is going on. So we can't make these rules inside of a bubble.

And when you were saying that, you know, Mr. Davis, that really jogged my -- my thought process on this. How many more things inside of this policy, you know, that now our hands are tied because we've already accepted this money and we actually spent some of it just a few minutes ago. So how much of this can we correct? What can we do and how much more inclusive can we be, you know, to the people that -- that are -- that are here? You -- they're gonna get some bad tenants. Not in just Riviera, but anywhere you rent some place, there's gonna be bad tenants. It just is. We hope that they're not but there could've been other ways, other than saying the landlord is responsible for it -- the landlord is responsible for it. I know, you can say, Well, put more responsibility on the landlord. But if we're accepting deposits and we don't accept it from the landlord, we actually accept it from the tenant, then we can raise the -- the -- the price.

I understand it's gonna affect a lot of people. We have Indian Trace and we have all these other people that -- that are renting. We're not just talking about single family or duplexes there. We have some (inaudible) -- you know, we have a lot of renters here. I get it. And that may be a hardship. But let's at least talk about it versus just forcing it down their throat, would be my, you know, opinion on it.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, sir.

COUNCILPERSON THOMAS: A question for clarification. If I remember correctly, this came to us via an ordinance. Was it an ordinance -- it -- oh, our attorney is not here. What about the City Manger, do you know?

CITY MANAGER JONES: Yes. This came as -- the policies, there were two documents that were -- that came through as the ordinances for utilities.

COUNCILPERSON THOMAS: Okay. So how many -- so for each -- for every ordinance, we have two readings; is that correct?

CITY MANAGER JONES: Correct.

COUNCILPERSON THOMAS: So we had two readings on this?

CHAIR PRO TEM PARDO: Yes.

CITY MANAGER JONES: I would have to check but I know for ordinances, we have to have two readings on our side. I need to check and see whether there's two readings on the utility side.

COUNCILPERSON THOMAS: Okay.

CITY MANAGER JONES: But it came as an ordinance.

COUNCILPERSON THOMAS: What I don't want to leave the impression of is that there was no discussion in public about this and there was because I remember it. Now sometimes, some people are not notified or -- or may not have seen the notice. But to give the impression that there was no public discussion is not quite accurate. And it's -- we actually had discussion on the utility side about this. But -- and certainly we can do better with notification. But I -- I got the impression that, you know, it was being suggested there was no notification or there was no public hearing. And I remember discussing this on this dais here.

And -- like, you know, one thing about policy making and ordinances, there is no perfect ordinance. There is no perfect policy and there is always going to be a -- a work in progress. And as we identify issues that need to be addressed, we just address them. I mean, it's not the end of the world that -- I mean, okay, they bring a issue to us. Then we as a Council, we deal with it.

But to suggest that somehow that, you know, when we send it out it's going to be a perfect document and if it's not perfect, you know, the world is about to fall apart, I'm -- I'm not -- you know, we have to be responsible and as a Councilperson I am. But I understand that staff and us, we are not perfect and if the residents identify an issue that we may need to address within the policy, it's our responsibility to do that. And I'm

prepared to do that. But I'm not prepared to say that somehow we forcing it down their throat. I mean, because we had some discussions about this.

CHAIR PRO TEM PARDO: Right.

COUNCILPERSON THOMAS: And, you know, and it is possible that some people were not notified. I mean, we're -- we are not perfect. That -- that -- that's just a reality of being human beings. We're not perfect. Ordinances are not perfect. I mean, so when we identify the problem, let's just address it. Just, Hey, here's the problem that you all may not have considered or you may not have considered the impact of it, so would you go back and reconsider this now? Because this is how it's impacting me, as a landowner, or -- or me as the property owner. So -- and we'll go back and do that. So I'm prepared to go back and address any -- any areas where we might not have adequately considered the impact and within reason, readdress them. I'm prepared to do that.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: All right. All right.

COUNCILPERSON THOMAS: Thank you, Madam Chair.

COUNCILPERSON THOMAS: I -- I know you want get to that, but I --

CHAIR PRO TEM PARDO: Fine, go ahead.

COUNCILPERSON THOMAS: -- I do and --

CHAIR PRO TEM PARDO: And then we'll go to public comments.

COUNCILPERSON THOMAS: -- I don't want to be going back and forth with my colleagues. I'd rather fight for the people than be fighting each other. But I don't appreciate you taking my words and saying what you feel that they may be. I'm here. I can explain myself. I'm not saying that anybody made a mistake. And I have the right, as a Councilperson, to say how I feel about it and how it should be done. A lot of these policies weren't workshopped. Things that affect these people should be workshopped. If you're not paying attention to every single meeting, you don't know whether something that's being discussed is affecting you or not. You don't know how it -- it plays out.

So it doesn't make a difference if we slow down a little bit and say let's make sure that we're being inclusive. I -- I really don't -- I don't appreciate that fact of that. I -- I can say how I feel about something and you can say how you feel about something other than saying that I'm trying to turn it or I'm trying to say something that I'm not. I'm speaking my conscience, how I feel about an item and I would appreciate it, just like I respect the

way you feel, that you leave it like that. You say how you feel about it and I say how I feel about it.

I'm not with this back and forth, fighting each other every time somebody says something. I just want service to be better. I want people to be able to -- to get good governance. That -- that is it. So I'm not going to go back and forth with you again about that. I'm just asking you publicly to respect my comments the same way I respect yours. That's all.

CHAIR PRO TEM PARDO: Okay. Great. Now we're going to comments. All right. We have Reverend Burrs.

REVEREND WILLIAM BURRS: Madam Chair, Reverend Burrs.

CHAIR PRO TEM PARDO: Good evening again.

REVEREND WILLIAM BURRS: Councilman Thomas is dead right. This is being forced down our throat. It is. Because I did not -- I want you to understand, I didn't recruit them guys; they recruited me. I didn't know about this until I had a tenant to come over to -- trying to get the water on. They told me out of my name and their name, they said they will not sign it until I come over and fill this out (inaudible) -- fill out this here paper here and give them my Social Security number. That's totally illegal. They said they will not turn that water on -- or out of my name, in their name, until I give them my Social Security number right downstairs. If you don't believe me, I'll take you all down there and -- and show you in -- in -- in their face and tell them they said that to me. And these gentlemen here as well.

Now here this -- this -- this document is simply saying that the -- the landlord is totally responsible for the water if the tenant don't pay it. Mr. Thomas right. If it's too low, up the water rates. Now I feel that as -- as we should sit down and you all could tell the City Manager. We have some input. We got some ideas. We ain't stupid and dumb. Sit down with us and we could give you some ideas how to resolve this problem without putting all this burden on the landlord. This saying -- and this -- and this document is saying that they are -- that the -- you -- that the landlord, if the -- if the tenant -- if you sign this, the tenant could come and ask for an extension on their water bill and the landlord have to pay it if they don't pay it. This is what this document is saying.

I'm the one made the copy to give them to y'all. And I told these gentlemen now out here -- I told these gentlemen (inaudible) y'all had not seen this. I said, I guarantee you the Councilperson had not seen this and apparently y'all has not. And the staff is forcing this -- it is a force down our throat -- throat because there's a gentleman right here, one of them now, the water is -- and -- and one of the tenants is running the water bill up and he gonna have to pay it. It -- and if you don't pay it, this is saying that the next tenant wanna come there, cannot get there unless he pay the bill that the last

tenant left. That's totally ridiculous. That is being forced down our throat. So we're asking y'all, please, to consider and stop this now 'cause we got tenants who wants to get water on and out of our name and their name, they can't do it as of right now. This need to be done tomorrow.

My tenant came over here the other day and he said they were not going to change until I give them my Social Security number. Tell y'all staff down there to stop this tonight and then we work this out. Because it might take y'all another two or three months to work this out. And the water bill still going on the -- in the -- in the -- in the landlord's name. That's totally ridiculous and this is forcing it down the tenant's -- down the landlord throat. Thank you.

CHAIR PRO TEM PARDO: Bonnie Larson.

BONNIE LARSON: Pass.

CHAIR PRO TEM PARDO: Oliver Green.

OLIVER GREEN: Councilmen, my name is Oliver Green.

CHAIR PRO TEM PARDO: Good evening, sir.

MAYOR MASTERS: Good evening.

OLIVER GREEN: I'm -- I'm a landlord and property owner. I have experienced that this document, or this application, does not effectively work. I presently have a tenant. We signed this agreement and -- and it basically says as it was explained that it's a -- an application that you will be responsible for the utilities, water, sewer and so forth. It was explained to the tenant. I signed it, put everything on the document that was supposed to and asked the tenant to bring it to the City of -- the City Water Department.

Lo and behold, the tenant did not bring it to the -- the Water Department. So who does that responsibility comes to? Me. Which means I gotta pay for the services that he's getting. Didn't pay a deposit, but the water's still running because before the tenant got there it was -- the water was on in my name. So it -- it continued -- the -- the -- the meter kept ticking with my responsibility on the line. And as of today -- and this happened back in April -- as of today, the tenant still hasn't -- and I come to sign or to bring this document -- I just happened to have a copy of it, that he did sign it. So this is what I'm saying, is that this document and the provisions that this application stands for, it needs to go back to the drawing board and put some teeth in it and -- and everybody needs to be responsible for the services that the City is providing for them.

If you make a bill, you pay the bill. If a tenant -- if a owner needs to clean up the place for another tenant, well, it's on the property owner and vice versa. If the -- if the landlord asks the tenant to do something for the best interest of safety, living conditions, such as

water, gas and light, well, then they are supposed to take care of it and do it. That's all we're saying. Not being forced down the throats of the landlord to pick up the -- the slack. Thank you for your indulgence.

CHAIR PRO TEM PARDO: All right. Thank you very much for coming tonight, sir. Henry Taylor.

HENRY TAYLOR: Good evening.

CHAIR PRO TEM PARDO: Good evening, sir.

HENRY TAYLOR: I'm Henry Taylor, property owner, landlord. This agreement has been forced down our throat as landlords and if you are sitting there and you have read this thing, you will agree with me. I think that -- the first question I need to ask, did the City Attorney read this agreement? Did she approve it? City Attorney, do you got a copy of this? Did you read this?

CHAIR PRO TEM PARDO: Just go on with your comments, sir.

HENRY TAYLOR: Okay. Well, this is under discussion. And you got the -- the time running. This is a discussion. Now I asked a question. All right. You are asking the landlord to be your eyes and ears and everything with this. You are asking the landlord to be responsible. The contract is with -- between the City Water Department and the tenant. They pay a deposit, they should be the one to be responsible for their bill, not me. This is not the correct way to go. I think that this agreement is unconstitutional. You're making us responsible as landlords for the water bill that a tenant might run up. You're telling the tenant, You can use as much water as you want to. You don't have to pay the bill 'cause you can leave and the landlord is gonna have to pay it.

This is not right. You having us to sign a paper and want us to put our Social Security number and everything on this paper which is wrong. I think that you need to stop this right now and have somebody take a look at it. If not, we are gonna be prepared to go to court and get an injunction against you on this. This is not right. You're telling us that we have the right to tell you if a tenant is delinquent, that you can let them go on and use the water. That makes us responsible. This piece of paper is unconstitutional and your attorney should be able to tell you. A first-year law student would tell you that this is wrong. Thank you.

CHAIR PRO TEM PARDO: Thank you, sir. Edward Vickers.

EDWARD VICKERS: Good evening --

CHAIR PRO TEM PARDO: Good evening, sir.

EDWARD VICKERS: -- to the Mayor and the City Council.

MAYOR MASTERS: Good evening.

EDWARD VICKERS: I'm not used to getting in front of you guys but I am a landowner and land -- and I rent a couple of properties here.

CHAIR PRO TEM PARDO: Excuse me, sir. Can you just state your name for the record, please?

EDWARD VICKERS: My name is Edward Vickers.

CHAIR PRO TEM PARDO: Thank you.

EDWARD VICKERS: Okay? When I got -- when I came in knowledge of this situation it was the first of November, just the past month. 'Cause usually I have -- my rent is pretty average and pretty decent and so I keep tenants. So when this other tenant moved out and the new one moved in, I let her move in the last of October free and then -- then she could start paying for November. That's how nice I am. And when she came here to pay her deposit, she called me and said they wouldn't let her turn the water on. I'm like, "What's going on here?" So she says, "You got to come down here."

When I came down here and I saw this application, wanted my Social Security and everything -- now this tenant has already paid all her money and moved into my place. She's been there already a week and had no water running. So when she came to pay the money -- this money, she was not allowed to cut the water on. They would not cut it on unless I come in and sign this paper saying that I agree with this here, this -- and I told her I'm not gonna sign it. When I told her I was not going to sign this, the person just told me and said, "Then the water will not be cut on."

So I was forced to cut that water on so that my tenant can -- to bathe and clean her kids and everything else. And I think it's an -- an infringement of my rights -- not only my rights, but it's an infringement on my tenant's rights. Because my tenant -- they send me a water bill. They send them the same water bill. That is an -- an invasion of their privacy. I ain't got no business knowing what -- what bills they pay. That -- that -- that means now Florida Power & Light can come here and do the same thing. They tell me, Well, that's your place. But them people sign a contract, a lease. That means they are in charge of that property as long as they're within that lease. And for you all to come here and make me responsible for their bill is -- is unthinkable. And I can't understand how you all could do that.

CHAIR PRO TEM PARDO: All right. Thank you, sir.

EDWARD VICKERS: This is supposed to be a government of the people, for the people, by the people. No. That's Gestapo, man.

CHAIR PRO TEM PARDO: All right. Miss Ryan, would you like to address --

CITY ATTORNEY RYAN: Sure.

CHAIR PRO TEM PARDO: -- this?

CITY ATTORNEY RYAN: Let me be clear, I'm not going to speak on how the Utility Billing is processing this information. I have no knowledge of that. But I will tell you that under the law -- and there was a recent case -- I think it's about two years old that we reviewed that said you can hold the owners of the property responsible for these tenant bills. You can make them sign an agreement where they will -- they are ultimately responsible. It is my understanding that this is something that West Palm Beach does and other municipalities do it as well.

I -- I cannot speak for Mr. Sherman because -- and he's not here. But the policy that we adopted was, I believe, based upon what West Palm Beach adopted. This was something that --

UNIDENTIFIED SPEAKER: West Palm Beach (inaudible).

CITY ATTORNEY RYAN: They do.

CHAIR PRO TEM PARDO: All right. Sir, please.

MAYOR MASTERS: They don't.

CITY ATTORNEY RYAN: And -- but as I said, I'm not gonna -- I -- I can't speak for Mr. Sherman. All I can tell you is that the law does allow you to do that. I'm not gonna get into whether or not they should be sending you the bills. I don't -- I don't -- I have no knowledge of that. But this is, you know, when the City Council, as the Utility District, adopted the policy, I think you were made aware that this was going to be one of those moves that we were making, holding the property owner responsible. The City of Riviera Beach has never done that in the past. There are growing pains. Of course, the City does not have to do it. You don't have to do it.

But in terms of it being a legal process, it is legal. We have provided the case law. We've had other attorneys and other people call our office about it and we have provided them with the case. I don't know it off the top of my head, otherwise I would tell you right now. So the issue is not whether or not the City can legally do it, it's whether or not the City wants to do it. And, you know, even if the City does it, I'm not sure about some of the practices you all have discussed. We certainly can talk about making those -- some changes in that if this is something the City wanted to continue to do.

MAYOR MASTERS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, Mayor.

MAYOR MASTERS: Thank you. A couple things. I -- I've always had -- to be very honest, I -- I've always had concern about this policy for some of the same reasons that the citizens or the landlords have reiterated tonight. I never think it is right, morally right, to make someone else pay for something that they're not responsible for. I've looked at the -- the law that Attorney Ryan stated. I've also had conversation with the water company in West Palm Beach. And I think, at the end of the day, you cannot legally -- I don't think you can not turn somebody's water on be -- because someone else owes the bill, the new tenant moves in. Now West --

CITY ATTORNEY RYAN: I didn't -- I didn't state that.

MAYOR MASTERS: No. I didn't say -- I didn't say you did.

CITY ATTORNEY RYAN: Okay.

MAYOR MASTERS: I didn't say you did. I think that's -- that is a situation that needs to be addressed as well. Now let me share with you my personal experience in West Palm Beach with the situation where -- of a homeowner. Person had moved out of -- of a home owing a water bill. Another person, a -- a tenant -- a renter -- wanted to move in. That new person just had to bring a copy of the lease or the rental agreement stating that it was a tenant and who the owner was and, you know, that -- that type of thing. And at that point, a deposit could be required, would be determined. And that's based on the tenant's credit and a couple other things. But the water would be turned on and the tenant could move in. That's how I have personally experienced it in West Palm Beach myself.

Now having said that, I think that the prudent -- I -- I do agree that this is a policy that -- and I want to thank Councilman Terence Davis for bringing it up for discussion. I think it is a policy that we need to look at and re-look at to see -- and many times, the law may say one thing, but then we need to look at it to see is it fair, is it right, has it been challenged, is this something that we want to do as a City?

Now FPL, same situation, different scenario. What they do if a new tenant moves in, they look at the last two months of what the previous bill were and then they calculate that as a deposit for the new person to move in. But they cannot and will not refuse to turn the power on because there's a bill owned by somebody else from the past. So I think that we -- we -- we would be on good ground, especially moral ground and principle, if we re-look at that policy and see if it can be -- as the -- as the lawyer says, we don't have to do it if we don't want to do it. And I don't want to do it. Thank you very much.

COUNCILPERSON THOMAS: Madam Chair.

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

COUNCILPERSON THOMAS: Mr. Lamonica or Miss Lawson, whichever one, what happens with the residents, like, in the old Wedgewood or Sonoma Bay or Indian Trace or -- what happens with -- with those that have a large amount of -- of rentals. What we do in that case?

UTILITY BILLING MANAGER LAWSON: Thanks for asking that question. There are master meters. So therefore, we do not charge their tenants. The owner pays the bill and provides the deposit.

COUNCILPERSON THOMAS: So anybody that has a -- a large area like that, the -- the -- the -- the tenant doesn't pay the water bill, the -- the person who owns it. So in Indian Trace, they don't get individual water bills and in the old Wedgewood, they don't get individual water bills and in Sonoma Bay, they don't get individual water bills.

UTILITY BILLING MANAGER LAWSON: Sonoma Bay does.

COUNCILPERSON THOMAS: Okay. But --

UTILITY BILLING MANAGER LAWSON: We have portions of Marsh Harbor do not because they have eight or more units, master meter.

COUNCILPERSON THOMAS: Okay. So how do we handle the ones that do? What -- the ones that do get a bill, how do we handle it for that? Because I can't -- I can't see them coming to turn on their water and we refusing to allow them to turn on their water.

UTILITY BILLING MANAGER LAWSON: We do not refuse a tenant from turning on water if there is an outstanding bill other than the owner. If a previous tenant leaves a bill, we look at the lease and verify the dates according to the last tenant and we do allow them to turn the water on.

COUNCILPERSON THOMAS: Okay. Well, I mean, you sat here and heard the same thing I heard from the last speaker that -- that it was -- that his -- the tenant that was going to move in, if he didn't come and sign this form, that -- that he was told that the water wasn't gonna be on. He came down and then he said he -- he refused -- represented by -- by the gentleman that just spoke -- he said he refused to sign it and someone told him that the water wasn't going to be turned on. Is that the policy that we have adopted and that we're handling?

UTILITY BILLING MANAGER LAWSON: Under our new ordinance, yes, under the new ordinance.

COUNCILPERSON THOMAS: Okay. But I -- I -- make let me make sure I understand this correctly. I thought I just heard you say that if it's a bill there, that the water can be still be turned on.

UTILITY BILLING MANAGER LAWSON: If that's from a tenant. If the owner -- if the tenant -- before we adopted the ordinance, if the tenant has a bill, yes, the new tenant can turn it on because it wasn't a third party involved. Once the third party is involved, yes, the owner must pay that bill before we can turn it on. So a lot of them --

COUNCILPERSON THOMAS: Okay.

UTILITY BILLING MANAGER LAWSON: -- we have not conversed into third party. We are starting to --

COUNCILPERSON THOMAS: May -- maybe -- maybe I'm not understanding third party. I -- I just want you to speak very slow 'cause I'm not getting it. If they have a bill there, they can turn -- you can turn the water on, but you won't turn it on if the landlord doesn't pay the previous tenant's bill.

UTILITY BILLING MANAGER LAWSON: If it's a third party. If they have signed that commitment --

COUNCILPERSON THOMAS: What does third party mean? What does third party mean?

UTILITY BILLING MANAGER LAWSON: Third -- third party billing where we bill the tenant -- the City bills the tenant and the owner. That's considered third party. You sign the tenant agreement form and that allows your tenant to turn on water. Previously, the tenant said his tenant never came in. So we wouldn't know how to go out and search for his tenant. If his tenant doesn't come in, and the owner is still receiving that bill, we don't know who his tenant is. Unless a tenant comes in, then, yes, we can advise the tenant what is needed.

COUNCILPERSON THOMAS: So a bill can be accumulating and the tenant actually never comes in?

UTILITY BILLING MANAGER LAWSON: That is true. We charge standby charges every month. And if the owner has turned the water on in their name --

COUNCILPERSON THOMAS: Uh-huh.

UTILITY BILLING MANAGER LAWSON: -- and they have not called in to turn it off, yes, their tenant can accumulate a bill.

COUNCILPERSON THOMAS: Okay. I'm not --

UTILITY BILLING MANAGER LAWSON: And, no, they won't come in if the --

COUNCILPERSON THOMAS: Yeah. I'm not so much worried about that --

UTILITY BILLING MANAGER LAWSON: Okay.

COUNCILPERSON THOMAS: -- 'cause all the landlord has to do is call in or come in and say, Hey, look, I've rented the place. Please take it out of my name. I got that.

UTILITY BILLING MANAGER LAWSON: We will not take it out unless a tenant comes in.

COUNCILPERSON THOMAS: Say that again now.

UTILITY BILLING MANAGER LAWSON: We will not take the bill --

COUNCILPERSON THOMAS: Right. I understand.

UTILITY BILLING MANAGER LAWSON: -- out of the owner's name --

COUNCILPERSON THOMAS: I understand.

UTILITY BILLING MANAGER LAWSON: -- until the tenant comes in.

COUNCILPERSON THOMAS: 'Cause somebody has to be responsible for that. I -- I get that part.

UTILITY BILLING MANAGER LAWSON: All right.

COUNCILPERSON THOMAS: My -- my part is, at what point does -- so, hypothetically speaking, landlord gets a -- a tenant. They have to evict the tenant, you know, for whatever. Usually, they're gonna get first, last and security so they're gonna be fine. I - I get that part. They evict the tenant, but a bill is withstanding. Okay. So we're saying as a City, Hey, look, we need to get that money that's owed to us. I understand that. My problem would be the person that's coming in new to rent that particular unit can't get their water turned on because of something that happened before them that they have no control over. Are you representing to us saying that, Well, we want to hold the landlord totally responsible for the actions of their tenant?

UTILITY BILLING MANAGER LAWSON: Only if they have signed the agreement, tenant agreement. That's the only time we can hold the owner responsible, if he has signed that agreement.

COUNCILPERSON THOMAS: This agreement here, this --

UTILITY BILLING MANAGER LAWSON: Yes.

COUNCILPERSON THOMAS: -- this agreement here?

UTILITY BILLING MANAGER LAWSON: Yes.

CITY ATTORNEY RYAN: But we won't let them turn it on if they don't sign it, right?

UTILITY BILLING MANAGER LAWSON: That's correct.

CITY ATTORNEY RYAN: Right.

UTILITY BILLING MANAGER LAWSON: But if they have a previous tenant --

CITY ATTORNEY RYAN: Right.

UTILITY BILLING MANAGER LAWSON: -- that they -- that previous tenant, the owner did not sign --

CITY ATTORNEY RYAN: Right. For the older one.

UTILITY BILLING MANAGER LAWSON: -- the -- the old.

CITY ATTORNEY RYAN: Right.

UTILITY BILLING MANAGER LAWSON: So we do not hold the owner responsible.

COUNCILPERSON THOMAS: So you're saying if they're grandfathered in, they're fine.

UTILITY BILLING MANAGER LAWSON: Right.

COUNCILPERSON THOMAS: But any new tenants --

UTILITY BILLING MANAGER LAWSON: Exactly.

COUNCILPERSON THOMAS: -- from here on out has to --

UTILITY BILLING MANAGER LAWSON: Exactly.

COUNCILPERSON THOMAS: -- abide by this.

UTILITY BILLING MANAGER LAWSON: That's correct.

COUNCILPERSON THOMAS: Okay. Let me ask you a question. Have we looked at any other way to try to fix the problem that we're having or is this the only thing that we looked at because Mr. Sherman happened to have come from West Palm Beach and maybe he was familiar with this?

UTILITY BILLING MANAGER LAWSON: This all originated from the County. The County has this policy.

CITY ATTORNEY RYAN: I apologize. I gotta go.

COUNCILPERSON THOMAS: Okay. The -- the County has this policy.

UTILITY BILLING MANAGER LAWSON: Yes.

COUNCILPERSON THOMAS: Okay. But did we look at what it would -- you know, how would it affect us or did we just say the County has this policy and we're just taking this policy?

UTILITY BILLING MANAGER LAWSON: Yes, we did look at how it will affect the owners and our tenants. A lot of times, we get leases the owner know nothing about. They have no idea that someone have generated a lease, altered the lease. So this helps let -- and it let's us know who should be residing at that location. Because the owner have to sign that agreement.

COUNCILPERSON THOMAS: Okay. I -- what I think that we should do, we need to revisit it.

CHAIR PRO TEM PARDO: Right.

COUNCILPERSON THOMAS: We need to revisit it. We need to -- to look into it and we need to make sure -- now I'm not -- I'm not saying whatever we revisit is gonna satisfy the owners or the tenants or whatever. But we do need to look at it and make sure that we -- we're doing it the best way that we possibly can. We can't be left holding the bill. We can't give away free water, neither do they want us to give away free water 'cause that's left on the taxpayers to eat that bill. I -- I get it. But I do wanna make sure that we're looking at it in the totality of circumstances and saying that we can come up with a better way other than just saying, okay, now.

'Cause most people might not know that they're grandfathered in till -- you know, unless they have a new tenant comes in. I -- I want to make sure that the correspondence is going there and I get it. We -- we have a lot of stuff going on, definitely, in our water department and we can't just look at this stuff. But when it comes to our attention, you know, we got to.

CHAIR PRO TEM PARDO: Okay. So what I would suggest is, Miss Jones, that you put this on the Utility District agenda and make sure that Mr. Sherman is here that night since he was a big part of crafting -- crafting the policy, the -- you know, the term sheet here, or the -- the water agreement, the whole bit.

CITY MANAGER JONES: Madam Chair --

CHAIR PRO TEM PARDO: Go ahead.

CITY MANAGER JONES: -- if I may make a suggestion and that is that we hold a special utility. Thirty minutes is not going to give you enough time.

CHAIR PRO TEM PARDO: I agree.

CITY MANAGER JONES: So if we can find a date for a special utility meeting in early January so that this is the only topic that's on the agenda.

CHAIR PRO TEM PARDO: That's fine.

CITY MANAGER JONES: Okay.

CHAIR PRO TEM PARDO: But please make sure that Mr. Sherman will be available at that meeting along with (inaudible).

CITY MANAGER JONES: Will do.

COUNCILPERSON THOMAS: Madam -- Madam Chair, but in the interim, what are we gonna do about this? Are we gonna just let this continue to go this way or what are we gonna do in the interim?

CHAIR PRO TEM PARDO: Well -- well, I would say this was a discussion item.

COUNCILPERSON THOMAS: Uh-huh.

CHAIR PRO TEM PARDO: It wasn't on the agenda to take any action.

COUNCILPERSON THOMAS: Uh-huh.

CHAIR PRO TEM PARDO: And at this point, we're talking two weeks? All right. How long?

COUNCILPERSON THOMAS: Yeah. (Inaudible).

CITY MANAGER JONES: Maybe three.

CHAIR PRO TEM PARDO: You know -- fine. Next week --

CITY MANAGER JONES: 'Cause you figure next week is Christmas.

CHAIR PRO TEM PARDO: -- is Christmas. The following week is New Year's.

CITY MANAGER JONES: You have to -- then New Year's.

CHAIR PRO TEM PARDO: So we could --

CITY MANAGER JONES: So that following week.

CHAIR PRO TEM PARDO: -- try to do it, you know, what is it, the week of the 5th?

CITY MANAGER JONES: Yes.

CHAIR PRO TEM PARDO: Okay. All right. Okay. Staff, thank you all for your help on this. Okay. Discussion by -- oh, wait. Hold on a second. Where are we? No, no, no, no, no. No. Okay. We're going to do Community Benefits, 17A. Southeast Florida Public Market Fair Association, \$2,000, Councilman --

COUNCILPERSON THOMAS: Move -- move approval.

CHAIR PRO TEM PARDO: Second?

COUNCILPERSON THOMAS: Second.

CHAIR PRO TEM PARDO: All right. Properly moved and second. Madam Clerk?

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you. 17B, Riviera Beach Human Resources Department, \$1,500, Chairwoman Judy Davis, to defer -- defray costs of the 2015 Dr. Martin Luther King celebration. Is there a -- a motion?

COUNCILPERSON THOMAS: Motion -- I move.

COUNCILPERSON THOMAS: Second.

MAYOR MASTERS: I have a question.

CHAIR PRO TEM PARDO: Properly moved and second. Madam Clerk?

COUNCILPERSON THOMAS: Question.

CHAIR PRO TEM PARDO: Sir?

COUNCILPERSON THOMAS: Mr. Mayor.

MAYOR MASTERS: Yeah. I had a question on that.

CHAIR PRO TEM PARDO: Go ahead.

MAYOR MASTERS: To -- to the manager. It's within our City budget. We -- we budgeted X amount of funds for the MLK festivities. We do that every year, don't we?

CITY MANAGER JONES: There is an allocation in the budget for MLK which is never enough.

MAYOR MASTERS: Okay. But it does include the -- the luncheon and the -- all activities but it may not never be enough. Nothing is probably never enough, you know, but -- but there -- there is money that's been allocated for all of these festivities.

CITY MANAGER JONES: Yeah. We allocate approximately -- about 19,000. Your program generally costs you anywhere from 25 to 26,000.

MAYOR MASTERS: Okay. Thank you.

COUNCILPERSON THOMAS: Madam -- Madam Chair?

CHAIR PRO TEM PARDO: Yes, sir.

COUNCILPERSON THOMAS: I don't really -- whatever a Councilperson wants to, you know, do with their funding, I -- I really don't ever have an issue with that and I don't have an issue with that tonight. But for programs like that, I mean, why are we underfunding it? Why don't we fund it at the level that it's needed so that the -- so that the Councilpeople can continue to put their money out in the community? Well, like I said, I don't have any issue with any Councilperson, 'cause I've done it; I know Mr. Davis did it last year. It's not out of the norm and I'm perfectly fine with it. But why aren't we funding these programs -- especially, that's like the -- the only real community festivity that we do. Why are we underfunding it?

MAYOR MASTERS: That's my -- kind of my concern, too.

COUNCILPERSON THOMAS: Councilman Thomas. I don't -- a lot of these programs with the MLK committee, we -- what is happening, when they start coordinating different events, some of the different speakers, some of the different entertainment, you only can budget for what you think you may do. So when those discussions are happening in those meetings, someone may cost you maybe an extra \$2,000, extra \$3,000, that will push your budget up a bit. So it's --

COUNCILPERSON THOMAS: Well, if we -- if we --

CITY MANAGER JONES: As well as --

COUNCILPERSON THOMAS: -- fund it properly, they have to stay within the budget. We can't afford that speaker, we can't get that speaker. But we should -- we -- we should make sure -- that's the only real community --

COUNCILPERSON THOMAS: I hear what you're saying.

COUNCILPERSON THOMAS: -- event that we do so fund it adequately and, you know, I mean, if you -- if you go --

COUNCILPERSON THOMAS: Stay within --

COUNCILPERSON THOMAS: -- you -- you gotta stay within the budget. That's what it is, you know, a budget. I mean, it's fine --

COUNCILPERSON THOMAS: That's what we do, right?

COUNCILPERSON THOMAS: -- if somebody wanna throw -- throw in, you know, their -- their -- their Community Benefits fund which is fine, but I do think that we ought to -- we -- that's the only event that we do. We -- we really should fund it adequately.

CITY MANAGER JONES: And we will continue to try to move that budget up. Our resources are getting better and we'll have a greater opportunity to do that.

COUNCILPERSON THOMAS: Yes, ma'am.

CHAIR PRO TEM PARDO: Okay. So there was a motion and a second. Madam Clerk?

INTERIM CITY CLERK ANTHONY: Councilperson Guyton?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

INTERIM CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

INTERIM CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM PARDO: Okay. Thank you. Discussion by City Manager, Miss Jones.

DISCUSSION BY CITY MANAGER:

CITY MANAGER JONES: Thank you, Madam Chair and members of Council. Two items tonight and I'm going to ask Sean Pittman, our State lobbyist, to also come up and assist me where I might leave something out.

The first thing I would like to talk about is the -- this -- on Monday, you will recall that last week sometimes, you received from Mr. Pittman, the official bill that has been drafted and -- by the Port as it relates to their Charter. There are a couple of strikeouts in that bill from last year. Staff got it from Mr. Pittman last Wednesday I -- Wednesday from -- that he received it officially. We worked over the weekend to evaluate that particular document. You received on Sunday evening, I believe, my letter to the Port Executive Director as it relates to our concerns.

I just want the residents to know that we are not fighting the Port. Ninety-nine percent of that bill, we have no problem with. There are, however, two articles that we feel as though begin to trample on home rule as it relates to site plan reviews and some of those areas. I confirmed with Miss McKinney that the School Board is a separate taxing district. However, they let -- they bring out their site plans to be approved.

The Port sits between a \$1.3 billion renovation of FPL and, potentially, a \$355 million renovation at the Marina. And we need to make sure that all of this is in concert. And the only way you do that is that if they're going to build a new building, you get to approve the site plan. That's not trying to control the Port's business. That's trying to work with your colleague to make sure that everyone is planning appropriately for the area.

We do not do the -- as far as the inspections, there is already a provision in State law -- and Miss McKinney and Mr. Pittman, correct me if I'm wrong -- that allows them, as it relates to inspectors, to be able to hire in for specialties to do that. So we're not trying to tie their hands. One of the suggestions that came at the end of the meeting on Monday was that the elected bodies, including the Port, the Town of Palm Beach, and the City of Riviera Beach, that the elected bodies get together and talk about this issue. What I would like to know is whether that is the sentiment of Council. If it is, I will work with the Executive Director of the Port as well as with the Town Manager for Palm Beach and try to find a place and a time to set up to try to do that.

CHAIR PRO TEM PARDO: Perfect.

COUNCILPERSON THOMAS: I'm okay with it.

CITY MANAGER JONES: And we have to do it fairly quickly because the delegation meets again January the 9th out in Belle Glade.

CHAIR PRO TEM PARDO: Okay.

COUNCILPERSON THOMAS: As long as it's not -- and I think we all -- or most of us got served a subpoena today. So as long as it's December the 29th I'm -- I'm okay.

CHAIR PRO TEM PARDO: What time is yours?

COUNCILPERSON THOMAS: I don't know. 1:00 or something like that. 1:30.

CITY MANAGER JONES: Anything else, Mr. Pittman or Miss McKinney, as it relates to our observations?

SEAN PITTMAN: No. I -- Madam Chair, Council, Miss Attorney. No. I -- I think you covered it all. I -- I do want to say that -- that your staff really responded very quickly to this. And without them responding very quickly, that vote on Monday might -- might have been a little different. And I will say that -- that there was some sentiment from the Port and the other side that we, as Riviera Beach, we -- they heard from us at the eleventh hour. I will tell you that -- don't let them say that. That is absolutely not true. What -- what did happen is they heard from us when they filed it officially and when -- when the official bill was read, which was a little different from the first bill we saw earlier, we responded.

And I think, to preserve our relationships with the legislators that are involved, we're working on that already. I also talked to Pro Tem Pardo in -- in detail about one of the members that I think she can go a long way to make sure that we preserve those relationships. Because, you know, we got work to do and -- and we need our delegation to support our efforts. So I think that it's important for the electors to get together so that we -- we -- they understand our position and that our position is not unruly; it's not inappropriate. It is what has to be done in order to -- to -- to act out your goals, especially with some of the significant things that are about to happen in the -- in that area.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, sir.

COUNCILPERSON THOMAS: I want to thank our lobbyist for giving us a heads up when you discovered the bill and that it had been officially filed. Really appreciate it. A -- a humongous kudo to Mary McKinney and her department that set down and went

through this bill and identified pertinent issues that we need to be aware of . So thank you, thank you, Miss McKinney and we appreciate all that you do.

SEAN PITTMAN: Thank you, sir.

CITY MANAGER JONES: Lastly, you have before you the draft legislative priorities for the 2015 session. Department heads were asked to give appropriations requests that they felt were beneficial to the City. We met with most of you on what you wanted to try to do and what you thought was appropriate, either for the City at large or for your respective district. And I keep saying draft because this is a draft. And once we have began to set priorities, I am asking you to look at the appropriations request, all of those that have dollars attached, and if you could give me -- I asked for your number one priority, but I'm gonna ask you to give me 1, 2, 3. So that we know how to put them together, how Mr. Pittman can then begin to start working the respective committees. And you will be ready when you go up for Palm Beach County days to have the appropriate appointments to talk about those 1, 2, 3 priorities, realizing that you may also have other requests.

Definitely the first page under Public Works are infrastructure projects. We have began to work on our infrastructure. You -- we have limited dollars available that don't even touch our need for what we have for this City as it relates to streets and drainage and flooding and all of that. So those items are on here. In the area of Community Development, we've got beach re-nourishment as an issue that we think is important; sober homes is something that is no dollars tied to it but we will continue to support the Florida League and the Palm Beach County League as it relates to those initiatives. The library, we're looking for a construction grant, \$500,000, in order to start thinking about a site and designing a new library.

Also, other areas of the library where there are some concerns; there are no dollars tied to some of these but the police have something that we'll probably be working as -- with the Florida League of Cities as it relates to automated license plate recognition systems. We are currently not permitted to put these on FDOT poles. So as safe as we would like to have our license plate readers, we cannot put them on a FDOT pole or anywhere in their intersections with the poles. So we're trying to hear some legislation in order to get FDOT to reconsider that.

CHAIR PRO TEM PARDO: And can I just make a comment? There was something, I think, on the news either this -- it was -- it was last night, like, the 11:00 news. They were talking about other cities here in Palm Beach County, that they are going to begin putting those license plate readers along A1A heading south. So I think it was Manalapan, Ocean Ridge, Delray Beach, all the way down. I know for a fact Delray Beach was one of them. And, you know, we all know A1A is a State road. So, yeah, that's great. We're not the only ones.

CITY MANAGER JONES: Right. 'Cause we received a letter telling us to remove all of ours.

CHAIR PRO TEM PARDO: Correct. Right.

CITY MANAGER JONES: And I'm hoping --

CHAIR PRO TEM PARDO: And I know --

CITY MANAGER JONES: -- it's not just in Riviera Beach that they asked us to remove them.

CHAIR PRO TEM PARDO: No. And Hagar, we did speak with Representative Hager and he spoke with FDOT about it and I know the Town of Palm Beach, their police chief also spoke with FDOT and the -- he's been speaking to our chief about it also. So --

CITY MANAGER JONES: Okay.

CHAIR PRO TEM PARDO: -- I think they may back off on that.

COUNCILPERSON THOMAS: Madam Chair.

CITY MANAGER JONES: Hopefully.

CHAIR PRO TEM PARDO: It's not -- yeah.

COUNCILPERSON THOMAS: But isn't these -- aren't the license plate readers wireless?

CITY MANAGER JONES: But you have to mount them to something.

COUNCILPERSON THOMAS: But they're wireless, right?

CITY MANAGER JONES: Yeah. I believe they are --

COUNCILPERSON THOMAS: We just went over this a minute ago about it's a law that's going to mandate that we have to allow somebody to put wireless stuff in the right-of-way. But now that we need to do something, it's an issue. So if they can fight us about it, then I definitely think we need to look into that as well.

CITY MANAGER JONES: Yep.

COUNCILPERSON THOMAS: I mean, we just went over that tonight.

CITY MANAGER JONES: Okay. Good. Yeah. We -- it was very appropriate.

COUNCILPERSON THOMAS: I'm just saying.

CITY MANAGER JONES: The police have a couple of other items as it relates to any unfunded mandates as -- like, the body-worn cameras. Now if you're gonna have us do them, give us the money to do some of this and make sure the appropriate legislation is in place. So, Mr. Pittman, do you have any other comments? This is, like I said, the draft. I would like for you to go over it. If there are some things that you would like to have more information about, in my office, Troy Perry is at the point of this particular project. Get with Troy; get with me; call Mr. Pittman. Any of us will try to assist you with the information that you need so that we can set our priorities so Mr. Pittman can get busy and we'll be able and be set when you all go up for Palm Beach County days. Go ahead.

SEAN PITTMAN: Madam Chair.

CHAIR PRO TEM PARDO: Yes, sir.

SEAN PITTMAN: First of all, I -- I -- I do want to thank the Manager, Assistant Manager and your staff for putting together a road map. This is early in the process and you gotta know, Mr. Mayor, how important it is for us to -- to be able to start the process already knowing what your interests are. So that is -- that -- that helps us tremendously. And -- and I think there are some great issues here. I think the appropriations stuff is ambitious but that's what we need to be doing. We need to be going for exactly what we need so that we -- we set the tone as we go year after year.

I think in the last four years, we've done a great job in making sure that -- that Riviera Beach is talked about a lot. Well, let's go from talking to real action. The last four years we've been able to bring resources back where other cities didn't have the luxury. But times have changed; the State's in the black again. That doesn't make it easier. It actually makes it harder because now everybody knows that there's money to be given. But we have great -- a great delegation. We have great folks working with --with us up in Tallahassee to make sure that we have an opportunity to -- to -- to achieve some of these goals.

I appreciate the -- the stance on some of the substantive issues that will -- will come into play. So I don't have to call. I already know where you are. So that's helpful as well. And I thank you. You approved our contract tonight, giving us a couple more years' opportunity with -- to serve you in Tallahassee. Can't thank you enough for that. You know, this is home for me, so the reason I'm still here right now and driving back to Tallahassee, because it is home. If it was somewhere else, I'd have been gone a long time ago. But I'm still here because on the way back, it gives me pride to know that you all are entrusting in me to -- to -- to make sure that home is taken care of. And thank you for the vote of confidence. We have worked for a while under the same scenario. We're fine. We appreciate the vote of confidence and it'll drive us to just to continue to

work hard. So Madam Manager, thank you and your staff for this road map. It -- it is very helpful. And Madam Chair, thank you for the time.

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

CITY MANAGER JONES: One last thing, just a reminder that tomorrow at 3:00 over on 13th Street at -- in the lot -- in the lot right next to -- or is it Baron Signs? There will be a dedication of the -- the 13th Street area and we encouraged all the residents, as well as all of our elected officials, to attend. 3:00. That ends my --

CHAIR PRO TEM PARDO: Okay. Thank you. Legal?

LEGAL DISCUSSION/REQUEST

CITY ATTORNEY RYAN: Yes. Madam Chair, if you will indulge me for a few minutes. Yesterday was a very good legal day for the City. I have two things -- well, I have two things to announce. The first one is we received a -- a per curiam, which is all of the judges agreed to dismiss a petition that Daniel Taylor filed against the City because we would not give him a permit to put a driveway on the submerged lands area on Singer Island. We did not give him a permit and he appealed it to the Circuit Court last year and yesterday, the -- the court dismissed his claim. I don't know what will happen, but that is definitely a positive for the City.

The second thing is the City prevailed, as most of you already know -- I've gotten so many phone calls in the Lozman versus City of Riviera Beach case. It's just so crazy. You know, this is important for a lot of reasons. You've heard the adage don't make a Federal case out of it. Well, this was a Federal case and it was a 5-week case. I've never participated in a case that lasted that long. I had to get help in my office and I thank all of the departments and the City Council for indulging me and I -- I had a couple of calls that, "When are you coming back to work?" But I really -- I really appreciate that you allowed me to concentrate on this -- on this very important case.

I wanted to quickly just give an overview of the case. In all of the emails and phone calls that I've gotten today, people have asked, What exactly was he suing about? Well, I will tell you and I'm going to pass this down to the -- to the Council. That the verdict form that the -- the -- the jury had to fill out was five pages long. They worked very hard. Their jury instructions were 27 pages and it took the judge three hours to go over the jury instructions. So they took it very seriously. They were out for, what is that, five or six hours yesterday afternoon before they came back with a verdict.

This is one of -- Mr. -- Mr. Lozman has filed many cases against the City. This one was filed in 2008 and it's the last remaining case that we have so far. I'm not going to tell you that this is the last case. I can't put my -- I -- I'm not in his head, so I don't know what he will do. But this was a case that he filed starting from events that occurred in 2006 until November of 2013. So it spanned many, many years. And basically, he

alleged that the City of Riviera Beach, through it's City Council and it's employees, infringed upon his First Amendment rights at City Council meetings, in particular, by trying to stop him from speaking out against public corruption; by stopping him by -- because he filed a -- a Sunshine lawsuit against us in 2006 and for speaking out against redevelopment. In particular, he named Viking. Viking was a part of the entire trial and to some extent Rybovich. I'll get to thanking some of the people who testified for the City. It was -- it was a very moving thing.

I will tell you that we introduced many videos. I watched every City Council video from 2006 to the present, where Mr. Lozman spoke. He spoke over 200 times and one of his claims was that the City Council cut him off when they didn't cut other people off. That we had him arrested when we didn't have anybody else arrested and we had him removed. The jury did not buy any of that. They looked at those videos. The videos speak a -- you know, the pictures, what is it, speaks a thousand words? Well, the videos -- what is it?

Well, whatever. Anyway, the videos spoke for themselves and they were the best evidence of what occurred and the jury got to see how Mr. Lozman not only attacked City Council members, calling Council members corrupt; he attacked City employees here and at the Marina. And he attacked some of our residents.

I've talked to Margaret Shepherd. I told her she was a feature in the case and I thank her for being on camera so that we could -- we could show a couple of things. One, that sometimes Miss -- Miss -- Miss Shepherd said some things and we had her to be removed from the podium as well. But also, that Mr. Lozman, you know, he made some comments about her that I wouldn't dare repeat in this Council chambers because you all have heard it before. Anyway, the -- the jury found number one, that there was no First Amendment retaliation.

Number two, there was no equal protection retaliation. Mr. Lozman tried to claim that we arrested his vessel because he spoke out against redevelopment and he spoke about corruption when, as we all know, the real reason is because his floating home -- I've -- I've gotten it correct after all these years. It's not a vessel; it's a floating home. It could not meet the qualifications that we needed in our marina. He wouldn't sign a dockage agreement; he wouldn't get insurance. He wouldn't do a number of things. And the jury vindicated the City by saying, We reject that; we reject your claims. We reject the false arrest. We reject what you said about Miss Wade. Miss Wade had the police officer remove him. Miss Wade said, "If you leave, you won't be arrested." Yet, he did everything to get arrested. But the jury still did not buy his claim that he had any damages.

Mr. Lozman will have to -- I'm sure he's going to appeal because he will have to pay a portion of our costs. There is a -- an outstanding sanctions order in the amount of 9,000 and some odd dollars that is in the court registry. He did pay it in the court registry. We

will be entitled to receive that money. So that should help. I will tell you this was a very expensive trial. And let me be clear, the City did not sue Mr. Lozman, Mr. Lozman sued us.

If you will indulge me, I want to thank some of the people who --

MAYOR MASTERS: By all means.

CITY ATTORNEY RYAN: -- testified on behalf of the City. Some of these individuals were subpoenaed by Mr. Lozman and some of them spoke voluntarily for the City and I just -- I -- I really feel it is important because you gave of your time and, you know, it's hard. I, personally, was on the stand for an entire day. And so was Miss Pardo. I was going to get to you. So was Miss Pardo and we were attacked in here and we were attacked in court. And, you know, all -- you should be proud of everyone because they -- they did the City proud. They told the truth and they stuck up for themselves and I'm just going to go through the names.

Former Councilperson Liz Wade, she was on the stand for several hours. Ann Iles, who's here tonight, she was on the stand, for I would say about three-quarters of a day. Court started at 9:00. A whole day. Hers spanned a couple of days but it ended up being about eight hours. Started at 9; we ended at 5, with the jury. She was on the stand. Detective Aguirre from the Police Department; Assistant City Manager Danny Jones; former Marina director Doug Mason; Councilperson -- and I'm kind of going in order of the testimony -- Councilperson Dawn Pardo, Chair Pro Tem, she was on the stand. She was beautiful. She -- you know, we showed videos. We showed videos of her having to take some of the things that he said and if -- I hope you don't mind me saying this to you, Miss Pardo.

Miss Pardo spoke about some of the events with Mr. Lozman when he accosted her at the polls and made comments about her daughter and her. And Miss Pardo, you know, broke down a little bit on the stand, so the jury got to see her vulnerability. And I know that was hard for you and I just -- I thank you for doing that for the City. You -- you didn't have to do it and you did.

Pierre Smith at the Marina. Detective Elmore -- our great Detective Elmore who's been here for many years was just amazing on the -- on the stand and we appreciate it. Marina Director Ed Legue held his own. Former Mayor Michael Brown, he did the City well. He did not back down from anything. He did not back down from that closed executive session. He believed there was a conspiracy then; he said he still believes it now. He will come to this -- he said, I -- you know, "I would say it again and I think we should -- we should have investigated these people." He held his own.

Our consultant, Arnold Broussard, he went through the Marina from 2006 and the condition it was in and he brought it all the way home to the present. The jury was

impressed. I will tell you, the judge started asking questions on his own. "Well, tell me about -- well, you know, what are you guys doing now? Where's the Tiki? The Tiki's gone?" We had to assure him that more restaurants are coming.

Our consultants Joe -- Joel Sparrow and Bill O'Dell, they participated in the -- Bill O'Dell testified about the condition of Mr. Lozman's vessel. Joel Sparrow was the custodian of his vessel and he testified about that. Great job. Attorney Don Stevens, he had to go back all the way to 2006 with that closed executive session and he testified truthfully and wonderfully for the City. And I already noted myself on the stand for an entire day. Not to mention being there every day. You know, you can sit in a courtroom every day, taking notes. Ben Bedard, our attorney, was amazing. Mr. Bedard put in -- many of you -- he met with everyone. He put in 15, 16 hour days on this case. He worked seven days a week. I met with him on some weekends. I ran out of his office a couple of Saturdays -- Saturdays ago. He went to go to his office to get something. I was in his conference room and I ran out when he left because five hours was enough for me on a Saturday.

In his closing statement, Mr. Lozman made a statement about the City. He said, "The City of Riviera Beach is a cesspool of corruption." He didn't say was a cesspool or corruption; he didn't say may be a cesspool of corruption. "The City of Riviera Beach is a cesspool of corruption." That's the last sentiment that he wanted to leave with the jury. And I can tell you that jury did not buy that. That jury -- what -- what the judge saw because he was able to articulate it, the jury couldn't. But what they saw was a city on the move. They saw this city for what we are. There's no corruption; there's no corruption. Mr. Bedard asked Mayor Michael Brown, "Have you -- has any City official -- since Mr. Lozman got here, have you see any City official be arrested, indicted or convicted of any corruption?" And the answer was, "No."

You can talk about some of the County people, but no one from this city has been indicted for anything. So we've done nothing wrong. The jury -- we already knew that. But there are other people in Palm Beach County and other places who didn't know it. And now they do. Nine people on a jury has -- have -- they -- they rendered their decision on six different questions. Was Mr. Lozman retaliated against? No. Were his rights infringed upon? No. Was he battered? No. Was he falsely arrested? No, no, no. This is a good day for the City and you should all be proud. And that's it.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Wait. Hold on a second. Miss Ryan, you should be proud. Okay? You have taken so much abuse over the years, prior to any of us being on this dais, going back to when Miss Iles was a City Councilperson and the City Chair. So she remembers, back in 2005, 2006, everything that you went through. Okay? So you should be proud. You did an excellent job. And Ben Bedard did an excellent job. And I was there to witness it. And it is so true. The jury -- I was there for a -- about a day and

a half and you could tell the -- they were taking notes and they were watching and -- you know, and a couple of times they were looking at Mr. Lozman like he was crazy. They were. And, you know, also kudos to Judge Hurley. Because at -- a couple of times --

CITY ATTORNEY RYAN: Patience. Patience.

CHAIR PRO TEM PARDO: -- he was getting a little frustrated and he would take off his glasses and lean over the bench and say, "Mr. Lozman, we need to come back." But -- but I think he did -- he did a great job.

CITY ATTORNEY RYAN: He did.

CHAIR PRO TEM PARDO: And he was just very concerned about the jury and not having the jury tainted. And I -- I truly respect that. So Miss Ryan, you need to take some time off and go and enjoy the holidays with your family. And we truly appreciate everything you have done. Be proud.

COUNCILPERSON THOMAS: You --

CITY ATTORNEY RYAN: And by the way, just so you -- I -- I wanna make this comment. Just because I didn't call your name doesn't mean that, number one, you all were -- you were all invested. Everybody was on notice that they might get called. We just made a decision five weeks was enough. If Mr. Lozman didn't call you, you know, we didn't need to call you. Mr. Thomas, I know you wanted to testify.

COUNCILPERSON THOMAS: Absolutely.

CITY ATTORNEY RYAN: Mr. Guyton begged to testify and Miss Davis, Judy Davis, begged to testify. But we didn't need all of that. We had enough and five weeks really was enough because I think you would still be talking right now, Mr. Thomas.

COUNCILPERSON THOMAS: Probably.

CHAIR PRO TEM PARDO: And Lozman subpoenaed me.

COUNCILPERSON THOMAS: Yeah.

CHAIR PRO TEM PARDO: All right. Go ahead, Mr. Thomas.

COUNCILPERSON THOMAS: I didn't get a chance to get subpoenaed. I was on notice to testify. I did want to testify very badly. You know, because when you're going through these for so many years, you know, most of us have been up -- been there for several years, eight, nine years. And when you go through that for so many years, you just want to -- you know, you want to be able to tell your side of the story, you know. A

lot of people have been attacked by Mr. Lozman. Not everybody's had the -- the -- the opportunity to have a bounty of \$50,000 put on them --

CITY ATTORNEY RYAN: And they got that.

COUNCILPERSON THOMAS: -- besides the fact of myself and Mr. Guyton. You know, when your family sees those type of things, you know, you can't say different things. Well, they -- or he has the -- the ear of the media at the time and they perpetuate things about you and you have to live through that. Yeah, absolutely you want to testify. And I -- I definitely wanted to testify. But I mean, I guess my deposition will go into the record at some point so I did get a chance to have a two and a half hour deposition with Mr. Lozman. And I'm sure that it'll come back again.

But I am -- I'm extremely proud today, Miss Ryan. You've done a phenomenal job. The team done a phenomenal job. You know, for -- for this to go through so many different cases and come back with a zero verdict or -- or none -- none -- no things found -- and it wasn't by a judge. It was by ordinary people. A jury of his peers, our peers, and I think that that vindicates it more. But you did do a good job. I heard Miss -- Miss Pardo say take a few days off. No. Take Christmas and the day after or whatever, but we got a lot of stuff that's piling up. No, no, no. Seriously. You -- you -- you definitely deserve it. I'm -- I'm extremely -- I'm -- I'm proud of -- of that verdict.

And -- and this is not spiking the ball, it's just showing that the City's moving. The people that -- that are -- that are here are trying hard to move this forward. Council as well as staff, they're trying hard to move it forward and, you know, the jury saw that. So I want to thank you. I want to thank Mr. Bedard. I want to thank your staff who kept it running --

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON THOMAS: -- while you were definitely away. But it was a job well done and congratulations.

CITY ATTORNEY RYAN: Thank you, sir. Thank you.

COUNCILPERSON THOMAS: Madam Chair.

CHAIR PRO TEM PARDO: Yes, Mr. Guyton.

COUNCILPERSON THOMAS: I am spiking the ball and I -- I am absolutely elated. When I got on this Council, one of the things that I said -- and I meant it -- one is that I personally would never back down from Fane Lozman. He has been bullying this community for years and years and years. And our demeanor had become one that, Let's just ignore him. Let's just -- let him say what he wanna say. I said, "Not in my home town. You all can accept it. I'm not accepting it." As long as I sit here, I'm not

gonna accept it. I know some people are very uncomfortable with that, but when you have a bully, you have to fight him or they will become emboldened. Sometimes it doesn't look good on TV but it has an impact.

He doesn't come to that make an attack as much as he used to because, partly, I think he knows that I keep a folder on him. Just like he keeps his folder, I keep my folder. So I am absolutely elated that we won today. That doesn't mean he's going away but when he returns, I will be encouraging this Council to continue to fight. Because if we ever back down from him, that will be the death of our progress.

Let me just say to -- 'cause some of the people have said they don't like the bickering going back and forth. I mean, sometimes you have to fight for progress. It's not pretty. It's not pleasant but it's necessary. We have never made any progress, this country, or any culture, without a fight. It -- it doesn't happen. And people -- some say that, Well, it's embarrassing to see all the bickering. What is embarrassing is when we allow people to come in our community and disrespect us and we don't say anything. To me, that's embarrassing. So I have a different concept and approach about dealing with people that try to bully this City.

Lastly, let me say to Miss Ryan, Mrs. Ryan, oftentimes, no matter who litigates the case, if the City loses, Miss Ryan is responsible. It doesn't matter who -- who was there, who was doing what -- what -- when we win, she gets very little credit. But I want everybody to know that I know that the strategies and the way we deal with these cases, and when we win them, Miss Ryan's hand is all up in there. Those attorneys work for Miss Ryan. If they don't get her approval, it is not going to happen. So all the Miss Ryan haters, y'all just need to understand that it's my humble opinion --

CITY ATTORNEY RYAN: I appreciate it.

COUNCILPERSON THOMAS: -- that she is doing a fantastic job. Riviera Beach is sued on a continuous basis. She's busy all the time and as soon as she may not or a jury comes back or a verdict or a ruling may not be in our favor, you hear a whole lot of negativity. But the volume of issues that she has to deal with and the few that we may not be on the prevailing side, pales in comparison to the wins that she gets. So Miss Ryan, to you, Miss -- Mr. Bedard and the whole team, congratulations and progress is being made in our City. And I would hope that people don't look at the bickering and -- and lose sight that we have a third of a billion dollar property -- I mean project on the table now. And that's with the bickering. People see that we are moving forward. And we need to keep our focus and whether I sit here or not, I'm gonna be a strong advocate of this City moving forward. I'm gonna live and die in Riviera Beach.

CHAIR PRO TEM PARDO: Okay. Amen. All right. City Council Committee reports.

CITY COUNCIL COMMITTEE REPORTS

CHAIR PRO TEM PARDO: Anyone? Okay. We'll go to --

ANN ILES: Excuse me, Madam -- Madam Chair Pro Tem.

CHAIR PRO TEM PARDO: Yes, ma'am.

ANN ILES: (Inaudible).

COUNCILPERSON THOMAS: She did, too. I saw her walk up there a while ago.

CHAIR PRO TEM PARDO: Well, okay. But we do not allow public comment under Council comments, City Manager comments or City Attorney comments.

ANN ILES: (Inaudible) before y'all adjourn? Please. It's about the -- the lawsuit.

CHAIR PRO TEM PARDO: This is the problem. If -- all right. Part of this lawsuit was all about what happens at a Council meeting. And Miss Iles, I would love for you to come up and speak, but if we could just do it at the next meeting?

ANN ILES: (Inaudible). Don't worry about it.

CHAIR PRO TEM PARDO: At the next meeting. If I allow you, then other people.

ANN ILES: (Inaudible).

CHAIR PRO TEM PARDO: All right. All right. Statements by the Mayor and Council.

STATEMENTS BY THE MAYOR AND CITY COUNCIL:

CHAIR PRO TEM PARDO: Mr. Davis, anything?

COUNCILPERSON THOMAS: Nothing.

CHAIR PRO TEM PARDO: Mr. Thomas, anything?

COUNCILPERSON THOMAS: Yes. I just want to, once again, thank everyone who -- and all the department heads and employees and citizens who participated in the Annual Turkey Giveaway. It was another success. I definitely will be thanking you in a more personal manner. If you haven't gotten a letter from me, you definitely will. So our -- I -- I appreciate that. I'd like to thank the staff for all the hard work they did. Special kudos goes to you, Miss McKinney. Miss McKinney, you definitely know that you're one of my favorite people, and everybody else knows that as well.

CITY ATTORNEY RYAN: Yes. We do. Yes, we do.

COUNCILPERSON THOMAS: We -- we -- we, yeah, we -- we appreciate you taking the time to go over those things and concerns with that -- that bill. That's very important to us.

We've had several employees leave over the past few months. And they're -- they're definitely missed. I mean, everybody from, you know, the Jacksons to Mr. Worthy to Miss Perry to Miss Ward. A lot of people are -- are leaving and next year we're gonna have, you know, another flash of people that are -- that are leaving. I just want to encourage everybody who's working in these departments to prepare yourself, you know, for these, you know, positions. I definitely want to see promotions from within. But make sure that we're -- we're prepared for -- you know, for the -- for the positions, put ourselves in that particular predicament to continue to nurture our own, season our own. I'm not saying they think about the people who are hired that didn't come up through the ranks, but I do, you know, want to make sure that the morale of our staff continues to grow. That they know that opportunities are there.

I see a lot of positions that are -- are available. One position, in particular, I saw that it was only for employees and I had never seen that. Don't ask me what it was but the promotion is just for, you know, employees that currently work here. That -- that particular position definitely made me -- made me happy, that the management team is -- is looking toward promoting from within. So we definitely want to continue to get that going, keep that going.

When you get an opportunity, staff, citizens, you know, encourage these employees, encourage our management and our attorney. Every day is not a -- you know, a happy day. So they -- they need encouragement as well. Not all the time do you see us dealing with issues and -- and dealing with discipline or whatever with, you know, the -- the attorneys and managers. And -- but you can best believe on a -- on a consistent basis, they're hearing from five to six of us all of the time. So it -- it takes a lot. I'm extremely happy with what has been going on and although everything is not perfect, you know, we're going on toward perfection, I believe.

So in these next trying times -- these next few months -- the next probably 18 months, it's a political time, but you -- vote your choice. Vote who you want to be here. But let's not become disagreeable. Let's not break down all of the progress that we've made just because it's a political season. That's very important to me for the community to stay together. After March of this year and after March of next year, however it all plays out, we still need for the community to continue to move with the momentum that we have. So I definitely wanna urge everybody to stay together. And like I've said many a times, I believe in God so I'm always gonna ask, pray for this Council; pray for the wisdom that we need to continue to move this city forward. That's all. Everybody have a Merry Christmas.

CHAIR PRO TEM PARDO: All right. Thank you. Mayor?

MAYOR MASTERS: Thank you, Madam Chair. I'll be a few minutes. First, my mic -- my microphone is on, I take it? I do want to inform the residents that from the Office of the Mayor, that we do put out a newsletter freely. Try to get it out once a month, but if -- I'd like to show the picture that you will see in the upcoming newsletter. I want to kind of go through a couple things. Of a couple in Riviera Beach, 70 years, that's celebrate -- that are celebrating, or that celebrated a couple weeks ago, 70 years of marriage. And they've been long time residents. You'll read more about it. But the gentleman and his wife is Mr. and Mrs. Belk; is that right? B-E-L-K. Gurlester Belk, Senior. Is that it? And Essie. Anyone that is married 70 years, that marriage must be divine. But I just wanted to give -- these are the kinds of things that would -- that you will see in the newsletter from the Office of the Mayor. If you're interested in receiving a copy, you may call our office at 561 -- we can go to the newsletter now that's going out -- 8 -- 845-4145. Or you can request a copy by emailing Mayor Masters at Riviera Beach, bch.dot.com.

In the newsletter you will see Mayor -- slow down -- stop, stop, stop. The reason why we're showing this because many people may not know it's available and also, you may not have emails addresses. If you don't have a email, particularly our senior citizens, if you'd like a copy just -- we'll mail it to you, a hard copy, or you can stop by the office and get a copy. The first article is "Mayor Masters Joins President Obama" and I do in calling for body cameras for all law enforcement agencies. Did you know the -- the President has allocated monies for police departments and law enforcement agencies to -- to get body cameras and also some other type of training, technical assistance, as well. I don't think I can go wrong supporting the President of the United States.

You will also see the hundreds of Thanksgiving -- "Hundreds of Turkeys Top Dinner Tables This Thanksgiving". You can move on to the next -- next page. Quickly. Go back, "The Peacekeepers." "The Peacekeepers Are Coming." This is very important for our City. This organization in the United States -- they also have a chapter in London, England. What they do, they will come in and organize men who are interested in taking their communities back. They have been very effective, very successful, in crime-ridden communities, particularly, youth violence. So I've invited the president of this organization to come in and men who are really interested in doing it, stand up for peace and creating a climate for peace. And it basically says I'm present for -- for peace. Our first mission will probably be Stonybrook, to go in there and really try to make a difference and stop -- there's been two or three shootings or killings in Stonybrook in the last, probably, last year and a half. Move on.

Then the -- the -- the radio station, every Sunday morning, we interview and interact with community advocates and -- from the community: locally, nationally and internationally, too. Reverend Jesse Jackson was just on a few weeks ago. We've also met with the principals, on the -- on the left, I believe, of the -- of all the schools in Riviera Beach and working with them and other community people interested in turning our schools around and particularly the F schools and making them A schools. We've

had a couple meetings but we continue to meet with principals and the area superintendent. This is the kind of information that you will receive.

Last, but not least, is a picture of the young people who did such a great job. I had a chance to meet with them and the young lady on your -- I don't know, left, right -- acts as the mayor. And I told her, I said, "You gotta teach me how to become the mayor one day." So we have a good relationship of the -- of the office. So we particularly want to thank, again, Councilman Cedrick Thomas for introducing the idea of sponsoring the Youth Council and hats off to the Committee of Social -- Social Justice for implementing the program. So this is the type of information that we would like to make available to all residents. Again, you can just call Debbie Leblanc-Isaacs and request the newsletter. Either stop by or either we'll send you a hard copy. Thank you very much for that part of it.

I would like to celebrate with you, and I will, the holidays that are coming up. Season Greetings. Hanukkah is one of those holidays that we definitely must respect, to give reverence to. It is also known as the Festival of Lights, the Feast of Dedication. It is an eight-day Jewish holiday commemorating the rededication of the Holy Temple in Jerusalem.

And the next day, as a Christian, that I probably celebrate is Christmas Day, December the 25th. It is the day that we recognize and celebrate the birthday -- the birth of Jesus Christ into the world. Now we do know from religious scholars that he was not born on December the 25th or that time of year. It's probably more in April. But that is the day that's been set aside. It doesn't matter what date he was born, the fact is that he was born and we celebrate on December the 25th.

And then Kwanzaa, which comes the day after Christmas, is a week-long celebration held in the United States and also celebrated in the Western African Diaspora and other nations of the Americas. The celebration honors African heritage and African-American culture and is observed from December the 26th through January the 1st, culminating in a feast and gift-giving. It was created by Maulana Karenga, Dr. Karenga, and was first celebrated in 1966 and '67. I had a pleasure of -- of knowing him as Ron Karenga, having come from Los Angeles, California, and I know him personally and so I'm very much involved in that holiday as well.

Having said that, this is probably a good time to say this, and I -- I have publicly pledged that every time I speak -- it doesn't matter where, the pulpit or up here, wherever I go in this community or out of the community -- black lives matter. All lives matter. But right now we're focusing on what has happened, particularly in New York City. It's outrageous. The world has watched the video and I'm going to definitely have my personal protest. So whenever I speak, you will hear this. Black lives matters. I can't breathe. Hands up. Don't shoot. And I support the movement across this country. Not

only black lives but white lives matters. All lives matter and must be respected and never neglected.

Miss Brabham just called a few minutes ago, Miss Brabham, and has asked if I would announce to you that she -- her surgery was very successful and now it is in the healing process. But she wanted to wish everyone a happy and blessed holiday and Season Greetings to you, but continue to ask for your prayers and your best wishes.

Last, but not least, Madam Chair, I've said it earlier, but I stand on it because I just think it's important that we seek to do not just what is legal, but what is morally right, as members of the City Council. I just wanted to put my bid in now for you will be -- you will know and you'll be clear, this is how the Mayor feels. And I only can speak for me, myself and I, as some would say. Twenty-five years of service in the City Clerk's Office, 14 years of those 25 years, Miss Claudene was certified as a -- as a City Clerk. And it is just the right thing to do to promote her. I don't even know why we're even advertising that position. It should -- for me, she just should have it. She earned it down through the years and she's certified. And I will stand on that.

Aladia, who has been in the Parks & Recs Department for many, many years, second position, she's earned it. When that position becomes available, to me, the right thing to do is for her to be promoted. And then, I don't think we should ever get into a situation again that we should do to others what we did to Karen, which was just wrong. I will go to my grave saying it was wrong. Anyone who has worked as an assistant for those many years and then with Karen, to be a interim and then get somebody else to come in and be the Finance Director, I have concerns about that. And I just don't think it's right. The message that we must send to employees and always send, that we are willing to promote you. You do a job. If you're good enough to be an assistant, if you're good enough to be an interim, if you're good enough to be in those positions for years of longevity, I want to see you given an opportunity to be at the top in that department. Now if you don't -- you get there and you don't do the job or it's -- you're just not cut out for it at the top, then the test -- the proof will be in the pudding. But at least I think it's the right thing to do. And I continue to say the right thing to do is to give these young people an opportunity to prove that they can.

May God bless you and keep you and give you perfect peace. Again, Merry Christmas, Happy Hanukkah and Happy Kwanzaa. Thank you, Madam Chair.

CHAIR PRO TEM PARDO: Thank you. Mr. Guyton.

COUNCILPERSON THOMAS: Madam Chair, just a couple of quick issues. On the Amrit, Miss McKinney, could you get back to me later? There was a reason that an exception was given. I think it had something to do with an application already being in.

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Yes. They had their application in for several months beforehand.

COUNCILPERSON THOMAS: Prior to --

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: The moratorium.

COUNCILPERSON THOMAS: -- the moratorium. Okay. I -- I -- I knew that there was a reason why that action was taken, but I wasn't sure. The other thing is I'd like commend our Chair, Judy Davis, for her involvement with the Youth Council. I think Miss Shepherd spoke about that earlier and I really appreciate and admire the Chair going over and above to ensure that our young people are getting some exposure to government.

The other thing is we are in, not just a political climate, we are in a very highly, highly, highly political climate. And Riviera Beach is, figuratively speaking, gloves off, hands on type of combat. And a lot of people when they give a lot of comments, there are political motivations behind them. And I don't want people to get lost with the progress that we've made and caught up in the politics. And this City is moving forward. We have good leadership. They have known for years the players, the issues, the knowledge and it would be devastating to lose someone with enormous experience and knowledge based on pure politics and not based on their performance on this dais. So I just want to keep people aware that the politics is hot and heavy and it's going to be that way for a while.

There is something going -- a rumor going in the community. I'm not sure exactly what it was but I got a couple of calls -- because they didn't believe what was being said and I corrected it -- about the City is gonna take a whole lot people homes and they got a lot of liens on them and -- and they're getting ready to foreclose on them. Let me just tell you and --

CHAIR PRO TEM PARDO: That's ridiculous.

COUNCILPERSON THOMAS: -- and Miss Ryan, as our attorney, correct me if I'm wrong, if that's your homestead home, the City cannot legally take your home.

CITY ATTORNEY RYAN: That is correct.

COUNCILPERSON THOMAS: Okay. So they -- they're giving people the impression that you living in your home and they gonna come take it from you to -- that's not the case. And as it relates to Code Enforcement, that is not done to be punitive. That's done to have an incentive for you to comply with the codes.

CITY ATTORNEY RYAN: Correct.

COUNCILPERSON THOMAS: There's something called shanty towns. And those are communities that have no codes and everything become, quite frankly, an area in which it is unsanitary and unsightly. So we're gonna have to have codes. We do send out notices before any liens are put on. You noticed that -- and let me tell you another thing. If you call the City, more often than not, the City will work with you. Don't get all excited when you hear people, for their own political reasons out in the community, they got all these liens on your homes and they fixing to fore -- that is not true. We have an amnesty program, that if you just bring your home into compliance -- which I've had to do, too -- you just pay a minimal amount and it doesn't matter how much is on your home. It will be erased. We still have the amnesty program, don't we?

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: Yes, sir.

COUNCILPERSON THOMAS: So don't listen to all that political rhetoric out there, man. They -- it's -- I'm gonna always be someone that says what's on my mind. I don't intend to offend people. Sometimes I do feel people are much too sensitive. I mean -- I -- I mean, it's not all that to me. I mean, sometimes I'm gonna take a position that's different from yours, but that doesn't mean I'm trying to undermine you or -- or embarrass you. But if something is said and I know that it may not be completely accurate, I'm gonna say what I feel is accurate and that's not to say that I'm trying to attack anybody or undermine 'em. And some people just get all upset. Just don't say anything. I'm -- I'm gonna speak my mind. As long as I sit here, Bruce Guyton is gonna speak his mind. I don't care what the political consequences. So -- but it's not in any demeaning or mean-spirited way. But everybody know that I -- I'm very supportive of staff and when I have an issue with staff, I do it in closed doors. It's not gonna happen out here. And staff and I have had some lively meetings. And don't think that I don't ever disagree with staff. I just don't think the public forum is the forum in which we should do it. We're gonna use (indicates) people for politics, I don't think Miss Ward should be used for politics. She served this community. She's done well. There was an experience that probably wasn't pleasant, but we got through that. But the politics that has continued to be used I think is despicable and disgraceful. But -- and I'm gonna end on this because it really represents me and who I am and I -- I read it before and it's from our legislative aide that always gives me a lot of quotes. It's the same one. "There comes a time when one must not take a position that is neither safe nor political nor popular but he must take it because conscience tells him it is right." And that's how I'm gonna live my life. Thank you, Madam Chair.

CHAIR PRO TEM PARDO: Okay. Thank you. I would like to make a couple of comments. First of all, I would like to thank everyone that came out to the Toy Drive on December 4th. I would especially like to thank staff who helped me: Brynt Johnson was there. He spent the entire evening. Miss Jones, Chief Williams and my -- several of my Council colleagues were there. Mr. Guyton, thank you and thank you for all of your donations. The same with Miss Davis. And Big Boy was out of town, but you've been

at every other one and you donated, so thank you. And Mayor, thank you also for coming and helping us unload the toys.

MAYOR MASTERS: You're welcome.

CHAIR PRO TEM PARDO: And, you know, most of all, thank you all of the residents and the businesses who donated the toys. To the families who contacted me, you will be getting a call from us tomorrow, telling you where you should pick up your toys. We're gonna start to -- distributing them on Monday from 4 to 7:00. So you will be getting a call tomorrow. What else do I want to say? The other only thing, really, is Happy Hanukkah to the residents who are celebrating and also Merry Christmas. And I don't think we're -- we're gonna have another meeting, right, until the New Year?

CITY MANAGER JONES: (Inaudible).

CHAIR PRO TEM PARDO: So Happy New Year. And we accomplished a lot this year. 2004 was a great year for the City of Riviera Beach. And just know --

COUNCILPERSON THOMAS: And 2014.

CHAIR PRO TEM PARDO: What did I say? Twenty --

COUNCILPERSON THOMAS: 2004.

CHAIR PRO TEM PARDO: I'm sorry. 2014 was a great year. 2015 is gonna be an even better year. And look how we closed out --

CITY ATTORNEY RYAN: That's right.

CHAIR PRO TEM PARDO: -- 2014. So -- right. So, you know, to all the residents out there -- to all the residents out there, the best is yet to come.

MAYOR MASTERS: Yet to come. That's right.

CHAIR PRO TEM PARDO: Okay.

ADJOURNMENT

CHAIR PRO TEM PARDO: Motion to adjourn.

COUNCILPERSON THOMAS: So moved.

COUNCILPERSON THOMAS: Second.

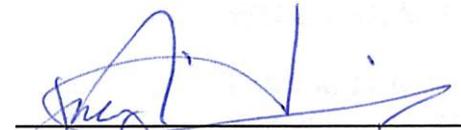
CHAIR PRO TEM PARDO: All right. Thank you all.

(CONCLUSION OF MEETING)

APPROVED:

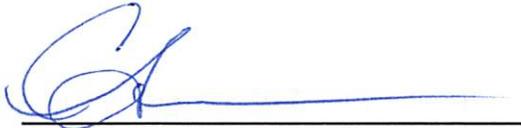


**THOMAS A. MASTERS
MAYOR**



**JUDY L. DAVIS
CHAIRPERSON**

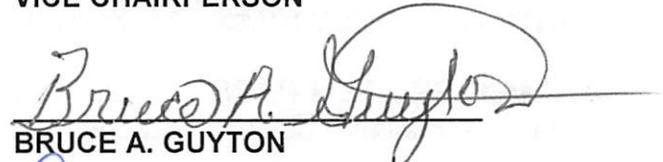
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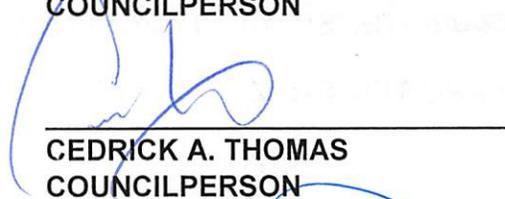
**CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
INTERIM CITY CLERK**



**DAWN S. PARDO
VICE CHAIRPERSON**



**BRUCE A. GUYTON
COUNCILPERSON**



**CEDRICK A. THOMAS
COUNCILPERSON**



**TERENCE D. DAVIS
COUNCILPERSON**

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: 02/18/15