

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MARCH 16, 2016 AT 5:30 P.M.**

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

CALL TO ORDER

CHAIR PARDO: Okay. So, Walter is still trying to figure out if he can get us on television but we are being recorded, recorded as we speak. So we can continue.

ROLL CALL

CHAIR PARDO: Madam Clerk, roll call, please.

DEPUTY CITY CLERK BURGESS: Mayor Thomas Masters? [Pause].
Chairperson Dawn Pardo?

CHAIR PARDO: Present.

DEPUTY CITY CLERK BURGESS: Chair Pro Tem Terence Davis?

CHAIR PRO TEM DAVIS: Here.

DEPUTY CITY CLERK BURGESS: Councilperson Bruce Guyton? [Pause].
Councilperson KaShamba Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Present.

DEPUTY CITY CLERK BURGESS: Council person Cedrick Thomas?

COUNCILPERSON THOMAS: He's here.

DEPUTY CITY CLERK BURGESS: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

DEPUTY CITY CLERK BURGESS: Deputy City Clerk Jacqueline Burgess is present. City Attorney Pamala Ryan?

CITY ATTORNEY RYAN: Present.

DEPUTY CITY CLERK BURGESS: We have a quorum.

INVOCATION

PLEDGE OF ALLEGIANCE

CHAIR PARDO: Thank you. I'd like to invite everyone to stand for a moment of silence followed by the Pledge.

[Moment of silence]

CHAIR PARDO: I pledge allegiance...

ALL: ...to the Flag of the United States of America and to the Republic, for which it stands, one nation under God, indivisible with liberty and justice for all.

CHAIR PARDO: 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 ITEM BEING TAKEN UP BY CITY COUNCIL FOR DISCUSSION. MEMBERS OF THE PUBLIC SHALL BE GIVEN A TOTAL OF THREE (3) MINUTES TO SPEAK ON 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 SUBMIT A COMMENT CARD AND SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

Additions, Deletions, Substitutions

CHAIR PARDO: Ms. Jones, do we have any additions, deletions or substitutions to the Agenda?

CITY MANAGER JONES: Yes, we do, Madam Chair. For your consideration tonight, you received, yesterday, a revised Resolut'..., um, Agreement for Item No. 14, a redlined copy as well as the final of that. So that's a revision to a document, it's not a totally new document.

I would also like to add, on the regular Agenda, an Item 14A. If you will recall, there were several Items that were on the CRA's Agenda last week that needed to move forward. We were able to get three on but there's this one last one which is the Second Amendment to the Marina Upland's Funding Interlocal Agreement between the City of Riviera Beach, the Utility Special District and the Community Redevelopment Agency. That's a new Item for an addition.

Under Community Benefits, we have five Items that we would like to add for consideration. Item No. 19. I Am Who I Am, Incorporated, from Council person Miller-Anderson. \$500 to assist with the workshop to educate and empower young girls. Item

20, also from Councilperson Miller-Anderson, to the Palm Beach Lakes High School. \$500 to assist with Project Graduation.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY MANAGER JONES: Item 21. A Community Benefit from Councilwoman Miller-Anderson for \$580...

COUNCILPERSON MILLER-ANDERSON: No, ma'am. On the second page it's \$966.66.

CITY MANAGER JONES: \$966.66, yes, ma'am. Thank you.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY MANAGER JONES: Item No. 22, also from Councilwoman Miller-Anderson and that isn't the amount of... Well, first of all, it's to Mary McLeod Bethune Elementary School and it's to help with their reading program and their readiness and online standards and that amount is \$966.66.

And finally, we have Item No. 23, also from Councilwoman Miller-Anderson. It's for \$966.66 to the Lincoln Elementary School.

Those are your additions to the night's Agenda.

CHAIR PARDO: Thank you.

DISCLOSURES BY COUNCIL

CHAIR PARDO: Do we have any disclosures by Staff or by Council?
[Pause]

ADOPTION OF AGENDA

CHAIR PARDO: Do we have a motion to Adopt the Agenda?

COUNCILPERSON THOMAS: So move.

COUNCILPERSON MILLER-ANDERSON: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you.

CHAIR PARDO:

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 PARDO: Do we have a motion to accept...

COUNCILPERSON MILLER-ANDERSON: Madam...

CHAIR PARDO: ...Consent?

COUNCILPERSON MILLER-ANDERSON: ...Chair? Madam Chair?

CHAIR PARDO: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: I wanna pull 2, 3, 4, 5, 6 and 7.

CHAIR PARDO: 2, 3, 4, 5, 6...

COUNCILPERSON MILLER-ANDERSON: And 7.

CHAIR PARDO: 7. Okay. Do we have a motion to accept Consent with 2, 3, 4, 5, 6 and 7 pulled?

CHAIR PRO TEM DAVIS: So move.

UNK: Second.

COUNCILPERSON MILLER-ANDERSON: [Inaudible].

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 2.

UNK: I have nothing.

DEPUTY CITY CLERK BURGESS: 2. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH CHEN MOORE ASSOCIATES OF WEST PALM BEACH, FLORIDA FOR ENGINEERING AND DESIGN SERVICES THE DEVELOPMENT OF PLANS FOR BIDDING TO FACILITATE RIVIERA BEACH HEIGHTS COMMUNITY CENTER IN THE AMOUNT OF \$48,920; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 310-02023-572-0-6251 AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON THOMAS: So move.

CHAIR PRO TEM DAVIS: Second.

CHAIR PARDO: Alright. Do you have a question? Do you want a presentation?

COUNCILPERSON MILLER-ANDERSON: Yeah.

CHAIR PARDO: What do you want?

COUNCILPERSON MILLER-ANDERSON: Mhmm. Presentation.

CHAIR PARDO: Go ahead, sir.

DEPUTY CITY MANAGER JONES: Danny Jones, Deputy City Manager. As you know, earlier in the budget process, the Council approved the Riviera Beach Community Center. This is a work order with Chen Moore & Associates to facilitate the design of that facility.

[Pause]

COUNCILPERSON MILLER-ANDERSON: Yes. Oh, you're done?

DEPUTY CITY MANAGER JONES: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Oh, okay. I guess I would have a question in, in regards to the bidding process. Could you just explain that to me a little bit regarding this particular contract?

DEPUTY CITY MANAGER JONES: The City's currently in.., has currently engaged Chen Moore to do projects in that, in that area.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

DEPUTY CITY MANAGER JONES: And, working with the City Engineer in the Public Works Department. To facilitate this project, it was feasible to use Chen Moore to do the design for this building. And, it was reviewed through the, the procurement process...

CITY ATTORNEY RYAN: You have a...

DEPUTY CITY MANAGER JONES: ...and approved...

CITY ATTORNEY RYAN: ...continuing contract.

DEPUTY CITY MANAGER JONES: Yes.

COUNCILPERSON MILLER-ANDERSON: Yeah. But...

DEPUTY CITY MANAGER JONES: Continuing services.

CITY ATTORNEY RYAN: Continuing services contract.

COUNCILPERSON MILLER-ANDERSON: Which covers various...

CITY MANAGER JONES: Anything.

CITY ATTORNEY RYAN: Correct.

DEPUTY CITY MANAGER JONES: Yes.

CITY ATTORNEY RYAN: We have a continuing contract with them for three years which covers any of our engineering needs that were identified in the RFP.

COUNCILPERSON MILLER-ANDERSON: Okay. [Pause]. Does that [pause], is there a certain amount that he could max out to that covers all of the possible contracts that they may do or is it a certain amount that, you know, \$100,000 is what it covers or is this just whatever comes through the particular departments, he would be responsible for doing?

DEPUTY CITY MANAGER JONES: The original bid was done through an RFP process and it was to...

COUNCILPERSON MILLER-ANDERSON: You said it was or it wasn't?

DEPUTY CITY MANAGER JONES: Yes.

COUNCILPERSON MILLER-ANDERSON: It, you...

CHAIR PARDO: Was.

COUNCILPERSON MILLER-ANDERSON: ...said was? Okay.

DEPUTY CITY MANAGER JONES: Yes.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY MANAGER JONES: Was.

DEPUTY CITY MANAGER JONES: It was, yes.

COUNCILPERSON MILLER-ANDERSON: Okay. Uhuh. You...

DEPUTY CITY MANAGER JONES: And there was no specific dollar amount...

COUNCILPERSON MILLER-ANDERSON: Okay.

DEPUTY CITY MANAGER JONES: That was the scope of work and services.

COUNCILPERSON MILLER-ANDERSON: Mhmm. [Pause]. I feel like ya wanna say something else but you kinda waiting to see [stammer].

DEPUTY CITY MANAGER JONES: No. I'm trying to answer...

COUNCILPERSON MILLER-ANDERSON: Just tell me...

DEPUTY CITY MANAGER JONES: ...your question.

COUNCILPERSON MILLER-ANDERSON: ...everything you need to tell me and then...

DEPUTY CITY MANAGER JONES: No. I'm just trying to...

COUNCILPERSON MILLER-ANDERSON: Don't hold back.

DEPUTY CITY MANAGER JONES: I'm not holding back. I'm...

COUNCILPERSON MILLER-ANDERSON: [Chuckle].

DEPUTY CITY MANAGER JONES: ...just trying to answer your questions.

COUNCILPERSON MILLER-ANDERSON: Okay. Am I, am I not clear?

DEPUTY CITY MANAGER JONES: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. So, continuing contract, whatever we have to do, it goes to them and all of our statutes were followed? There's nothing we went outside of anything and everything is...

DEPUTY CITY MANAGER JONES: No, ma'am.

COUNCILPERSON MILLER-ANDERSON: ...done by our procurement code? Correct?

DEPUTY CITY MANAGER JONES: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Yep.

CITY MANAGER JONES: It is allowable under our procurement code and procurement.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. Thank you.

CHAIR PRO TEM DAVIS: Madam Chair?

CHAIR PARDO: Let the record reflect that Councilman Guyton is on the dais. Yes, Mr. Davis?

CHAIR PRO TEM DAVIS: Is this an Item that, um, before choosing Chen and Moore, was this a recommendation by just Staff or this is an Item that whether we wanna go out for bid or not by commission, should be determined?

[Pause]

CHAIR PARDO: [Inaudible].

CITY MANAGER JONES: Brief...

CHAIR PRO TEM DAVIS: Does our policy just allow Staff to make this decision without it coming before this Board? Let's say if we wanted to go out for bid for somebody else to do engineering services? I'm thinking, I'm not too sure that's what Miller-Anderson's inquiring but I'm just kinda feeling a tone right now and I'm trying to find out what's, what's going on.

CITY MANAGER JONES: No, sir. Everything that comes from Staff is a recommendation.

CHAIR PRO TEM DAVIS: Correct.

CITY MANAGER JONES: And so, it is just a recommendation.

CHAIR PRO TEM DAVIS: So, this Board...

CITY MANAGER JONES: And you can...

CHAIR PRO TEM DAVIS: ...does what it wants?

CITY MANAGER JONES: You can direct us, if you desire, for us to...

CHAIR PRO TEM DAVIS: Okay.

CITY MANAGER JONES: ...go out for the amount and not use the continuing contract.

CHAIR PRO TEM DAVIS: I understand.

CITY MANAGER JONES: Yeah. But it's a recommendation, in order to expedite time and you see it's not a great dollar amount...

CHAIR PARDO: Right.

CITY MANAGER JONES: So, to get someone to bid on a project...

CHAIR PRO TEM DAVIS: Time and services...

CITY MANAGER JONES: ...less than...

CHAIR PRO TEM DAVIS: I understand.

CITY MANAGER JONES: Well, less than \$50,000, you, you're not gonna get a lot of people to bid on a \$50,000 project.

CHAIR PRO TEM DAVIS: Correct.

COUNCILPERSON MILLER-ANDERSON: So, but this, this particular guy, um, company, did they..., they did some work for us on the Utility District side?

CHAIR PARDO: Right.

CITY ATTORNEY RYAN: That's, that's what I was gonna talk about. Remember, if you may recall, Chen Moore and Associates, along with, at least one other company, was chosen on the Utility District side to...

COUNCILPERSON MILLER-ANDERSON: Right.

CITY ATTORNEY RYAN: ...have a continuing contract.

COUNCILPERSON MILLER-ANDERSON: Right.

CITY ATTORNEY RYAN: And then, on the City side...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...the City also went out for bid and they were also chosen on that list. I think, I don't see Mr. Johnson here but I believe we have three different companies and they all kind of do specialized work. So, depending on what the work is, that's...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...how they get chosen. And to go to Mr. Davis' question, if it's a lot of money...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: Then, those are the ones that we still send back out...

CITY MANAGER JONES: Right.

CITY ATTORNEY RYAN: ...to bid. But, as the Manager said, when it's only, like, \$48,000, it's better to just use the continuing contract as opposed to going back out for...

COUNCILPERSON MILLER-ANDERSON: But when he was selected for that continuing contract, isn't this the one that there were some issues or a little conflict or some issue was brought up with them being selected and there was another group that we didn't, um...

CITY ATTORNEY RYAN: That was on the Utility...

CITY MANAGER JONES: That was on the...

CITY ATTORNEY RYAN: ...District side.

CITY MANAGER JONES: ...Utility...

COUNCILPERSON MILLER-ANDERSON: Right.

CITY MANAGER JONES: ...District side.

COUNCILPERSON MILLER-ANDERSON: Right. So when they acquired the contract on the Utility District side, that secured their position to be able to get, um, contracts on any side.

CITY MANAGER JONES: Two separate solicitations.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright.

CITY MANAGER JONES: They were no'..., they're not the same solicitation.

COUNCILPERSON MILLER-ANDERSON: Okay. Okay. What, Ms. Ryan, I know you stated just now that the, it would go out to bid. Is there a specific amount that we would send it back out for?

CITY ATTORNEY RYAN: You know, I, I really [stammer], if we had the contract, I would be able to look at it more closely but...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: I don't know what the dollar amount is. It's high, maybe half a million dollars.

COUNCILPERSON MILLER-ANDERSON: Mhmm. Okay.

CITY ATTORNEY RYAN: When we'll send it back out.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: But there's nothing that I know of that's set in stone on that.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. Thank you.

CHAIR PARDO: Anyone else? [Pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 3.

DEPUTY CITY CLERK BURGESS: 3. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN ADDENDUM TO THE MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH U.S. BANCORP GOVERNMENT LEASING AND FINANCE, INC. TO FINANCE THE PURCHASE OF ONE (1) RESCUE TRUCK; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ADDENDUM; FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT WITH HALLMARK FIRE APPARATUS, FOR THE PURCHASE OF THE RESCUE TRUCK; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE THREE (3) ANNUAL PAYMENTS IN THE AMOUNT OF \$117,199.41 TO BANCORP WITH THE FIRST PAYMENT DUE IN FISCAL YEAR 2017; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a...

COUNCILPERSON GUYTON: So move...

CHAIR PARDO: Is there a second?

CHAIR PRO TEM DAVIS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: Yes. What you have before is probably the final Lease Purchase Agreement for apparatus in the Fire Department. I will ask Chief Durren to speak to specifically what we are acquiring here.

FIRE CHIEF DURREN: Reginald Durren, Fire Chief. As the Manager stated, this is one rescue unit. It'll help us complete our apparatus replacement plan and bring us current. Uh, wouldn't take receipt of the vehicle until next year, in 2017 and it takes approximately six to nine months to build. Hence, our first payment won't occur until next year. Next fiscal...

COUNCILPERSON MILLER-ANDERSON: Right.

FIRE CHIEF DURREN: ... year.

COUNCILPERSON MILLER-ANDERSON: And I remember, we had this on here before, right?

FIRE CHIEF DURREN: No, ma'am. That was for an engine.

COUNCILPERSON MILLER-ANDERSON: Oh.

FIRE CHIEF DURREN: This is for a rescue.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. Same scenario on this?

FIRE CHIEF DURREN: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. Thank you.

CHAIR PARDO: Anyone else? [Inaudible whispering]. [Pause]. Madam Clerk?

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 4.

DEPUTY CITY CLERK BURGESS: 4. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING AUTHORIZATION TO NEGOTIATE THE PURCHASE OF A PUBLIC SAFETY SOFTWARE SOLUTION FOR THE RIVIERA BEACH POLICE DEPARTMENT WITH SUNGARD; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

CHAIR PRO TEM DAVIS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: Yes. This Item is before you, if you will recall as a part of the infor'., the IT Master Plan, one of the major areas of consideration was the police CAD system and what we needed to do and this is the procurement of that system. I would ask Assistant Chief Madden to answer any specific questions about what the software does. I'm not that savvy as to actually everything that it tracks but this would be the acquisition of that particular software.

CHAIR PARDO: Alright. Ms. Miller.

COUNCILPERSON MILLER-ANDERSON: Hi. How ya doing?

ASSISTANT CHIEF MADDEN: Hi. Good evening. Mike Madden, Assistant Police Chief.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

COUNCILPERSON MILLER-ANDERSON: Is there an amount stated or are we, do we know how much or I missed it?

ASSISTANT CHIEF MADDEN: We have some preliminary numbers that were in proposals but...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASSISTANT CHIEF MADDEN: ...uh, this a request to negotiate so there is not a dollar amount.

COUNCILPERSON MILLER-ANDERSON: Mm.

ASSISTANT CHIEF MADDEN: That's being brought before you for approval tonight.

COUNCILPERSON MILLER-ANDERSON: Okay. Um, so this doesn't violate any of our procurement ordinances or anything, correct?

CITY MANAGER JONES: Oh no. We come to you on certain items specifically asking to negotiate and then once we finish those negotiations, we come back to you for action.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. Thank you.

CHAIR PARDO: Anyone else? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 5.

DEPUTY CITY CLERK BURGESS: 5. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, PROVIDING A MECHANISM FOR THE FINANCING OF ENERGY CONSERVATION AND EFFICIENCY IMPROVEMENTS, RENEWABLE ENERGY IMPROVEMENTS, AND WIND RESISTANCE IMPROVEMENTS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A NON-EXCLUSIVE INTERLOCAL SUBSCRIPTION AGREEMENT WITH THE FLORIDA PACE FUNDING AGENCY ALLOWING THE AGENCY TO ADMINISTER A FINANCING PROGRAM FOR SUCH IMPROVEMENTS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY; AUTHORIZING AND DIRECTING CITY OFFICIALS, OFFICERS, EMPLOYEES AND AGENTS TO TAKE SUCH ACTIONS AS MAY BE NECESSARY OR DESIRABLE IN FURTHERANCE OF THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. We have one public comment card. Michael Slosser.

MR. M. SLOSSER: Good evening. Michael...

CHAIR PARDO: Good evening, sir.

MR. M. SLOSSER: ...Slosser. 4100 North Ocean Drive, Riviera Beach. Madam Chair, Members of the Council, Members of the Administration, you'll recall, I came to you in January along with my, my friend and neighbor, Jonathan Kanoust [sp], to present the individual who had brought this program to us. It's a program that we, we were excited about and we realized the potential going far beyond anything that we were gonna do. I, in my other role, one of my other roles is Co-Chair of the Commission on Social Justice, sat and talked about it with Pastor Drayton and his question to me was, 'Can you replace the windows in his church with this program and spread the payments out over a period of time?' My answer to him was, 'I believe so and I will double-check it,' and that was the case. This is an exciting program, I think, for the whole City. It's one of those programs I would hope would be one of the 5 - 0 votes that you do. It's a

program that allows any homeowner or any individual the opportunity to borrow money through the program to do improvements to their roof, their HVAC system, their windows and hurricane protection. As I understand it, you are, I'm not the expert, you can then spread it out over a period of time, it becomes part of your uh, non-ad valorem taxes. It's a program that benefits all segments and all members of our community.

I'm simply here tonight to urge you to adapt this. I know the Attorney, Attorney Ryan has gone over this and has given you a report on it, um, and there should be probably no reason for us not to consider this opportunity for everybody in the community. It's a, it's a very broad-based commun'..., program. It's a program, that I would think, would benefit so many people and would probably do some good in, in the look and feel of the City because as people fix their properties up and they do new roofs and they do new windows, their houses look better and the whole community looks better. So, I have really no magic comments to make other than I hope you'll s'..., you'll adapt this. It's a good program for everybody. It's one of those very few programs that's actually a win/win.

Thank you.

CHAIR PARDO: Okay. Thank you. Alright. Who's doing the presentation?

CITY ATTORNEY RYAN: Madam Chair?

CHAIR PARDO: Ma'am.

CITY ATTORNEY RYAN: I will say this, I think Mr. Slosser has done the presentation. Everything that he said is [chuckle] accurate. The Council, they..., the [stammer], an independent person came and did a presentation to the Council a couple of months ago. You asked me to do some research. My office, along with finance, met with two of the companies that provide the service through an Interlocal agreement. My offices also attended one of the Board meetings of one of the companies and tonight we can recommend one. I am still doing the due diligence on the other, only because of its very technical indemnification language that I'm not yet comfortable with but this particular company has great..., their subscription program is very good. The indemnification to the City, meaning that we're not involved at all, is very clear, it is statutorily and..., a statutorily approved program. I did not see any downsides. As Mr. Slosser stated, it provides an opportunity for businesses, commercial, industrial and residents to get improvements to their homes and pay for them over a period of time through a non-ad valorem tax assessment.

It's a good program and when I spoke to the representative, they're, they are not here tonight. I, he had a conflict and I told him I thought I could handle it. But they are excited about coming into our community and have stated that they plan to reach out to all of our residents and businesses if, to see what the interest is in our City.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIR PARDO: Alright. Does anyone have any questions?

COUNCILPERSON MILLER-ANDERSON: Yes. And obviously it's voluntary, right?

CITY ATTORNEY RYAN: Absolutely.

COUNCILPERSON MILLER-ANDERSON: And then the, um, will they be educated on...

CITY ATTORNEY RYAN: Very much so.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: There's a...

COUNCILPERSON MILLER-ANDERSON: ...Do they have a...

CITY ATTORNEY RYAN: There's a lot of education. I'm told that, with, with both companies, they sit down...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...with you, there is paperwork that you will sign, you can get out of it if you don't wanna do it before they ever start doing the work on your home.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: There's a lot of, a lot of disclosures. And because it's statutory and it's governments...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: They, I think, they do a lot more consumer protection than ordinarily you would find in a commercial setting.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: Because we are joining a group of other municipalities and counties.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: It's a good program. I was impressed. Never heard of it before but was very impressed in doing the research.

COUNCILPERSON MILLER-ANDERSON: Okay. Thanks.

CHAIR PARDO: Anyone else? Ma'...

CHAIR PRO TEM DAVIS: Madam Chair?

CHAIR PARDO: Sir.

CHAIR PRO TEM DAVIS: I see a lot of the issues that are very beneficial but I do share maybe one or two concerns. When they go to a resident...

CITY ATTORNEY RYAN: Yes.

CHAIR PRO TEM DAVIS: And they're sitting down one-on-one and they have a lot of legal documents, my question and concern is, have they done any presentations across the City already to inform people before we make this decision, throughout the community?

CITY ATTORNEY RYAN: As far as I, I know, the only presentation they've made has been to um, the group with Mr. Slosser and I was told that that was because they requested it at the time and they were very careful because the program has not been approved by the...

CHAIR PRO TEM DAVIS: So who told you that? Their representative?

CITY ATTORNEY RYAN: Yes.

CHAIR PRO TEM DAVIS: And they didn't find it fit to come on this side of the bridge and talk with others?

CHAIR PARDO: Okay. Well, I can tell you this...

CHAIR PRO TEM DAVIS: I, I'm talking... Excuse me, I just.., I'm waiting to hear from Ms. Ryan...

CHAIR PARDO: Alright, fine.

CHAIR PRO TEM DAVIS: ...before I...

CHAIR PARDO: ...well...

CHAIR PRO TEM DAVIS: ...get to that point.

CITY ATTORNEY RYAN: Well, when I raised your concern with him about that, he did state that that, if they were requested, they would've done so...

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: ...and that they fully intend to, if the City supports the program.

CHAIR PRO TEM DAVIS: You know, here..., here's my thing. We try to be [inaudible] across this entire City. And, a lot of residents have asked questions to me and I couldn't really explain it because ..., I was actually at that particular meeting and it was a very extensive meeting and the residents asked their questions. A lot of questions were answered but we have a lot of other people that might wanna ask those same questions, that weren't in that room that lasted about an hour and a half. It was a great meeting but I think it's a little premature to bring something like this without asking others across this entire City. I'm givin' them the same resp"... They shouldn't have to ask. If you started on one side, you should start..., continue to move throughout the entire City. But, um, that's just my position. I like the program but there's others who have questions that watched the last presentation.

Do we have any controls in place to, if, once approving this Item tonight, that will allow it to come back if residents have some real serious concerns to come back before this Board?

CITY ATTORNEY RYAN: In the agreement, I have to...

CHAIR PRO TEM DAVIS: Cause I don't wanna...

CITY ATTORNEY RYAN: ...look at it.

CHAIR PRO TEM DAVIS: ...kill it but...

CITY ATTORNEY RYAN: I understand.

CHAIR PRO TEM DAVIS: Do we have any controls that will allow it to come back if they some concerns once this outreach goes out later?

[Pause]

CITY ATTORNEY RYAN: Okay. Uh, this is a three year agreement.

CHAIR PRO TEM DAVIS: Okay.

CITY ATTORNEY RYAN: It will be a three year interlocal agreement. And it states that it continues unless we give them notice.

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: However, either party may unilaterally terminate this agreement prior to any financing agreements being executed or, if earlier, the issuance

of any obligations of the Agency secured by pledged revenues derived from within the jurisdiction, which is not gonna happen.

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: So, basically, if you allow them to come in...

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: ...and they start doing the programming...

CHAIR PRO TEM DAVIS: Mm.

CITY ATTORNEY RYAN: ...if you cancel the program, then they will be acting illegally.

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: So, the cancellation would be effective..., let's say you approved it tonight and then they entered into an agreement...

CHAIR PRO TEM DAVIS: Okay.

CITY ATTORNEY RYAN: ...with that, with the condominium...

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: ...then we would not be able to terminate this contract until that, that financing was in place.

CHAIR PRO TEM DAVIS: In place already.

CITY ATTORNEY RYAN: Correct.

CHAIR PRO TEM DAVIS: So, are there any penalties that we would have restricting that...

CITY ATTORNEY RYAN: No.

CHAIR PRO TEM DAVIS: ...contract that will allow us...

CITY ATTORNEY RYAN: Penalties?

CHAIR PRO TEM DAVIS: Penalties, if they were to continue working throughout this City...

CHAIR PARDO: They're not gonna...

CHAIR PRO TEM DAVIS: ...without...

CITY ATTORNEY RYAN: Well, it's ille'.., it would be illegal.

CHAIR PRO TEM DAVIS: Right.

CITY ATTORNEY RYAN: Because they can't operate outside of Florida statutes. I mean, we, we would...

CHAIR PRO TEM DAVIS: Correct.

CITY ATTORNEY RYAN: ...turn 'em in.

CHAIR PRO TEM DAVIS: Right.

CITY ATTORNEY RYAN: You know? It is, it is statutory. So, I don't believe that they would operate outside of our City if we, if we told them that they could not.

CHAIR PRO TEM DAVIS: Okay. That's all.

COUNCILPERSON MILLER-ANDERSON: Madam Chair?

CHAIR PARDO: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: I was looking at the section about the legality of the PACE program regarding lien, in the memo from the 7th, on Page 3. Is that still an issue regarding the... You know what I'm talking about?

CITY ATTORNEY RYAN: I don't have my memo. I didn't bring...

COUNCILPERSON MILLER-ANDERSON: Oh.

CITY ATTORNEY RYAN: I'm sorry.

CHAIR PRO TEM DAVIS: [Inaudible] bring a representative.

COUNCILPERSON MILLER-ANDERSON: And also, I think in there I saw that Riviera Beach was the first city in Palm Beach County that they were looking to.., or did I not read that correctly?

COUNCILPERSON GUYTON: That is...

CITY ATTORNEY RYAN: No.

COUNCILPERSON GUYTON: ...not true.

CITY ATTORNEY RYAN: You are correct. You are correct.

COUNCILPERSON MILLER-ANDERSON: I am correct?

COUNCILPERSON GUYTON: [Inaudible].

CITY ATTORNEY RYAN: There are two, there are two different programs.

COUNCILPERSON MILLER-ANDERSON: Ah, you said I'm correct? Did you say that?

CITY ATTORNEY RYAN: Right. You said that this was the first city.

COUNCILPERSON MILLER-ANDERSON: I just wanted to make sure you said I was correct.

CITY ATTORNEY RYAN: [Chuckle].

COUNCILPERSON MILLER-ANDERSON: Okay. Thank you.

COUNCILPERSON GUYTON: It...

COUNCILPERSON MILLER-ANDERSON: Go ahead.

COUNCILPERSON GUYTON: There are other cities that have this program in Palm Beach County.

COUNCILPERSON MILLER-ANDERSON: Go ahead, Ms. Ryan.

COUNCILPERSON GUYTON: West Palm Beach has it.

CHAIR PARDO: Boca Raton has it [inaudible].

COUNCILPERSON MILLER-ANDERSON: Go ahead.

CITY ATTORNEY RYAN: Hold on.

COUNCILPERSON GUYTON: Boca Raton has it.

CITY ATTORNEY RYAN: Hold on.

COUNCILPERSON GUYTON: Okay.

CITY ATTORNEY RYAN: With, there are two different agencies.

COUNCILPERSON MILLER-ANDERSON: Uhuh.

CITY ATTORNEY RYAN: And I'm talking about Florida PACE.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: We're the only city in Palm Beach County that is with Florida PACE.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: The other organization, which is called Florida Green Authority, it operates in Palm Beach County and that's the...

COUNCILPERSON GUYTON: The...

CITY ATTORNEY RYAN: ...the organization...

COUNCILPERSON GUYTON: Same thing.

CITY ATTORNEY RYAN: ...that has many of the other cities. That is the meeting that my office went to in Lantana...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...this week, to see how their meetings go. They'..., they're the ones that I'm having the issue with on the indemnification. So the PACE program, in general, is throughout the State of Florida but with this particular company, and that's what I put in my memo, with this particular company...

COUNCILPERSON MILLER-ANDERSON: Right. That's the one I'm talking about.

CITY ATTORNEY RYAN: We will be the first city in Palm Beach County.

COUNCILPERSON MILLER-ANDERSON: Have they reached out to any other cities in Palm Beach County?

CITY ATTORNEY RYAN: I don't know. I do know that they've reached out to the County and the County's considering them. I also know that they are in several cities in Broward. I think that, um, because the other group has kind of gotten the other cities, that they have been a little slower to go, you know, to try to get them. But there's..., you can do all of them. So...

COUNCILPERSON MILLER-ANDERSON: Are the other cities comparable to this one? Not the other cities, I'm sorry, the other programs, are they comparable to this one here or is there...

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON MILLER-ANDERSON: ...something different from what this one is being.., that's being offered here for the City...

CITY ATTORNEY RYAN: No. The...

COUNCILPERSON MILLER-ANDERSON: ...of Riviera as compared to the others?

CITY ATTORNEY RYAN: I think the difference has been in the kind of clients they've gone after. With the one in.., the Florida Green Authority that has West Palm Beach, nor'.., a lot of cities in it...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: They have not done any residential...

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: ...um, parts. They've only done commercial.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: So, that was kind of a, a little bit of a difference.

COUNCILPERSON MILLER-ANDERSON: Okay. And so, that part right there?

CITY ATTORNEY RYAN: Oh yes.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: This was the background that...

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: ...this issue first started in California.

COUNCILPERSON MILLER-ANDERSON: Right.

CITY ATTORNEY RYAN: And, HUD had issues with it, um Fannie Mae and the other one, Freddie Mac.

COUNCILPERSON MILLER-ANDERSON: Freddie Mac, right.

CITY ATTORNEY RYAN: They had issues because they were concerned that these liens would have priority over their mortgages.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: And they, they had a lawsuit and Freddie Mac and, and Fannie Mae were supposed to promulgate some rules. They haven't done it yet.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: And so, the programs just said, 'Okay. We're not gonna wait for them. I guess they waited for a year or two and then it just started expanding in other cities. So, the, their point in letting us know that is, is that Freddie Mac and Fannie Mae, they're still looming out there and if they, if they choose to change the program, it may be changed in some way but, until we hear from them...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...the programs are a go and cities are not waiting.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: So I wanted to make sure that we were aware that that issue is still out there.

COUNCILPERSON MILLER-ANDERSON: Okay. And, but, we don't un'..., we don't know why they have not made a decision on...

CITY ATTORNEY RYAN: They just haven't... They won a lawsuit that said that they could do rules and...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...restrict the program. They just haven't done it. It, it's almost, from what I'm told, it almost seems as though they were happy to win the case and it's not a priority anymore.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: That was a, a couple of years ago.

COUNCILPERSON MILLER-ANDERSON: Okay. Okay. Thank you.

CITY ATTORNEY RYAN: Mhmm. Here are your memos. I'm sorry, I should've brought it.

CHAIR PARDO: Alright. I just wanna make a statement. I don't want anyone, on the Island or over here on the mainland, to think that this company just bypassed everyone and just went to certain people over on Singer Island.

CHAIR PRO TEM DAVIS: They did.

CHAIR PARDO: There's a condominium on Singer Island that is in need of major upgrades and their Board of Directors found out about this program and invited them to go in to the condominium and speak with the Board of Directors. And then, the Condominium Officers Association of Singer Island, which consists of the Board of Directors of every condominium and HOA over on the Island, invited them to go to their monthly meeting and educate the people about the process.

I encourage the HOAs, we have several very large homeowner associations here on the mainland. If your community is in need of upgrading and you'd like to either go along with the program or, at least, learn more about it, I would encourage you all to reach out to them and you can do that through my office or anyone up here. We would, you know, or, the City Manager's office. So please don't think that, you know, they just bypassed everyone. That's, you know, not the situation.

Okay. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Absolutely.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Councilperson Miller-Anderson dissenting.

CHAIR PARDO: Okay. Thank you. Item 6.

DEPUTY CITY CLERK BURGESS: 6. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; APPROVING A TOWER LEASE AGREEMENT WITH T-MOBILE SOUTH LLC, A DELAWARE, LIMITED LIABILITY COMPANY, 12920 SE 38th STREET, BELLEVUE, WA 98006, TO LEASE A PORTION OF THE

TOWER LOCATED AT THE CITY OF RIVIERA BEACH'S POLICE DEPARTMENT; APPROVING A MEMORANDUM OF TOWER LEASE AGREEMENT WITH T-MOBILE SOUTH LLC; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE TOWER LEASE AGREEMENT AND MEMORANDUM OF TOWER LEASE AGREEMENT WITH T-MOBILE SOUTH LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

CHAIR PRO TEM DAVIS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: Yes. Well, as you know, we do have a tower and.., for cell service. Several of the providers are located on that tower. I would like now to ask Dean Mealy, the Director of Purchasing, to talk about this particular Item.

PURCHASING DIRECTOR MEALY: Good evening, Council. Dean Mealy, Purchasing Director.

CHAIR PARDO: Good evening.

PURCHASING DIRECTOR MEALY: On September 3rd, which was my first Council meeting as, in the position of Purchasing Director, the Council had given a directive to make sure that the timeframe was consistent with all the leases on the tower, the timeframe for those leases and to negotiate those times. So, the agreement before you is a 13 year lease, which will allow all the leases to expire at the exact same time which is December 31, 2019 [cough], 2029, excuse me. And it is a revenue producing of four hundred fifty.., approximately \$450,000 annually. And, I think also, as a benefit to the community, the tower with the T-Mobile antennas will increase the service for the community itself so people that actually have T-Mobile as a provider will have actually better service within the community.

CHAIR PARDO: Alright.

COUNCILPERSON MILLER-ANDERSON: Alright.

CHAIR PARDO: Ms. Miller, you have any questions?

COUNCILPERSON MILLER-ANDERSON: Yes. You said \$450,000 annually is what...

PURCHASING DIRECTOR MEALY: No. \$31,000 annually.

COUNCILPERSON MILLER-ANDERSON: Oh, okay. You did.., I think you did say \$450,000 annually.

PURCHASING DIRECTOR MEALY: I apologize.

COUNCILPERSON MILLER-ANDERSON: I was gonna say, well that's great.

PURCHASING DIRECTOR MEALY: That'd be great.

COUNCILPERSON MILLER-ANDERSON: Cause that's not what I saw. [Chuckle].

PURCHASING DIRECTOR MEALY: It's \$31,000 annually.

COUNCILPERSON MILLER-ANDERSON: Okay. And what [stammer], what is that based on? How, how did we come to that figure? Or how did they come to that figure?

PURCHASING DIRECTOR MEALY: That is, it was comparable to what T-Mobile, Verizon and what AT&T were paying for the exact same tower space. And, but it.., and it, also looking at the other communities in the area...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

PURCHASING DIRECTOR MEALY: ...for the size of the community as far as the monthly or annual revenue that'll actually be produced.

COUNCILPERSON MILLER-ANDERSON: So it is based on their revenue that they produce?

PURCHASING DIRECTOR MEALY: Yes.

COUNCILPERSON MILLER-ANDERSON: That must be a lit'.., I'm sure they must be making much more than that. That seems to be on the low side, I would think. But, it is comparable to the other...

PURCHASING DIRECTOR MEALY: Yes, ma'am. Lake Park, which recently did theirs... Actually, it's for, basically, the same amount of money.

COUNCILPERSON MILLER-ANDERSON: They have the same population as us?

PURCHASING DIRECTOR MEALY: Just about.

[Inaudible comments]

COUNCILPERSON MILLER-ANDERSON: Who?

PURCHASING DIRECTOR MEALY: It's the market rate now.

CHAIR PARDO: It's the market rate.

COUNCILPERSON MILLER-ANDERSON: Market rate?

PURCHASING DIRECTOR MEALY: It's the market rate.

COUNCILPERSON MILLER-ANDERSON: Okay.

UNK: [Inaudible].

COUNCILPERSON MILLER-ANDERSON: Alright. Thank you.

CHAIR PARDO: Anyone else?

CHAIR PRO TEM DAVIS: Yes, Madam Chair.

CHAIR PARDO: Go ahead, sir.

CHAIR PRO TEM DAVIS: The renewal that, the one renewal, what system we have in place that triggers, that allows us to know it's time for this contract to be renewed or expire?

PURCHASING DIRECTOR MEALY: One of the things we've done is we've installed..., created the database to actually do contract management. We have a tickler to actually notify us nine months ahead of time when contracts need to be..., the process needs to begin for either an RFP or just a plain renewal. In this case, it would populate to us in nine months, we'd actually start doing the leg work to actually make sure we have the agreements all signed...

CHAIR PRO TEM DAVIS: Mhmm.

PURCHASING DIRECTOR MEALY: ...and we can present back to Council, in a timely fashion.

CHAIR PRO TEM DAVIS: So, alright. Great. So, as regards to the money, each year on the contract so that, that's stagnant? That amount?

PURCHASING DIRECTOR MEALY: No. It's a 3% increase.

CHAIR PRO TEM DAVIS: 3% increase. Then, once the renewal, does it, does change or does it continue to climb?

PURCHASING DIRECTOR MEALY: It continues to climb.

CHAIR PRO TEM DAVIS: Okay. That'll be all.

CHAIR PARDO: Anyone else? [Pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 7.

DEPUTY CITY CLERK BURGESS: 7. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, TO ACCEPT AMENDMENT 1 TO THE VICTIMS OF CRIME ACT (VOCA) GRANT NO. V179-14266 FOR THE VICTIM ADVOCATE PROGRAM AWARDING FUNDS IN THE AMOUNT NOT TO EXCEED \$53,974. FOR OCTOBER 1, 2015, THROUGH SEPTEMBER 30, 2016; RATIFYING THE SIGNATURE OF THE MAYOR TO EXECUTE AMENDMENT 1 TO CONTINUE WITH CRISIS RESPONSE SERVICES FOCUSING IN AREAS OF HOMICIDE, DOMESTIC VIOLENCE, CHILD DEATHS, AND ELDERLY VICTIMIZATION; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP THE BUDGET IN FUND 125; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: This Item, as you know, we make application for the VOCA grants, which is the Victim Advocate Program that, as indicated in the title, is used to assist individuals the police department may come in contact with that are the victims of domestic violence, child death, just to try to provide some assistance to the victims and their families. And so this is a, um, a grant that will not exceed \$53,974.

CHAIR PARDO: Alright. Ms. Miller, you have anything?

COUNCILPERSON MILLER-ANDERSON: Yeah. I just had a question regarding the., I was looking here and it said that the, it was signed., was it signed by the Mayor? Um, it said September, 2015 and was that done? We had already approved it or we didn't need to approve it? The initial one? It's in the background summary.

CITY MANAGER JONES: Yeah. Cause., well, what this is, ma'am, is this is the acceptance of the grant. We have to accept it first.

COUNCILPERSON MILLER-ANDERSON: Right.

CITY MANAGER JONES: And so, he did, we did go ahead and get the approval to accept the grant and now this brings it back to accept the money and the account to place it in.

COUNCILPERSON MILLER-ANDERSON: Okay. Alright. Okay. That's it.

CHAIR PARDO: Alright? Anyone else? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis? [Pause]. Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Councilperson Davis out.

CHAIR PARDO: Thank you. That's the end of Consent Agenda.

PETITIONS AND COMMUNICATIONS FOR FILING

CHAIR PARDO: Petitions and communications for filing? Madam Clerk, anything?

DEPUTY CITY CLERK BURGESS: Ms. Anthony would like me to announce that we will have a runoff election for March 29th, Tuesday, 7:00 a.m. to 7:00 p.m.

CHAIR PARDO: Okay.

COUNCILPERSON MILLER-ANDERSON: I'm sorry, I didn't...

CHAIR PARDO: Alright.

COUNCILPERSON MILLER-ANDERSON: What date was that again?

DEPUTY CITY CLERK BURGESS: March 29th.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIR PARDO: Alright.

AWARDS AND PRESENTATIONS

CHAIR PARDO: 9. RECOGNITION OF COUNCILMAN CEDRICK A. THOMAS' YEARS OF SERVICE TO THE CITY OF RIVIERA BEACH.

CHAIR PARDO: Is the Mayor coming?

CITY MANAGER JONES: No. The Mayor is not so, Madam Chair, if you will substitute for him, I'd appreciate it. Thanks.

[Pause]

CHAIR PARDO: So, as we all know, tonight...

UNK: [Inaudible].

CHAIR PARDO: ...is Councilman Cedrick Thomas' last meeting with us as Councilman. He decided not to run for reelection and he will be moving on to other endeavors. Mr. Thomas [pause] we are going to miss you. I would like to read this Resolution into the record.

In recognition of nine years of outstanding leadership and dedicated public service, we formally pay tribute to the Honorable Cedrick A. Thomas.

WHEREAS, Cedrick A. Thomas was duly elected to the Riviera Beach City Council, District 3 seat on March 27, 2007. Long time ago. And was sworn into office on April 4, 2007; and

WHEREAS, Councilman Thomas resigned his position in 2009 to expand his political career as he campaigned for the Florida House of Representatives, District 84; and

WHEREAS, in March, 2010, Councilman Thomas pursued an opportunity to return to the District 3 seat and was successful in his bid for reelection and has consistently been reelected to serve as the District 3 representative; and

WHEREAS, during his tenure, Councilman Thomas served faithfully with honor and integrity, along with great distinction in the capacity as Chairperson for years 2008 and 2013; and

WHEREAS, Councilman Thomas has always been mindful of the interests of the residents, business owners and the guests of the City of Riviera Beach and has worked tirelessly to increase the productivity and profitability of the City; and

WHEREAS, Councilman Thomas implemented several successful events to include the Cedrick A. Thomas Annual Thanksgiving Turkey Giveaway, the Senior Night of Elegance Gala and the Annual 5th Grade Fun Day Event; and

WHEREAS, through perseverance and commitment, Councilman Thomas' most recent signature achievement was realized, the Riviera Beach Community Center which will be strategically located in the heart of District 3.

NOW THEREFORE, BE IT RESOLVED, your departure is a reminder of all the good things in life that must come to an end and, although you are no longer a legislature.., well, it should be legislator, you will forever remain a friend.

BE IT FURTHER RESOLVED, that the City eternally acknowledges and extends its profound and heartfelt recognition of your unique, devoted service to and on behalf of the City of Riviera Beach.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Riviera Beach to be affixed on the 16th day of March, 2016.

Honorable Thomas A. Masters.

Sir.

[Applause]

COUNCILPERSON GUYTON: We're not quite done yet. I have something here. As most of you know, some of you may not, if you watch some of our debating on the dais, but Cedrick is a good friend of mine. And, um, some people would see us debate on the dais and get the impression that we didn't like each other. Quite to the contrary. He's one of those friends that I can have a debate with. After the meeting, we're laughing, joking and talking and we could've had a very passionate debate where others thought that we were going at each other.

But, we have been friends a long time now and I have mixed emotions. Cedrick has been on this Council for nine years. Were it, were it not for his work and Ms. Pardo, Judy Davis, Billy Brooks laying the foundation for business friendly policies, we would not be where we are today. With the Marina being built. Within the last two years, we have had a \$130,000,000 worth of investment outside of that Marina. Throughout our City, people are investing and we are growing. But it takes people sacrificing for us to get to this point and Mr. Thomas sacrificed, not for the City, not just for the City but his

family also was part of that road to prosperity. As a matter of fact, I do see his mother-in-law in the audience. I would like to ask her to stand, please, and be recognized, Ms. Moore.

CITY ATTORNEY RYAN: Aww.

COUNCILPERSON GUYTON: Would you give her a hand.

[Applause]

COUNCILPERSON GUYTON: I see his beautiful wife, Ms. Tamika. Would you stand, please?

[Applause]

COUNCILPERSON GUYTON: All of these people have contributed to the progress in our City, and many others. When, when I decided to come back, it was in part from discussions with my good friend. And I always look at him and tell him, 'You got me in this mess too. You need to get me out now.'

[Chuckles]

COUNCILPERSON GUYTON: So, I know others are hoping that I really do get out.

[Laughter]

COUNCILPERSON GUYTON: But that's yet to be seen, uh, determined. So, but, on a serious note, he did, when I was in graduate school, begin to talk to me about using the skillsets that I was, that I was acquiring in school and come back and do something that no one has ever done in the history of the City and that is to be elected and come back after 20 years and run for office again. No one has ever done that and most people are in their right mind so I don't think anyone ever will do that.

But having said that, we are definitely gonna miss my good friend. After losing Ms. Davis and now Mr. Thomas, who's voluntarily stepping down, these people were trailblazers and I don't hesitate to say that. And, no matter how we feel about the politics, the results in our community speak for themselves. We are on the move, people are investing and we have made a lot of progress and it's in large part due to Mr. Thomas. So let's give him a hand, please.

[Applause]

COUNCILPERSON GUYTON: And I'll read the plaque here. It says, "Honorable Cedrick A. Thomas, in recognition of your leadership and service on behalf of the City of Riviera Beach as a Councilperson for the past nine years, you have entirely and unselfishly provided outstanding service and distinguished leadership. Thank you for

your relentless love and loyalty for the City of Riviera Beach, the best waterfront city in which to live, work and play.

March 16, 2016.

Thank you, my friend.

[Applause]

COUNCILPERSON THOMAS: Good evening. I'll be very brief. First I'd like to thank and honor God for allowing me to be here and for the length of time that I've been able to serve the citizens of Riviera Beach. I wanna thank you for all of your support. I definitely wanna thank my wife for sharing me, and my daughter.., my wife, Tamika and my daughter, Jasmine, my mom, Janie Banks-Johnson and my mother and father-in-law. My, my mother-in-law is here, Sandra Moore, my father-in-law who's not here. And my family's been very [pause], they've been very supportive during the ups and during the downs. One person I do wanna thank is, you know, Elizabeth Wade occupied this seat for a long time before I did and I've occupied the seat now, thanks to her leadership and her guidance. There was a framework there and I've been able to operate in that with the rest of my team.

And, on Tuesday, the 29th of March, there'll be another person to occupy that seat and whoever that may be I definitely wish them well and hope that they continue, and I'm sure they will cause they wouldn't enter if they didn't want to do right by the City. So, whosoever in that seat I'm sure they will do well.

But I want the community to stay engaged. Over the past nine years I've seen where the community wasn't very much engaged and then the community was engaged and now they stay engaged and, become of that, all of these programs exist. It's, you know, it's been an emotional tug to, uh, to see what's happening and, you know, not be a part... Especially yesterday. Yesterday was one of those, 'Am I glad that I'm not a part of this right now or do I really miss this?' Um, but I was up at 4:00 in the morning anyway going through it but it's an emotional tug. I think about all of the employees that make this City go. I can't name them all but the ones that I've had direct contact with, you know who you are. But I do want to make sure that I thank our City Manager, Ms. Jones, because when she got here, she got here and it was not the easiest place to be and people have not always loved her but she's done her job and been a professional in spite of all of that and has allowed this Board, as well as myself, to look good. So I must thank you publicly, Ms. Jones for, for that, for all you have done. And, regardless of what anyone may say, the City Manager's here to direct the policy that we implement and you have done that. Ms. Ryan as well. I can't say enough about you, Ms. Ryan. You know, taking attacks and.., but making sure that we all are protected up there, even when we didn't want you to protect us sometimes. You've always done your job, you've been there, you've explained each and every circumstance. You know, I didn't think I would say this but I am gonna say this. You know, when I first was running, you know, there was an attitude and an atmosphere, you know, to say, 'Hey, you need to come in. You need to get rid of everybody who's there. Start new.' You know, I'm, I'm glad I didn't listen to that. Because, had I listened to that, we would've been getting rid of a

wonderful attorney, a very brilliant attorney and a very passionate one about the City that she grew up in and the City that she protects through her legal services. She's Board Certified now and it's a beautiful thing to, you know, to see. So I'd like to thank you for that. I know that we have a new City Clerk and congratulations to her but when I, when I originally got here Ms. Ward, I always joked about anything that I was, anything, time that I did anything that needed to be swear in, she was the one to swear me in and I'd like to thank her for the service that she provided as well while she was here. I respect her service. I respect her knowledge in her craft. I mean, I just would like to, um, to thank her. I've had a short time to work with Ms. Miller...

COUNCILPERSON MILLER-ANDERSON: Miller-Anderson.

COUNCILPERSON THOMAS: Miller-Anderson. Right...

COUNCILPERSON MILLER-ANDERSON: [Chuckle].

COUNCILPERSON THOMAS: ...still haven't gotten that right, huh. But, um, you know, I've enjoyed the time that I've worked with you. We've always had a cordial relationship, never any hostility, never anything that was, um, you know, was, was a problem so I do appreciate that. It's been a short time but the past few months that you've been here has been great. Mr. Davis, I have had an opportunity to work with Mr. Davis for the past three, two or three years.

UNK: [Inaudible].

COUNCILPERSON THOMAS: You know, Mr. Davis and I have a relationship that, you know, sometimes it's good and sometimes it's not the best but overall we've been able to work with each other. So, Mr. Davis, I appreciate that and while I'm saying I appreciate your, your service and time working with me I also would like to congratulate you on your win on last night. So, congratulations on that and I'm sure you'll continue to do a, a great job on the Council.

Mr. Guyton, as he said, you know, he says that we're friends and, I, I would say that's true most of the time.

[Laughter]

COUNCILPERSON THOMAS: He says that I'm probably the reason why he got here and some nights I wish that I hadn't done that, you know. [Chuckles]. But, Mr. Da'.., Mr. Guyton, I, I do appreciate all your hard work. I know you're very passionate about what you're doing. I'm gonna miss, you know, working with you. Whatever happens on the runoff, you know, I know that you've served the City, you know, with the utmost love and respect and not really, you know, taken any prisoners in the process it's just you love your City that much and I honor and I definitely respect what you've been doing and I appreciate, you know, the friendship and the ability to work there with you.

And, um, you know, I save Ms. Pardo for, for last because, you know, before Ms. Pardo got elected, you know, I met Ms. Pardo. And, you know, I didn't quite know what type of individual she was, I just knew that she was very passionate about issues. And this particular issue was, you know, about the beach and I won't go into depths about it but, you know, it was eye-opening, you know, watching a community that we're not elected but just a body of individuals in the community that came together to change some things and, up under your leadership, Ms. Pardo, that happened. But we have a long, a long relationship. We've served up there together the longest over the past, you know, eight years for you, nine years for me. You know, I used be able to brag and say I've been up there the longest but it looks like your gonna, your chance...

[Chuckles]

COUNCILPERSON THOMAS: ...to eclipse my nine years, you and Mr., Mr. Mayor will eclipse my nine years an surpass it but, you know, I must say your passion is, you know, un'.., unmatched. There've been some difficult times but I can tell you that I'm going to miss working with you. I know your heart, you know, I know your love for the City and it, it is, it is definitely, it is definitely, it is definitely a pleasure to have worked with you, to have understood some things that I didn't know before I got in and now I understand better so it has, it has definitely been a pleasure to work with you. I'm gonna truly miss you.

I don't plan on moving out of the City. I'm gonna be here so you're gonna see me around. I'm gonna be active. But I just want all of you to know, you know, how I feel about it. The department heads, I won't call you name by name but all of you have heard from me from time-to-time regarding issues. I still expect for you to honor our citizens and do the, the best job that you can do. But this has been a great experience. I'm making my comments now because the last.., at the end of the last meeting, I spent nine years being tough and firm and they tried to make me break down and cry.

[Laugh]

COUNCILPERSON THOMAS: So I won't, I won't speak much after the meeting but I wanna tell everybody thank you for this honor. Thank you for recognizing this and I'm ready to get back to work for my last meeting. So, thank you very much. Thank you.

CHAIR PARDO: Thank you so much.

[Applause]

CITY ATTORNEY RYAN: Madam Chair, do we get to talk or should we wait 'til the end?

CHAIR PARDO: I would say let's wait 'til end. We still...

CITY ATTORNEY RYAN: Okay.

CHAIR PARDO: ...have a lot of business...

CITY ATTORNEY RYAN: Alright.

CHAIR PARDO: ... in front of us.

CITY ATTORNEY RYAN: [Loud whisper]. Cause I have a lot to say.

CHAIR PARDO: I'm sure you do, you're an attorney.

[Laughter]

CHAIR PARDO: Okay. Let's continue now. We are now on the regular Agenda. Item 10.

DEPUTY CITY CLERK BURGESS: 10. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH SEVEN KINGS MANAGEMENT, INC., TO PROVIDE 3RD PARTY MARINA MANAGEMENT SERVICES TO THE CITY OF RIVIERA BEACH FOR THE OPERATION OF THE MARINA; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE APPROPRIATE PAYMENT TO SEVEN KINGS MANAGEMENT INCLUDING AN ANNUAL MANAGEMENT FEE, EQUAL TO THE GREATER OF \$54,000 OR 5% OF GROSS REVENUES, FROM ACCOUNT # 422-0000-575-0-6405 AND FOR OPERATING EXPENSES AS OUTLINED IN THE AGREEMENT FROM THE APPROPRIATE BUDGETED ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. Properly moved and second. One comment card. Bonnie Larson

MS. B. LARSON: Good evening. Bonnie Larson. I see the change in this from the last time it was read. Last time it was read it was \$54,000 plus 5% of gross revenues. And Mr. Thomas, you're the one who brought that this was gross revenues, how about having it net revenues because we know when Mr. Kinsey, my friend, tongue-in-cheek, negotiated with the Ocean Mall, they did it., they were gonna do it on gross revenue and when you found out about that, you asked him, 'How about we do it on net,' and they laughed in our faces. So my suggestion for things like this, is that the negotiating terms, especially when it, when it includes a lot of money, is that that be approved by the Council since you're the ones who have to approve it because, once the negotiation

staff negotiates something, it's a little hard for you to go back and say, 'No, we want it to be on net rather than gross.' So, that's a, that's a big, big difference. And I think that this should come before the Council who have to vote on it and improve it first before the negotiation is done, decide on what you, what you wanna do there.

Could you be a little specific about what they're gonna do, when they're gonna start, et cetera? Because we have right now, we have a Marina Director. Are these people gonna start right away or what is their start date and what are they gonna be doing? What, what specific duties will they have? We have new docks down there but we do have a Marina Director who's been renting those out. The Riviera Beach event center is not yet finished so we can't rent that out. So what, specifically, will be their duties down there? When are they gonna start? What are gonna be their duties? And.., oh, I also remember him saying, the gentleman, um, who was here from, from the Seven Kings, he said when we were talking about that gross revenue, he said, 'Well, we wanna keep with our RFP,' meaning Seven Kings RFP. It should be us setting the pace as far as what the net or gross should be not the person who's gonna come in and do the job, who's applying for the job. They shouldn't be the one who's making that determination, that should be the City of Riviera Beach.

So, if you could answer those questions. Thank you.

CHAIR PARDO: Thank you, ma'am. Okay. Ms. Jones.

CITY MANAGER JONES: Yes. This is an Item that was tabled at the last meeting to be brought forward and so, I'm gonna ask Danny Jones or either Randy Wood, our contract administrator to answer the questions that Ms. Larson asked as well as to answer any other questions that you have about this Item.

CHAIR PARDO: Good evening, sir.

CONTRACT ADMINISTRATOR WOOD: Good evening. Yes, we, as you recall at the last Council meeting, you voted to ta'...

COUNCILPERSON GUYTON: Pull your mic down.

CONTRACT ADMINISTRATOR WOOD: Oh. I'm Randy Wood, the Contract Administrator for the City of Riviera Beach and, as you recall, of course, this was tabled at the last Council meeting in order to have an opportunity to ask questions regarding some of the issues that were raised in the last Council meeting. And so, we, we did that. We addressed those questions and we included it in the background summary of the Agenda. And I'll be happy to go through that with you, if you like.

COUNCILPERSON MILLER-ANDERSON: Yes. I will like that.

CITY MANAGER JONES: Go ahead. [Inaudible].

CHAIR PARDO: Alright. Yeah. Go ahead.

CONTRACT ADMINISTRATOR WOOD: Okay.

COUNCILPERSON MILLER-ANDERSON: [Inaudible].

CONTRACT ADMINISTRATOR WOOD: Okay. Well, as you can see, the first one was, 'Why is the management fee 5% of all gross revenues, why not net revenues?' And, we looked at the other proposals and, to see, and, and verify that they were all, in fact, based on gross revenues. However, some of 'em included an incentive along with the gross revenues. And, we did endeavor to negotiate that into this Agreement and, however, Seven Kings stood firm of the, on the proposal. So, as a team, we decided to move forward with the proposal and accept it, the way it was presented.

And, the concern was expressed about the reciprocal dockage strategy and so, I think the, it's important to understand this. Reciprocal dock'..., dockage strategy is actually a revenue generating strategy for the City because the way that that agree'..., and Seven Kings is agreeable not to do that if we don't wanna do that, it's totally the City's decision but the way that works is if we have slips that are unoccupied and a visiting boater, from another Loggerhead Marina, wants to dock at the City for a weekend or whatever, then they could use that empty slip and the revenues that they currently pay at the marina where they lease space, would be applied to the City's Marina. So, it would actually generate additional revenue of our unused slips. And that's the, that is the, uh, the way that works. So, while it may appear that they're getting to stay free, in fact, the money they're already paying is just being allocated to the City's Marina.

COUNCILPERSON MILLER-ANDERSON: So it is, it isn't that, um, that money goes to where they originated their Agreement with?

CONTRACT ADMINISTRATOR WOOD: No, ma'am. It...

COUNCILPERSON MILLER-ANDERSON: It's shared with us?

CONTRACT ADMINISTRATOR WOOD: ...in fact, it's just the opposite. The money that they're [stammer], at their marina, their home base marina, would be reallocated to the City's Marina...

COUNCILPERSON MILLER-ANDERSON: Okay.

CONTRACT ADMINISTRATOR WOOD: ...for the time that they're at the City.

COUNCILPERSON MILLER-ANDERSON: Okay. And then, did..., there was a lady that came here and did the presentation before [stammer] negot'..., a lawyer or someone?

CITY ATTORNEY RYAN: Yes. Susan.

COUNCILPERSON MILLER-ANDERSON: Right. So, was she a part of this with the negotiating or.., cause it said something about Staff doing the negotiation. They were not the ones doing the negotiating [inaudible].

CITY ATTORNEY RYAN: Oh, no, no, no. We, she.., this, this Council asked us to hire...

CITY MANAGER JONES: [Inaudible].

CITY ATTORNEY RYAN: ...someone from the outside and she was...

COUNCILPERSON MILLER-ANDERSON: And that's who...

CITY ATTORNEY RYAN: Not only did she negotiate it, she's the one.., her firm did all the research on the.., remember, she came and said...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: ...all that.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY ATTORNEY RYAN: The research. So this was her negotiation.

COUNCILPERSON MILLER-ANDERSON: Okay. Okay.

CITY ATTORNEY RYAN: Yes. She just

COUNCILPERSON MILLER-ANDERSON: [Inaudible].

CITY ATTORNEY RYAN: ...didn't come back again tonight.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: Cause she's from Tampa and... Yeah. Tampa.

CHAIR PARDO: Okay. Go ahead.

CONTRACT ADMINISTRATOR WOOD: Okay. The next item that was discussed had to do with the parking and vendor fees. There was a question about that and so we revised the language in the Agreement to, to clarify that it applies to the parking and vendor fees applicable, if applicable to the Marina. So, it's only.., you know, there's certain spaces that are allocated for Marina use.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CONTRACT ADMINISTRATOR WOOD: And, um, so, again, right now I don't think it would apply anyway but, in the event, you know, that situation occurred where we were, had an opportunity, then it would be considered part of the revenue for the Marina.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CONTRACT ADMINISTRATOR WOOD: Okay? And, number 4 was, 'What recourse does the City have if there's questionable expense submitted for reimbursement?' And, we do have viewing rights and, of course, all of the expenses are submitted and the City has five (5) days and so any questionable expenses would, you know, we would have that opportunity to challenge and discuss that. And, um, you know, dispute any expenses that were questionable. And any such expense that's re'..., you know, would be identified that, beyond the scope of what's in the, in the, in the Agreement in Section 4.03.

[Pause]

CHAIR PARDO: Okay?

CONTRACT ADMINISTRATOR WOOD: And, okay. And number 5, was in an effort to acknowledge and address a need of working with the City and CRA, additional language has been added to the Agreement in the Recital section that identifies how Seven Kings Management, Inc. and the City and CRA will work cooperatively together towards successful completion of the Marina and uplands improvement projects.

COUNCILPERSON MILLER-ANDERSON: Okay.

CONTRACT ADMINISTRATOR WOOD: And, so, those were the primary issues that were...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CONTRACT ADMINISTRATOR WOOD: ...brought to our attention.

CHAIR PARDO: Okay. Do we have anything from Council?

CHAIR PRO TEM DAVIS: Yes.

CHAIR PARDO: Sir.

CHAIR PRO TEM DAVIS: I wanna hear from Mr. Sherman.

[Pause]

CHAIR PARDO: Good evening, Mr. Sherman.

FINANCE DIRECTOR SHERMAN: Good evening.

CHAIR PRO TEM DAVIS: Good evening, sir. How you doing?

FINANCE DIRECTOR SHERMAN: Good.

CHAIR PRO TEM DAVIS: Just real quickly. Could you give us a, a synopsis from your professional background as a finance director on what transpired from the last meeting until now, to where we are.

FINANCE DIRECTOR SHERMAN: Well, after the last meeting, we took the concerns back and, as a negotiating team, we met with Seven Kings again and went over the, the concerns. As you know, they were here in the audience and saw the issues. So we went over item by item, the concerns that the Council Members had raised and, as Mr. Woods said, there were some language changes, there was some clarifications. We got, you know, a few more descriptions, um, and details of exactly how they will be operating. We've incorporated those in the, in the contract and that's what's been brought forward.

CHAIR PRO TEM DAVIS: Okay. Thank you. So could you please explain from the last meeting 'til now, where did the City with this Agreement, did we improve? Cause you said, made some modifications to some contracts with some language. Okay now, from that last meeting 'til now, where did we improve at?

FINANCE DIRECTOR SHERMAN: Yeah. The, the...

CHAIR PRO TEM DAVIS: [inaudible].

FINANCE DIRECTOR SHERMAN: ...areas where, again, we made some clarifications which, I think, were, you know, some improvement for, again, on the parking and the vendor fees, um, the reciprocal dockage agreements. You know, we got a better understanding on that. And then I think, you know, adding in the, the fact that they need to, you know, helps us and cooperate with CRA and the development down there, I think is an improvement as well.

CHAIR PRO TEM DAVIS: So, is the financial gain? Is there any financial gain.

FINANCE DIRECTOR SHERMAN: No. Again, we, we didn't change the, the fact that their fees are based off of gross revenues.

CHAIR PRO TEM DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: That was, you know, that was kind of a, a point. Again, that's how they proposed it and, you know, despite the fact that they,

Staff, you know, did try to negotiate incentive fees and working off of net and everything...

CHAIR PRO TEM DAVIS: But...

FINANCE DIRECTOR SHERMAN: Um, you know, what's been brought forward is, is, you know, where we ended up.

CHAIR PRO TEM DAVIS: But, all due respect, at the last meeting, you had some concerns about the net and I would like to hear more and were those concerns addressed?

FINANCE DIRECTOR SHERMAN: Well, the answer to the second part is, is no. But again, my, my issue is I always like to try to incentivize the vendors. You know, that's, that's just me, I'm a numbers guy, I try to do that. But we're, we're working off of gross.

CHAIR PRO TEM DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: You know, we will put in the protections and, you know, the controls to make sure that we're, we're viewing that. We have the right to see transactions, you know, almost as they're [pause], excuse me, as they're happening. We'll, you know, do the monitoring, we'll verify the reporting and if we see something, we will bring it to your attention as, as, as soon as we do.

COUNCILPERSON THOMAS: Mr... Madam Chair?

CHAIR PARDO: Yes, sir.

COUNCILPERSON THOMAS: Mr. Davis, I just wanna add something. Mr. Sherman said that there was not any added money but there actually was and it came in the form of that subscription.

UNK: [Inaudible].

COUNCILPERSON THOMAS: So, however many days...

FINANCE DIRECTOR SHERMAN: [Inaudible].

COUNCILPERSON THOMAS ...that they are at our Marina, they actually cut us a check for it. So that subscription is an added benefit which was money that we really wasn't...

CITY MANAGER JONES: Wouldn't be...

COUNCILPERSON THOMAS: ... realizing.

CHAIR PARDO: Correct.

COUNCILPERSON THOMAS: So that is added money.

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON THOMAS: In my opinion.

FINANCE DIRECTOR SHERMAN: Yeah. And again, they, they were willing to offer that before. We just...

COUNCILPERSON THOMAS: Right.

FINANCE DIRECTOR SHERMAN: ...clarified it...

COUNCILPERSON THOMAS: Right.

FINANCE DIRECTOR SHERMAN: ...in the contract...

COUNCILPERSON THOMAS: Okay.

FINANCE DIRECTOR SHERMAN: ...to make sure. Yeah.

COUNCILPERSON THOMAS: But that is additional money...

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON THOMAS: ...that we didn't think...

FINANCE DIRECTOR SHERMAN: Yeah. We would be a, you know, I think what they termed it as a receiving facility where they would expect people who are normally docked at their other facilities coming here, therefore the revenue would be transferred to us.

CHAIR PRO TEM DAVIS: You done?

COUNCILPERSON THOMAS: Yeah. I just wanted to clarify.

CHAIR PRO TEM DAVIS: Madam Chair?

CHAIR PARDO: Go right ahead, sir.

CHAIR PRO TEM DAVIS: Mr. Sherman, I just wanna go back to the net.

FINANCE DIRECTOR SHERMAN: Yes.

CHAIR PRO TEM DAVIS: And your concerns, and that hasn't been addressed and I'd like to know why.

FINANCE DIRECTOR SHERMAN: Well, again, we, we met with them, we talked to 'em. Their original proposal is based off of gross. As Mr. Woods said, we did look at the other proposals. Every one of them had a calculation based off of gross. Some of them were a little bit lower to start with.

CHAIR PRO TEM DAVIS: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...with an, with a higher rate as an incentive based off of net but, again, when we negotiate, you know, tried to renegotiate that, you know, they were, they were, stood pretty firm.

CHAIR PRO TEM DAVIS: So, there were no other cities that did it this way, based off net versus gross?

FINANCE DIRECTOR SHERMAN: Not purely off of net.

CHAIR PRO TEM DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: No. It was...

CHAIR PRO TEM DAVIS: But, there was some...

FINANCE DIRECTOR SHERMAN: ...it was, for example, 3 ½% of gross plus 10% if we returned a net over \$200,000 or, you know, that type of incentive.

CHAIR PRO TEM DAVIS: [Stammer], found, there's some other flexibility for...

CHAIR PARDO: [Inaudible].

CHAIR PRO TEM DAVIS: ...us to earn some income. Is that what you're telling me?

FINANCE DIRECTOR SHERMAN: I'm sorry. Could you ask that again?

CHAIR PRO TEM DAVIS: So you're telling me there's other flexible options in this contract that will allow us to earn mo'..., earn money?

FINANCE DIRECTOR SHERMAN: Well again...

CHAIR PRO TEM DAVIS: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...they have the incentive, obviously...

CHAIR PRO TEM DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: ...to, to generate revenue. And when they've presented the budget to us and what they think it'll cost, it pretty much is running, you know, where we're running now as far as cost. There isn't a lot of variation there. So, if they can raise the revenues by bringing in more people, you know, the, uh, bring in folks from other facilities, you know, turning around the fuel better, then, raising the revenue will, in essence, you know, help us all.

CHAIR PRO TEM DAVIS: So often will their report come back before this Board? Every quarter or?

FINANCE DIRECTOR SHERMAN: They're required to report to us on a monthly basis. Again, we can see the transactions, almost as they're happening. If you would like us to share that report with you monthly or quarterly or, you know, I mean that would be, you know, whatever you Council Members desire.

CHAIR PRO TEM DAVIS: That'll be all.

CHAIR PARDO: Anyone else?

COUNCILPERSON GUYTON: Just very quickly, Madam Chair.

CHAIR PARDO: Quickly, sir.

COUNCILPERSON GUYTON: There's been discussion about whether it should be the gross or the net. One thing that we, as municipality, have to be careful about is our credibility. When we received the proposal back from Seven Kings and we voted on the proposal to accept it and we were gonna go back and negotiate and fine tune some things but that was in there. And, um, I think that is why too the proposed applicant has, has, stood fast that if we had some issues, I think, that would've been the time to address them when we accepted that proposal.

So, I'm...

CHAIR PARDO: Okay? Alright? We good? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Okay. That's wonderful. I'm very excited about that. Okay. Let's continue now. Item 11.

DEPUTY CITY CLERK BURGESS: 11. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; ADOPTING THE RECOMMENDED CHANGES BY INVESTMENT MANAGER, PUBLIC TRUST ADVISOR, LLC TO THE INVESTMENT POLICY TO SET FORTH THE INVESTMENT OBJECTIVES AND PARAMETERS FOR THE MANAGEMENT OF PUBLIC FUNDS OF THE CITY OF RIVIERA BEACH, FLORIDA WHICH IS DESIGNED TO ENSURE THE PRUDENT MANAGEMENT OF PUBLIC FUNDS, THE AVAILABILITY OF OPERATING AND CAPITAL FUNDS WHEN NEEDED AND AN INVESTMENT RETURN COMPETITIVE WITH COMPARABLE FUNDS AND FINANCIAL MARKET INDICES; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: Yes, Members of Council, Madam Chair, you will recall that at the latter part of December we renewed our contract for services for investment. The firm also then has gone through and looked at our existing policy and these are recommendations that they are making to the investment policy. I would like for Mr. Randy Sherman to point what..., those out to you and to have any discussion and to answer questions that you might have.

FINANCE DIRECTOR SHERMAN: Good evening again. Randy Sherman, Director of Finance and Administrative Services. Yeah. There are actually very few changes in here. There's a little bit of housekeeping and, um, you know, clerical corrections that have been made. But generally, the major changes that you see is they've added asset-backed securities as one of the possible investments. That is allowed under state statute and when we adopted the policy back in 2013, that was not

included at that time. And they've also increased the percentage of the portfolio that certain categories or sectors could be included. One of the reasons that you would want to do that is different sectors move in different ways under different circumstances. So what it does, is it provides a little bit more flexibility. If you've got a sector that's performing very well under a certain, you know, set of circumstances. You wouldn't necessarily have to then stop, draw money out of that sector to put it in a sector that wasn't working well. So it just provides a little bit more flexibility in that regard.

And, I did wanna point out on the asset -backed securities, it's a tri'.., they would be triple A rated securities. We did catch one typo, one place it says triple A, one place says double A. It's a triple A security and we'll correct that in the document.

CHAIR PARDO: That's it? Alright. Any comments?

CHAIR PRO TEM DAVIS: Madam...

COUNCILPERSON GUYTON: I have just...

CHAIR PARDO: Questions?

COUNCILPERSON GUYTON: ...one question, Madam Chair.

CHAIR PARDO: Yes, sir.

COUNCILPERSON GUYTON: Randy, derivatives? We're not investing in derivatives, are we?

FINANCE DIRECTOR SHERMAN: We are, we are not.

COUNCILPERSON GUYTON: Okay.

CHAIR PARDO: No guts, no glory.

[Laughter]

CHAIR PARDO: Anyone else? Okay. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Okay. Thank you. Item 12.

DEPUTY CITY CLERK BURGESS: 12. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SECOND MODIFICATION TO THE \$10.4 MILLION LOAN AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR CERTAIN IMPROVEMENTS TO THE RIVIERA BEACH OCEAN MALL; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON THOMAS: So move.

CHAIR PARDO: Is there a second? [Pause]. Is there a second?

COUNCILPERSON GUYTON: Second for discussion.

CHAIR PARDO: Okay. We have one public comment card. Bonnie Larson.

MS. B. LARSON: Bonnie Larson. I guess I missed this meeting. Alright. So, what this says is that Riviera Beach has loaned the CRA \$10.4 million for certain improvements to the Ocean Mall. My basic question is why does the CRA pay upfront and then re'..., and then Riviera Beach reimburses the CRA for those things on the Ocean Mall? Since the Ocean Mall is owned by the City, it's within the CRA, the CRA expanded to include that but that just means it's physically in the CRA. So why, why does the CRA pay and then Riviera Beach reimburse. And it says, these are for improvements to the Ocean Mall, what are those improvements and when will they take place and how much will they cost?

Thank you.

CHAIR PARDO: Thank you. Okay. Ms. Jones.

CITY MANAGER JONES: The Item that you have before you, um, is a companion Item to an Item that was on the February 24th, I believe, CRA Agenda. There is a difference in our Resolution compared to what you approved on the CRA side. As mentioned in the background, to put in the infrastructure at the Ocean Mall, the City made a loan to the CRA. The CR'.., we had an interlocal agreement as to when that was to start being repaid. The initial year for the payment of the principal to start was going to.., is, is, was established as 2017. What the CRA is asking is that we do three things, two of which we have no issue with. The first one was, paying no interest. And we understand and we hear and we have no problems with them paying interest. They have been paying interest on the money, they just have not been paying toward the principal. So they were paying over \$200,000 a year as it relates to the interest. Also, we felt it was important to extend the time for the payback and put additional years on the backend so that the CRA would be able to adjust their revenues and to be able to meet their obligation.

The one Item where we disagree, is whether there is a deferral of the principal that is due to start in 2017 and that is roughly, if we were to have the principal plus the interest, was close to about \$900,000. One of the reasons why we're concerned about the deferral of the principal was addressed in the correspondence, if you'll recall, from our accountant, our [stammer], well, auditor really and he, he wrote us about how we would have to reflect this in our audits and the money that we were carrying. We understand it's just a disagreement with what happened between a workshop on one day and what you approved at a CRA meeting two days later. And so, the Resolution that's before you is without the deferral, no interest, putting time on the back. And that's the Resolution that is before you. And, of course, we're always ready to modify and revise according to the guidance of Council.

CHAIR PARDO: Okay. Any questions? [Pause]. Anyone?

COUNCILPERSON GUYTON: Madam Chair?

CHAIR PARDO: Yes, Mr. Guyton.

COUNCILPERSON GUYTON: First I'd like to clarify some things. There were comments made that we, or the City, we.., the City and the CRA is, we're all one. But, it was said that the City lent the CRA \$10,000,000. Ms. Jones, um, that \$10,000,000 was provided to do what at the Ocean Mall?

CITY MANAGER JONES: Put in the infrastructure.

COUNCILPERSON GUYTON: What, specifically what?

CITY MANAGER JONES: The parks, the, um, sidewalks, the piping underground, the streets.

COUNCILPERSON GUYTON: Okay. And who, who, who decided how that money was gonna be used, the City or the CRA?

CITY MANAGER JONES: The City agreed to loan the CRA the money to do those projects.

COUNCILPERSON GUYTON: Wait, wait, wait.

CITY MANAGER JONES: It was always in the plan that...

COUNCILPERSON GUYTON: Wait, wait, Ms. Jones.

CITY MANAGER JONES: ...was approved by...

COUNCILPERSON GUYTON: I don't, I don't...

CITY MANAGER JONES: ...both entities.

COUNCILPERSON GUYTON: I don't..., not to interrupt you but I don't want this to be a long discussion. Who made the decision as to what the improvements would be over there? Who decided it would be the park? Who decided it was gonna... The City hired Catalfumo, did they not?

CITY MANAGER JONES: As the developer. Yes, sir.

COUNCILPERSON GUYTON: Who did the improvements?

CITY MANAGER JONES: We paid for it...

COUNCILPERSON GUYTON: Wait, wait. Ms. Jones. The contractor, who did the improvements? Was it Catalfumo?

CITY MANAGER JONES: Catalfumo did the work.

COUNCILPERSON GUYTON: The City hired Catalfumo?

CITY MANAGER JONES: He was, he was the developer, yes.

COUNCILPERSON GUYTON: Ms. Jones, did the City hire Catalfumo?

CITY MANAGER JONES: He was, yes.

COUNCILPERSON GUYTON: Okay. That's what I'm looking for. You kept saying he was the developer. The City hired Catalfumo. Catalfumo did the improvements for the City. The CRA then expanded its boundaries and included the Ocean Mall. The

City then said, 'Well, since we expanded our bounda'.., or you expanded your boundaries...

CHAIR PARDO: It's not true.

COUNCILPERSON GUYTON: ...now you be responsible...

CHAIR PARDO: It's not true.

COUNCILPERSON GUYTON: ...for... Wait, let me, let...

CHAIR PARDO: I'm just telling you, it's not true.

COUNCILPERSON GUYTON: Okay. Did, did we not...

CHAIR PARDO: Those boundaries were already in place.

COUNCILPERSON GUYTON: Okay. The boundaries were already in place.

CHAIR PARDO: Correct.

COUNCILPERSON GUYTON: But, but it was the City that made the decision to hire Catalfumo and, and decided how that money was gonna be spent.

CHAIR PARDO: In a competitive process.

COUNCILPERSON GUYTON: In a competitive process.

CHAIR PARDO: And just...

COUNCILPERSON GUYTON: [Inaudible].

CHAIR PARDO: Everyone needs to know, none of us were there.

COUNCILPERSON GUYTON: Yes.

CHAIR PARDO: None of us...

[Inaudible comments]

CHAIR PARDO: ...were there.

COUNCILPERSON GUYTON: Nobody up here was there.

CITY ATTORNEY RYAN: I was here.

COUNCILPERSON GUYTON: So, but, but my point is, is that, the CRA is having to pay something back that the City made the decision to do. If that was the CRA that made that decision and hired that developer, that would be completely different. We're makin' it seem like we gave the CRA \$10,000,000, which is us, cause we talk like we're a separate entity.

CHAIR PRO TEM DAVIS: [Inaudible].

COUNCILPERSON GUYTON: We are the CRA. The City is saying that we gave the CRA te'..., we didn't give the CRA \$10,000,000. The City paid for that development and then required the CRA to pay it back.

So, let, let me, let me say this. My issue is, Ms. Jones, the CRA made a decision that we were gonna defer payment, on the CRA side. We're playing with semantics now whether we sit on this side or the CRA side. Whether we sit at the CRA or sit as the City, we're still Tony boss, we're still your boss, we're still Pam boss. Your bosses made a decision, irrespective of which side it was on, to defer payment. So I'm just a little irritated that it's coming to us now, after you know what our position was. And it's okay to, to put it in there that this is what we recommend. And I understand that. This is what we recommend, this is why. But we made a decision and if we just need to ratify it on this side, let's do that but when we make a decision, I really expect Staff to go and implement that decision. So, um, I'm, I'm, I'm not supporting the repayment becau'..., I mean, I'm not supporting not giving them a deferment because we're penalizing ourselves. We, as a CRA Board, we're charging ourselves interest. We're, we're saying that we're not gonna give ourselves a deferment. All of this is coming out of funds, public funds, that we're responsible for. So, I'm not entertaining whether we're gonna tell ourselves to start paying this back in, in whatever the timeframe is, I think it's seven years or whatever it is. So...

CHAIR PRO TEM DAVIS: Eight.

COUNCILPERSON GUYTON: Um, I, I would like, after the discussion is had by my colleagues, I'm gonna put an amended motion on the floor to do what we asked Staff to do on the CRA side and that is to defer payment to ourselves. It's to us.

So, that's my positon, Madam Chair. And, like I said, once everyone else speak, I will be putting an amended motion on the floor.

CHAIR PARDO: Okay. So if anyone would like a little history on this... So, back in, when was it? 2006?

CITY MANAGER JONES: Six.

CHAIR PARDO: When the City decided to move forward with Catalfumo and have Catalfumo, you know, do what he was gonna do over there, a group of citizens got together and said, 'You know what? We don't want any condos over on the Ocean

Mall.' The referendum went through, the whole bit. So, um, Catalfumo then was still in charge of building, rebuilding the Ocean Mall and the beach park. So, he starts doing his stuff and came to the City and said, 'Okay. It's gonna cost you \$10.3 million.' So, the City had to write the check for \$10.3 million. Now it's 2009, the City is trying to decide..., now, if you recall, we had the furloughs, the property taxes were falling and we were trying to decide... We had no idea ho'..., when the economic cycle was gonna turn again. So the discussion was, 'Okay. So, the City, they're obligated to put the infrastructure in over at the Ocean Mall and what we'll do then is give it, give that loan to the CRA and the CRA is gonna have to pay it back,' knowing that the CRA would have this, you know, extra money coming in. And that's what happened. And also back then, there was still talk, we hadn't approved yet that FPL plan but we all knew it was coming and that the CRA was gonna get the money.

COUNCILPERSON GUYTON: On the City side.

CHAIR PARDO: Correct.

CHAIR PRO TEM DAVIS: But we was one.

CHAIR PARDO: On the City side. So that's why they decided to give...

CHAIR PRO TEM DAVIS: [Inaudible].

CHAIR PARDO: ...let the CRA be responsible for that loan. Then Mr. Brown comes in and then they said, 'You know what? Let's start deferring some of the payments.' So we did. And now, here we are, now the City is trying to decide, 'Okay. So is, so we allow them to start deferring, now what do we wanna do with this, with the interest? Do they have to pay the interest, do they not have to pay the interest?'

You know, my feeling is, you know, I understood what they were doing back in 2006 and then what they were doing, you know, what the rationale was in 2009. But, this is really robbing Peter to pay Paul. And, honestly, it, it makes no sense. At the end of the day, that Ocean Mall does belong to the City of Riviera Beach.

COUNCILPERSON GUYTON: The CRA.

CHAIR PARDO: Okay? And the City of Riviera Beach, you know, they call the shots over at the Ocean Mall. Mr. Brown isn't sitting down talking to the vulture fund about the lease, it's the City Attorney and the City Manager. So, to just say, 'Okay. You know, the only responsibility you have is to pay back this \$10.3 m [chuckle] and we're going to dictate everything else.' It really doesn't make any sense to me. So anyway, that is a brief synopsis of the history.

Okay. Anyone have any questions for Staff or comments?

CHAIR PRO TEM DAVIS: Madam Chair.

CHAIR PARDO: Sir.

CHAIR PRO TEM DAVIS: Mr. Sherman. [Pause]. I've got a question for Ms. Ryan too, [inaudible] get up here.

DIRECTOR OF FINANCE: Yes, sir.

CHAIR PRO TEM DAVIS: Let me ask Ms. Ryan a question before we get...

FINANCE DIRECTOR SHERMAN: Okay.

CHAIR PRO TEM DAVIS: ...[inaudible]. I apologize. Just give me a second. Ms. Ryan?

CITY ATTORNEY RYAN: Yes.

CHAIR PRO TEM DAVIS: Back before this Council, when you were just another person on this Board.

CITY ATTORNEY RYAN: [Chuckle].

CHAIR PRO TEM DAVIS: On that project..., and that was a hotel site, correct?

CITY ATTORNEY RYAN: That is correct.

CHAIR PRO TEM DAVIS: How many jobs was supposed to go to Riviera Beach residents in that contract?

CITY ATTORNEY RYAN: Well, remember, it was the..., with the..., you're talking about with the hotel...

CHAIR PRO TEM DAVIS: Right.

CITY ATTORNEY RYAN: ...component?

CHAIR PRO TEM DAVIS: Yeah. That por'..., that component.

CITY ATTORNEY RYAN: I believe...

CHAIR PARDO: [Inaudible].

CITY ATTORNEY RYAN: ...we did a, we did a separate community..., they called it like a Community Benefits program.

CHAIR PRO TEM DAVIS: Right.

CITY ATTORNEY RYAN: And, um, I wanna say 15% were supposed to go...

CHAIR PRO TEM DAVIS: What was, what was the total estimated, that you will recall?

CITY ATTORNEY RYAN: Oh, I wish Ms. McKinney were here. Um...

CHAIR PRO TEM DAVIS: 100? 50? Throw a number out there.

CITY MANAGER JONES: It was quite a few.

CITY ATTORNEY RYAN: Yeah.

CHAIR PRO TEM DAVIS: 200?

CITY MANAGER JONES: [Inaudible].

CITY ATTORNEY RYAN: Was it the.., a lump sum, do you remember.

CITY MANAGER JONES: [Inaudible] started, went into some of the housing programs. Yep.

CITY ATTORNEY RYAN: Okay. So the Manager's thinking it's around 200.

CHAIR PRO TEM DAVIS: So initially, this project, before we got to where we are, there was 200 jobs supposed to go to Riviera Beach residents, correct?

CITY ATTORNEY RYAN: Correct. It was...

CHAIR PRO TEM DAVIS: Careers.

CITY ATTORNEY RYAN: It was a very...

CHAIR PRO TEM DAVIS: Healthcare.

CITY ATTORNEY RYAN: ...ambitious...

CHAIR PRO TEM DAVIS: ...benefits.

CITY ATTORNEY RYAN: ...program. Yes.

CHAIR PRO TEM DAVIS: Program?

CITY ATTORNEY RYAN: Yes.

CHAIR PRO TEM DAVIS: So then groups started having this comfort about one another about what's good for the community and what's not. And, because we didn't

have a, a program that really [pause] successful, the next thing we end up with is a quota [stammer], a quota that had nothing. So now, looking at that same quota, I see Silver Homes. So, if that project woulda went through, those investors would probably sold to that developer and develop that whole area. So now we gotta deal with this.

Once again we're having a conversation about the CRA bailing out the City and now the City bailing out the CRA. The CRA primary, sole focus is to give the City relief. It's not supposed to bounce back, at no point. Mr. Sherman, let me ask you a question. What's being asked today about extending this time, how will that impact our credit score, the City's credit score?

FINANCE DIRECTOR SHERMAN: Yeah. Well, we asked our financial advisor that question and they did talk to the credit rating agencies to the side. What their sa'..., what they pretty much said and attached to the document is, is they evaluate communities on both quantitative, so looking at the numbers and then looking at the qualitative, so looking at management and how you, you handle things.

CHAIR PRO TEM DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: On the quantitative numbers side, they said no big deal. They see it, left pocket, right pocket.

CHAIR PRO TEM DAVIS: Correct.

FINANCE DIRECTOR SHERMAN: They, they get that. There issue is is, you know, what are we doing as far as the management side and the decision-making process that we're going for.

CHAIR PRO TEM DAVIS: Right.

FINANCE DIRECTOR SHERMAN: Now, they look at it and they go, 'Okay. We understand the whole FPL, they've got all that explanation. Will it impact us?' You know, initially, probably not but the next time, you know, you come around... You know, we're not on the market right now for debt.

CHAIR PRO TEM DAVIS: Correct.

FINANCE DIRECTOR SHERMAN: Um, our debt right now is not under review for, you know, [stammer] an analysis to see, you know, if we stable or, you know, negative outwatch, outlook or whatever. So, immediately, no impact.

CHAIR PRO TEM DAVIS: Not right now.

FINANCE DIRECTOR SHERMAN: Okay. It's just how..., when you get into that quantitative discussion.

CHAIR PRO TEM DAVIS: Explain quantitative for the...

FINANCE DIRECTOR SHERMAN: You know...

CHAIR PRO TEM DAVIS: ...residents at home.

FINANCE DIRECTOR SHERMAN: Again, not, not the numbers...

UNK: [Chuckle].

CHAIR PRO TEM DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: ...but, but how, you know, how you manage things. Are you maintaining your systems, are you making good decisions, are you willing to raise rates? You know, you know, when, when it's...

CHAIR PRO TEM DAVIS: How many...

FINANCE DIRECTOR SHERMAN: ...needed to make...

CHAIR PRO TEM DAVIS: modifications, basically.

FINANCE DIRECTOR SHERMAN: ...those decision. I'm sorry?

CHAIR PRO TEM DAVIS: How many modifications as well, correct?

FINANCE DIRECTOR SHERMAN: Well, and again, you know, why are you doing it?

CHAIR PRO TEM DAVIS: Right.

FINANCE DIRECTOR SHERMAN: You know, the reasons behind...

CHAIR PRO TEM DAVIS: Mhm.

FINANCE DIRECTOR SHERMAN: You know, so they evaluate all of that.

CHAIR PRO TEM DAVIS: But it's to their discretion, correct?

FINANCE DIRECTOR SHERMAN: It is. It, it's one of those things that's..., because it's not numbers, it's hard to...

CHAIR PRO TEM DAVIS: Is it...

FINANCE DIRECTOR SHERMAN: ...figure out how much it's gonna move the meter one way or the other.

CHAIR PRO TEM DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: Again, the analysts that they talked to, they said, 'You know, listen, we understand the whole FPL issue. We understand, you know, that there are changes that may need to be made.' But again, the, the people that you talk to, are not the people that make the ultimate decisions. Um, you know...

CHAIR PRO TEM DAVIS: Correct.

FINANCE DIRECTOR SHERMAN: ...just to give you a picture on, on a rating. I deal with an analyst. The analyst literally takes it to a committee and it's the committee that makes the decision.

CHAIR PRO TEM DAVIS: Correct.

FINANCE DIRECTOR SHERMAN: Um, I have no idea who's on those committees [chuckle] or their thinking pro'... So again, tho'..., you know, those are the issues that, that the financial advisor is just trying to alert you to.

CHAIR PRO TEM DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: Again, it's not, you know, they don't get to make the decision, I don't get to make the decision. You know, it's, it's back to you and whatever direction that you give us, is the, you know, the direction that we'll bring forward.

CHAIR PRO TEM DAVIS: That was a long story but I liked it.

FINANCE DIRECTOR SHERMAN: [Chuckle].

CHAIR PRO TEM DAVIS: Let, let me ask you another question. Did the CRA, before we get to this position, do any cuttin' back on their ha'..., on their side? Any cuttin' back?

CITY MANAGER JONES: You can't, you can't...

FINANCE DIRECTOR SHERMAN: Yeah. I can't, I can't really, I don't know the details to, to their budget and where they were going and how...

CHAIR PRO TEM DAVIS: So, so...

FINANCE DIRECTOR SHERMAN: ...they ultimately ended up.

CHAIR PRO TEM DAVIS: ...at this point, the City doesn't know did they make any modification on their side before it got to the City side? That's my question.

FINANCE DIRECTOR SHERMAN: No.

CHAIR PRO TEM DAVIS: Mr. Sher'...

FINANCE DIRECTOR SHERMAN: ...Again...

CHAIR PRO TEM DAVIS: Mr. Sherman...

FINANCE DIRECTOR SHERMAN: ...I know that they...

CHAIR PRO TEM DAVIS: Mr. Brown is here. Let's talk to him about that.

FINANCE DIRECTOR SHERMAN: Okay. Good. Yeah. I, I...

CHAIR PRO TEM DAVIS: Mr. Bro'...

FINANCE DIRECTOR SHERMAN: ...think that'd be best. [Chuckle].

CHAIR PRO TEM DAVIS: Mr. Brown.

CHAIR PARDO: Mr. Brown, would you like to come up, please?
[Pause]

CHAIR PRO TEM DAVIS: Hey, Mr. Brown. How ya doin'?

CRA EXECUTIVE DIRECTOR BROWN: Good, Mr. Davis. Tony Brown,
Executive Director Riviera Beach CRA.

CHAIR PARDO: Good evening.

CHAIR PRO TEM DAVIS: Mr. Brown, now we've, we've had our questions and our concerns about this, about making decisions. Have you made any, um, any adjustments on your side before coming to the City? Budget...

CRA EXECUTIVE DIRECTOR BROWN: Well...

CHAIR PRO TEM DAVIS: Budgetary?

CRA EXECUTIVE DIRECTOR BROWN: I presented a budget and outlined what could potentially be cost, cost reductions and I was directed by this Board that many of you wanted some of the same programs to remain. As some of you know, the CRA entered into the Neighborhood Services business when the City cut its department, eliminated Staff.

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: And no longer had a vehicle to provide neighborhood redevelopment services. So we created a, a department to do that.

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: Uh, there was also another concern that there was a broken promise about the police substation at the Ocean Mall. There were issues regarding perceptions regarding crime and making sure that the sidewalks were clean. So the City, because it had a budget crunch, we created the Ambassador Program.

CHAIR PRO TEM DAVIS: Mm.

CRA EXECUTIVE DIRECTOR BROWN: So it's not so much that we cut services. I think that when the City had its financial woes and the CRA had the cash and the capital...

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: ...uh, we stepped in where the City stepped out.

CHAIR PRO TEM DAVIS: Okay.

CRA EXECUTIVE DIRECTOR BROWN: So, and we're prepared to deliver a balanced budget...

CHAIR PRO TEM DAVIS: Okay.

CRA EXECUTIVE DIRECTOR BROWN: ...based on this Council's decision to balance your responsibilities for City services, capital projects and redevelopment. So, whatever the action is today, and if it is for us to repay any portion of the debt, I will bring to you a balanced budget.

CHAIR PRO TEM DAVIS: Ho'..., so, how many positions do you have open right now in your, all your departments?

CRA EXECUTIVE DIRECTOR BROWN: Positions open?

CHAIR PRO TEM DAVIS: Yeah. That you haven't filled, vacant.

CRA EXECUTIVE DIRECTOR BROWN: Well, we always..., because we have turnover in the Ambassador Program, we keep it open.

CHAIR PRO TEM DAVIS: Total, like, the entire, entire CRA, Ambassador...

CRA EXECUTIVE DIRECTOR BROWN: Uh...

CHAIR PRO TEM DAVIS: ...everything? How many positions?

CRA EXECUTIVE DIRECTOR BROWN: Zero.

CHAIR PRO TEM DAVIS: So you don't have no positions that you have open? I see applications on, on...

CRA EXECUTIVE DIRECTOR BROWN: But they've been filled. We..., zero.

CHAIR PRO TEM DAVIS: They've been...

CRA EXECUTIVE DIRECTOR BROWN: We always run...

CHAIR PRO TEM DAVIS: ...filled?

CRA EXECUTIVE DIRECTOR BROWN: We always run applications for the Ambassador Program because of the turnover. But right now, it's zero.

CHAIR PRO TEM DAVIS: What is your total budget?

CRA EXECUTIVE DIRECTOR BROWN: Our total budget?

CHAIR PRO TEM DAVIS: Yeah. This year, operating budget for this year?

CRA EXECUTIVE DIRECTOR BROWN: \$10,000,000.

CHAIR PRO TEM DAVIS: \$10,000,000. What is your total administration budget?

CRA EXECUTIVE DIRECTOR BROWN: \$10,000,000.

CHAIR PRO TEM DAVIS: Administration Staff?

CRA EXECUTIVE DIRECTOR BROWN: Oh, you mean Staff?

CHAIR PRO TEM DAVIS: Yes. Staffing.

CHAIR PARDO: Four.

CRA EXECUTIVE DIRECTOR BROWN: [Sigh]. About, uh, a million four.

CHAIR PRO TEM DAVIS: How many Staff you have in administration?

CRA EXECUTIVE DIRECTOR BROWN: Well, I'm, I'm giving you total Staff. I didn't come prepared with my, um, staffing budget.

CHAIR PRO TEM DAVIS: Well, I'm not gonna dig, comb through that. My question is, when you're dealing with corporate America and there's a shortfall or whatever you wanna call it, people have a tendency of making cuts whether it's financially, um, some

administration staff, they take pay cuts as well. But, understand I wanna support you and give you some relief here to help you move forward with redevelopment. That's not, my intention's not to block that. My intention is to show you, show on our side what sacrifices have you made before coming to the City for relief? And yet, I have to, to hear that, Mr. Brown. I wanna hear the sacrifices the CRA has made.

CRA EXECUTIVE DIRECTOR BROWN: I think, Mr. Davis, what I said is that we stepped up when the City stepped out.

CHAIR PRO TEM DAVIS: No. But I...

CRA EXECUTIVE DIRECTOR BROWN: So if the City...

CHAIR PRO TEM DAVIS: ...wanna hear a sacrifice.

CRA EXECUTIVE DIRECTOR BROWN: If the City's ready to step back into Neighborhood Services, if the City is prepared to provide Public Works improvements...

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: ...in the CRA, then you can direct me to cut those programs. I, I'm, I'm not here to advocate one way or the other. During the budget process, I presented to you a plan...

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: ...that would allow us to continue to redevelopment.

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: I presented to you a plan that indicated that the Marina would, would cause the CRA to lose \$3,000,000.

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: So, it is through your direction...

CHAIR PRO TEM DAVIS: Okay.

CRA EXECUTIVE DIRECTOR BROWN: ...that I'll follow. So...

CHAIR PRO TEM DAVIS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: ...if you want... I have to..., by law, we have to deliver a balanced budget.

CHAIR PRO TEM DAVIS: Correct.

CRA EXECUTIVE DIRECTOR BROWN: So, whatever you decide, we will present to you your options.

CHAIR PRO TEM DAVIS: Okay. Thank you. Mr. Sherman. [Pause]. Now...

FINANCE DIRECTOR SHERMAN: [Inaudible].

CHAIR PRO TEM DAVIS: ...I got the answer that they have to make any sacrifices on the CRA, very clearly. Um, my concern and question is, moving forward, not right now, even though we can make a decision now but I don't wanna put the City's credit at risk, which'll put th., the potential bonding capacity at risk. I'm just gonna hear from my colleagues to see how., cause no one can predict what's gonna happen. If we have to rely on committees to make a decision on our funding and our credit score and our bonding capacity, we're already in trouble. This City's credit score was doing extremely well when I first got elected. This is not about one side versus the other. This., the CRA's designed to give the City relief. This Board needs to govern in that fashion. Yes, the CRA's done some wonderful things but when it comes down to it, we cannot put this on the taxpayers. And I'm just gonna stop right there cause I wanna hear what the rest of my colleagues have to say about our credit score and our bonding capacity in the future, not right now.

COUNCILPERSON MILLER-ANDERSON: Madam...

COUNCILPERSON THOMAS: Well.

COUNCILPERSON MILLER-ANDERSON: ...Chair.

CHAIR PARDO: Go ahead, Ms. Miller...

COUNCILPERSON MILLER-ANDERSON: Um...

CHAIR PARDO: ...Anderson.

COUNCILPERSON MILLER-ANDERSON: Mr. Sherman, I just had a question.

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON MILLER-ANDERSON: I think at one time you did consider this trouble debt. Could you kinda explain what that was all about?

FINANCE DIRECTOR SHERMAN: Under the general accounting standards that governments have to follow, there's certain, um, guidelines on how you account for certain transactions. We did broach the subject with our auditor, our external auditor and we provided him the documents so he could review the history and everything. And

he came back and he said, 'Okay. Under,' I think it was, can't remember the GASB number but under the, the, the rules and regulations that we'd have to follow, because we would.., are doing this to provide cash flow relief to the CRA, because of the, the reasoning that, this is happening, that it, in essence, means that it's troubled debt. We're, we're helping the CRA's cash flow. We'd be modifying the agreement so that they would, you know, in essence, be able to meet their, their cash requirements.

We would also be required to reclassify part of our fund balance, which is about \$18,000,000. We'd have to reclassify \$10,000,000 of that out of undesignated fund balance and push it up as an advance, uh, cause it would.., they would classify that it's no longer a loan, we've advanced the \$10,000,000. And because there's no repayment, it changes how things get define. So, your un'.., you undesignated fund balance would go down and we would have to put a footnote in that the loan has been modified, the reasons why it was modified and the new terms. And that would actually go in both sets of financial statements.

[Pause]

COUNCILPERSON MILLER-ANDERSON: You can go ahead.

CHAIR PARDO: Anyone else?

COUNCILPERSON THOMAS: Yes. Madam Chair?

CHAIR PARDO: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: Um, well, let me say it this way. Um, it would be my suggestion that, going forward, you don't do any deals like this that g'.., that are going to go past a reasonable time where your policymakers will change. So, let me basically say, when this happened, it was a way both sides were in agreement to just try to get the money back to the City. Now, if I recall where we originally go this \$10,000,000 was from an insurance account that had a surplus in it.

CHAIR PARDO: Correct.

COUNCILPERSON THOMAS: Now, why we had a surplus of \$10,000,000? I remember asking that question, um, and the answer was, 'Well, we didn't have the storms,' or 'we didn't have whatever was needed so the money accumulated in there.' I don't see how all of this didn't come up when we were agreeing to be creative, cause that's what happened with this particular, um, loan.

Okay. So let's fast forward. A different finance director, maybe a different point of view. Not saying that Mr. Williams was right and Mr. Sherman is wrong, not sayin'.., I get it. They're, they're doing what they think is best. However, we can't kick the can down the road. We tried to do something to make it beneficial to get it back and it just did not work. The way that we thought the money would come back, we though the CRA was

gonna be flushed with cash with the, with the FP&L site... It did not work. So, versus going back and forth, I think our decision is either we fix it right now or we say, 'Mr. Brown, the Ambassador Program has to go.'

CHAIR PARDO: [Inaudible] end.

COUNCILPERSON THOMAS: The Neighborhood Services, has to go. I mean, versus going back and forth and, and, as we saw a little earlier that this my last meeting but it, it would make, it would make no sense to continue to, to do it this way. All you would do is be creating an issue for years to come. We need to say it right now. 'You know what, Mr. Brown, we don't think.., we think you should pay this back and, if you're gonna pay it back, that means that the Neighborhood Services and it needs to go,' and let that be done. Give him a directive and let it be done. You know?

CHAIR PRO TEM DAVIS: [Inaudible].

COUNCILPERSON THOMAS: Oth'.., other than that, we need to either say we're gonna continue to do this and try to earn our way out of it, work our way out of it, reduce it, do something that's going to make both sides comfortable or we need to go ahead and say let's cut our losses where we are. And I'm not advocating for anybody to lose their job. Of course, that's not me. I'm just basically saying it's a tough decision. We can't tell him to pay something back when he can't afford it. You know? He just can't afford it. And, the problem is, the problem is it's not a lot of fat to cut when you look at it. If you just, you know, it's gonna be direct employees. It's gonna bo.., it's not, it's a lot of fat to cut. If there was a lot of fat to cut, if there was a lot of grants going on over there, if it's a lot.., I would say, 'Yeah. Cut that back, do whatever you can,' but it's not. It's either you directly affect it.., and somethings those are hard decisions that's gotta be made but I don't want it to seem as if we're saying, 'You know what? The City gave something to the CRA and the CRA is not giving it back,' because it's just not true. It was as creative way to get the money back. It went all into it. As a matter of fact, I don't even think the CRA had a meeting on it other than just accepting the funds. I'm not even sure we did that, to be honest with you. You know? So.., I mean, and there's other debt that's still out there. I believe the Wachovia debt is still out there. It's other debt that still needs to be paid. It's a lot of other things that are over there. So what I'm saying is now, 'While we have it here, and obviously the Board is changing, let's not, let's fix something. Let's not give the new Board, whoever that may be, a issue to come into like this. Let's fix it. One way or the other, let's just fix it. If you say, 'Hey, no. They need to pay it back,' then fix it. Understand that Mr. Brown needs to go ahead and prepare people because that's the only way he's going to be able to, to do it.

And remember, we decided on his budget as well as the City's budget back in October and said, ;'we agree, you know, that these are the services that we want to...'

COUNCILPESON GUYTON: Continue.

COUNCILPERSON THOMAS: ...to, you know, to do so that's the only issue. So I'm sayin' now, we're almost at a mid-year budget and you can do some, you know, things that are mid-year if that's what you wanna do. I just really think we need to clear it up now, one way or the other and move it on.

That, that's all for me.

CHAIR PARDO: Thank you. Anyone else? [Pause].

COUNCILPERSON MILLER-ANDERSON: Yes.

CHAIR PARDO: Anyone?

COUNCILPERSON MILLER-ANDERSON: Um, yes.

CHAIR PARDO: Go ahead, ma'am.

COUNCILPERSON MILLER-ANDERSON: Ms. Ryan, do you have any concerns? I know when we met on Monday..., well, we didn't actually get to this part but there were still some concerns that were being worked on. Um, do we feel that we got to a good place with this since Monday?

CITY ATTORNEY RYAN: I, I think so. The [stammer], the central issue, and you're going to decide tonight, is whether or not the City is making the deferral. If you agree that the deferral should occur, then the language that's underlined and highlighted and stricken out will be, we will revert it back to what they had before with a couple of little typographical changes. So, from a legal standpoint, the only..., there was no issue. The, there are no issues with this \$10.4 million document. We'll get into the other ones a little bit more. But this document is fine, no matter what the Council decides. You just need to tell us and then we will make the changes according to the motion that's made here.

And I just wanna comment for a brief second on what Mr. Guyton said. We, we're not trying to irritate you. There was some confusion on the City side. We, the Council seemed to suggest no deferral at a City Council meeting or I think it may have been a joint workshop.

CHAIR PRO TEM DAVIS: Mhmm.

CITY ATTORNEY RYAN: But then, at the CRA meeting, Mr. Brown put forth his recommendation and I think he discussed his issues and the Board may have decided to go ahead and grant the deferral but because that did not happen at a City meeting, we felt uncomfortable moving forward with something that the CRA Board said. We, you guys are the same Board but you are different and we have to treat you differently and that's what, what we strive to do. I am a big stickler on that. I won't let Staff tell me, 'This is what they said on the CRA side so we're gonna do this on the City side.' We

need direction from the City and so that's why we're here tonight to get the direction from the City.

COUNCILPERSON THOMAS: I didn't... Oh.

CHAIR PARDO: Wait. Hold on. Ms...

COUNCILPERSON MILLER-ANDERSON: [Inaudible].

CHAIR PARDO: Anderson-Miller, Miller-Anderson has the floor.

COUNCILPERSON MILLER-ANDERSON: You can go ahead.

COUNCILPERSON THOMAS: Yeah. Madam Chair. I didn't see, um, I, I asked about whether, if they paid the same amount that they had been paying for the interest but paid that amount for the principal, how would that effect the City? I don't, I don't remember getting an answer to that. Maybe you don't remember me asking that but...

CITY ATTORNEY RYAN: No. We do cause we kinda got chastised for that email where it says, where it says...

COUNCILPERSON THOMAS: Yeah. Where it says... Yeah.

CITY ATTORNEY RYAN: That's the one that says Cedrick, um., when we had our meeting to discuss these agreements, um, actually it was a different, a different meeting and this came up. You made a suggestion and asked Mr. Brown, at that meeting, if he could at least pay, continue to pay, the interest he was paying before as principal.

COUNCILPERSON THOMAS: Right. Pay the amount of...

CITY ATTORNEY RYAN: Correct.

COUNCILPERSON THOMAS: ...principal...

CITY ATTORNEY RYAN: Right.

COUNCILPERSON THOMAS: ...that he was paying...

CITY ATTORNEY RYAN: Right.

COUNCILPERSON THOMAS: ...for interest since that was already budgeted in, in two.

CITY ATTORNEY RYAN: Right.

COUNCILPERSON THOMAS: It was budgeted for CRA and whatever the money was being used for on the City side, it was budgeted. Let me, let me just ask this cause I didn't ask that question. The money that he's paying back, where's that money going?

CITY ATTORNEY RYAN: That's a good question.

FINANCE DIRECTOR SHERMAN: That money gets returned back to the insurance fund.

COUNCILPERSON THOMAS: Okay. How much money do we have in that insurance fund now?

FINANCE DIRECTOR SHERMAN: Oh, [sigh], I, I., subject to check, probably about three and a half, \$4,000,000.

COUNCILPERSON THOMAS: Okay. So, how did we end up with \$10,000,000 at one time? Cause we haven't had storms in a while...

FINANCE DIRECTOR SHERMAN: We haven't had...

COUNCILPERSON THOMAS: ...and now we only have...

FINANCE DIRECTOR SHERMAN: ...storms in a while.

COUNCILPERSON THOMAS: ...three or \$4,000,000. How, why's it not... I mean, they've been paying...

FINANCE DIRECTOR SHERMAN: [Inaudible].

COUNCILPERSON THOMAS: ...\$200,000 in it for the past how much? How many years?

FINANCE DIRECTOR SHERMAN: Yeah. Well...

COUNCILPERSON THOMAS: [Inaudible]...

FINANCE DIRECTOR SHERMAN: ...when the agreement was first done, I believe it was '09. So, they've been paying back since, since then.

COUNCILPERSON THOMAS: So, it's at least a million in there from what they've paid back?

COUNCILPERSON GUYTON: [Inaudible].

FINANCE DIRECTOR SHERMAN: Right. Right. And if you recall, I wanna say was it 2015 budget, we actually used \$200,000 to reduce the amount that was required and that was really the \$200,000... Every year, what we do is we do an actuarial report, they look at all of our cases, they look at our insurance premiums and they say this is how much the City needs to put in the insurance fund, not only to cur'.., carry the, you know, upcoming year's expenses but also to address any cases that, that may come up.

COUNCILPERSON THOMAS: That may arise.

FINANCE DIRECTOR SHERMAN: So again, that balance, if you don't use it, it grows. And clearly it grew pretty significantly to the point where you felt that there was enough cash in there to be able to make this l'...

COUNCILPERSON THOMAS: Well, how much are we supposed to have? I'm assuming \$3,000,000. How much are we supposed to have in there?

FINANCE DIRECTOR SHERMAN: Yeah. And again, I don't have that. And I wanna say the last report was, it was close to \$3,000,000 we were to have in reserves.

COUNCILPERSON THOMAS: Okay. So, obviously, the reason why I'm saying \$3,000,000 cause if we had \$13,000,000 and we loaned ten...

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON THOMAS: ...I would make the assumption, which you probably should...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON THOMAS: ...never do. But I would make that, uh, you know, that guess to [chuckle] say that it was \$3,000,000. If, if we haven't had to utilize it and we know that they've been paying \$200,000 to it, then we should have at least \$4,000,000 in there. What would be the reason not to say, 'Okay. The money came from insurance, it's going back to insurance, you know, we're solvent there but we need to continue to try to build it back up.' Why would we not allow them to just pay whatever they were paying for interest for the principal, you would get something back...

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON THOMAS: ...versus nothing. I, I can see if they said, 'Okay, this is gonna go to a line item. The City's now gonna have cut something,' but, unless I'm wrong, that's not what it is. It's.., we, we gave it to you out of insurance, we're putting the money that you give back into insurance. We're solvent in insurance, we have enough, we have what we're supposed to, to have in there. Why are we, you know, why are we not, why are we not trying to be cohesive, in a way since that's where the money's back to?

CITY ATTORNEY RYAN: Can I answer that?

COUNCILPERSON THOMAS: Please.

CITY ATTORNEY RYAN: Let, let me try. I don't think the issue is the money. We don't need the money. The issue is, and even if you, you..., and I shouldn't say it like that, 'We don't need the money.' Um, the issue is not whether or not we need to replenish that fund but what will it do to our credit? I don't know if paying the \$200,000 instead of zero helps or not with the whole troub'..., the trouble credit thing but the...

CHAIR PARDO: [Whispering]. It's not gonna help with [inaudible]...

CITY ATTORNEY RYAN: ...City ha'..., it's not about the money and I don't think Mr. Sherman would tell you that...

COUNCILPERSON THOMAS: Right.

CITY ATTORNEY RYAN: ... we need to...

FINANCE DIRECTOR SHERMAN: No.

CITY ATTORNEY RYAN: ...have that money for that [inaudible].

COUNCILPERSON THOMAS: I, I get it. This, this is my thing.

CITY ATTORNEY RYAN: For that month.

COUNCILPERSON THOMAS: We're going out for bonds. Our credit has been checked for that. Unless it's going to adversely affect something, immediately, then what is the..., please tell us what is the problem with it? What is the...

COUNCILPERSON GUYTON: [Inaudible].

COUNCILPERSON THOMAS: ...what is the problem with it? And, and there may be some plans that you haven't advanced toward us for permission yet, that may be. But, I just wanna see what the problem really is, you know, with doing that.

CITY MANAGER JONES: Councilman Thomas, there is no problem. We just need for that to be a part of the strategy.

COUNCILPERSON THOMAS: Okay.

CITY MANAGER JONES: Because the only two options that were presented prior to that strategy, was deferral or no deferral.

COUNCILPERSON THOMAS: Okay.

CITY MANAGER JONES: And so, that's a third option that can be considered.

COUNCILPERSON THOMAS: Okay.

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON THOMAS: Well then, while we're here, Mr. Brown, is, I mean, is, would that...

CHAIR PRO TEM DAVIS: [Inaudible].

COUNCILPERSON THOMAS: ...would that hurt you? Would that hurt the, your, your operations at all to do it that way or? And be able to keep the, uh, employee, employment status the way it is?

CRA EXECUTIVE DIRECTOR BROWN: Well, Mr. Thomas, I guess it's a, it's a principal and a statutory issue for us. Whatever you direct us to do, I'm obligated to [stammer], to deliver to you a balanced budget. What I would remind, at least Ms. Pardo, or, well actually, what I remind Ms. Jones, is that when we agreed to provide funding for the dock improvements, two and a half million dollars. I first requested and offered to pay that as, as the principal repayment to our loan. We could've paid back 25% of our loan. I was asked not to do that because they needed the money for operations so that they could match it and improve the wet slips. So gain, the decision I made in 2010, 2012 was to do what's in the best interest of the City. And Mr. Davis is correct. I try to find real time benefit to our City. I know where your priorities are and since my tenure, I have worked tirelessly to make sure that what we have and what we do, based on the priorities you set, is that we step in. So, if you direct me to pay \$200,000 or whatever, I have to do a balance but whatever I get in, has to come out. And, I will do whatever this body...

COUNCILPERSON THOMAS: The, the budget is balanced at this point.

CRA EXECUTIVE DIRECTOR BROWN: It is balanced at this point.

COUNCILPERSON THOMAS: Right. So with that \$200,000 pay'.., dollar payment, will it hurt you? It shouldn't because it should already be budgeted because that what you [inaudible]...

CRA EXECUTIVE DIRECTOR BROWN: Well, it was not budgeted but your first action was, uh, what was..., what would have been budgeted this year, would have been an interest only payment. This would've been the last year for our interest payment which was about \$208,000.

COUNCILPERSON THOMAS: Right. That's what I'm sayin'.

CRA EXECUTIVE DIRECTOR BROWN: So when you, when, when you voted to make it an interest-free loan, that, that eliminated \$200,000 in this year's budget.

COUNCILPERSON THOMAS: But you woulda had to pay the full payment, if that's what you're saying.

CRA EXECUTIVE DIRECTOR BROWN: No. What I'm saying, that what we would have done.., what, what you approved in this year's budget, because you, you agreed to have the loan modified, in the budget I presented...

COUNCILPERSON THOMAS: Mhmm.

CRA EXECUTIVE DIRECTOR BROWN: That it did not include an interest payment on the Ocean Mall loan. This would have been the last year for the interest only.

COUNCILPERSON THOMAS: So you're basically sayin' you were using that as a free year?

CRA EXECUTIVE DIRECTOR BROWN: Yeah, yes. Well, if, if you, if you direct...

COUNCILPERSON THOMAS: Okay.

CRA EXECUTIVE DIRECTOR BROWN: Well, whatever you do tonight has to come back to the CRA Board in April. So, if you do anything other than deferral, it has to come back.

COUNCILPERSON THOMAS: Okay. So basically, you're saying... But the City's not asking you to pay that money now, in this budget, right?

CRA EXECUTIVE DIRECTOR BROWN: It's in, it, it will have no effect in this year. It would be fiscal year 2017.

COUNCILPERSON THOMAS: Right. So, it's no harm, no foul for this year. But next year.., well, when you start for next year, in October or, of that budget, then that's where you need to make the adjustments or whatever?

CRA EXECUTIVE DIRECTOR BROWN: Yeah. If, if you recall during the budget process and, and I'm.., perhaps, unlike the City, I gave you a three year budget projection. One of the options you had that you didn't outline is for us to simply give back the Marina operations. Because the Marina's gonna be a drag on CRA earnings, for at least the next three years because that's what I project by the time we get private development, for the next three years. I've had to have a three year outlook. And so, unless you direct me to give all of this back to the City, you will still get a three year outlook and...

COUNCILPERSON THOMAS: But we can't, we can't do that.

CRA EXECUTIVE DIRECTOR BROWN: Well, and so, uh, as I indicated to you, because we're paying the City \$1.3 million...

COUNCILPERSON THOMAS: Right. For the bonds.

CRA EXECUTIVE DIRECTOR BROWN: For the ground.

COUNCILPERSON THOMAS: Right.

CRA EXECUTIVE DIRECTOR BROWN: And, and then we're projecting to lose \$1.4 million and all these other documents are gonna come address that, that, whatever you decide tonight, if the revenue stays the same, if our CRA revenues do not exceed \$7,000,000, right, I will have to deliver to you, a \$200,000 cut in expenses. Period.

COUNCILPERSON THOMAS: Okay. I get that. Answer this one for me. You would've had to pay almost \$1,000,000 a year starting next year. How were you going to address that?

CRA EXECUTIVE DIRECTOR BROWN: The CRA has two creditors. BB., BB&T and the City of Riviera Beach. And as, as you, um, adequately put it that the CRA is paying the Wachovia debt. The Wachovia debt originated in 2007 and that was a bailout to the CRA. It was before anyone here was there, it was before I came. That was a bailout. What my proposal was to the City, is that we will continue to pay the Wachovia debt because that is a third party obligation. Repayment of the Ocean Mall debt goes back into the insurance fund, as Mr. Sherman said, it's not needed for actuarial purposes and when we offered to do that two years ago, they said no. We could've reduced our debt by 25% but they didn't want it that way. They wanted us to give them a grant so it could be matched for the docks. So again, I recognize that this body, or the newly elected body will set a new set of priorities related to City services, capital projects and redevelopment. And whatever I'm directed...

CITY MANAGER JONES: [Inaudible].

CRA EXECUTIVE DIRECTOR BROWN: ...to do for redevelopment, I will do and I will present it to you, whether it's \$200,000, \$500,000 or \$1,000,000.

CHAIR PARDO: [Inaudible whisper].

COUNCILPERSON THOMAS: I, I missed it though. I, I missed it. I, I get it and I know your passion and I know how you feel but what I'm trying to get here is, if you were going to have to pay the 900 plus thousand, you were going to have to fit that in the budget some type of way. And, and my opinion is, if you were, if you were used to paying the \$200,000 and you essentially are getting a free year because we said no-interest, why would you not be able to absorb the \$200,000 payment so that the City still

does get something going back to the insurance fund and it's not a total drag on your existing or your current budget for whatever year that is?

CRA EXECUTIVE DIRECTOR BROWN: Well, in 2014, we forecast that CRA revenues for 2015 would go from \$6,000,000 to \$16,000,000. And, and that was projections that the City had. Again, because of the benefit of the FP&L revenues. Not only would we have gotten the City's share of \$7,000,000, we would've gotten the county's share of three.

COUNCILPERSON THOMAS: Right. But it's spilt milk.

CRA EXECUTIVE DIRECTOR BROWN: So, so, so but you asked me the question.

COUNCILPERSON THOMAS: Right.

CRA EXECUTIVE DIRECTOR BROWN: How, how then could we have afforded to pay it? Because we, we, we together, assume that the CRA revenues would, would increase three to fourfold.

COUNCILPERSON THOMAS: Okay. But you're still gonna get some more revenue from FP&L next year. We.., you're not a'.., you, you can't budget that \$200,000 in whatever revenue you're gonna get?

CRA EXECUTIVE DIRECTOR BROWN: Yes, sir. I said I will, I am obligated to deliver to you a balanced budget. So, whatever that number is.., like, today it's not included. So, if, if you said retroactive to the, to the start of fiscal year, I have to present to you a budget amendment, whether it's this year or next year. Again, the assumption I make, if revenue stays the same, if the Marina enterprise operations continue to lose money, right, we have to deliver you a balanced budget. So, if, if, in that, uh, forecast, it includes debt. Remember, I pay BB&T \$3,000,000...

COUNCILPERSON THOMAS: Okay. I get, I get what you're saying. So, you know, I think that if, if there was some centergistic movement here, this could work. Why do you not, why do you not just budget that amount? If they have to drag for the, uh, the common area expenses, why don't you just adjust it for whatever the loss of that's going to be and then both sides can be happy?

CRA EXECUTIVE DIRECTOR BROWN: Again, Mr. Thomas, whatever the amount is, I have to bring it back to the CRA Board in April because you approved the deferral on one side and whatever the amount is... I, I, I guess, in essence, I'm agreeing with you but there would be an offset. And, and the offset is going to be expenses.

COUNCILPERSON THOMAS: Okay. If the City, which they can't, but just hypothetically speaking, if the City had the, the uplands back, okay, which they can't.

We know we got a loan basically to do, but, whatever. They would have a cost of \$1,000,000 or whatever that you're thinking that's gonna be for the CAM for the area. Right? They would have to budget for that. Okay? So then they would say, 'Well, we need that money back that you just, that you're supposed to give us so that we can pay that expense.' Do you not think that that's what they would say?

CRA EXECUTIVE DIRECTOR BROWN: Not necessarily. That's not true. Because...

COUNCILPERSON THOMAS: Oh.

CRA EXECUTIVE DIRECTOR BROWN: ...the, the, the money.., and Mr. Sherman kinda talked around the issue, the, the benefit of the CRA paying goes into the non-ad valorem revenue. Because, in the past two years the City, not the CRA, the City has borrowed in excess of \$80,000,000. What he's, what he's concerned about is the dilution test, whether or not non-ad valorem revenue, for every dollar in debt service, his bond, his, his bond covenant says you need to maintain at least \$2.00 in non-ad valorem revenue. You've used that borrowing capacity. If you decide to use your tax dollars, you have to go out to the voters and get their approval.

So, in essence, what his concern is, is that if we didn't pay a portion of the debt for him to record it as non-ad valorem revenue, he's concerned that it would dilute his ratio. But he's u'... And you asked a question, you, you have.., the City has borrowed to its capacity for non-ad valorem revenue. So, you asked the right question. So if you got other capital improvement needs, how much future borrowing capacity do you have, using only non-ad valorem revenue?

COUNCILPERSON THOMAS: That'd be zero.

CRA EXECUTIVE DIRECTOR BROWN: Absolutely. Absolutely. Actually, it won't be zero. His financial advisor said if we deferred it, you're still above the threshold, you're still above the threshold. The impact.., for every half million dollars in debt that, or CRA debt, that the City decide to waive, it only effects the City's non-ad valorem percentage by less.., by, what we call four basis points, basically, .04%. So, you said that we would do this if it did not affect the City's credit rating, not credit score, credit rating. And it doesn't. It hasn't. And, in fact so, the last bond issue you floated was nearly \$60,000,000. So your capacity is gone. Your coverage is great and we are in partnership and I know that we exist together. We should do...

COUNCILPERSON THOMAS: Let me...

CRA EXECUTIVE DIRECTOR BROWN: ...what's in the...

COUNCILPERSON THOMAS: Let me, let me...

CRA EXECUTIVE DIRECTOR BROWN: ...best interest...

COUNCILPERSON THOMAS: Let me ask Mr. Sherman this while this is fresh on my mind. Mr. Sherman, Mr. Brown just [pause]. You heard what he just said.

FINANCE DIRECTOR SHERMAN: Yes, sir.

[Chuckle]

COUNCILPERSON THOMAS: Is it, is it accurate? [Pause]. Now, the fact that you can't answer that yes or no...

FINANCE DIRECTOR SHERMAN: No.

COUNCILPERSON THOMAS: ...gives me some caution.

FINANCE DIRECTOR SHERMAN: No. I was gonna say parts of it were [chuckle] and parts of it weren't. Um, you know, it's, it's all on how you're gonna spin it. But, you know, I mean, we issued, we did issue \$60,000,000 of bond and if you recall, there was a pension obligation bond so we could save \$124,000,000 over time.

COUNCILPERSON THOMAS: Right. We got that.

FINANCE DIRECTOR SHERMAN: So that, that's a whole different issue.

COUNCILPERSON THOMAS: Right.

FINANCE DIRECTOR SHERMAN: Do we still have bonding capacity? Yes. We should have about \$10,000,000 of bonding capacity.

COUNCILPERSON THOMAS: Okay. Now stop right there.

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON THOMAS: We got \$10,000,000 worth of bonding capacity. So you still have the, the room if you wanted to go out and do something if there was a complete deferral?

COUNCILPERSON GUYTON: Yes.

FINANCE DIRECTOR SHERMAN: Yes. Yes. It...

COUNCILPERSON THOMAS: Okay.

FINANCE DIRECTOR SHERMAN: ...it would limit it but yes.

COUNCILPERSON THOMAS: But you still have the money to do something?

FINANCE DIRECTOR SHERMAN: And we would still have some capacity.

COUNCILPERSON THOMAS: Let me ask you this, if this half cent or cent sales tax passes, that will give us some more capacity to leverage, would it not?

FINANCE DIRECTOR SHERMAN: [Sigh]. Yeah. It, it goes.., I believe that's...

UNK: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...capped at ten years...

COUNCILPERSON THOMAS: Right. If it passed.

FINANCE DIRECTOR SHERMAN: ...[inaudible]...

COUNCILPERSON THOMAS: Right. If, if it passes...

FINANCE DIRECTOR SHERMAN: ...ten years.

COUNCILPERSON THOMAS: ...and it's...

FINANCE DIRECTOR SHERMAN: ...um, which would be a very short bond and what, you know, I'm not sure I would recommend that you use those dollars to pay interest. But it would give you some capacity to do some capital projects certainly.

COUNCILPERSON THOMAS: Okay. So, is.., will the City be hurt with this deferral? That's a yes or no question.

FINANCE DIRECTOR SHERMAN: Well, again, the issues gets.., comes down to, if you do wanna go out and bond, will your rating be impacted and where that will hurt you is in the interest. So, it's not necessarily that you can't borrow, it's at what cost will you be borrowing. And if the cost of the interest is higher, then you, your borrowing capacity would be lower.

COUNCILPERSON THOMAS: I get it. That's like...

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON THOMAS: ...normal borrowing for anybody.

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON THOMAS: I, I understand that.

CHAIR PARDO: But...

COUNCILPERSON THOMAS: But, if we did a complete deferral of this right now...

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON THOMAS: Will this immediately impact the C'... Let's, let's put a number on it. Will it impact the City at all over the next five years?

UNK: [Inaudible whisper].

FINANCE DIRECTOR SHERMAN: The rating agencies may, and I emphasize may, come back and say, 'Okay. The City's rating is still A+ but it's not stable,' and put a negative rating on it. That will impact your, the City. It'll impact your...

COUNCILPERSON THOMAS: But they'll do that over the next five years?

FINANCE DIRECTOR SHERMAN: Yeah. They'll, they come in periodically. We issued the utility bonds in 2014, they already wanna do another review. So it hasn't even been two years. They, they actually called in December and said we'd like to do a review of the utility credit rating. So they constantly come back. They look at your financial statements, they look at the disclosures, we're required to disclose information to them every year. Yeah. They, they are constant monitoring...

COUNCILPERSON THOMAS: Well, you and Mr. Brown...

FINANCE DIRECTOR SHERMAN: ...your credit.

COUNCILPERSON THOMAS: ...I don't know if you noticed but you all agree that, you said it and Mr. Brown said, that the City would still have space...

FINANCE DIRECTOR SHERMAN: Yes. You would...

COUNCILPERSON THOMAS: ...to do...

FINANCE DIRECTOR SHERMAN: ...still have borrowing capacity.

COUNCILPERSON THOMAS: That will tell me that you're not limiting the, the, what the City can do. You're just basically saying it's gonna effect the interest of it which will say how much you can borrow but it's not gonna stop you from borrowing. If you needed to.

FINANCE DIRECTOR SHERMAN: It won't stop you but, again, that, we'll call it \$200,000, five hundred, or whatever that number is, again, you have to have two times the revenue. So if I lose \$200,000, that means what I have available to pay for principal and interest is \$100,000 less. So that one thing, you can borrow less money and then two, if you're rating is impacted, even if it's from stable to negative, that'll cost you more

in interest which'll further reduce. So, how much? That's, again, all subject to markets and...

COUNCILPERSON THOMAS: You know, I think what we have here is a failure to really communicate. See, the both of you can talk in numbers and words that we can grasp a little bit then we have some other questions and ya'll are kinda like mentally sparring with each other. That's all good but the problem is [chuckle], we're stuck in the middle trying to make the best decision for both sides. So I.., I mean, can you, just for me, come on, it's my last meeting...

FINANCE DIRECTOR SHERMAN: [Chuckle].

COUNCILPERSON THOMAS: Can you dumb it way down and just say, 'Hey look, I just wanna keep,' you know, 'enough money here. I'll just feel more...

FINANCE DIRECTOR SHERMAN: Well...

COUNCILPERSON THOMAS: ...comfortable,' but, I just need you to dumb it way down just so I can kinda understand it, man. It's, it's, it's either it doesn't hurt the City or it does.

FINANCE DIRECTOR SHERMAN: Well, and, and that's we've.., I think I've tried to say it. It's not black and white. This isn't left or right, it's, it's subjective. When the rating agencies make their decisions, it's subjective. They look at what the City is doing, the decisions its made, its financials. So again, it's not where you can drop numbers and get...

COUNCILPERSON THOMAS: Got it. Got it.

FINANCE DIRECTOR SHERMAN: ...an answer.

COUNCILPERSON THOMAS: One more, one more...

FINANCE DIRECTOR SHERMAN: Unfortunately.

COUNCILPERSON THOMAS: ...for the road, Mr. Brown wants to tag in and we'll come back and let him mentally beat you up for a minute and then I guess we'll move on if the Chair sees fit. Mr. Brown.

CRA EXECUTIVE DIRECTOR BROWN: And Mr. Thomas, I'm not gonna try to do that because it would be a disservice to this Board. The bottom line, you s'.., you said you directed us in principal, that whatever we do we didn't wanna hurt the City and I wouldn't stand before you if I thought that deferring this would hurt the City cause, if it did, at any time, if our fortunes change you could direct us. What the City's financial advisor said, and I'm gonna try to dummy this down, that one isolated incident does not adverse credit rating make. It's enclosed...

COUNCILPERSON THOMAS: Repeat that one more time please.

CRA EXECUTIVE DIRECTOR BROWN: One isolated incident, meaning to defer the payment of an interrelated body, will, will, in and of itself, not reduce your credit rating. They have to look at the whole picture, the entire picture. And the good news is, that the City of Riviera Beach had the largest increase of tax assessed property of any city in Palm Beach County. 33%. You have a robust financial picture. Mr. Guyton has said it. You got over \$100,000,000 in construction underway. You have a great future.

COUNCILPERSON THOMAS: Yeah. But we, we, we also have some immediate corrections that need to be made on the City side.

CRA EXECUTIVE DIRECTOR BROWN: And I understand that. And that's why...

COUNCILPERSON THOMAS: So...

CRA EXECUTIVE DIRECTOR BROWN: ...I said...

COUNCILPERSON THOMAS: ...my issue is, it's no doubt that these buildings are at their useful life, all of 'em, everyone that's on this campus, all of them. And at some point, which is probably more than later needs to happen right now, some type of plan. So, I don't want to cut off the City's ability to be able to plan and find future for City Hall, for wherever, wherever they may be that's not my thing, I'm saying it needs to happen. So, they need a new building. All of 'em. We need new buildings here. So, if we do this, it's simple. Does this take away the ability for the City to do what they need to do on their side?

CRA EXECUTIVE DIRECTOR BROWN: No.

CHAIR PRO TEM DAVIS: [Inaudible] question.

COUNCILPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: They said no.

COUNCILPERSON THOMAS: I, I, I get it. I get it. Mr., Mr. Sherman, if we do this, does it take away the ability for the City to do what I just said on this side?

FINANCE DIRECTOR SHERMAN: It lessens the ability. It's, again, it's not a yes or a no but it will reduce your ability and your..., it'll reduce your borrowing capacity.

COUNCILPERSON THOMAS: Alright. I'm done. I don't think I got anywhere but I'm done.

[Chuckles]

COUNCILPERSON THOMAS: Yeah. [Chuckle].

CHAIR PARDO: Alright. Anyone else?

CHAIR PRO TEM DAVIS: I have on question, Madam Chair.

CHAIR PARDO: Go ahead.

CHAIR PRO TEM DAVIS: What I would like to see to save for time, is the CRA, is to watch.., look at a budget presentation from the CRA so we can watch these numbers. There's numbers being thrown across this Board back and forth but yet, CRA has yet to present a budget to talk about where they made their cuts or how much money they have or.., we haven't seen anything. And so I can understand why Mr.., why the City Staff is taking their position that they haven't seen anything. So how can you request us to do something that hasn't been done amongst Staff? That's the position that hasn't been addressed yet. [Stammer] if we wanted to move forward to do the right thing, if there's gonna be some restrictions, we need to know what that cost is gonna be in the future. We don't even know what the budget actually is. We take.., yes, we can take his word for it, I'm not saying that Mr. Brown would tell a lie, you know, I don't wanna say that Mr. Brown but we need to see that, a presentation. And that could've saved a lot of time tonight. We still have to make a decision and no one saw any numbers.

UNK: [Inaudible]

COUNCILPERSON THOMAS: But on this, their asking for without the deferral, correct?

CHAIR PRO TEM DAVIS: Well, I support the first two. But the question is, it's the third one that the City has questions about.

UNK: Okay.

CHAIR PRO TEM DAVIS: That's all I'm saying.

UNK: Okay.

CHAIR PARDO: Okay. So, anyone else?

COUNCILPERSON MILLER-ANDERSON: Yeah.

COUNCILPERSON GUYTON: Yeah.

COUNCILPERSON MILLER-ANDERSON: Uh, you're doing a question or you...

COUNCILPERSON GUYTON: No. I'm ready...

COUNCILPERSON MILLER-ANDERSON: ...you still doing your amended...

COUNCILPERSON GUYTON: I'm ready to put the motion...

COUNCILPERSON MILLER-ANDERSON: Oh, okay.

COUNCILPERSON GUYTON: I'm putting a supplemental motion. An amended motion.

COUNCILPERSON MILLER-ANDERSON: Okay. Well let me say what I'm gonna say. For the sheer fact that we've just sat here and went back and forth and I, I know how that back and forth stuff went because I was in the middle of it the other day so I, I still don't see., I still see where we're having some issues. My concern though is that we are having runoffs and we're dealing with some issues that are going impact Council people that will be on the dais later on that have to deal with this. I would like to make a motion that we postpone this until after we've done the., we've, um, done the installation and have people on the Board and are gonna be the ones that are here to deal with it when it comes up in the next budget.

CHAIR PARDO: Alright. So there's a motion, is there a second?

CHAIR PRO TEM DAVIS: Second.

CHAIR PARDO: Alright. Properly moved and second. Any comments? Okay, Madam Cl'...

COUNCILPERSON THOMAS: Yeah. I just got one comment.

CHAIR PARDO: Go right ahead.

COUNCILPERSON THOMAS: I'm ready to make a decision. I don't want anybody think that I'm scared to make a decision on this tonight so that will be...

CHAIR PARDO: That's fine. So we'll take care of this motion first. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: No.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: No.

DEPUTY CITY CLERK BURGESS: That motion failed with Councilperson Guyton, Thomas and Chair Pardo dissenting.

CHAIR PARDO: Okay. So we have the original...

COUNCILPERSON GUYTON: Madam Ch'...

CHAIR PARDO: ...motion on the floor. Go...

COUNCILPERSON GUYTON: Yes. I would like to make an amended motion.

CHAIR PARDO: What's your amended motion, sir?

COUNCILPERSON GUYTON: My amended motion is that we take the same position on the City side that we've taken on the CRA side and that is to defer this payment.

[Pause]

CHAIR PARDO: You got a timeframe?

CITY ATTORNEY RYAN: It would be the s'...

CHAIR PARDO: Or is that...

COUNCILPERSON GUYTON: I...

CITY ATTORNEY RYAN: No. That's fine. It'll be the same timeframe that was...

COUNCILPERSON GUYTON: The same time'...

CITY MANAGER JONES: Yeah. It was...

CITY ATTORNEY RYAN: It's fine.

CITY MANAGER JONES: It will pick up in 2023.

CHAIR PARDO: Alright. There's a motion. Is there a second?

[Pause]

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. Madam Clerk.

CHAIR PRO TEM DAVIS: Hold on.

CHAIR PARDO: Go ahead. You have a comment? Go ahead, sir.

CHAIR PRO TEM DAVIS: Sure. I would like to know, are we just gonna amend this motion, not even looking at a presentation of this budget?

COUNCILPERSON GUYTON: Madam Chair, may I answer that?

CHAIR PARDO: You can.

COUNCILPERSON GUYTON: May I answer that?

CHAIR PARDO: You made the motion.

COUNCILPERSON GUYTON: Yes.

CHAIR PRO TEM DAVIS: I'd like to hear from the colleagues about it. That's all.

COUNCILPERSON GUYTON: Uh, yes. We, we had weeks of budget sessions regarding the budget and what...

CHAIR PARDO: Correct.

COUNCILPERSON GUYTON: ...we're proposing and what the deferment would be and how it would impact our, our budgets. We've been through this for weeks and now I'm ready to make a decision. And let me just say this, the City did not loan \$10,000,000 to the CRA. They didn't give the CRA any money.

CHAIR PARDO: Correct.

COUNCILPERSON GUYTON: They made the decision, the City did, to have some infrastructure put in. And then, say it., since it's in the CRA, 'CRA, you pay it back. We made the decision but you gonna pay it back.' I think that's blatantly unfair, quite frankly. And even to the, to this day, the CRA is not even at the table to discuss Ocean Mall issues.

CHAIR PARDO: Correct.

COUNCILPERSON GUYTON: That's done all on the City side. The City makes the decision, they may ask Mr. Brown for some input but, ultimately, it's the City...

CHAIR PARDO: Let's get it done.

COUNCILPERSON GUYTON: ...we. And, and, and it's the CRA, it's the policymakers that are looking bad, not the Staff. We put in all those programs that Mr. Brown has. And all I'm sayin' is we need to fund 'em. If we didn't want 'em, we shouldn't agree to, to approve 'em. We agreed the Ambassador Program, [stammer], we, we approved the Neighborhood Program. We did that. Not Mr. Brown. And on the City side, it's not the Staff. It's we, five people, we make these decisions. So to point fingers at Staff, I think one, it's not an accurate pointing of fingers. If we have some problems, we need to point 'em at our self.

CHAIR PARDO: Right.

COUNCILPERSON GUYTON: Cause we created this problem.

CHAIR PRO TEM DAVIS: [Inaudible].

COUNCILPERSON GUYTON: And I'm here to take the responsibility, as I always do. But we are moving forward in this City and we shouldn't be looking at cutting anything [clapping hands] right now. So, I'm not asking Mr. Brown to come back and cut something that I've voted to have him to put in.

So, I put the amended motion on the floor so we can move forward cause we didn't lend the CRA anything. You're acting like we gave 'em \$10,000,000. We didn't.

CHAIR PARDO: Okay. So...

COUNCILPERSON GUYTON: So.

CHAIR PRO TEM DAVIS: There's...

CHAIR PARDO: ...there's a motion...

CHAIR PRO TEM DAVIS: Hold on.

CHAIR PARDO: ...and a second.

CHAIR PRO TEM DAVIS: Madam Chair.

CHAIR PARDO: Go ahead.

CHAIR PRO TEM DAVIS: Just for clarity, I wanna be very clear here. Mr. Guyton, I understand your, your passion, you know, about your issue but never once, during last

year's budget workshop, uh, numerous budget workshop, every single time that the City came before this Board, they had itemized budgets. My concern, at that time, if you recall whether anyone listen to me or not was, the CRA was never required to bring an itemized budget before this Board. And it happened right at the last minute. And you want me to be quiet now? It's not gonna happen.

COUNCILPERSON GUYTON: I ain't,...

CHAIR PRO TEM DAVIS: The C'...

COUNCILPERSON GUYTON: I didn't ask you to be quiet.

CHAIR PRO TEM DAVIS: Well, thank you. I appreciate it.

COUNCILPERSON GUYTON: Yeah.

CHAIR PRO TEM DAVIS: Now, let's talk about the CRA. Yes, they did help out the City. That's their job, is to provide relief. You can't, you can't help somebody then borrow some more money from 'em later and keep doing back and forth. At some point, there needs to be a budget presentation. If he bring a budget presentation, Mr. Guyton, and it shows where he just have to do that, I'll support it. But that has not fundamentally been done quite correct. Bring an itemized budget presentation at some point, of this year, before this Board and this City, and show and then I will support it if it's justified. But Staff hasn't seen it, we haven't seen it, the people haven't seen it and you want me to support this motion.

COUNCILPERSON GUYTON: You're not accurate in what you're saying now.

CHAIR PRO TEM DAVIS: Well, I'll tell you what...

COUNCILPERSON GUYTON: They did bring us an itemized budget.

CHAIR PRO TEM DAVIS: [Stammer]. I said at the last minute, you, once again, follow me again...

COUNCILPERSON GUYTON: But they brought us an itemized...

CHAIR PRO TEM DAVIS: At the last minute. You won't let Randy Sherman get away with that. You never did.

CHAIR PARDO: Okay. You know, at this point...

CHAIR PRO TEM DAVIS: Hold on.

CHAIR PARDO: We shouldn't be...

CHAIR PRO TEM DAVIS: All I'm saying... No.

CHAIR PARDO: No. We shouldn't be...

CHAIR PRO TEM DAVIS: No, no...

CHAIR PARDO: ...sitting here...

CHAIR PRO TEM DAVIS: Councilman Thomas had, had a nice time...

CHAIR PARDO: ...pointing fingers...

CHAIR PRO TEM DAVIS: I know it's his last meeting but I have, I had the floor at this time.

CHAIR PARDO: Right. But we shouldn't be sittin' here pointing fingers...

CHAIR PRO TEM DAVIS: No. I'm not...

CHAIR PARDO: ...at each other.

CHAIR PRO TEM DAVIS: ...pointing fingers at each other, I'm saying he tried to correct me. I was being clear. The clear point was that we waited 'til the last minute, this Board... Let's talk about this Board. I made recommendations last year to talk about an itemized budget and it came at the last minute. So this Board needs to be fundamentally sound on how we make decisions. We're talking about millions of dollars with no presentation on this TV. And no one's standing up about it. Yes, Miller-Anderson's standing up about it. If you're comfortable with that, I'm gonna be quiet.

CHAIR PARDO: There's a motion and a second on the floor. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Absolutely.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Madam Chair, I need clarity on Mr. Guyton's absolutely. Is that absolutely yes or is that absolutely no?

COUNCILPERSON GUYTON: Absolutely yes.

[Pause]

CHAIR PARDO: Please vote, sir.

DEPUTY CITY CLERK BURGESS: Pro Tem...

CHAIR PRO TEM DAVIS: No. No.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Councilperson Miller-Anderson and Pro Tem Davis dissenting.

CHAIR PARDO: Okay. Thank you.

CHAIR PRO TEM DAVIS: [Inaudible].

CHAIR PARDO: Let's continue. We are now on Item 13.

DEPUTY CITY CLERK BURGESS: 13. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FIRST AMENDMENT TO THE MARINA UPLANDS LEASE BETWEEN THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY); AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

CHAIR PARDO: Is there a second?

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: This is an Item that you have already approved on the, um, CRA side. If you look at the document for the areas, particularly on Page 3 of 7 and

proceeding through, it talks about and adds the payment for the common area expenses, other operating expenses in the CAM. And, so we recommend that you approve the Item that's in front of you.

CHAIR PARDO: Okay. Any questions? [Pause]. Anyone?

COUNCILPERSON MILLER-ANDERSON: Yes.

CHAIR PARDO: Go ahead, ma'am.

COUNCILPERSON MILLER-ANDERSON: In regards to this part, um, had we resolved any issues that we may have had the little lose ends on...

CITY ATTORNEY RYAN: Yeah.

COUNCILPERSON MILLER-ANDERSON: ...Ms. Ryan?

CITY ATTORNEY RYAN: The.., Madam Chair.

CHAIR PARDO: Go ahead.

CITY ATTORNEY RYAN: This was the one that we had no comments on. This is the one with the common area maintenance expenses that the City is now taking on, on behalf of the CRA until they get, um, tenants at the...

COUNCILPERSON MILLER-ANDERSON: And, and we'll...

CITY ATTORNEY RYAN: ...the Marina.

COUNCILPERSON MILLER-ANDERSON: ...be getting.., we'll have the money to pay for that from what? Where, where do we...

CITY ATTORNEY RYAN: Mr. Sherman is [inaudible]...

COUNCILPERSON MILLER-ANDERSON: ...[inaudible] coming from.

CITY MANAGER JONES: Yeah. Currently what it is, it's, it's coming out of the allocation, if you'll recall, as a result of getting the additional money for FPL...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

CITY MANAGER JONES: ...the City got approximately \$6.2 million and, uh, in our budget, we budgeted to give the CRA \$3,000,000 of the six. Uh, so they were gonna get half of what we got. And \$1,000,000 of that went for the common area expenses.

COUNCILPERSON MILLER-ANDERSON: Okay. And there were some modifications done prior., I mean, not prior to but since we had it on the CRA side? Or this was the same, no changes between the two?

CITY ATTORNEY RYAN: There were no changes on, on this one. I'm the one who drafted the, um...

[Chuckles]

CITY ATTORNEY RYAN: ...the amendment so this one, this one is good. They didn't make changes to the document.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: This is...

COUNCILPERSON MILLER-ANDERSON: Alright.

CITY ATTORNEY RYAN: Perfect.

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIR PARDO: Okay. Anyone else? [Pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. 14.

DEPUTY CITY CLERK BURGESS: 14. RESOLUTION NO. _____ 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 INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE REIMBURSEMENT OF \$500,000 FOR CERTAIN FUNDS EXPENDED BY THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR IMPROVEMENTS TO THE MARINA UPLANDS; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON THOMAS: So move.

COUNCILPERSON GUYTON: Second.

CHAIR PARDO: Okay. We have one public comment card. Bonnie Larson.

[Pause]

MS. B. LARSON: Bonnie Larson. The Agenda should be just a summary of what's going on here and this, I'm gonna just say it, totally inaccurate because it says here that, "The City of Rivera.., for the reimbursement of a half a million dollars for improvements to the Marina uplands." Okay. It's not a half a million dollars, it's an automatic a half a million dollars for 19 years. That's nine and a half million dollars. It's not only the \$500,000, half a million as it says right here. It nine and a half million dollars. And again, this is, this is a big...

UNK: What is she reading?

MS B. LARSON: ...big monetary issue and I agree with whomever it was that said the new Council, if there is a new Council, there will be at least one new person, maybe two, we don't know but let's let them make the decision on nine and a half million dollars and then let them live with it, because all they're gonna say if something happens, 'Wasn't me.' Let's not have that. This is nine and a half million dollars. And again, our summary on the Agenda should reflect the entire amount, not just \$500,000, it's nine and a half million dollars. Thank you. And what are those improvements we're talking about to the Marina uplands that they're gonna be using this money for? And, it's an automatic half a million dollars each year for 19 years. What if they don't need it, what if they don't use it? We don't know, is this, is this just an arbitrary figure that we're gonna be giving? I mean, how is this determined for the next 19 years that that's gonna be half a million dollars every year?

Thank you.

CHAIR PARDO: Thank you. Alright. Ms. Jones.

CITY MANAGER JONES: This Item, as well, is one that has appeared on the CRA side. If you'll recall, when we were going through getting the financing for the last bond issue and the determining what, how we were gonna pay that bond, a part of that payment was going to come from the CRA. And it was because a minimum of \$8,000,000 of that was going into the infrastructure, as it relates to that and so their portion of that debt repayment is equivalent to the \$500,000. This dollar figure is in the \$3,000,000 that I just mentioned earlier that we have allocated and budgeted. And all of these are subject to budget approvals.

CITY ATTORNEY RYAN: Do you have this agreement?

CHAIR PARDO: Alright. Any questions?

[Pause]

COUNCILPERSON MILLER-ANDERSON: Yes.

CHAIR PARDO: Go ahead, ma'am.

COUNCILPERSON MILLER-ANDERSON: I wanna hear from either Ms. Jones or Mr. Sherman based on the information that we have, is this a situation where we were a little.., were we able to resolve our issues that we had on the other day and you might wanna kinda just brief them on some of the issues we may have had and how it was corrected?

CITY MANAGER JONES: I need the redline version in front of us cause that shows you how we have changed it, um, since the last one. If you'll look at the second page of the Resolution, the second whereas, we had a discussion about how the CRA could agree to the funding and the use of that and the money that we were reimbursing them with and so we finally ended up... Well, they know where we're getting the money from and it'll be up to them in order make sure that they're able to make that \$500,000 payment. Um...

COUNCILPERSON MILLER-ANDERSON: You said them?

CITY MANAGER JONES: The CRA.

COUNCILPERSON MILLER-ANDERSON: Us? Okay.

UNK: [Inaudible background comment].

CITY MANAGER JONES: Yeah. As it relates to that whole Item. All we were saying here is that we would take it from ad valorem and we deleted the rest of that statement.

And the rest of the statement said, "And the CRA agrees that this funding cannot be used as security for bonding slash public financing." And so, we removed that after discussion with the CRA. Um...

COUNCILPERSON MILLER-ANDERSON: Which one was that?

CITY ATTORNEY RYAN: That's the [inaudible].

CITY MANAGER JONES: If you look at the top of Page 2...

CITY ATTORNEY RYAN: Sorry.

CITY MANAGER JONES: ...of the Agreement and it's the one that was laid here as your additions, as well as...

CITY ATTORNEY RYAN: Where it says, the, "WHEREAS, the City has agreed to provide such financial reimbursements over a period of time from ad valorem taxes." And it should end there. I'm, we're..., we apologize because you should have the redline in your document, in the, um, Agenda packet but it's not here. It's not in mine either.

CITY MANAGER JONES: No. That was emailed last night but we did make a copy for it today.

CITY ATTORNEY RYAN: Okay.

CITY MANAGER JONES: Yeah.

CITY ATTORNEY RYAN: Oh, you did?

CITY MANAGER JONES: Yeah.

COUNCILPERSON MILLER-ANDERSON: Not with the red lines on it. The redline, redline is in here?

CITY MANAGER JONES: No. It was emailed last night when it was saying this Res'..., this Item is gonna change tomorrow and here's how it's going to change. There were two last night, one with the addition and then one with the change in the document.

The next changes that occurred as a result of our discussion would be under Section 1, as to when the monies would be due. And it now reads, "The City hereby agrees to provide the CRA an amount equal to \$500,000, every year of the CRA's investment in public improvements at the City Marina upland property. The first payment shall be for fiscal year '15-'16 and shall be paid upon invoice but no later than March..., then, excuse me, April 30- 2016. The second payment shall be for fiscal year '16-'17 and shall be paid no later than January 1 of every year thereafter the CRA submits, after they submit an invoice." So that was the other change as a result of our meeting the other day.

COUNCILPERSON MILLER-ANDERSON: Okay. And, and everybody in each side are very comfortable with that?

CITY MANAGER JONES: Yes.

COUNCILPERSON MILLER-ANDERSON: Ms. Ryan?

CITY ATTORNEY RYAN: Yes. Yes. Yes.

COUNCILPERSON MILLER-ANDERSON: And Mr. Sherman, is he o'.., this works for us here? Section 1?

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON MILLER-ANDERSON: Mr. Brown?

CRA EXECUTIVE DIRECTOR BROWN: Yes.

COUNCILPERSON MILLER-ANDERSON: Come up to the mic, make sure everybody hears that.

[Chuckles]

COUNCILPERSON MILLER-ANDERSON: And it's no downside for any particular side? We're talking about the same people here so...

CRA EXECUTIVE DIRECTOR BROWN: Yeah. We're in agreement.

COUNCILPERSON MILLER-ANDERSON: Okay. And it works?

CITY ATTORNEY RYAN: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: Ms. Miller-Anderson had the opportunity to see us at our, in our finest hour. It was after 5:00 too so she, she got a little bit of what Mr. Guyton gets all the time.

COUNCILPERSON MILLER-ANDERSON: Right. So I [inaudible].

COUNCILPERSON GUYTON: [Chuckle].

CHAIR PARDO: Okay. Anyone else.

COUNCILPERSON MILLER-ANDERSON: He, he thrives in that type of environment. It's not for me.

[Chuckles]

CHAIR PARDO: Anyone else?

COUNCILPERSON MILLER-ANDERSON: Alright. Alright.

CHAIR PARDO: Okay. Madam Clerk.

UNK: Section 5.

COUNCILPERSON MILLER-ANDERSON: One question though.

UNK: Section 5.

CHAIR PARDO: Go ahead.

COUNCILPERSON MILLER-ANDERSON: Oh, go ahead. What did you say about Section 5? What was he saying?

CITY MANAGER JONES: [Inaudible]...

COUNCILPERSON MILLER-ANDERSON: Is that the...

CITY ATTORNEY RYAN: That it is not major. It was...

CITY MANAGER JONES: It's not major. It...

CITY ATTORNEY RYAN: We just said, I added a part that said, 'However, before such a determination is made, CRA Staff shall have an opportunity to present a written statement to the City on the need for continuing funding.' Because the budget process has to go through the City Council, Mr. Brown stated that he would be comfortable just making his comments at one of our budget hearings. So he struck that section.

CHAIR PRO TEM DAVIS: Yeah.

CITY ATTORNEY RYAN: And we didn't need it. We thought we were being nice by adding it. So...

COUNCILPERSON MILLER-ANDERSON: Uhuh.

CITY ATTORNEY RYAN: ...we deleted that sentence.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: So, we will., if the City determines not to budget and appropriate, we will notify the CRA in writing no later than August 1st of its

determination. And, at that time, if Mr. Brown has an issue with it, he can come to the City Council and make his case.

CHAIR PARDO: Okay?

COUNCILPERSON MILLER-ANDERSON: Okay.

CHAIR PARDO: Anyone else? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Discussions and deliberations. Item 15. Oh, I'm sorry...

DEPUTY CITY CLERK BURGESS: Item 14A.

CHAIR PARDO: 14A, the addition. 14A.

DEPUTY CITY CLERK BURGESS: 14a. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SECOND AMENDMENT TO THE MARINA UPLANDS FUNDING IN THE LOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, THE RIVIERA BEACH UTILITY SPECIAL DISTRICT AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY TO PROVIDE FOR ADDITIONAL COMMON AREA MAINTENANCE PAYMENTS AND ALLOCATION OF ADDITIONAL FUNDING FROM \$138,582 TO

\$609,864 SO RECONSTRUCTION OF AVENUE C, WITHIN THE MARINA DISTRICT AND PROVIDE AN EFFECTIVE DATE.

CHAIR PARDO: Is there a motion?

COUNCILPERSON GUYTON: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: This Item is the last of the four Items on this Agenda that were already approved on the CRA side. And so we're making adjustments to the..., they're making the second amendment to the Marina uplands in our local agreement. This also will be used for additional area mai'..., common area maintenance or **CAM**. It is within the \$3,000,000 that we have already allocated so there's no additional budget impact on the City.

CHAIR PARDO: Okay. Any questions? [Pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

MS. B. LARSON: I had a comment [inaudible]...

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Counc'...

CHAIR PARDO: I'm sorry, Ms. Larson, you did.

[Pause]

MS. B. LARSON: Bonnie Larson. My question is, how are our estimates so out of whack. I mean, first of all, it was \$138,500 now it goes up to \$609,864. Why aren't we able to better estimate these costs? I don't understand this. Now, No. 14, you said there were a lot of changes last night. Well, you need time to consider the changes, you need time... These are important decisions we're making. No. 14 affects us for the next 19 years. These are important decisions. So you need this information way before last night in order to make a, a, a good decision for all of us in the City. And now this one is coming on as an addition toni'..., just tonight. Is all this on the web? Are all the changes on the web for us to read if we look it up there or is this just, you know, something that's..., we're looking at the old stuff all the time?

But how are we so not able to estimate? That's a huge difference, \$471,000 we're off on the common area maintenance. How, how can we make such a poor estimate?

Thank you.

CHAIR PARDO: Thank you.

COUNCILPERSON MILLER-ANDERSON: Madam Chair. Does she.., I do wanna ask a question in regards to what Ms. Larson just brought up. With the 14A, what was the reason for bringing this as an addition outside what we already had?

CITY MANAGER JONES: Just the commitment that.., I heard from the CRA meeting last week that we want all of these items on the next Council Agenda and we were able to get the other three, we were not able to get this one finished until last night.

COUNCILPERSON MILLER-ANDERSON: And then, there were some issues that needed to be worked out with this in order to.., as a reason as to why it just came today?

CITY MANAGER JONES: You actually got it, the information, last night.

COUNCILPERSON MILLER-ANDERSON: I mean, well, last night.

CITY MANAGER JONES: But, and it was...

COUNCILPERSON MILLER-ANDERSON: What was it...

CITY MANAGER JONES: It was late.

COUNCILPERSON MILLER-ANDERSON: What was it?

CITY MANAGER JONES: It was added very late. I was just trying to adhere to what I heard you all say at the City Cou'.., at the CRA meeting, that you wanted these to go ahead and move as fast as we possibly can.

COUNCILPERSON MILLER-ANDERSON: Okay. And then in regards to Ms. Larson's question about the amounts changing.

CITY MANAGER JONES: Okay. This was the same amount that you approved on the CRA side on March, well, last week so this has been publically vetted...

CITY ATTORNEY RYAN: To the 471.

CITY MANAGER JONES: Yes. What you see in here is what a change order that, um, is put in as a result of Avenue C. That, so you couldn't have known when this was original proved, approved, that you were gonna have work that needed to be done on Avenue C. That was the \$471,28some odd thousand dollars. But it's still within our \$3,000,000 allocation for this year.

COUNCILPERSON MILLER-ANDERSON: Okay. Thanks.

CHAIR PARDO: Madam Clerk.

CHAIR PRO TEM DAVIS: [Chuckle] I won't say nothin'.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you.

CHAIR PARDO: **DISCUSSION AND DELIBERATION**

15. DISCUSSION OF THE DISASTER RECOVERY INITIATIVE (DRI) PROGRAM.

CITY MANAGER JONES: This Item, if you'll recall, was an Item that was held from the meeting on last week and had been requested by Councilwoman Miller-Anderson in order to give a summary of this Program. We realize that the Program is no longer active, it's closed but, in order to give the public a summary of the number of cases that.., or homes that were repaired, we have this presentation to go over the disaster recovery initiative DRI Program.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Good evening,
Council and Staff.

CHAIR PARDO: Good evening.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: My name's Jeff Gagnon, Assistant Director of Community Development. As Ms. Jones previously stated, this Item was held over from last Council meeting. It is a brief presentation on the Disaster Recovery Initiative Program or DRI Program. Within the Agenda packet tonight, there are three attachments. There's a copy of the PowerPoint presentation that's currently being presented, there's also a DRI Program applicant summary list, as well as a Resolution timeline which summarizes all the Resolutions associated with the DRI Program which actually spanned over seven years and concluded in September of 2015.

Initially the state had formed the DRI Program in 2005. This was after Hurricane Wilma had hit the State of Florida. Not really shortly thereafter but two years after, the State actually entered into a contract with the county. And through the county, the City entered into an agreement for DRI funds. \$1.2 million was provided to the City through that contract and those were federal dollars which are associated with the Community Development Block grant. There were also stringent requirements that had to be met in order to be eligible for the program and I'll speak to that later on in the presentation.

So any program that lasts seven years, you know, we're gonna face challenges and we surely did with this program as well, especially since there was much interaction between the City, County and additionally the State and occasionally the federal government as well. So there's a lot of communication that needed to take place. I think that, as we got closer to finishing the program, a lot of improvements were made and I'll also discuss that as well. So, I really started working on the program at the end of 2012 and there had been some successes up to that point but we definitely still needed to make improvements. I think there was a communication gap between the City and the county at that time so I think we were able to bridge that gap. Additionally, there was... I, I think there was communication gaps between the applicants and the City as well. So we really worked to try to reinforce and bridge those gaps and open lines of communication.

COUNCILPERSON MILLER-ANDERSON: And when... If you don't mind.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Sure.

COUNCILPERSON MILLER-ANDERSON: When you say there types, there were in'.., communication.., miscommunication, or lack of communication, what were some of the issues that were going on with that?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: I think it actually stemmed from some of the Staff change over.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um, we had dedicated Staff associated with the program and they had left the City. There was also

some Staff change over at the county and, as the program went on, at the state level as well.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um, I think we were able to work through those but having that, that period of Staff change over kinda, unfortunately, provided that opportunity where there was kind of a lull. I think, uh, you know, pieces had to be picked back up and communication reinforced once again.

COUNCILPERSON MILLER-ANDERSON: How many people, how many did we have on Staff that were working, um, with this particular project?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: When the program was initially established in 2008, there was one full-time Staff member and I believe there were two part-time Staff members that were brought onboard...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...associated with the project.

COUNCILPERSON MILLER-ANDERSON: Okay. Okay. You can go ahead.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: At the beginning of the program, the City received 85 applications and, as I previously described, there was a rigorous requirement that had to be met as far as eligibility requirements. Not only did the applicant have to own the property but they had to be in a certain income bracket in order to be eligible to receive funding which was a low income bracket at the county rate, which also varied depending on the size of the family and other factors and it changes from year to year. Out of the 85 initial applicants, it was determined over time that 32 were not eligible and that was for a variety of reasons. Um, some had incomplete applications to begin with and they withdrew from the program. Others had incomes that were just too high and they didn't meet the income requirements. There was, as I mentioned before renting versus owning the property and then, unfortunately, there was also mortality involved throughout the timeline of the program.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Um, and these, these numbers provided correspond to the final backup summary sheet. So, each number provided is correlated to an applicant in the program itself. So, of the 55 remaining applicants, we were able to serve 27. So they received full home repairs, meeting building code requirements, uh, so there, there was some success throughout the seven year program.

COUNCILPERSON MILLER-ANDERSON: I have a question. Um and...

CHAIR PARDO: Go ahead, ma'am.

COUNCILPERSON MILLER-ANDERSON: ...and really, and just to give you all a reason as to why I asked for this to come on was because I, I did receive a couple of, um, phone calls from residents that were..., and you did too, as well?

CHAIR PRO TEM DAVIS: Yep.

COUNCILPERSON MILLER-ANDERSON: And, and saying that their applications were, they were told to fill it out three, four different times. Um, also, it was said that they didn't submit an application and then, at some point, it was just that we can't do it at this point. So there..., I received some disturbing calls and I just wanted to try to get to the bottom of why we have some people that weren't serviced or their applications were lost but it sounds like with the Staff turnover, that may contributed, maybe, to keep maintaining those records. And, you know, it just..., I didn't und'..., quite understand why this was happening in this particular situation.

So that is the reason for me bring up this entire presentation and also to have made people aware of what it is that took place. Just so it's all out there and everyone understands what happened, and at least have an answer for why they either did or did not get the services that they applied for.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Sure. I'm not aware of any lost applications, per se.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: What has happened, unfortunately, is for income eligibility requirements, that only lasts for six months.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, during a review process or during any sort of processing, it did, at times, take county review and state review as well...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, during that review timeframe, sometimes we had to ask for additional information or revised information.

COUNCILPERSON MILLER-ANDERSON: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: I'm, I'm not aware of any lost applications though and I think, even at some points where there was definitely application fatigue setting in where, you know, applicants that potentially would be eligible just couldn't really deal with the paperwork, I think we were able to encourage them to continue with the process and...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: We, we were able to serve some people that had considered just withdrawing completely from the program.

COUNCILPERSON MILLER-ANDERSON: Mhmm. Now, hav'..., it says 27 were served out of the 55... 32 were not eligible so we had 55.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Mhmm.

COUNCILPERSON MILLER-ANDERSON: And, the 27, is that a goal, a percentage goal where we're able to only do, like, half or is that..

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: No. If we could've done 100%, that's what we were trying to...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...uh, serve.

COUNCILPERSON MILLER-ANDERSON: What was your limit.., what were your limitations?

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: Limitations really came down to funding.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, there were multiple iterations of time extensions and extension amendments to the program.

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, at points, we though that time was going to be a limiting factor.

COUNCILPERSON MILLER-ANDERSON: Mm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: However, working with the county and the state, we did receive extensions as, as needed so it really came down to us expending the full allocation of funds.

COUNCILPERSON MILLER-ANDERSON: Okay.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: So, and, and during that process, we really wanted to make sure that we used all the funding allocated so, unfortunately, there were two applicants that I can think of off the top of my head that were actually next in line to be served...

COUNCILPERSON MILLER-ANDERSON: Mhmm.

ASST. COMMUNITY DEVELOPMENT DIRECTOR GAGNON: ...and, if we did have the available funding through the program, we woulda been able to assist, however, we weren't able to assist those two applicants.

COUNCILPERSON MILLER-ANDERSON: Okay.

CITY MANAGER JONES: [Inaudible]

CHAIR PARDO: Alright. Any questions for Mr. Gagnon? [Pause].

COUNCILPERSON MILLER-ANDERSON: Um, I do have.., well, not a question. I will get with you al', Ms. Jones in regards to a specific issue and then you can, you know, you can find out.., research that for me.

CITY MANAGER JONES: Yes, ma'am.

COUNCILPERSON MILLER-ANDERSON: Thank you. Thank you.

CHAIR PARDO: Okay. Since it's very close to 8:30, let's start public comments.

CHAIR PARDO: **Public Comment should be restricted to issues, matters, or topics pertinent to the City of Riviera Beach. Please be reminded that the City Council has adopted "Rules of Decorum Governing Public Conduct during Official Meetings", which has 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 or attendee removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.**

CHAIR PARDO: First comment card Bonnie Larson and then Lloyd Brown.

MS. B. LARSON: Bonnie Larson. When we talked about the \$10.4 million that has to do with Ocean Mall, we talked about it came out of, initially, the insurance fund. If we

only have \$3,000,000 in that insurance fund, really, really in bad shape. We have one hurricane, boom. That's a drop in the bucket. \$3,000,000 a drop in the bucket. So somehow we need to address that issue.

The other thing is, last week at the CRA meeting, and there's not gonna be CRA meeting again this month, that was the only one because, supposedly, there is nothing going on in the CRA. That is Mr. Brown's quote not mine. We're trading properties still with Viking Properties. Why don't we want the Yachtsman's Inn? That is the key thing, right in the middle of our Marina and it's still not on the board to be, to be traded or bought or whatever. Now they wanna do another, another appraisal. We've had three, four appraisals and we have improved their property. We paved it, we payed to improve their property but why don't we want that Yachtsman property? That's my question.

I talked many times about shopping carts within the City. More and more shopping carts. This morning, we had two. Two.., me who talks about shopping carts left all over. There was one up on our property and then there was one right on the other side of our hedge. When I came home this afternoon, the one on the other side of hedge is gone but that one's till on our property. Don't want it on our property, take it away.

J.A.Y.s Ministry, I, I talked about that at the last City Council, at the last CRA meeting and the Clean & Safe Program, the CRA Clean & Safe Program. They came over the very next day, the came over. It took four of their employees to clean up J.A.Y.s Ministries thrift shop. Four of 'em. They cleaned up all that stuff but then they put it on another private person's property. I didn't quite get that. I said, 'Why are doing that? That man keeps his property pretty clean.' And they said not to worry, the City's gonna come by this afternoon and clean it up. That junk, plus the toilet were there for six days, sitting there now on somebody else's property. The person who owns that, um, that building there, they needed to paint 10 years ago, they live in Belle Glade. They're renting out the property. They got all kinds of commercial vehicles there. They have trucks, RV's, usually there's a barbecue thing. All that stuff. They're making money on that. And it looks like a dump.

This week, I know, it's 20 second left here. This week, one night, I heard twelve gunshot in the CRA. Twelve. I called the City, "Oh, somebody's already called. The police are on their way.' Election night, I hear 8 gunshot.

[Inaudible background comments]

MS. B. LARSON: You know, we need a gunshot locator in the CRA is seems. We're not safe in the CRA and this supposed to be the best area to live because we have extra money coming in, we have extra everything. Twelve gunshot one night and eight the other. And they asked me, like, where was it coming from? Well, when you're sound asleep and all of a sudden you start hearing gunshots, it's a little hard to tell 'em exactly what street that it's coming from. But that is crazy. We were rated number 40 in...

[Beep]

MS. B. LARSON: ...all of the United States as being the, the most dangerous city the other day. 40th in the entire United States, we have to do something.

CHAIR PARDO: Lloyd Brown...

COUNCILPERSON MILLER-ANDERSON: Oh, Ms. Jones.

CHAIR PARDO: ...and then Lynn Hubbard.

MR. L. BROWN: How ya doin'? My name's Lloyd...

CHAIR PARDO: Good evening.

MR. L. BROWN: ...Brown and, uh, I live in Riviera Beach, 1464 West 35th Street. And I was hearing 'em talk about the City making progress and all that. You know, I tell ya Council Members and other black City officials, I mean, you people go around thinkin' and believin' something so long that it becomes your reality. It's not true reality, it's your reality. And because of your beliefs, you're losing people trust in you. I mean bein' black, as most of you Members are, should put your iss'.., put black issues at the top of your Agenda like create more jobs and black businesses. No jobs or businesses mean more crime. Who care about the Ocean Mall or the City Marina? That mean no jobs for us. We need true blacks. Just because a person is black and colored doe'n't mean he's right for the City. Many black people are looking for, I mean, progress also on our side just like everyone else. And black people in this City, I mean, are t'.., are tired of all this progress you talk of when we don't feel this breeze of progress blowing our way.

You know, I went to vote last night and you know what, they turned down about seven or eight people, maybe more than that before I got there, because they ain't had their ID's and they didn't have their voter's registration card. I didn't get a chance to vote. But it's like this, see, I would've voted for Trump, you can look at me like I'm crazy and I would've voted every other position, I would've signed in my name because, see, I know Trump is full of b.s.

[Chuckles]

MR. L. BROWN: ...so it's no big problem for me voting for him but the other people, I'll put my name in. Just because you black don't mean a damn thing cause there's no progress. Drugs, crime, no jobs. When you don't have no jobs, you get crimes. Ya'll talkin' about this Marina, you need to look over here and blow some of that breeze of progress over on our end. I mean, we don't give a damn about the blacks on this side of the track. We can put stores in their neighborhood, it's [stammer] they can buy the beer but they can't drink it. You got City employees going to these stores early in the morning or, our money, they're buying breakfast from these stores that don't sponsor

nuthin'. They don't sponsor not a damn thing in Riviera Beach but then all these people that come run for Council and all that, they come in talkin' about the white man takin' over. They must not been down Blue Heron, you don't see a black business nowhere in that damn place, nowhere. There's not a black business on Riviera Beach, Broadway, all the way over, there's no blacks but they say the white man taking over. They just don't see the forest for the trees.

Thank you.

CHAIR PARDO: Thank you. Lynn Hubbard and then Steve White.

[Pause]

MS. L. HUBBARD: Good evening.

CHAIR PARDO: Good evening.

MS. L. HUBBARD: I'm Lynn Hubbard at 1405 West 23rd Street in Riviera Beach. I must say that I was very I'm proud, very proud of the increase in civic participation in our community on yesterday. The number of voters that came out to vote yesterday was very impressive. I would like to thank everybody in Riviera Beach for coming out to vote, those that voted for me and those that didn't vote for me because we need civic participation, we need to increase the number of persons that want to have a say so in what's going on. Just as Mr. Brown just said, there are things that need to happen on the, the City side, on the west side of Riviera Beach, that would want to make our residents come out and participate in the process in Riviera Beach, to be heard about the things that are going on.

And, again, I'm Lynn Hubbard, Riviera Beach. I'm asking everybody to please come out again. We have a little ways to go on March 29th for a runoff. It was a tie and we have to do it all over again.

Thank you.

CHAIR PARDO: Thank you. Steve White and then Rhonda Shaw.

[Pause]

UNK: [Inaudible]

MR. S. WHITE: Good evening. Steve White. Uh, I'm here as...

CHAIR PARDO: Good evening.

MR. S. WHITE: ...as a resident of Riviera Beach and, first of all, I wanted to, uh, congratulate those who were victorious last night and those who also will be going into

the runoff. Uh, there were two points that I wanted to make real quickly is that, as we, after the 29th runoff and we see the new Council, just to ask the Council to really strengthen their commitment to all of Riviera Beach and, and I say that, I guess, really picking back on what Mr. Brown said as well, is that I was at the, um, ribbon cutting for the Marina and really excited about what they're doing there but, at the same time, I know that if you go up and down on the east coast of, of this country or even in West Palm, Miami, Fort Lauderdale, you'll find that oftentimes redevelopment takes place along the waterfront of those cities but it never makes its way over into the rest of the, uh, the cities, into the lower income areas particularly. So I ask that, as we do the redevelopment which we're all excited about taking place, uh, in the Marina and, and around the water, that we also don't forget about the west side of Riviera Beach.

The, uh, the second point I wanted to make is that we, in the City of Riviera Beach have to do a better job of telling our own story. Now, of course, I have an affiliation with the Riviera Beach Maritime Academy, Academy. Many people know that. It's a wonderful school that very few residents in this City take advantage of. Inlet Grove being the same thing. But the reason I say we have to do a better job of telling our own story is because we had a very important election last night yet, if you read the Palm Beach Post this morning, you will find that there was not word in the Palm Beach Post about the Riviera Beach election results. There were articles about almost every other municipality that had an election last night but not a single word about the City of Riviera Beach. We have to tell our own story.

And, and lastly, I do want to, uh, encourage the people to come back out to vote on the 29th. Again, particularly on the west side because on the west side we have a history of not turning out for runoff elections so I encourage everybody to come out and vote again on the 29th.

Thank, thank you.

CHAIR PARDO: Thank you. Rhonda Shaw and then Dolores Dawson.

[Pause]

MS. R. SHAW: Hi. I'm Rhonda Shaw. I live at 14, um, 1642 West Blue Heron Boulevard, Riviera Beach.

CHAIR PARDO: Good evening.

MS. R. SHAW: I came before, um, the Council to address, um, in the back, where we live at, the 23rd Street project and you all told me that they would come and see what was going on and they would look into the matter and no one came to look into it and things like that. But, of course, they did take the lock off the gate but the easement, none of that is done, it's very difficult, our children are back in the back, it's hard to put the garbage out and, most of all, it's hard for me to pull my car into the yard and I tried to get two boards to put it up on the thing and it hit under my car. So, I'm gonna come

to the City if there's any damage. I think I'm gonna bring it to the City because I'm tryin' and I'm tryin' but nobody come to help me.

Okay.

CHAIR PARDO: Alright, ma'am. If you could just sit tight for a second and Mr. Jones is going to talk to you. Alright. Good evening, Ms. Dawson and then Tonya Davis Johnson.

MS. D. DAWSON: Dolores Dawson.

CHAIR PARDO: Good evening.

MS. D. DAWSON: To the Council. I'm delighted to be here but I'm saddened to be here but I'm gonna read something from our Minutes that each, each of our meetings that Concerned Mothers, we take notes. And so, I'm gonna read some of the notes that they had taken.

"We have known Councilman Thomas as a defender and a protector of our community. He has held many events for his constituents. One such event was an evening we were dressed in our finest attire. Also, there was a forum in which we were given the opportunity to express our opinions and desires for our community. During our community cleanup, his office furnished drinks and water. We, the Riviera Heights will soon have a community center, hopefully, thanks to his support along with help of others. He has promised to be with us even though he won't be on the Council and we are looking forward to seeing him and we hope to see him. We love him."

And, another thing I wanna say, I lost a son, my only son who had graduated from college and during my bereavement I got a beautiful card, a beautiful picture of my son, from his mother, with a beautiful poem and we really love her. But Cedrick, we love you and we know that we gonna get a new Councilperson but we gonna be mad at you. We'll come looking.

COUNCILPERSON THOMAS: [Chuckle].

MS. D. DAWSON: Cause we would like to do another cook off.

COUNCILPERSON THOMAS: Yes, ma'am.

[Laughter]

MS. D. DAWSON: Thank you very much.

CHAIR PARDO: Thank you, Ms. Dawson. Tonya Davis Johnson and then Will Van Natta.

MS. T. JOHNSON: Good evening, Madam Chair.

CHAIR PARDO: Good evening, ma'am.

MS. T. JOHNSON: Pro Tem in his absence. I would like to take this opportunity, Mr. Thomas, to thank you so much for your service to this community. I want to, uh, express my sincere appreciation for every time that I called you, with regards to an issue in the community, you were responsive. I wanna take this opportunity also to thank your wife and your daughter for sharing you with us because I do know that it is no, uh, no small walk and no small feat so thank you, Mrs. Thomas. I want to congratulate Mr. Davis and Mayor Masters on your win and certainly to wish best wishes to Mr. Guyton in his upcoming runoff election.

I also come to you.., my second point it is, I'm coming to you as the Chair of the Palm Beach Partners Business Matchmaker Conference and Expo. I come to you just about every year and I am asking [chuckle], I am asking for your continued support as a partner, uh, Council Members. As you know, the Palm Beach Partners is a coalition of organizations which includes Palm Beach County, the Board of County Commissioners, Pal Tran, the Office of Small Business Assistance and the Department of Airports, in addition to the South Florida Water Management District, the School Board, the City of West Palm and the Paragon Foundation and the TED Center. And the purpose of this event is to bring local business owners to the table with the key decision-makers for those various organizations. We talk about opportunities that are available, we bring before you the individuals that are building around the county for those respective agencies. So, we want to be able to work with your Purchasing Department and your City as whole, inviting your residents to.., who own businesses, to come out and take advantage of this opportunity because it's not always given. And so, our event is coming up in September. We will send you the information but we would love to have your support both, both financially and, uh, in attendance and we would love to see each of you there. So we will send you a personal invitation to that event.

And then finally, I too want to say thank you to the residents who came out and participated in their civic duty. It is so important because, although the national elections are important, it is the local that really determine what happens in your community. So let me please encourage each of you, cast the vote of your choice but please return to the polls on the 29th of March.

So, thank you all. Have a good evening. Best wishes to you in your future endeavors.

CHAIR PARDO: Thank you very much, ma'am. Will Van Natta.

MR. W. VAN NATTA: Good evening. My name's Will Van Natta, 1281 East Blue Heron Boulevard, Riviera Beach, Florida.

CHAIR PARDO: Good evening.

MR. W. VAN NATTA: Good evening. It's been a long time since I've, uh, been before the Council. I wanna tell you that I've been living and/or working and/or playing in Riviera Beach for 30 years. I love Riviera Beach. I particularly love the beach. I've been an ocean lifeguard for the better part of 23 years, primarily on Singer Island although I've worked on many other beaches up and down, uh, Palm Beach County.

Ocean lifeguarding in Florida is the one thing I can honestly say I'm an expert at. It's the one thing in life that I'm an expert at. Nothing else. I'd like to think that I was great at other things but I'm really not. I was hired on in July as a part-time ocean lifeguard by the Riviera Beach, uh, Beach Patrol and shortly after I was brought on the Beach Patrol, I was asked to do the Junior Lifeguard Program. Each guard takes a round at doing the Junior Lifeguard Program. I was shocked and outraged that there was not one African American boy or girl in the Junior Lifeguard Program. In a city of 80% black folk, African American, not one African American child was in the Junior Lifeguard Program. That's gonna come into play later on in my presentation. I can see I'm not gonna have enough time.

Um, and during this time, I began to see that, unfortunately, there are lifeguards on the Beach Patrol who are unqualified to be on the Beach Patrol. They were not displaying the skills for ocean rescue. Uh, there are a couple of people who are on the Beach Patrol who are qualified but this was a big concern with me. I be'.., I, through emails early on, voiced my concerns about the need for training and I was doing some upkeep and, and maintenance work on the, on the City and trying to keep it.., or on the Beach Patrol trying to keep it positive. Over the next few months, I continued to make verbal requests for training and verbalizing my concerns about the, uh, the, uh some of the facility that was dangerous. I'm gonna run out of time here.

The bottom line is, the Riviera Beach Patrol is not in the United States Lifeguarding Association. There's no testing for the lifeguards, they have not been required to do any testing. There are, there are dangers to the workplace that have not been addressed. Some of them have been addressed after I blew the whistle, basically, on February 18th and went to the, uh, the City Attorney and the City Manager about my concerns that were not being addressed. All this time, I had been told that there, that, uh, there was a full-time job that I had tested for that I was being told there was gonna be a decision made. Over six months went by and finally, when I blew the whistle, on these things, um, I was told that I was not gonna get the full-time job because of complaints made about me and...

[Beep]

MR. W. VAN NATTA: ...because, um... If I could just finish this. And, and because of that there were only, that I was the only applicant, which is inaccurate. I could go on and on but there's been retaliation against me, petty retaliation by the Parks Administration. This is a serious concern and we could, we could address it immediately with testing of our lifeguards.

Thank you for allowing me the extra time.

CHAIR PARDO: Thank you.

CHAIR PARDO: Thank you.

COUNCILPERSON GUYTON: Um...

CHAIR PARDO: Okay. Ms. Jones, I'd like a report on this. I'd also like to make sure., you know, I wanna see the certifications that are required and a list of all of the certifications that our lifeguards have. I wanna know the whole story here. Okay? And I'd like that sooner than later. Um, you know...

COUNCILPERSON GUYTON: Ah...

CHAIR PARDO: ...this is a great concern to me and I just wanna make sure that we have the most capable people, you know, out on our public beach and that they're all certified.

CITY MANAGER JONES: Yeah.

CHAIR PARDO: [Inaudible].

COUNCILPERSON GUYTON: And also, Madam Chair, I, I think, not just in this situation but with others, when people come to the mic and have issues, I think it's fair to also allow that department head to also respond publicly as they made those allegations publicly. Not just give us a written report that no one else normally sees. So, um, but I think it's only fair if people hear the complaints, whoever the accusation or department is, I think they should have a right to respond publicly too.

CHAIR PARDO: Well, that it is up to the City Manager because that, you know...

COUNCILPERSON GUYTON: I'm...

CHAIR PARDO: ...those are...

COUNCILPERSON GUYTON: I'm...

CHAIR PARDO: ...her employees.

COUNCILPERSON GUYTON: ...giving you my opinion as...

CHAIR PARDO: Right.

COUNCILPERSON GUYTON: ...to how...

CHAIR PARDO: Those are her employees.

COUNCILPERSON GUYTON: ...I think that this should be handled.

CHAIR PARDO: And if this is a whistleblowing case, you know...

CITY MANAGER JONES: And, um, let me assure you, like he mentioned, he did communicate with the City Manager's office on, um, the date in February. We began to start looking into it then and we will get you that report that you've asked for.

CHAIR PARDO: Okay. Thank you. Alright.

COMMUNITY BENEFITS REQUESTS

CHAIR PARDO: So now we have Community Benefits. Item 16.

16. PALM BEACH LAKES COMMUNITY HIGH SCHOOL - \$300.00 - MAYOR THOMAS MASTERS - PROJECT GRADUATION 2016.

COUNCILPERSON GUYTON: So move.

COUNCILPERSON THOMAS: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 17.

17. HURST CHAPEL CDC - \$700 - MAYOR THOMAS MASTERS - CARES ABOUT THE CITY'S HOMELESS COMMUNITY

COUNCILPERSON THOMAS: So move.

COUNCILPERSON GUYTON: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 18.

18. CAREGIVERS IN SOUTH FLORIDA - \$300 - MAYOR MASTERS -HELP CARE FOR CAREGIVERS IN SOUTH FLORIDA

COUNCILPERSON THOMAS: So move.

COUNCILPERSON GUYTON: Second.

CHAIR PARDO: Go ahead.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Item 19.

19. I AM WHO I AM. \$500. COUNCILWOMAN MILLER-ANDERSON.

COUNCILPERSON GUYTON: So move.

COUNCILPERSON MILLER-ANDERSON: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

CHAIR PARDO: Yeah.

DEPUTY CITY CLERK BURGESS: I'm sorry.

CHAIR PARDO: Yeah. That's fine.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Okay.

20. PALM BEACH LAKES HIGH SCHOOL. \$500. COUNCILWOMAN KASHAMBA MILLER-ANDERSON.

COUNCILPERSON GUYTON: So move.

COUNCILPERSON MILLER-ANDERSON: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you.

21. JFK MIDDLE SCHOOL. COUNCILWOMAN MILLER-ANDERSON. \$966.66

COUNCILPERSON MILLER-ANDERSON: Sec'...I mean...

COUNCILPERSON GUYTON: So, so move.

COUNCILPERSON MILLER-ANDERSON: So move. [Chuckle].

COUNCILPERSON GUYTON: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yeah.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you. Okay.

22. LINCOLN ELEMENTARY, COUNCILWOMAN MILLER-ANDERSON. \$966.66

COUNCILPERSON GUYTON: So move.

COUNCILPERSON MILLER-ANDERSON: Second.

CHAIR PARDO: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Thank you.

23. DR. MARY MCLEOD BETHUNE ELEMENTARY SCHOOL. COUNCILWOMAN MILLER-ANDERSON. \$966.66

COUNCILPERSON MILLER-ANDERSON: So move.

COUNCILPERSON GUYTON: Second.

CHAIR PARDO: Okay. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Miller-Anderson?

COUNCILPERSON MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pardo?

CHAIR PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR PARDO: Okay. That's the end of Community Benefits.

DISCUSSION BY CITY MANAGER

CITY MANAGER JONES: Very briefly, just a reminder that in Palm Beach County next week is spring break and so you may see our children out. So we're trying to make sure that we make people aware that spring break is next week and so there're activities planned throughout other areas and so we really want our, our young people to stay safe during spring break.

Then finally, I would like to personally thank Councilman Thomas. Um, I can truly say that, for me as the Manager, he's been the kind of elected official that, even when in private, he had some choice words for me.

[Chuckles]

CITY MANAGER JONES: So don't think it's always been [laughter] but I can respect that because, when we got in public, you put on the prof'., you were a professional and I appreciate that. I thank you for your leadership and for your guidance. I thank you for your growth. I have seen you grow in seven years and I am encouraged by that growth and I know that whatever you put your mind to, that you're going to be successful. And, it is, this, this isn't good for me. I will tell you, Ms. Ryan and I have had this conversation, this really doesn't feel good but we do understand it. And so publicly, I

want to say thank you. If you ever need me, if there's anything I can ever do for you..., he reminded me this week that when he calls I still have to take his calls...

[Laughter]

CITY MANAGER JONES: ...and return them immediately and I promised him that I would do so. But from the depths of my heart, sir, thank you so much and I'll always be here for you.

DISCUSSION BY CITY ATTORNEY

CHAIR PARDO: Ms. Ryan.

CITY ATTORNEY RYAN: Okay. I wanna make some comments too and I'm really quite emotional so I'm not even gonna look at you, Mr. Thomas otherwise I'm gonna start crying. I jotted down my notes so that I wouldn't be as long-winded as I promised.

COUNCILPERSON GUYTON: Thank you.

CITY ATTORNEY RYAN: So I'm just gonna go through them. I will tell you, on behalf of myself and my family and my Staff, we are excited for you in your future endeavors but we are sad to see you go. As Ms. Jones said, we have talked about it. When Mr. Thomas thought about not running before, we took him to one of his favorite places, Ruth's Chris for...

[Chuckles]

CITY ATTORNEY RYAN: ...dinner and, um, he ate so well. I feel bad because it was almost like the story of..., and I'm, I'm, I'm talking about the Bible, the story with, um, Jacob and his brother. We gave him a pot of food and he ate it.

[Laughter]

CITY ATTORNEY RYAN: ...and he agreed to stay and he reminded us about that many times. Anyway, I just wanna say thank you for your professionalism to me and to my Staff. Mr. Thomas comes by the office quite often and he's always so polite and, um, he's demanding but never disrespectful and unprofessional and we just appreciate that and they wanted me to express that to you. I wanna thank you for being able to disagree with me without being disagreeable. Again, the respect was always there. I wanna thank you for defending me when I was being bullied, insulted and threatened. My husband wanted me to personally thank you for that because you kept him from having to come up to these Chambers...

[Chuckles]

CITY ATTORNEY RYAN: ...many nights. So I wanna express that. Thank you for giving me praise for my work when it was warranted and for giving me constructive criticism when needed. I was never short of the, the, the criticism and, it's never easy to take criticism but you were always very professional about it and I, I hope that, over the years I have been able to put into practice some of the things that we talked about and it has, it has definitely made me a better lawyer. I wanna thank you for your compassion to, not only to me and my family when I was going through it with my, the, the death of my grandmother but also for the employees. You all do know how often Mr. Thomas would come by when he would hear an employee resigning. 'Why did they resign? What did you guys do?' If they were disciplined, 'Why are you disciplining them? What did they do?' He was always interested in every employee and you have to know that if, if there was anything that he could do for you, anything that he could say, he made sure he came to bat, to my office, to the Managers office and I'm sure to Human Resources or to the departments.

I appreciate your friendship throughout the years. The first time I met Mr. Thomas, I was on maternity leave and he had just been elected in 2007. We met at IHOP. I figured out early on the, you had to take...

[Chuckles]

COUNCILPERSON MILLER-ANDERSON: Feed him [inaudible].

CITY ATTORNEY RYAN: Feed him, feed him. But we made our introductions and, um, Mr. Thomas told me how many people wanted him to come in and clean house and that was including me and probably, especially me. And he let me know that he was willing to give me an opportunity to show him my work and he promised that he would make his own decision. I, that was a very adult thing to do and I just, I want you to know that I really appreciate that and I think it was the beginning of a very long friendship that will not end here. We will, we will always be friends, with you and your family. My daughter is the same age as his daughter and we've been able to do some things together. I have to tell you that Penelope is probably, I am very sad you're leaving, sh'..., my middle daughter, she loves him, just loves all of his t-shirts.

[Chuckles]

CITY ATTORNEY RYAN: She thinks he's a hero for, for 5th Day Fun Day and on some occasions, when we would have our little fights, I would come home and she would have one of your t-shirts on and I would say, 'Take that t-shirt off.'

[Laughter]

CITY ATTORNEY RYAN: Take it off.' And she would not do it. She, she loves Mr. Thomas. He loves children, he loves seniors. The things that you've done, you have made..., you, um, loved in my family. My mother loves you, my grandmother loved you, my aunts love you and, um, of course, I love you.

So, in summary, I'm just gonna say this, we will miss your leadership, we will miss your sense of humor, your professionalism, your compassion and your friendship. And I know I speak for everyone when I say that we hope that the person who replaces can rise to the occasion. God bless you and God bless your family.

Thank you.

[Applause]

STATEMENTS BY THE MAYOR AND CITY COUNCIL

CHAIR PARDO: Okay. Thank you. Mr. Guyton, anything?

COUNCILPERSON GUYTON: Well, like everyone else, I would like to thank all of the voters who came out and, as one candidate said, even those who didn't vote for me it is important that we participate in, in the elections that determine the, the future of our community, of our state and our nation. So I thank everyone that came out. And, as others have indicated, there is a runoff on March 29th. I would encourage you to come back out to vote your choice, whomever that might be. It will determine the direction of our community. It's my opinion that it would determine whether we're gonna to move forward or maybe not.

The other thing I would like to say is that when, when Mr. Thomas made his comments down at the dais there...

COUNCILPERSON THOMAS: [Chuckle].

COUNCILPERSON GUYTON: ...and he came back up on the dais'.., I mean, at the podium and he came back up on the dais, you know, he made his comments that sometimes we're friends, sometimes we're not. I said, 'Well, next time, tell me how you really feel.'

[Laughter]

COUNCILPERSON GUYTON: So, but all in all, we've had a lot of good times. We've spent holidays together. Um, I don't think I ever acted like a drunken cousin or uncle.

[Laughter]

COUNCILPERSON GUYTON: But no, we, we've had some good times with the family. I consider his family my family and, as it relates to him leaving, we have definitely lost a, a vital component of progress in our community. Even though we may differ at times, the bottom line is, if it appeared to be progress for Mr. Thomas, he's gonna fall on the side of progress. He figured out a way to make it work, he just doesn't vote no and leave it like that. He'll sit up here and question you, trying to find a way to

make it work and those type of no votes I can work with because he's trying to find a way to move the City forward.

We're gonna miss you and I don't think that anybody'll be able to replace you but it's my hope that they would have a vision for our community and would vote their conscience as it relates to progress. Uh, let me also congratulate those who won, Mayor Thomas, Pro Tem Davis, congratulations on your wins. I congratulate those who made it into the runoff, Ms. Tonya Davis Johnson, my legislative assistant, I'm proud of her, Ms. Sylvia Blue and Ms. Lynn Hubbard. Thank you very much for all that you have done for me as a legislative assistant because, without Ms. Blue, I could not do what I do up here. She's very bright, very intelligent and she keeps me on the right track.

I was trying to get Walt to pull something up real quick but I guess he hasn't found it yet. Could you increase that, Walt? [Pause]. Okay. And, and I wanted to... Yeah. Bring it over. There've been a lot of comments about there's not much happening on the west side but, as, as I, as I go through my, my, my tenure here, what I do, I try to keep track of projects coming into the City. And, um, so I had them to develop me on projects that's been here or that's either expanded that was new the last couple of years and as I look through it, I look at Tropical Shipping, MLK Boulevard, Port Commerce Center and, and let me look at some prices. \$50,000,000 worth of construction, Port Center \$1.5 million. All of this is on the west side. And, and I won't go through all of them but we need to do a better job of educating and informing our people that we are having progress on the west side. And it's significant. We need to talk about it more, we need to show, like I say, the data, documents and evidence. So, um, I just want people to know that we have to do better but I have the evidence and if you ever wanna check it, we are progressing even on the west side. And we have the numbers of, of, of the impact in our economy and it is significant. So, CBI Warehouse [chuckle], I mean, \$4,000,000.00. We, there's a lot going on, on the west side and if anybody needs this information, please call my office but we need to do better and we are doing better but sometimes the comments make it seem like there's nothing happening on the west side. That is absolutely not true.

And, on that note, Madam Chair, those are my comments. I would like to encourage everybody that as comments are made in the community, especially during the election, please do a fact check. There've been comments saying that the City is putting illegal liens on homes. Absolutely not true. Some people come up to me thinking that we are taking people homes. We've said it a million times, 'We are not doing that.' The law doesn't allow us to do that. It doesn't matter how many fines you have on your home, if it's homestead, the home you live in, we cannot and will not take it. But people are telling people that and those who don't follow the issues closely, sometimes they believe some of the hype but it's all to get you angry to go out to do something about a personal agenda that someone is trying to push. So, if you have any questions about what people are saying, particularly on the campaign trail, please ask them to do what I always do, I produce data, documents and evidence. When I say we've got development on the west side, I produce the evidence. If they're talking about illegal liens, tell them to produce the evidence. There've been comments that we're gonna

more City Hall to the Warehouse District. Nobody, that I know of, have ever discussed that. I mean, there have been people that put that out in the community but policymakers, that's never been discussed. So, check the information that is being circulated out there because behind it, there's an ulterior motive and that motive is to push a personal agenda.

Thank you, Madam Chair.

CHAIR PARDO: Thank you. Ms. Miller-Anderson.

COUNCILPERSON MILLER-ANDERSON: Yes. I, I won't [chuckle], I won't have such a long goodbye...

CITY ATTORNEY RYAN: [Chuckle].

COUNCILPERSON MILLER-ANDERSON: ...for Mr. Thomas because we have not built that relationship as it has been explained by many of you up here. To be honest with you, I see Mr. Thomas here at the meeting and that's pretty much the only time I see him or talk with him. So, as he stated earlier, we have had a very cordial relationship I would say and I don't have anything bad to say about him, so that's good.

[Chuckles]

COUNCILPERSON MILLER-ANDERSON: But, you know, I've enjoyed him up here, you know, with his leadership and I do respect the amount of years that he's been on the Board and so I'm one that will listen and, you know, give me advice, I'm more than, more than open to take it in. Now, I may or may not go with it but I'm gonna listen. So, I, you know, I do appreciate it and I've enjoyed the times up here. We've had a few, little jokes going on so I think that's kinda made time go by pretty quickly. It's been a year already and I thought we would have more time on the Board together but I, I, I, um, I hope that you enjoy whatever it is that you're moving on to and you have great aspirations to do more because I, I'm sure you're gonna miss this government stuff.

[Laughter]

COUNCILPERSON MILLER-ANDERSON: I think you will miss it. And, you [stammer], I feel I'm gonna see you somewhere else sometime down the line. And I think you will probably do well so, you know., I, I do, and I mean that. You know, I won't say anything I don't mean.

COUNCILPERSON THOMAS: Absolutely.

COUNCILPERSON MILLER-ANDERSON: He knows that.

[Laughter]

COUNCILPERSON MILLER-ANDERSON: So, again, good luck to you Mr. Thomas. I do want to say, as it was noted earlier, I'm very happy of the amount of people that came out to vote. I know it was a presidential primary and sometimes that, um, motivates people to come out a little more but, nonetheless, I'm glad that we had a high number of attendants that came out and vote, and early voting, took advantage of the early voting as well as absentee ballots and coming out on yesterday to vote. Congratulations to Mayor Thomas Masters. He worked very hard to try to get back into that seat and I'm glad he was able to realize that again. And, and he, I'm sure he's probably resting. We know what happens the day after the election, it takes a toll on you. So, um, you know, good luck to him and to Mr. Terence Davis for getting back in his seat. I'm sure he worked very hard to do that as well. So congratulations to the two of them. And also, to those of you that are in the runoff, Mr., Mr., um... What's your name?

[Chuckles]

COUNCILPERSON MILLER-ANDERSON: Mr. Guyton, you know, I know we..., Mr. Guyton, we, we're working on our friendship up here on the Board and I think we're, we're...

COUNCILPERSON GUYTON: Making progress.

COUNCILPERSON MILLER-ANDERSON: ...getting some'... We're making progress. Little bit, step by step. And, you know, should he come back, I'm sure we will continue to work on that relationship and continue to build a more respectful relationship with each other. And...

COUNCILPERSON GUYTON: You think I don't respect you?

COUNCILPERSON MILLER-ANDERSON: No, no, not at all, no.

COUNCILPERSON GUYTON: [Inaudible].

COUNCILPERSON MILLER-ANDERSON: We're not gonna do that for the people. We've been good. So anyway, we're gonna have Mr. Guyton and Ms. Hubbard, congratulations to you for being in the runoff and then also Ms. Tonya Davis Johnson and Ms. Sylvia Blue who is Mr. Guyton's assistant as he indicated earlier. And again, you know, I think that we all did a wonderful job by coming out to vote and, you know, again, make sure you come out again. I know sometimes we tend to not come back for that next time but we really need to make sure that everyone comes back out that second time to do their voting.

And that's it for me. Thank you.

CHAIR PARDO: Okay. Thank you. And I too wanna congratulate the winners yesterday. A kudo to, you know, the people that did not win, you know, but, um, hats off

to you for trying to get involved in the process. You know, it's a very difficult task to go out there and knock on doors and ask people for their vote. So, you know, I respect everyone for what they were trying to do. And, you know, the people that are in the runoff, you have two weeks [chuckle] and that's not a lot of time. You know, good luck to all of you. And again, it's imperative that people come out, that they come back to the polls on the 29th. You gotta be part of the process.

With that, you know, Mr. Thomas, we talked about some things at the last Council meeting. I got a bunch of texts and...

[Laughter]

CHAIR PARDO: ...telephone calls all the way up in Tallahassee. Guys were watching it and they were, and they called me but, um, you know, I was just sitting here thinking, at the next Council meeting, you're not gonna be here for the first time in eight years, you're not going to be here. And I can say that I have always felt safe up here because of you. And, you know, we've had, in the past eight years...

CITY ATTORNEY RYAN: I'm tellin' ya.

CHAIR PARDO: ...just some of the things that have happened here, someone handcuffing themselves, someone lunging at us, just all kinds of very threatening, you know, situations but I always felt very comfortable knowing that Mr. Thomas was up here next to me and I just always knew...

[Laughter]

CHAIR PARDO: ...he was gonna throw himself in front of it and I was gonna be right behind him. But come April, who's gonna protect me?

[Laughter and comments]

COUNCILPERSON GUYTON: I'm insulted, Madam Chair. I'm insulted.

[Laughter]

CHAIR PARDO: I'm sorry. I'm sorry. I'm gonna have to try to change some of those laws up in Tallahassee so we can take care of ourselves...

CITY ATTORNEY RYAN: More guns.

CHAIR PARDO: ...up here.

CITY ATTORNEY RYAN: More guns.

CHAIR PARDO: Well, I already talked to A.C. Madden about it. But, um, but seriously, Mr. Thomas, I just..., it's gonna be really weird to sit up here and not have you here and I'm really gonna miss it. Yet, I still know, I know where you live, you know where I live.

COUNCILPERSON THOMAS: Yes.

CHAIR PARDO: And, you know, and I know if I put the dog away, that you will come over.

COUNCILPERSON THOMAS: Yes. [Chuckles].

CHAIR PARDO: You know? So, I just wanna say, again, thank you for everything that you have done for the City of Riviera Beach, what you have done for me, for my daughter. I will never forget...

COUNCILPERSON THOMAS: [Whispering] Yes. Absolutely. [Chuckle].

CHAIR PARDO: ...anything. No, seriously, Cedrick. I will never forget it. And, you know, if there's anything that I can ever do for you, you have my phone number, you know where I live. And, um, yeah, I'm really gonna miss you. I'm gonna cry now.

CITY ATTORNEY RYAN: We're gonna all cry.

CHAIR PARDO: I really am.

COUNCILPERSON MILLER-ANDERSON: [Inaudible]. You can cry as much as you [inaudible].

CITY ATTORNEY RYAN: Let's go to Ruth's Chris.

[Laughter and inaudible comments]

CHAIR PARDO: I know.

COUNCILPERSON GUYTON: That's the first thing I ever agreed...

CHAIR PARDO: I know.

COUNCILPERSON GUYTON: ...with you on, Ms. Miller.

[Laughter]

CHAIR PARDO: I love you, Cedrick Thomas and I'm really gonna miss you. But best of luck to you and thank you again for your service.

Alright, with that, you're getting the last word again tonight.

COUNCILPERSON THOMAS: I appreciate it, Madam Chair. Thank you very much for all of the, uh, the kind words from everybody. It does, it's an emotionally driven night for me. It's been an emotionally driven month for me. Understand, no, no one.., when you plan to do this, you don't really know how you're going to feel once that day come and for some reason, that day came awfully fast. Um, but it is here. You know, of course, I, I thank my, my wife and my daughter. I actually saw her, my daughter, come in to a meeting. I knew it was my last night when I saw my daughter drive herself to a meeting. [Chuckle]. You know. But I did see her, of course, the choked me up a little bit. Everybody knows how I feel about my daughter, but my wife and my daughter have been extremely, extremely, extremely supportive of me, um, here. My wife just text me and said make sure I keep it under two minutes, so I will.

[Laughter]

COUNCILPERSON THOMAS: But, um, I wanna make sure that I thank, you know, thank a few people. You know, everybody knows Arthur Johnson but I, I really want to go on record and say thank you to Arthur Johnson. He's not here but he's been a great friend, supporter, volunteer, everything so I don't want him to, uh, forget that. And I don't want to forget Hope Jeanty who...

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON THOMAS: ...has, who has been here for the past few years with me. I am [stammer] I'm very proud of, you know, how you've evolved and, and become, uh, we're, we're friends, we always will be. So thank you very much, I appreciate you quite a bit. I always wanna give some thanks to, to my first legislative assistant, Janie Labosky [sp] who was just great launching that platform when we first got these assistants. I never will forget her as, as well so I've been, you know, I've been great and fortunate to have two individuals that kept me on. Danny, I didn't get a chance to thank you, earlier but I wanna thank you, you know, for all of your help, for the late night calls, for the, you know, everything that you've, uh, that you've done. You do it quietly sometimes and a lot of times, you know, I pick on you and I probably should be picking on the Manager but, you know, since you're closer, I just go ahead and just pick on you but you, you always take it, you always do what you need to do. And I'm very glad that you're here. You are a great Deputy City Manager. I do wanna thank Troy as well because there's a lot of times I get a chance to bounce some things off of him as well.

So, I'm, I'm gonna miss it. Thank you all. Thank you, Ms. Dawson, thank you, Ms. Dolores, thank you, Ms. Mickens. Everybody who's been there, Ms. Evelina, uh, everybody's who's been there. I can't, can't go there. I wanna say thank you, Riviera Beach and good night. Thank you. Thank you.

ADJOURNMENT

CHAIR PARDO: Alright. We are adjourned. Thank you everyone.

There being no further business, the meeting was duly adjourned at 9:16 p.m.

[Gavel]

Public Comment Speakers and Others

DEPUTY CITY CLERK.....	DEPUTY	CITY	CLERK
BURGESS			
JACQUELINE BURGESS			
DEPUTY CITY MANAGER DANNY JONES	DEPUTY	CITY	MANAGER
JONES			
FIRE CHIEF REGINAL DURREN.....	FIRE CHIEF		DURREN
ASSISTANT FIRE CHIEF MICHAEL MADDEN	ASSISTANT CHIEF		MADDEN
MICHAEL SLOSSER.....	MR. M. SLOSSER		
PURCHASING DIRECTOR DEAN MEALY	PURCHASING		DIRECTOR
MEALY			
BONNIE LARSON.....	MS. B. LARSON		
CONTRACT ADMINISTRATOR RANDY WOOD	CONTRACT ADMINISTRATOR		WOOD
FINANCE DIRECTOR RANDY SHERMAN.....	FINANCE DIRECTOR		SHERMAN
CRA EXECUTIVE DIRECTOR TONY BROWN	CRA	EXECUTIVE	DIRECTOR
BROWN			
BONNIE LARSON.....	MS. B. LARSON		
COMMUNITY DEVELOPMENT ASSISTANT	ASST. COMMUNITY DEVELOPMENT		
JEFF GAGNON	DIRECTOR GAGNON		
LLOYD BROWN.....	MR. L. BROWN		
LYNN HUBBARD	MS. L. HUBBARD		
STEVE WHITE	MR. S. WHITE		
RHONDA SHAW.....	MS. R. SHAW		
DOLORES DAWSON.....	MS. D. DAWSON		
TONYA DAVIS JOHNSON.....	MS. T. JOHNSON		
WILL VAN NATTA.....	MR. W. VAN NATTA		

APPROVED:



THOMAS A. MASTERS
MAYOR

DAWN S. PARDO
CHAIRPERSON

ATTEST:

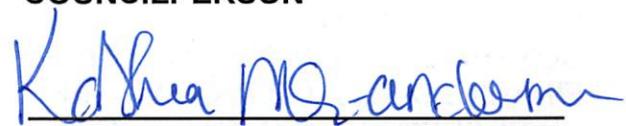


CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM

BRUCE A. GUYTON
COUNCILPERSON



KASHAMBA L. MILLER-ANDERSON
COUNCILPERSON



TONYA DAVIS JOHNSON
COUNCILPERSON

MOTIONED BY: K. MILLER-ANDERSON

SECONDED BY: T. DAVIS

B. GUYTON _____

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: MAY 18, 2016

I TOMMY WALKER WOULD LIKE TO THANK
ALL THE 1600 VOTER WHICH VOTED FOR ME
YESTERDAY IS MARCH. NOW AS WE MOVE FORWARD
I WOULD LIKE TO EXTEND MY SUPPORT TO
~~MRS~~ MRS TONYA DAVIS JOHNSON. ~~AFTER SEVERAL~~
~~CONVERSATIONS, MRS JOHNSON & I HAVE~~
~~AGREED ON ALL THE ISSUES~~
~~THEY WERE IMPORTANT TO ME & MY CAMPAIGN~~
I TRULY BELIEVE THAT SHE'S THE
BEST CANDIDATE FOR DIST. 3. & I ALSO
EXTEND MY SUPPORT FOR MS. HUBBARD
AS WELL IN DIST 1. FOR SHE'S HAS
TRULY EARNED ALL THAT I CAN DO FOR
HER THANK LYNNE. GOD BLESS

1/67 Tommy Walker