

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, OCTOBER 3, 2012 AT 5:30 P.M.**

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

CHAIRPERSON BROOKS: Good afternoon, everyone, and welcome to our City Council Meeting. Our new starting time now for everyone will begin at 5:30. Uh, roll call, please.

DEPUTY CLERK ANTHONY: Mayor Thomas Masters? Chairperson Billie Brooks?

CHAIRPERSON BROOKS: Here.

DEPUTY CLERK ANTHONY: Chair Pro-tem Dawn Pardo? Councilperson Judy Davis?

COUNCILPERSON DAVIS: Here.

DEPUTY CLERK ANTHONY: Councilperson Cedrick Thomas? Councilperson Shelby Lowe?

COUNCILPERSON LOWE: Here.

DEPUTY CLERK ANTHONY: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

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

CITY ATTORNEY RYAN: Present.

CHAIRPERSON BROOKS: Okay. Let us all stand for the invocation, a moment of silence. Following that will be the Pledge of Allegiance led by Mr. Lowe. (Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by Councilperson Lowe).

CHAIRPERSON BROOKS: Miss Jones, are there any additions, deletions?

CITY MANAGER JONES: There is one item that has been slightly revised, and that is the resolution on consent item number 3. You have it in front of you. And the word "approximately" has been added to the resolution. No major substantive change to the content.

CHAIRPERSON BROOKS: Very good. Thank you very much. Okay. Can I get, um, a motion to approve the agenda?

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Roll call, please.

DEPUTY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Now, are there any, uh, matters here that one -- any of us would need to do a disclosure? If there be none, now we will go to the consent agenda. And I need a motion, please.

COUNCILPERSON DAVIS: Move consent.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: 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. Anyone care to remove an item? Let's let the record show that Commissioner Thomas is present. Are we ready for the vote on the consent agenda? Okay. Roll call?

DEPUTY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: No petitions or communications for filing. We do have Awards and Presentation. Does anyone know if the mayor has -- okay. She -- okay. Was his flight delayed, as well?

CHIEF OF STAFF ISAAC: Yes.

CHAIRPERSON BROOKS: Yeah, that happened to me, too. Yeah, just getting in. All right. Then there are two proclamations and his trusty Chief of Staff is here in his behalf. So item number 5. You want to read it, please?

CHIEF OF STAFF ISAAC: Now? "Proclamation from the Office of the Mayor proclaiming October 3rd, 2012, as Florida A&M University's 125th Anniversary Recognition Day of the City of Riviera Beach."

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Okay. Okay. Roll call. Do we need to vote on that? I guess --

COUNCILPERSON DAVIS: No. It's a proclamation. She need to read it.

CHAIRPERSON BROOKS: This is a proclamation. She just need to read it, yeah. But I'm wanting you to read what she's --

COUNCILPERSON DAVIS: I'm sorry. I don't have my agenda so I'm, like --

CHAIRPERSON BROOKS: -- going to do.

COUNCILPERSON DAVIS: -- lost right now.

CHAIRPERSON BROOKS: Well, you should. You should read it.

CHIEF OF STAFF ISAAC: All right. Good evening.

CHAIRPERSON BROOKS: So people know what you're going to do. Okay.

CHIEF OF STAFF ISAAC: Debbie L. Isaacs, Chief of Staff for Mayor Thomas Masters. I'm standing in his stead. He has, um -- for this particular proclamation, we have many guests in our audience as graduates of Florida A&M University.

COUNCILPERSON DAVIS: Wow.

CHIEF OF STAFF ISAAC: And if you would, please stand.

COUNCILPERSON DAVIS: Wow.

COUNCILPERSON LOWE: Wow.

CHIEF OF STAFF ISAAC: Yay. And I believe we have, um -- oh, is Mrs. Hudnell going to be the recipient?

CHAIRPERSON BROOKS: Oh, wonderful.

CITY MANAGER JONES: Jess is -- Jessica's going to do that as part of it.

CHAIRPERSON BROOKS: Okay. Okay. Okay. Would you all like to come out and stand? If you desire to come forward you may. You might want to do a group picture.

CHIEF OF STAFF ISAAC: Yeah. You can feel free to come forward.

CHAIRPERSON BROOKS: Yes, you can -- just stand right behind Miss Hudnell.

INERIA HADLEY-HUDNELL: Hi.

CHIEF OF STAFF ISAAC: Hi.

CHAIRPERSON BROOKS: So wonderful to see you, Miss Hudnell. Hi.

CHIEF OF STAFF ISAAC: Okay. And actually, there will be a second one to Florida A&M from Congressman Hastings' office.

CHAIRPERSON BROOKS: Wonderful.

CHIEF OF STAFF ISAAC: And I'll let you hear about that one, too.

CHAIRPERSON BROOKS: Okay.

CHIEF OF STAFF ISAAC: All right. It reads as follows: "Proclamation from the Office of the Mayor, City of Riviera Beach, Palm Beach County, Florida. Whereas, the State Normal College for Colored Students was established 125 years ago on October 3rd, 1887; and the name of the college changed several times over the years until finally becoming Florida Agricultural and Mechanical University, more commonly known as Florida A&M or FAMU; and located in Tallahassee with a student enrollment of 13,089 and more than 700 faculty members, Florida A&M is the largest historically black university in America, offering bachelors, masters, professional and 11 doctoral degree programs; FAMU is one of Florida's land grant universities with eight fully funded endowed eminent scholars' chairs totaling \$88 million; and Florida A&M has widely become the college of choice for many Riviera Beach students who return home to become contributing professionals in this community, including City employees. And FAMU's Palm Beach County notable graduates include Ineria Hadley-Hudnell, F. Malcolm Cunningham, William Holland, I.C. Smith, Gartrell Gaines, Thomas Jones, Joseph Orr, Carl Vickers, Maude Ford Lee, Eva Williams Mack, the Honorable Edward Rodgers, Leander Kirksy, Barbara Wyly, Freddie Stubbs Jefferson, and our newly elected State Representative Bobby Powell, Jr., among many others; and the University's prominent graduates include world-renowned African-American art collectors Bernard and Shirley Kinsey, movie producer Will Packer, Oscar-winning actress Anika Noni Rose, Williams tennis legend Althea Gibson, jazz musician -- jazz musician --"

UNIDENTIFIED SPEAKER: Musician.

CHIEF OF STAFF ISAAC: "-- Cannonball Adderly --"

COUNCILPERSON LOWE: Cannonball.

CHIEF OF STAFF ISAAC: "-- Olympic gold-medalist Robert Bob Hayes, and our Congressman Alcee Hastings, just to name of few."

COUNCILPERSON DAVIS: All right.

CHIEF OF STAFF ISAAC: "All of whom epitomize FAMU's motto Excellence with Caring and its 125 year legacy." Now, therefore, be it resolved that the Mayor, Thomas A. Masters, Mayor of the City of Riviera Beach, Florida, by the power vested in him by the residents of this great city, do hereby proclaim October 3rd, 2012, as Florida Agricultural and Mechanical University's 125th Anniversary Recognition Day in the City of Riviera Beach. And he calls upon all residents to join him in celebrating the many accomplishments of FAMU and its distinguished alumni over the past 125 years.

COUNCILPERSON LOWE: Hear, hear.

INERIA HADLEY-HUDNELL: I'm sorry. I'm a little nervous right now.

CHIEF OF STAFF ISAAC: Don't be.

INERIA HADLEY-HUDNELL: Of course I finished when it was FAMC. I went there in 1939 and finished in '43.

COUNCILPERSON LOWE: Wow.

CITY ATTORNEY RYAN: Oh, wow.

INERIA HADLEY-HUDNELL: So I'm up there right now. And this is a surprise. Thank you so much.

UNIDENTIFIED SPEAKER: You're welcome.

CHAIRPERSON BROOKS: You're welcome, Miss Hudnell. It's always great to see you.

CHIEF OF STAFF ISAAC: And just so that you all can take a picture of it --

INERIA HADLEY-HUDNELL: Okay.

CHIEF OF STAFF ISAAC: Okay?

COUNCILPERSON DAVIS: Everybody kind of get --

CHIEF OF STAFF ISAAC: Kind of get together somewhere. Maybe over there. I don't know. Where you gonna get? But we also have another presentation from, um, Congressman Hastings' office, so you may want to just stand right here. And I'm going to have Mr. Dan Lipman make that presentation.

DAN LIPMAN: Thank you.

COUNCILPERSON LOWE: Madam Chair, I'm -- I'm wearing green. Can I get in? I got on a green shirt. I fit the color scheme.

CHAIRPERSON BROOKS: You've been honorary.

DAN LIPMAN: "Whereas Florida Agricultural University was founded at the State Normal -- as the State Normal College for Colored Students and began classes on October 3rd, 1887; and whereas FAMU is the premier school among historically black colleges and universities and remains the only historically black university in the state university system of Florida; and whereas since its founding, FAMU has added schools of pharmacy, law, graduate studies and nursing; and whereas FAMU achieved a significant first by becoming the first Negro institution to be a member of the Southern Association of Colleges and Schools; and whereas the program and academic areas within the institution were expanded to include the Black Archives Research Center and Museum established as a state repository for black history and culture; and whereas in 1999, Black Issues in Higher Education cited FAMU for awarding more baccalaureate degrees to African-Americans than any other institution in the nation; and whereas originally designed to meet the needs of the underrepresented and the underprivileged, Florida A&M University continues to serve the citizens of Florida and the world through its provision of pre-eminent educational programs. Therefore, I declare October 3rd, 2012, FAMU Day in the 23rd Congressional District of Florida. Sincerely, Alcee L. Hastings, Member of Congress."

UNIDENTIFIED SPEAKER: All right.

UNIDENTIFIED SPEAKER: All right.

UNIDENTIFIED SPEAKER: All right.

UNIDENTIFIED SPEAKER: Okay.

NICOLE JONES: Good evening.

COUNCILPERSON DAVIS: Good evening.

NICOLE JONES: My name is Nicole Jones and I'm the president of the Palm Beach County Chapter of the Florida A&M Alumni Association. On behalf of our Interim President Dr. Larry Robinson, our Director of Alumni Affairs Mrs. Carmen Cummings, our First Vice President of the Florida Region, Mr. Seabon Dixon, we would like to thank the City Council, um, as well as Mayor Masters for this honor. We appreciate it. Uh, Florida A&M University started out as Mr. DuVal's slave plantation.

COUNCILPERSON LOWE: Uh-huh.

COUNCILPERSON DAVIS: Wow.

NICOLE JONES: So the fact that we've been here for 125 years educating children on the site of a slave plantation --

CHAIRPERSON BROOKS: Yes.

NICOLE JONES: -- we're very appreciative and we continue to strive for another 125 years of excellence with caring. Thank you.

UNIDENTIFIED SPEAKER: All right.

INERIA HADLEY-HUDNELL: Ninety-one years old.

CHIEF OF STAFF ISAAC: Oh, no, that's fine. Beautiful. Thank you so much. Okay.

CHAIRPERSON BROOKS: You ready for the next one? Okay. Item number 6. Miss LeBlanc, was there --

CHIEF OF STAFF ISAAC: Yes.

CHAIRPERSON BROOKS: You -- okay. Oh, okay. Oh, great.

CHIEF OF STAFF ISAAC: Um, this proclamation originated through, um, Congresswoman Pardo's office and we're going to allow her legislative assistant to read it.

LEGISLATIVE AIDE PINSKY: Good evening, Madam Chair and members of the Council.

CHAIRPERSON BROOKS: Yes.

LEGISLATIVE AIDE PINSKY: Um, I want to call, uh, Randy Simler from Johnny Longboats up here to stand with me. Um, Councilwoman Pardo, her flight has been delayed so she's not going to be with us tonight. But she asked me to read this on her behalf.

Uh, okay. Okay. "Proclamation from the Office of the Mayor, City of Riviera Beach, Palm Beach County, Florida. Whereas, the first German settlers in America brought with them the tradition of Oktoberfest; and whereas, according to the U.S. Census, there is today a sizable minority of Germans in Riviera Beach; and whereas the Oktoberfest celebration is fashioned after the 16-day Oktoberfest founded in Munich, Germany, in 1810 to celebrate the marriage of Crown Prince Ludwig of Bavaria; and whereas the Oktoberfest celebration brings together Germans and Americans through

singing, dancing and feasting; and whereas Councilwoman Dawn Schlitz-Pardo, being of German descent, sponsored this proclamation inviting all residents to experience her heritage; and whereas Johnny Longboats of Riviera Beach will be hosting its annual Oktoberfest on October 12th through 13th to honor the American citizens of German heritage and to strengthen the bonds of friendship between the Americans and German people."

CHIEF OF STAFF ISAAC: Now, therefore, be it resolved that Thomas A. Masters, Mayor of the City of Riviera Beach, by the power vested in him by the residents of this great city, do hereby proclaim October 12th and the 13th, 2012, as Oktoberfest 2012 Weekend in the City of Riviera Beach."

COUNCILPERSON LOWE: All right.

LEGISLATIVE AIDE PINSKY: Thank you. And thank you, Randy, for doing this for our community.

RANDY SIMLER: Thank you very much.

COUNCILPERSON LOWE: Thank you.

RANDY SIMLER: Look forward to seeing everyone.

COUNCILPERSON LOWE: Thank you.

CHAIRPERSON BROOKS: All right.

RANDY SIMLER: Just one note while I'm here.

COUNCILPERSON DAVIS: To the mike, please.

CHIEF OF STAFF ISAAC: Go to the mike.

RANDY SIMLER: I'm sorry. I'm loud.

COUNCILPERSON LOWE: We want the audience to hear you.

RANDY SIMLER: I'm loud. Uh, just one note before I go. On the 6th of December, which is our first Thursday in December, our third or fourth, uh, Christmas in Paradise, our Toy Drive.

CHAIRPERSON BROOKS: Uh-huh.

RANDY SIMLER: For all the kids in Riviera Beach and all the children, sponsored by Dawn Pardo and everybody in the City and the fire department here. We had a great year last year. The year before was good. Last year was even better and we're looking for a great, great, great turnout this year.

So it's the first Thursday. Start collecting your toys. It'll be at Johnny Longboats. We have Memory Lane there doing the -- the oldies and the Motown music. And it's -- it's for a great cause. It's all for the children in the City here in Riviera Beach. And as Dawn Pardo says, "Every child should smile on Christmas morning." Thank you.

CHAIRPERSON BROOKS: Thank you so much for what you do for us. Thank you for the children.

Okay. All right. Now we're down to, uh, Public Hearing -- Hearings, and we have an

ordinance on second reading. Item number 7.

DEPUTY CLERK ANTHONY: An ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, modifying and updating the City's five-year capital projects plan for fiscal years 2012/'13 -- '13 through 2016/'17 providing for severability, conflicts, and providing effective date.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: We do have one public comment card. Mr. Ward?

GERALD WARD: Gerald Ward, 31 W. 20th Street. I guess when -- when you start hesitating and say there's only one comment card that you must be talking about me.

CHAIRPERSON BROOKS: Well, I wanted to ensure that we didn't miss any cards. You know, some people feel like we overlook cards here.

GERALD WARD: Well, hopefully we don't miss anybody.

CHAIRPERSON BROOKS: We try not to.

GERALD WARD: You won't like my comments under Public Comment about that.

Uh, I spoke last meeting on first reading of this ordinance, which is the capital summary. And I complimented its certain departments. Stormwater, for instance, had five years worth of projects listed. But we still -- if you take the summary, which is, uh -- and -- and I would have to say that if you go to the agenda item backup book in the back, they don't even print any of the material. Uh, but I do not know if there's been any changes since between first and second reading, because that's certainly not called out.

Uh, there are almost \$30 million worth of fiscal impact for the fiscal year 2012/2013, 25 million for 2013/2014, and then we start the massive slide to under 10 million for 2014/2015; 2015/2016, only 5 million.

This city can function better and -- and you still hate to hear me say we're still more fiscally sound than probably most of the 38, uh, because we have pots of money that don't quit. But you have got to do a better job in having the programs, uh, the various departments produce estimates for what they want to do in the future. We don't need knee-jerk reactions to come around.

However, if you go back to the 29 million, you will find that some \$5 million is -- is unfunded in the back of the book for the crazy beach project for the beachside-ites to, uh, take care of somebody's back yard. Uh, it -- it -- you've got to look for monies in different places. Then you have \$200,000 that is funded in -- for -- 200,000 per year for five years for a, uh, fill on upland property. And you need to look and see whether we're being equitable for all citizens in Riviera Beach.

Obviously I own property, two parcels. One on the Straits of Florida -- one-half on the Straits of Florida and half on the Atlantic Ocean. I don't think that the city government should ever be in the posture of compensating private property owners.

CHAIRPERSON BROOKS: Thank you, Mr. Ward. Are there any comments or questions from the council? Roll call, please.

DEPUTY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: We will now move down to our regular meeting item, Item number 8.

DEPUTY CLERK ANTHONY: A resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing Arthur J. Gallagher & Company, Miami, to place the appropriating -- the appropriate coverages and authorizing the Director of Finance and Administrative Services to make payments from the insurance liability fund, account number 602053951304501 up to the amount of \$1,977,299 to Arthur J. Gallagher & Company of Miami for risk packages fixed cost and providing an effective date.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Any discussion on this item from anyone? City manager, anyone? If not, roll call, please.

DEPUTY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Wow. This is great. Discussion and Deliberation. No item. Discussion by City Manager.

CITY MANAGER JONES: Thank you, Madam Chair. Just one thing I would like to discuss with Council. With the change going to one regular meeting a month, you had talked about using the third Wednesday as a possible workshop day.

CHAIRPERSON BROOKS: Right.

CITY MANAGER JONES: And once I heard that I began to develop my list of topics of things that staff would like your guidance on and hear your opinions on. Some of those include an economic development update, a workshop on the red light camera prior to implementation. A marina update and future plans from the Utilities District, to give you an update on the ECR, uh, biosolids project and where that is, as well as an update on the water -- wastewater master plan. These items require more than a 15-minute conversation in order to give you an opportunity to ask staff questions. So I would like to request that we have a workshop on the 17th, and on the 17th I would like to deal with at least two of these topics.

CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: The economic development update and red light camera. I would also request if there are other topics that members of council would like to have discussed, if they could get those to me. In addition, I'm sure there's some things amongst yourselves you would like to talk about. November and December get to be slightly problematic for that third Wednesday. In November it's the Wednesday before Thanksgiving and we know that's not good. And in December it's the 19th of December just before Christmas. However, in order for us to move forward and get some things done, I will be talking with the Chair about some other alternate day other than that third Wednesday.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: For a workshop in November or late November or early December. It's important if we're going to move forward that we hear from you. We want to hear from you. And we want to provide an adequate amount of time in order for us to have a good discussion and a thorough discussion on these particular topics. So if Council is in agreement on the 17th of October, we will have a workshop and we will do an economic development update and a work -- and cover the topics on the red light camera.

CHAIRPERSON BROOKS: Yes, Miss Jones. And you and I had long conversations about this. This will really give us an opportunity now -- also, my colleagues -- to bring forth any initiatives or ideas that you have so that we can really discuss them and see how we can go forward with them. Would you check your calendars to make sure that the 17th is okay? Ordinarily it would have been our regular meeting date anyway. But you might have decided to take a trip or something since you heard we're only going to meet once a month. But the 17th looks good -- looks good for me.

COUNCILPERSON DAVIS: It's fine with me.

CHAIRPERSON BROOKS: Okay. And I'll have -- you know, we'll check with everyone. And then we'll look at November and see what time and send out some proposed days that we could -- could have one. I think we're all gonna see that this is gonna be very beneficial to us as we move forward with our different initiatives and -- and certainly looking at what the -- Miss Jones is doing and her staff is doing and it helps the -- the residents to know just what is happening in our city. So thank you, Miss Jones.

CITY MANAGER JONES: That ends my discussion.

CHAIRPERSON BROOKS: Okay. All right. Legal?

CITY ATTORNEY RYAN: Thank you, Madam Chair. I would be remiss if I did not mention that the city council, along with certain members of staff recently attended oral argument in the -- in the Lozman versus City of Riviera Beach admiralty case.

It was a very fascinating and interesting oral argument. And you'd really have to live under a rock if you haven't heard about the whole controversy. We received calls all over the country from different newspapers wanting us to comment on this case. Because of the interest, I wanted the public to know that although the Supreme Court does not allow any video of their oral arguments, the audio will be available on Friday. And we intend to post the link on our website so that you don't have to hear it from us or anyone else about what happened at the Supreme Court. You can hear the entire oral argument for yourself. I think you will find it as fascinating as we found it. It was a once-in-a-lifetime opportunity for this city. I don't believe that any other city other than Boca Raton has had an opportunity to make its case in front of the Supreme Court in any recent history.

So I just want to thank the council for attending. I -- I'm sure that you found it as fascinating as I found it. And we'll have to just wait and see. People are asking me when are we going to find out. I don't know the answer to that. Usually they will make a decision before the term is up. So as soon as we know you'll know, as well. And that's it from me, Madam Chair.

CHAIRPERSON BROOKS: Thank you. City Council Committee Reports starting with Mr. Lowe. You have any committee reports?

COUNCILPERSON LOWE: (Shakes head).

CHAIRPERSON BROOKS: Okay. Miss Davis?

COUNCILPERSON DAVIS: Yes, ma'am. I do have one and this is the dual rail project that I've been working on with FDOT, the FEC, the Port of Palm Beach, and the City of West Palm and also now St. Mary's is part of that meeting, because it could impact them. So basically what we've decided at this point is to postpone future meetings until November to give the Florida Department of Transportation and the FEC time to work out, you know, what has been proposed. The only problem is the best scenario costs more than \$3 million. You know, we got the 3 million through the -- from the legislature.

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

COUNCILPERSON DAVIS: From the State, rather, last year. But the best scenario would cost an additional \$4 million. So, FDOT may have some dollars but, you know, we don't know. We're going to give them time to -- to work things out and see if we can come to some kind of thing that works for everyone. And the purpose of all of this was to eliminate the blockages at Blue Heron Boulevard.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON DAVIS: And also not to block 45th Street because of the hospital being there.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON DAVIS: So we have this area between 45th and, Blue Heron Boulevard that they could use for stacking the rail cars from the port. That's the purpose of the dual rail system. So, I'll have another report for you after the beginning of November.

CHAIRPERSON BROOKS: And Miss Davis, I -- I spoke with Sean Pittman about this.

COUNCILPERSON DAVIS: Uh-huh.

CHAIRPERSON BROOKS: He wants to know what can he take to Tallahassee to --

COUNCILPERSON DAVIS: I told him about it.

CHAIRPERSON BROOKS: -- lobby for us. So, good. Hopefully we can get those monies. Mr. Thomas, any reports?

COUNCILPERSON THOMAS: Yes. We briefly spoke about this a couple of meetings ago in reference to the SAC area for Suncoast not being moved to where the new Suncoast is. And I know Miss Ryan had been working on the, you know, reading through in -- in the briefs for the Supreme Court. But now that those arguments are completed, I'll have her go ahead and draft the letter that would be appropriate and make sure that everybody sees it. But we will be sending that letter out within the 10 days. So I just wanted to give the council an update on that letter that will be going out.

CHAIRPERSON BROOKS: Thank you. I am a member of the Riviera Beach Business Community -- Business Council. And at our monthly meeting we were making plans for an event that will take place October 18th at Newcomb Hall and --

CITY MANAGER JONES: Six to 8.

CHAIRPERSON BROOKS: I'm sorry?

COUNCILPERSON DAVIS: Six to 8 p.m.

CITY MANAGER JONES: Six to 8.

CHAIRPERSON BROOKS: Six to 8. Yeah, 6 to 8. And we will be posting this on our TV station. The idea is to try to get businesses together and let's see if we can network and make information available to the business community and to our residents, as well. We hope to meet with the editorial staff of The Palm Beach Post in hopes that they will give us some publicity on this. Keep your fingers crossed. They -- keep your knees bent, say a prayer. We hope that they will at least, give us some favorable media coverage. That is all I have for Committee Report.

Now Statements coming from the Council starting with Mr. Lowe. Any -- any comments, information?

COUNCILPERSON LOWE: Yes. I wanted to thank everybody that was involved with the City's 90 -- 90th Anniversary. And we had a great response. And actually, you know, the response was so well that, you know, I feel encouraged about the activities that we plan to have for the next, I guess, 10 or 12 months in commemorative of the City turning 90 years old. And each month it's just a crescendo. It's -- it -- you know, it seems like it's just going to build up and build up until it really turns into something nice.

And we're already starting to plan for our next event for October. We have some friends of Riviera Beach that volunteered to come and provide entertainment for us. And once we get all of that stuff together, you'll be hearing from us soon in that regard. But you know, it just felt good to do something that somebody can relate to. Everybody has been here for a good amount of time and have had their own personal experiences in Riviera Beach, be it good or -- good or bad. But the fact that, you know, this City has been in existence for 90 years and we're still alive, and we anticipate, you know, a lot of good positive things happening in the near future and long term.

And that, you know, no matter what anybody says about Riviera Beach, you know, we're still standing. You know? And if everybody would make a commitment to just do something as opposed to talking about something, then we'll be a lot better off. And I -- you know, I just want to personally commit, you know, my efforts and time to doing whatever I can, you know, this year and especially leading up to the 100th Anniversary, to give back to the community. And I'm asking everybody who -- who's concerned and have any -- any concern about the City to do so, as well.

And it can be in any manner you want to do. You can make copies or come to a meeting and join a committee or anything, anything to make this City a better place. And you know, just do something for the cause. But I appreciate everybody and we still have pins if you need them. You can call my office. They're free. And you can have as many as you want. If we run out, we'll get some more.

And I want to thank Miss Jones for her contribution. She made it -- she made it happen. I put a little -- a little money in. But as far as making things happen and -- and contributing towards the materials and stuff, thank you very much, Madam Manager. And then I thank the Council for, you know, their support.

But it's an ongoing thing and it's a sign to -- it's a sign of what's to come for our city. You know, and we can't worry about the outside noise. We just have to dig deep from within and keep pushing forward because this is a great place to live.

And I'm -- I'm committed and I hope everybody else will find a little something in their heart to contribute towards the City. Thank you.

CHAIRPERSON BROOKS: Well, Mr. Lowe, I want to say I think it was a -- a great affair. En route to D.C., my flight attendant collects pins.

COUNCILPERSON LOWE: Uh-huh.

CHAIRPERSON BROOKS: So it was my pleasure to give her a pin, our pin.

COUNCILPERSON DAVIS: Wonderful.

CHAIRPERSON BROOKS: So we'll be flying around the world.

COUNCILPERSON LOWE: Oh, yeah. They're -- they're getting around. So if you need them, just let us know. Thank you very much.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON DAVIS: Okay?

CHAIRPERSON BROOKS: Yes, Miss Davis.

COUNCILPERSON DAVIS: Just want to take this opportunity to thank everyone who came to the -- the Employee Social that was held on last Thursday. It was a great event. We had a little bit of everything, a little karaoke, a little music, food and, Memory Lane performed. We even had a surprise visit by someone who looked like President Obama. And, anyway -- and I want to thank those people who contributed all of the gifts: Miami Beauty Supply, All-Site Construction, McCray's Backyard BBQ, Peanut Island Sports Bar & Grill, Tiki Waterfront Sea Grill, Publix, Old Dominion Freight -- Freight Line, Mr. Aman Israel. Um, and I want to thank the City and City Council for approving this event. I think it did a lot to boost the morale of our City employees.

And, so anyway, now on to other things, Miss Jones. Miss Havener came to see me this evening. And I told her that I would bring these things up. She has informed me that all of the lights on E. 25th Street are out. I -- is that east of Broadway, Miss Havener?

VIVIAN HAVENER: Yes.

COUNCILPERSON DAVIS: Yes. East of Broadway. And I'm assuming a lot of the -- the -- the properties are -- in that area are absent -- absentee landlords and they're having a lot of problems with that. And also I see a lot of overgrown lots in District 2. And what I would ask, Miss Jones, is, you know, I know that Code Enforcement is -- is -- is -- is out there. I know that. But what I'd like to have is -- I don't know if the rest of the council would want it but I would certainly want it for my district -- all of the activity that they're doing in my district, I'd like it in written form, please. All of those who are going before a special magistrate, all of those that they have, you know, posted on. So that I'm -- I don't have to bother them with asking the questions. You know, that they can just give it to me maybe on a monthly basis.

And I've already talked to you about Mr. Nash. And now I forgot one thing regarding the Employee Social. I have to thank my secretary, Debrah Hall. She pulled all of this together. She did a wonderful job. And -- and thank you, Councilwoman Brooks and Councilman Lowe for coming and Mayor Masters who came. But you missed the best part. Mr. Ron back there.

CHAIRPERSON BROOKS: That's my --

COUNCILPERSON DAVIS: He was awesome. So -- that's all I gotta say, Ron. Okay?

CHAIRPERSON BROOKS: -- that's my legislative assistant.

COUNCILPERSON DAVIS: So thank you all very much for that. Okay?

CHAIRPERSON BROOKS: Okay. Mr. Thomas?

COUNCILPERSON THOMAS: Yes. I just have just two announcements in regards to the Fifth Grade Fun Day. That will be November 15th. And the Turkey Giveaway, I believe it's going to be November 20th. And please try to -- for the Turkey Giveaway, please try to preregister if you can. The first 25, of course, will be guaranteed a turkey. At this point it's going out in the newsletter that it'll be at TD Bank. Some construction has started there. We're not sure so by the first meeting in November, you know, if need be, we will change the location. I don't know where that will be at this point. We're hoping that it will still be at TD Bank but I'll give you an update on that.

And the Fifth Grade Fun Day, we're inviting the entire community. It will be held at -- between JFK and Suncoast. And everyone is definitely welcome. That will start at 9 a.m., correct, Jenny? 9 a.m.? Start at 9 a.m. on the -- November 15th and that's a Thursday. So any of the community that's able please come by and support our fifth graders from around the area. Thank you.

CHAIRPERSON BROOKS: Okay. And for myself, I want to thank all of the volunteers, the young people and all who came out -- and our staff, different departments, Mr. Johnson from Public Works, Jeff came out and others, to help with our Cleanup Campaign that was the 22nd of -- of last month. In spite of the rain we had 65 people to show.

CITY ATTORNEY RYAN: Wow. Wow.

CHAIRPERSON BROOKS: And I just want to say a big thank you to our United Neighbors and everyone for what they did. And it'll be a little bit more official later on but, again, you ladies proved that you're very committed to cleaning up our city, even in the rain.

On October the 13th, I will be co-sponsoring with Revival Outreach Ministries, the Second Annual Community Health Fair that will be held on the corner of Sixth and Australian. And we are trying very hard to get health care agencies to come out with applications for persons to come and -- and apply. The Health Care District is coming. Many people are not aware that when you don't have insurance, the Health Care District is the place to come. They offer medical services to you. Sometimes without any fee at all and sometimes you might have to pay a deductible. So we will have those forms for you to come out and complete and someone will be there to help you.

Also, the Mayor will have person -- a -- someone there, maybe himself, as well, for you to get an application for all of the discounts that you are now eligible for with over -- from over -- over 100 businesses.

I will also have applications for our Senior Utility Assistance Program. The -- my colleagues approved last month, uh, a continuation -- a reinstatement of the program that would give seniors on limited income assistance with your water bill. So please come out and get your applications and we'll assist you with that.

There is the Bobbie E. Brooks Scholarship Fund. I was able to collect \$6,000 and I'm saying to you parents of young people who are in school, please come out and get your application. We will try to award the scholarships for the second semester.

The -- also at the Health Fair, we will have our Cybermobile. Parents, everyone, come out and visit the Cybermobile and see what we have to offer. It's a wonderful experience. What we will be doing, uh, starting this week and into next week, we will have an interview with the different agency representatives discussing what their services -- what their services are. So please stay tuned for that on Channel 18.

And I believe that is pretty much it for me. Anyone else? Okay. We're down now to Public Comments. I think we're all trying to get out of here so we can go hear the debate at 7:00. All right. I have -- let me make sure I have everybody's card now. I'm not calling you just yet. I want to make sure I have your card. Greg Moore, Mr. Ward, and Lloyd Brown. Okay. The first person would be Greg Moore.

GREY MOREY: Hi, Billie Brooks. My name is Greg Morey [phonetic]. I'm from Avenue C and 21st Street, and I'm glad that I -- I made it here today to -- to -- and I came here to bring a book for everybody here, for Shelby Lowe, Judy Davis, Billie Brooks, and the Attorney Miss Ryan over there and Mr. Thomas. It was in 1922 when they incorporated the City. The -- "The history of Riviera Beach, Florida, states that in 1922 there were 75 commercial fishermen that incorporated the city here in Riviera Beach, Florida."

And so as -- as I go on through the book -- I have six books here that I'd like to give out to the councilors. "At the Archives of the Historical Archives of Palm Beach County." They -- they -- my grandmother's house is number one right on -- on 21st Street. I'm here to talk about my grandmother's house.

Now, this book was written -- was ordered by Franklin Roosevelt. You can order the whole book and read it yourself. And the professor from Atlantic University -- his name is Charles Foster from Florida Atlantic University -- wrote the book. So I went and printed some of the pages from the book. It's -- and, uh, you can order the whole book online. You can order it. And I brought a handful of books right here to give out to the councilors and to the chairpersons so you can witness it.

CHAIRPERSON BROOKS: Thank you.

GREY MOREY: This is part of our heritage here, of this city here.

CHAIRPERSON BROOKS: And you may leave it with the young lady there.

GREY MOREY: So I would love just to, um -- to bring this -- I'm also from Cambridge, Massachusetts.

CHAIRPERSON BROOKS: You can leave them there.

GREY MOREY: And Charles Ogletree is my next-door neighbor. And, I'm -- I'm passing these out to them up there because we have here in Riviera Beach the John F. Kennedy boat, the Honey Fitz Fitzgerald boat. At some point it will make it up to Boston, up to Hyannis Port. And we need to get that boat up there.

And so it's a big historical event that's taking place here in Riviera Beach, Florida. So again, I'm from 21st Street and Avenue C and Cambridge, Massachusetts. My uncle worked for Franklin Roosevelt, my uncle. Who wrote the Bill of Rights, the Bill of Rights for all -- for everybody. So I -- I just want to make sure everybody gets one.

Order the whole book. Again, my uncle's name is Joe Sakey, S-A-K-E-Y. Um, Franklin Roosevelt appointed him to run the Library of Congress. And also this book is in the Library of Congress. And Franklin Roosevelt confiscated the boat from Sewell Avery and he used it in Pearl Harbor, the -- the Honey Fitz boat. John Francis Fitzgerald, the Mayor of Boston of 1910 to 1914. So I believe the boat will make it there in 1914 [sic]. So get involved in this big historical thing. Carlos Vidueira has got a lot of the details. And I believe -- I believe I seen your name in that book, there, Lowe's name in there. So I seen that name, your -- your last name, L-O-W-E, in there. I just want you to know that.

CHAIRPERSON BROOKS: Thank you, Mr. Morey, for sharing such rich history with us.

COUNCILPERSON LOWE: Madam Chair?

GREY MOREY: And that -- that house will -- when they --

CHAIRPERSON BROOKS: But your three minutes are up.

COUNCILPERSON LOWE: Madam Chair.

GREY MOREY: Okay. Thank you very much. See you next week.

CHAIRPERSON BROOKS: Yes, Mr. Lowe?

COUNCILPERSON LOWE: Mr. Morey, I got something for you, too. A genuine 90-year pin.

GREY MOREY: That's a 90-year pin?

COUNCILPERSON LOWE: Yes. Yes. And you deserve one 'cause you never fail to tell your story about Riviera Beach when you come up here.

GREY MOREY: Well, I -- I just kept the spirit alive.

COUNCILPERSON LOWE: Yes.

GREY MOREY: Keep hope alive, you know?

COUNCILPERSON LOWE: And -- and -- and the other day we -- well, I walked past the Library of Congress headed to the Supreme Court. And wish I had time to stop in there to kind of look up a couple of things. But I appreciate you being determined to get your story out.

GREY MOREY: If you ever -- if you ever go -- go back there again --

COUNCILPERSON LOWE: How many pins you need?

GREY MOREY: -- my uncle's last name is -- I'll take, um -- I'm going to give one to the Mayor of Cambridge.

COUNCILPERSON LOWE: Okay.

GREY MOREY: Henrietta Davis.

COUNCILPERSON LOWE: Okay.

GREY MOREY: And the city councilors in Cambridge should get one, as well. All those councilors.

CHAIRPERSON BROOKS: Okay.

GREY MOREY: You're all going to merge together at Rowes Wharf someday. You watch it, now.

COUNCILPERSON LOWE: I'm -- I'm going to give you 10 -- 10 pins.

GREY MOREY: Here, can I come over there?

COUNCILPERSON LOWE: I -- I'll bring them down to you.

CHAIRPERSON BROOKS: No, he'll bring it to you.

GREY MOREY: All right. Thank you very much. I love all of you, okay?

CHAIRPERSON BROOKS: Thank you. We love you, too. Mr. Ward?

GERALD WARD: Good evening, again. Gerald Ward, 31 W. 20th Street. I had three items and now have seven items. Item number 3 has a -- for the City Clerk's point of the minutes, has a -- I -- a card in requesting to speak but nobody pulled it so I didn't get to speak. I was aghast that three of you were here to approve the agenda.

If you actually read the agenda, "All matters listed under this item are considered to be routine." Changing the meeting times, changing the meeting numbers is not a minor or routine item. And furthermore, uh, I guess you had a special meeting at 5:30 because you hadn't taken action to change anything when the meeting started.

Further, I see the new finance director kept his skirts clean by not having any financial review of agenda item 3. Obviously if we gave you more money back at the end of 2008, for your salaries or expenses and you had agenda review before every meeting, then you turn around and had double CRA meetings. We're getting down where we only have one a month.

And now you've gone to one a month on the city council. There has got to be a financial analysis of how much staff time is -- is saved and how much agenda preparation time is saved and review so your compensation maybe should be cut and let's give the money back to one furlough day.

Number two, today I was advised late in the day that there was a -- a City Waterfront Advisory Board meeting. I have a written request in to be on the agenda list for any WAB agendas. It's time that maybe the City Clerk's Office starts to be the conduit for all agendas, P&Z, ZBA, WAB, Library Board, everybody.

Workshops. I'm glad to see you're going to have some economic development put on the agenda to consider whether you want the CRA as a department of the City.

Traffic light tickets needs full pro formas, both cost and, uh, revenues. The City Clerk's Office ought to take note as Miss Ryan reported that within an hour after the Supreme Court meeting, the 70 pages of transcript was up on the Internet and is available to anybody that needs it.

The port rail mess. I think that that's another item that could go to the Planning & Zoning Board right now. In '82 we wanted to have the trains reorganized. Put the cars coming down from the North on the back of the train instead of the front of the train. It would solve much of the time to do that. And boot them out, run -- stabilize the track to the east and end up with the train just pulling through there and dumping the rear end of the train.

CHAIRPERSON BROOKS: Be at three minutes, sir, Mr. Ward.

GERALD WARD: Can I have two more items, Madam Chair? The 12 October --

CHAIRPERSON BROOKS: Mr. Ward, you know the three minutes are gone.

GERALD WARD: -- is -- well, three -- three minutes -- there's -- 12 October is the Port of Palm Beach Comp Plan for their truncation of State Road 710. And lastly, Miss Jones ought to be complimented that the agenda's so short tonight that we can all go look at the debate and see what the best president since Harry has got to say.

COUNCILPERSON LOWE: All right.

CHAIRPERSON BROOKS: Mr. Brown. Lloyd Brown?

CITY ATTORNEY RYAN: Madam Chair? While he's coming up.

CHAIRPERSON BROOKS: Yes.

CITY ATTORNEY RYAN: I just want to comment on two things that Mr. Ward stated. Number one, as it relates to the meeting times, the City Council had a full discussion about this at the last City Council meeting. And we put the -- and they voted on it. We put the resolution together after the fact so it would reflect everything that the City Council stated.

And number two, he's correct. The transcript of the Supreme Court case is online but the audio is not available until Friday. So I just want to make sure --

CHAIRPERSON BROOKS: That's what you said, yeah.

CITY ATTORNEY RYAN: -- that everyone is clear on that. I think the transcript is fine but the audio is even better. I -- I really encourage you to listen to the audio. And that's it. Thank you.

CHAIRPERSON BROOKS: Mr. Brown, thank you for your patience.

LLOYD BROWN: Hello. My name's Lloyd Brown and I know you know me. But I'm just here to ask a question, a couple questions. I mean, what is a brown bag? You know, like the bags you get? 'Cause, like, when I was going to school my brother gave us a brown bag, you know, and we carried our lunch in it. But I -- it seems like -- like now in Riviera Beach, a brown bag is turned into an open container. And, like, you want votes, right? You want votes. But all these guys with these brown bags are turning into felons. And that mean less votes.

I mean, there's more out there than an open container. I mean, I'm not saying that you should just stop and say, Oh, you could drink anywhere you want to. I mean, really, we were doing it before. But I mean, it wasn't no crime and all that. Didn't -- and -- and the brown bag and the pulling the people on the side for open containers, that's not stopping anything.

You ought to go into these stores where they sell these people cigars and I know these kids aren't old -- they aren't the age who supposed to be buying them. That's who you should look at.

And then everybody in our neighborhood -- all these stores sell food. I can go up there in Lake Park and go right in (Inaudible) and there's a sign right on the wall that says, "If you want to see our last inspection, come up and ask." Go down that street down there and see if you see any inspections. And then they have -- today they'll have you in there. Tomorrow they'll have your sister cooking in there and they got your aunt the next week. You know, that's not right. And these people -- I mean, the Health Department don't even go through there.

And then another thing, too. Like, if -- if you're gonna take and arrest somebody for an open container, then the guys in the stores, I mean, they shouldn't be selling alcohol anyway during the school time. When school's in, when that guard's out there, they

shouldn't be able to sell alcohol. But you go and ask them that question. Like, on 29th Street. I don't really care. I don't go there no more. You ask one of those people, Would you stop selling alcohol, you know, and help us out so that these crowds won't be up in the morning 'cause if you don't sell alcohol during the school time, you won't see all those guys up there. They're only up there in the morning to drink and socialize. They're not there to rob and steal. But if it's illegal, stop the selling of alcohol in the morning when it's school. I mean, give them a break. You know, give them a break. If you don't give them a break, then you want their vote and then -- and then you want to ask some questions about who did this in a crime. They're gonna look at you like you're crazy. A guy just told me he paid \$71 three times. He say he had a cup. He just poured it in it. Now, how can a cup be an open container? I mean, it's gotta be alcohol but how do you know it's alcohol unless you're there when he brought it. That's violating your Fourth Amendment Right. And it's going on in Riviera Beach. It's going on in Palm Beach County.

This is not the first stop for me. I'm going downtown to the commission 'cause that's not right. If I got a brown bag and I'm standing on a corner, you have no right to bother me. 'Cause if you do, then that mean you profiling me, Oh, that guy's over there drinking. Thank you.

CHAIRPERSON BROOKS: Thank you, Mr. Brown. Are there any further comments from the Council.

COUNCILPERSON DAVIS: Uh-uh.

CHAIRPERSON BROOKS: Do I have to get a motion?

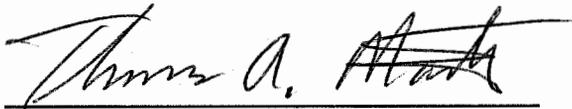
COUNCILPERSON THOMAS: So moved.

COUNCILPERSON DAVIS: Motion to adjourn.

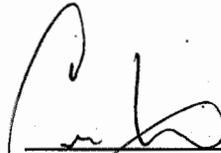
CHAIRPERSON BROOKS: Yes.

(CONCLUSION OF MEETING)

APPROVED:

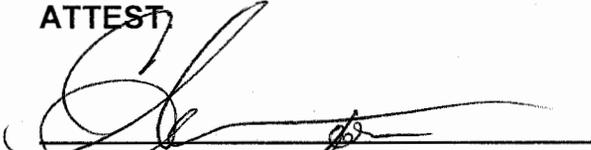


THOMAS A. MASTERS
MAYOR

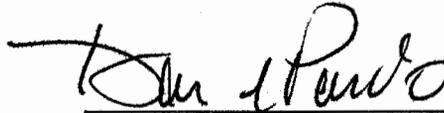


CEDRICK A. THOMAS
CHAIRPERSON

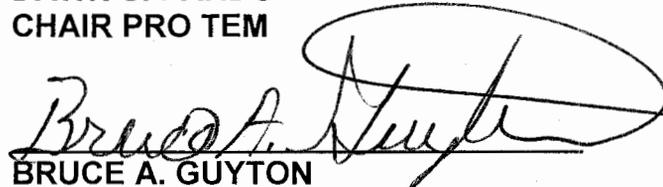
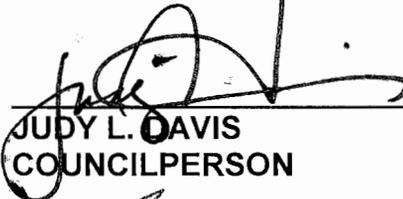
ATTEST



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM


BRUCE A. GUYTON
COUNCILPERSON
JUDY L. DAVIS
COUNCILPERSON
TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: T. DAVIS

SECONDED BY: J. DAVIS

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS OUT

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: 10/02/2013