

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
SPECIAL CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, MAY 4, 2016 AT 5:30 P.M.**

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

**CALL TO ORDER**

**CHAIRPERSON PARDO:** Welcome, everyone, to the City of Riviera Beach. Tonight we have a Special City Council Meeting. Madam Clerk, roll call, please.

**Roll Call**

**DEPUTY CITY CLERK BURGESS:** Mayor Thomas Masters?

**MAYOR MASTERS:** Present.

**DEPUTY CITY CLERK BURGESS:** Chairperson Dawn Pardo?

**CHAIRPERSON PARDO:** Present.

**DEPUTY CITY CLERK BURGESS:** Chair Pro Tem Terence Davis?

**CHAIR PRO TEM DAVIS:** Here.

**DEPUTY CITY CLERK BURGESS:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Here.

**DEPUTY CITY CLERK BURGESS:** Councilperson KaShamba Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** Here.

**DEPUTY CITY CLERK BURGESS:** Councilperson Tonya Davis Johnson?

**COUNCILPERSON MILLER-ANDERSON:** 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:** You have a quorum.

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

**Invocation**

**Pledge of Allegiance**

(Everyone stood for the Pledge of Allegiance being led by Chairperson Pardo).

**CHAIRPERSON PARDO:** Okay. So at this point we will go to Item 1, City Manager Disciplinary Action.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** Sir?

**CHAIR PRO TEM DAVIS:** Before we move to that, I would like to add an item that's related to this issue. Recently all my colleagues on this board had been copied on a -- sent an e-mail from the City Attorney's Office from Brown & Associates. They sent some information that we discussed pertaining to the water issue. The City Manager Disciplinary Action is an issue that's related to what happened at the Water Utility District. We had a discussion about getting an independent report to let us know where we are as we move forward. I would like to put a motion on the floor to add us hiring Brown & Associates on the City side because it's related to the Utility District side, as well. So that both boards understand what's going on in this matter. 'Cause one board, we can't take certain actions and other boards we can't. And that's the reason why we're having a meeting today because we couldn't take an action in the previous board. So I would like to put that motion on the floor to retain Brown & Associates pending -- based on the information that's provided for us. The same memo that we all have -- should have in front of us.

**COUNCILPERSON MILLER-ANDERSON:** Just, I have a question and that's a question --

**CHAIR PRO TEM DAVIS:** You gotta -- you gotta second it.

**CHAIRPERSON PARDO:** Well, hold on one second. First is there a second to that motion?

**COUNCILPERSON MILLER-ANDERSON:** Second for questioning.

**CHAIRPERSON PARDO:** Okay. Miss Ryan, are we allowed to change the agenda at a Special Meeting?

**CITY ATTORNEY RYAN:** Well, Madam Chair, according to the information that was provided to you by the City Clerk under Ordinance 20 -- I'm sorry, Resolution 26-02, because there were some issues about adding some other things, I believe that if there is a unanimous vote of the City Council, then you can add something to the agenda for discussion.

**CHAIRPERSON PARDO:** So it had to be a unanimous vote?

**CITY ATTORNEY RYAN:** And I'm happy to read the section if you need me to. But that was provided to each of the Council members by the City Clerk.

**CHAIRPERSON PARDO:** Okay. Thank you. Miss Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** The -- the motion you -- you -- just correct me if I'm wrong. You said to hire him or to -- to put it on the agenda so we can discuss it?

**CHAIR PRO TEM DAVIS:** Well, to put it on the agenda for a discussion item.

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM DAVIS:** Yeah.

**COUNCILPERSON MILLER-ANDERSON:** Second.

**MAYOR MASTERS:** Madam --

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON PARDO:** Yeah. Mr. Guyton?

**COUNCILPERSON GUYTON:** And another question to the attorney. This issue may be related but it's a water-related issue. Would it not be appropriate to deal with this at a Utility District Board?

**CITY ATTORNEY RYAN:** Well --

**COUNCILPERSON GUYTON:** We as a Council don't sit as their Utility District Board at this meeting here.

**CITY ATTORNEY RYAN:** -- that's going to be an issue for the Council because of the way that Mr. Davis framed the issue. I think what -- I don't know if you're trying to hire him on the City side as opposed to the Utility District. I mean, the City Council, if it desires, can discuss the issue. But I don't -- I don't really see how the City could enter into an agreement with Mr. Brown to do something that is within the purview of the Utility District. So while I would say you can certainly discuss it, I would have to look at the charter, but I believe that the investigation itself is probably within the purview of the Utility District Board.

**COUNCILPERSON GUYTON:** Okay. A follow-up question --

**CITY ATTORNEY RYAN:** As we discussed.

**COUNCILPERSON GUYTON:** -- Madam Chair?

**CHAIRPERSON PARDO:** Go ahead, sir.

**COUNCILPERSON GUYTON:** Yeah. Clarification on the motion. Is this a motion to hire or just for discussion?

**CHAIR PRO TEM DAVIS:** This is -- this is like I stated to Miss Miller-Anderson. This is a motion to put this on the agenda for discussion.

**COUNCILPERSON GUYTON:** To put it on this agenda for discussion?

**CHAIR PRO TEM DAVIS:** Yes.

**COUNCILPERSON GUYTON:** Yeah.

**CHAIR PRO TEM DAVIS:** Because it's related to the Water Utility District issue.

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM DAVIS:** Because there was a motion put in the Utility District -- excuse me, Madam Chair. There's a motion put on the floor in the Utility District meeting but there was no action that could have been taken place because of the way our bylaws --

**COUNCILPERSON GUYTON:** Okay. But my question is after the discussion, is there an intent to take some action?

**CHAIR PRO TEM DAVIS:** At that time the board has discretion to do whatever it's wanna do and you can do what you want at that time, as well.

**COUNCILPERSON GUYTON:** Yeah. Well, I'll discuss it. I'm not prepared to hire anybody right now.

**CHAIR PRO TEM DAVIS:** Well, you don't have to. We'll -- let's put it on the agenda. Then you can say yes or no --

**COUNCILPERSON GUYTON:** 'Cause we --

**CHAIR PRO TEM DAVIS:** -- once we get to the vote.

**COUNCILPERSON GUYTON:** -- still have to, in my opinion, I have to understand what is the scope of services and --

**CHAIR PRO TEM DAVIS:** That's why we're gone have this discussion.

**COUNCILPERSON GUYTON:** And I haven't seen any scope of services yet.

**CHAIR PRO TEM DAVIS:** Well, it's an e-mail to all of us.

**COUNCILPERSON GUYTON:** I know.

**CHAIR PRO TEM DAVIS:** The City -- the City Attorney did that herself.

**COUNCILPERSON GUYTON:** I know.

**CHAIR PRO TEM DAVIS:** So you didn't read it?

**COUNCILPERSON GUYTON:** Okay. But that's all I have, Madam --

**CHAIRPERSON PARDO:** Okay. So there is a motion and a second to add a discussion item regarding the contract with the Brown law firm. Okay. Madam Clerk?

**DEPUTY CITY CLERK BURGESS: COUNCILPERSON GUYTON?**

**COUNCILPERSON GUYTON:** For discussion, yes.

**DEPUTY CITY CLERK BURGESS: COUNCILPERSON MILLER-ANDERSON?**

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS: COUNCILPERSON DAVIS JOHNSON?**

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** CHAIR PRO TEM DAVIS?

**CHAIR PRO TEM DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** CHAIRPERSON PARDO?

**CHAIRPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** That motion passed with Chairperson Pardo dissenting.

**CITY ATTORNEY RYAN:** It fails.

**DEPUTY CITY CLERK BURGESS:** Oh, I'm sorry, failed.

**CITY ATTORNEY RYAN:** Because of the -- it's because of the resolution. The resolution states that it has to be a unanimous vote.

**MAYOR MASTERS:** Madam Chair?

**CHAIR PRO TEM DAVIS:** Madam Chair? Madam. Chairman?

**CHAIRPERSON PARDO:** Sir? Mr. Mayor?

**MAYOR MASTERS:** At this point I would like to suggest to the Council since it calls for a unanimous vote that we suspend a motion be made to -

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**CHAIR PRO TEM DAVIS:** Hold on -- excuse me, Mayor.

**MAYOR MASTERS:** -- to suspend the rules if necessary.

**CHAIR PRO TEM DAVIS:** Mayor, make a correction on that. That is not right because that resolution pertains to the Utility District. Not the City Council. This is a Special City Council meeting.

**CITY ATTORNEY RYAN:** No, sir.

**CHAIR PRO TEM DAVIS:** And in a Special City Council meeting, you do not need all five votes in a Special City Council. But in a Utility District in our charter you do require that. But we're not in a Utility District meeting at this time.

**CITY ATTORNEY RYAN:** No. I'm -- Madam Chair?

**CHAIR PRO TEM DAVIS:** Please help me understand. I stand corrected if I'm wrong.

**CHAIRPERSON PARDO:** Yes.

**CITY ATTORNEY RYAN:** I'm reading from Resolution 26-02 which is a resolution of the City Council.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** And under the Special Meeting section it states that the, "Special Meetings may be called from time to time by the Mayor or two members of the City Council. And during the absence or disability of the Mayor, by the Chairperson of the City Council. The call for a Special Meeting shall be in writing and shall contain a statement of the business to be considered at such meeting and no business shall be transacted at any Special Meeting not contained in such call unless approved by unanimous consent of the City Council present at such meeting. Notice shall --" and then it goes on, "Notice shall be served by handing a copy of the meeting --" da, da, da, da, da. And those -- those are your rules that can be adjusted by resolution. But in terms of -- I know the Mayor is about to say he wants to suspend the rules. I don't know if this particular resolution allows you to suspend the rules. You may suspend the rules -- Robert's Rules but -- okay. It says here under Section 9, page 8, "Any of the foregoing rules may be suspended by unanimous vote of all Council members present."

**CHAIR PRO TEM DAVIS:** Who wrote these rules?

**CITY ATTORNEY RYAN:** I mean, these are your rules. They're --

**MAYOR MASTERS:** So I move -- Madam Chair, I'm still back where I was. I'm -- even though that is a rule, no matter what, a Council still has authority to -- to give a motion to suspend that rule. Any rule.

**CHAIR PRO TEM DAVIS:** That's true.

**MAYOR MASTERS:** Unless it's something in the charter that says it would be uncharitable, unconstitutional, illegal. We don't have that. So if a Council member at this time makes a motion to suspend the rules, then I don't see why it would not be applicable.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** Go ahead, sir.

**CHAIR PRO TEM DAVIS:** I would just like to ask Madam Attorney, is that true?

**CITY ATTORNEY RYAN:** No. I -- you -- I don't pretend to be the parliamentarian, but the rules that you can -- you have -- you make your own rules. Under Robert's Rules of Order --

**CHAIR PRO TEM DAVIS:** So that's true, then?

**CITY ATTORNEY RYAN:** -- under Robert's Rules of Order --

**CHAIR PRO TEM DAVIS:** Yeah, that's true

**CITY ATTORNEY RYAN:** -- you can suspend your own rules.

**CHAIR PRO TEM DAVIS:** Correct.

**CITY ATTORNEY RYAN:** But you all have enacted additional rules that govern the body.

**MAYOR MASTERS:** Spin it.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** And a -- the body can't -- unless you do it by resolution, you have put in your own rules --

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** -- that you will follow your rules unless a unanimous vote does otherwise. So a majority can't suspend something that requires a unanimous vote. Usually it says super majority. I -- I'm frankly surprised that it says unanimous vote but we don't remember the circumstances. There may have been issues going on that forced --

**CHAIR PRO TEM DAVIS:** Okay. I understand. So --

**CITY ATTORNEY RYAN:** -- the board --

**CHAIR PRO TEM DAVIS:** -- so --

**CITY ATTORNEY RYAN:** -- to pass these very rigorous rules.

**CHAIR PRO TEM DAVIS:** -- so to prevent any drama, could I later on call a special meeting to do that from this meeting?

**CITY ATTORNEY RYAN:** A special meeting to --

**CHAIR PRO TEM DAVIS:** To -- to address this item to review.

**CITY ATTORNEY RYAN:** Of course.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** That's a different issue.

**CHAIR PRO TEM DAVIS:** We -- we -- we'll move on and I'll talk about it in my comments.

**CITY ATTORNEY RYAN:** Of course. Of course.

**CHAIRPERSON PARDO:** All right.

**MAYOR MASTERS:** Okay.

**CHAIRPERSON PARDO:** Okay? All right.

**MAYOR MASTERS:** Madam Chair, point of order.

**CHAIRPERSON PARDO:** Go ahead, sir.

**MAYOR MASTERS:** On the agenda, after the Pledge of Allegiance Special Meeting Discussion Item, I understand that; City Manager Disciplinary Action, I understand that; Mayor and City Council Comments/Remarks, I understand that. But I've never seen on -- on agenda Special Public Comments. Can you explain what that means, Madam Chair?

**CHAIRPERSON PARDO:** I think they put it there -- I didn't put it there -- but they put it there because it's a special meeting so --

**MAYOR MASTERS:** Okay. So Public Comments.

**CITY ATTORNEY RYAN:** So that (inaudible) taken out.

**MAYOR MASTERS:** So Public Comments still would be Public Comments as we would have in a regular Council --

**CHAIRPERSON PARDO:** Absolutely.

**MAYOR MASTERS:** Thank you, Madam Chair.

**CHAIRPERSON PARDO:** Absolutely. Thank you, Mayor.

**MAYOR MASTERS:** Just -- just wanted to be clear.

**CHAIRPERSON PARDO:** Absolutely. Thank you. Okay. So we're going to move forward. Item 1, City Manager Disciplinary Action. All right. Miss Miller, you had asked for the meeting.

**COUNCILPERSON MILLER-ANDERSON:** Yes, I did.

**\*Special Meeting Discussion Item(s)**

**1. CITY MANAGER DISCIPLINARY ACTION**

**COUNCILPERSON MILLER-ANDERSON:** I'm gonna come down for just a minute with the -- for the computer and then I'll come back up. Good evening, everyone.

**CHAIRPERSON PARDO:** Good evening.

**CHAIR PRO TEM DAVIS:** Good evening.

**COUNCILPERSON MILLER-ANDERSON:** Well, as you know from the last meeting we had on last week, there were some things that came up that brought light to the situation that was occurring with the water. What I want to do for just a few moments here add the podium is just kind of give a little timeline as to what transpired, as well as the information that was revealed at the time. And then I'll take my seat back up there because most of my papers are up there. Now, on the last meeting I did make a motion to suspend Miss Jones. What I'm looking at is trying to get all the documents, get all the facts, once we found out exactly what happens. But I can go back a little step. We received a very big binder because of questions that I asked Miss Jones after the reporter called. Once those documents were provided, I was able to gain a little more information as to what was taking place. All of us received a binder with all of the same documents, so all of us have the exact same thing. So I don't have anything that none of you have.

The timeline: Basically what happened on April 21<sup>st</sup>, we had a reporter from Channel 5. He gave me a call. I don't know if he contacted the others but he did give me a call. He wound up leaving me a voice mail because I was at work. When I got off I listened to it and it said that Riviera Beach was going to be paying a \$10,000 fine to the Health

Department. I had no idea as to what that pertained to. I then got on the phone after I got off of work at 4:30 and called Miss Ruth Jones to inquire about the voice mail message that I received. I was told she was unavailable so I asked for the next person which was Mr. -- Mr. Danny Jones. He did -- they -- he came to the phone but I was told at that time that they were all actually in a meeting at the time regarding the same situation that I was calling about.

The reporter had called them, I guess around 11 something that morning, and so they were working on preparing a statement to give out to the press. I -- I -- I said, you know, "This is new to me. I have never heard of it." I was quite taken aback being that I found this out from a reporter. And we meet all the time and I was never made aware of any of these situations that were taking place. So on April 21<sup>st</sup> that night around 10:49 I did send Miss Jones several questions. When I sent those questions to her she did work on it over the weekend to get the binder that I explained earlier. That was all of the information that I requested from her.

The -- the press statement that was sent out to the press is the exact same memo that we received, which did not have any specific information in it. It was very vague. It did not -- it did not shed light. It didn't clear up anything that I heard on the news. And I just want you to understand that is where I got my information from that night, when the public received it, on the news. And so I had questions after hearing the news. That is went I sent her that e-mail request to provide me with all of the documents, all of the consent orders, all of the violations, all of the e-mails from the Health Department to Mr. Aurigemma, from Mr. Aurigemma to the Health Department. Again, that is that binder that I keep referring to. So we all got that because I requested it. Although others did not request it, they still got it, too, so we're all on the same page with that.

The next thing was April 25<sup>th</sup> at 6 p.m. That's when we had a Special City Council Meeting. The Mayor called that because of the fact that we were getting so much press on it. And he called for the Health Department to come out and provide a fact-finding. During that time Mr. Aurigemma was here and he provided answers to some of the questions that some of us asked. And Miss Jones provided a few of the questions but she appeared to be in a position where she couldn't really answer because she said that she did not learn about this until February 11<sup>th</sup>. April 26<sup>th</sup> is when we had the 5:30 Special Utilities meeting which was last week.

Now, what we have learned -- and again, I want to stress, what we have learned since the news media put this out -- they done locked me out. Basically the -- the PowerPoint now is going to show you the things that I

received in the binder and it -- it allows us to understand a little bit better in detail of what the consent order was, what the violations were. I'm going to put that in order just so everyone has an idea, because as I said before -- sorry about that. Thanks. So one -- some of the violations were the Utility District exceeded the maximum contaminant levels for the total coliform September 2014, January 2015, March 2015. All of those documents were provided to us. All of those documents were provided to the Utility District Director. Then also one of the -- the violations was failure to maintain minimum combined chlorine residuals. And the Health Department was here on last week. They explained all of that. The failure to issue Tier 2 Public Notices for nonacute maximum contaminant level violations. Again, that was September 2014, October 2014, January 2015, and March 2015

Some of the other information that we revealed -- that was revealed through the binder that was provided by the City Manager was that there was a failure to collect lead and copper tap samples. There's a certain required period in which it's supposed to be done. It was not done and I believe Mr. Danford was at the time -- was the one who was in charge of collecting those samples. And he did collect them in December 2014; however, the requirement is that it's done between June and September of 2014. So that was a violation because of the fact that it was not done at the required time. It was eventually done, though. The Utility District failed to deliver consumer notice of lead tap water monitoring results. That should have been given out. It was not. Another violation was it exceeded secondary maximum contaminant level for color in 2014.

It goes on to say there was exceeded secondary maximum contaminant level for aluminum. This information was obtained from the warning letter which we all have, which is WP-067-15 dated June 5<sup>th</sup>, 2015. Now, there was also a memo that Miss Ryan provided to us. I believe it was last Tuesday at the Special Meeting that we had. She gave us a big packet at the very beginning when I asked for her to go ahead and send it down the -- the dais. That was -- as of that date, she sent that because her name was coming up so she provided us with an explanation as to when she was brought into the fold of it. The following individuals that were advised of these violations on at least one occasion, if not more, dated back to an e-mail from January 11, 2016, and that e-mail is in the packet, as well.

All of the people that with listed up there, they were on that e-mail. The e-mail from Miss Busby, which is the Assistant Attorney -- when did she start working for us? When did she come on?

**CITY ATTORNEY RYAN:** In November --

**COUNCILPERSON MILLER-ANDERSON:** 2015?

**CITY ATTORNEY RYAN:** -- 2015.

**COUNCILPERSON MILLER-ANDERSON:** Okay. Okay. So all of those people were on that e-mail. And like I said, when I get back to my -- my - my chair, I can, you know, actually read off what the conversations were for those e-mails that went -- took place in January 11<sup>th</sup>. And the reason I'm putting that out there is because the question comes up for me, Why did the Council not know about what was going on before the press released it on April 21<sup>st</sup> or whatever day that was? Several people knew about this. It was not that one person knew about it; it was not that two people know about it. To what level did they know, I don't know the level but I do know that everyone was made aware. And I know Miss Jones said that February 11<sup>th</sup> was the first day that she was made aware of it but the e-mails says January 11<sup>th</sup>.

The other thing, there was an e-mail -- the e-mail on January 11<sup>th</sup>, that was sent to Mr. Aurigemma and Miss Ryan with a cc for Mr. Jones, Perry, Rhoads, Danford and Davis. Mr. Aurigemma was instructed by Miss Jones to provide a thorough report of all Health Department violations by January 14<sup>th</sup>, 2016. So with that information there, at that point she -- Miss Jones was aware of what had occurred. She asked for him to provide all violations to her by January 14. I'm not sure if that took place or not and I'll let you, you know, answer that a little later, or if you want to answer now you can. That's fine.

**CITY MANAGER JONES:** It was not provided.

**COUNCILPERSON MILLER-ANDERSON:** Okay. And so also Miss Jones stated that a determination would be made if additional actions needed to be taken. I'm not sure if any actions were taken after that January 14 when they did not meet the deadline or not. Now, the neglect of duty in my -- my being is that the Council was not informed. Miss Jones learned about it, based on the e-mails, as of January 11, 2016. The check was written for the \$10,000 on February 11<sup>th</sup>. We had a Utility District meeting on the -- on the 17<sup>th</sup>, and it was not mentioned. I looked at the meeting several times. It was a very short meeting.

Actually, that was a meeting where Mr. Aurigemma so graciously announced that he was reappointed as the chairperson for the ECR. And that was a testament to his great job performance. And several people on the dais smiled and smirked and laughed about it. I didn't know what the inside joke was but it's something -- something was funny that I didn't quite get. It went over my head. But that same night, February 17<sup>th</sup>, 17 day -- six days after that check was written, nothing was mentioned.

Now, the other part that I have is the fact that the Utility Director was allowed all of this time to conceal these reports from Miss Jones, as she stated, because she says she was not made aware of what was taking place. But I just think that if a person is working under you, you have routine meetings. There should be some checks and balances to make sure that the person is communicating with you. If they're not doing what they're supposed to be doing then, you know, there's a consequence to pay for that.

He met with the Health Department numerous times over the past 18 months, and that was in the documents, I believe the documents that Miss Ryan provided to us. Did he ever update you on the routine meetings that he had been meeting with the Health Department over the past 18 months?

**CITY MANAGER JONES:** No, he did not.

**COUNCILPERSON MILLER-ANDERSON:** Okay. So, you know, with that, as an employee, you want to make sure that they're communicating with you. And if he was not communicating with you, then he needed to have been provide withdraw a consequence. I'm -- I'm not aware of any consequences that he may have or any reprimands that he may have received over the past 18 months. And I'm only saying 18 months because that is the one item that I -- I -- I picked up from the documents that was in the packet Miss Ryan provided. But when we look at all of the reports from the Health Department, it goes back to 2010, 2011. I mean, numerous, numerous years.

It's not something that just occurred this one year. There were many years. And Miss -- Miss Jones says that she did not know until February 11<sup>th</sup>. Well, like I said before, the e-mail clearly had her on an attachment or as a cc or two, or she sent an e-mail out. And that was in January. So my -- my issue is that why is it that the Council had to find out from the press? There is no reason why. We have met many times. The times that we met, nothing ever came up. The times that we didn't meet, we should have been meeting. We were canceling for -- well, I won't say I was canceling. Meetings were being canceled. The Utility District meetings were being canceled with no reason why or no justification as to why we were not meeting. But if we had these serious issues going on, I think we probably should have been meeting two or three times a month to see how can we fix it. But instead, the meetings were being canceled. So I'm gonna take my seat back up there. Um, and then I will read off a couple of the e-mails that I just stated in the PowerPoint.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** Sir?

**CHAIR PRO TEM DAVIS:** While she's coming, I need to ask the City Attorney a question.

**CHAIRPERSON PARDO:** \$10,000 check.

**CHAIRPERSON PARDO:** Madam Attorney?

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

**CHAIR PRO TEM DAVIS:** As it relates to the discussion that we're having today, and I want to be very clear about what I was trying to do earlier. I can put any motion on the floor as it regards to -- related to this issue? Can I?

**CITY ATTORNEY RYAN:** Yes, sir.

**CHAIR PRO TEM DAVIS:** Thank you.

**COUNCILPERSON MILLER-ANDERSON:** Are you done? Is he done?

**CHAIRPERSON PARDO:** Right. Go ahead, ma'am.

**COUNCILPERSON MILLER-ANDERSON:** Okay. I -- let me go back to where I talked about the -- the questions that I submitted to Miss Jones on April 21<sup>st</sup>. I asked a question as to when did she -- well, first of all, I asked the question about what was the line item in the budget for the \$10,000 taken from. It said that it was taken from the Professional Services, Engineering. And I mentioned that on last week.

Is that typically the budget line that we would take that from when it's being made out to the Health -- it was made out to the Health Department but it said it was for Professional Services, Engineering. Now, I believe I recall you saying that it was transferred from that account and moved to another account to be able to pay for -- to the Health Department, or was it on the check, you know, in the memo section that this \$10,000 was for Professional Service -- Engineering Services?

**CITY MANAGER JONES:** I'm not looking at the check so I'm unaware as to what was in the memo section. When you pay for items, you pay for them within any area within your budget as long as it is coming out of your particular departmental budget. I don't believe there is probably a line item to pay for fines budgeted within one's budget.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** Monies are often moved, and that was what I said earlier. When you've got to pay something, you can cover it. You just need to stay within your budget and not overspend within your budget.

**COUNCILPERSON MILLER-ANDERSON:** Okay. Hold on. Let me get my stuff. Give me one minute. I got so many papers up here.

**MAYOR MASTERS:** Madam Chair, while Miss Anderson is getting her papers, I've got a question for Miss Anderson to answer when she would like to. Now, and my question is when you made that call you asked specifically for the City Manager. But instead the Deputy Manager got on the phone. When you spoke to the Deputy to tell him what you were calling for, question 1, question 2, he said that the Manager was in a meeting and was unavailable? That's what is not clear in my mind.

**COUNCILPERSON MILLER-ANDERSON:** When I called, the secretary or receptionist answered the phone and she said that she was in a meeting. And then I said, "Well, is Mr. Jones available?" And he came to the phone. And then he said that -- now, she went to go check. She did put me on hold first. She put me on hold and then she went. And then she came back and she says, "She's in a meeting." Then I said, "Well, is Mr. Jones available?" Then she went, got him. He came to the phone.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON PARDO:** Uh-huh.

**COUNCILPERSON MILLER-ANDERSON:** Okay. Miss Ryan sent an e-mail, the e-mail that I had talked about January 11<sup>th</sup> at 4 p.m., from Miss Ryan to Mr. Aurigemma, cc Miss Jones, Mr. Jones, Mr. Perry. Mr. Aurigemma, Miss Busby, which is the Assistant City Attorney. "Sent you the attached memorandum today regarding Health Department Violations after meeting with you last Friday. Because you were past the deadlines I have asked -- I advised her to call the Health Department to speak with a representative to ask for a continuance. She was referred to an attorney. She spoke with Attorney Cathy Linton at the Health Department who advised that they'd sent you numerous letters, mediation and offers of settlement all to no avail. We advised that we were unaware of that correspondence. Nevertheless, Miss Linton would not grant an extension for us to do our due diligence. She stated that all the District could do at this point was to pay the penalty. They intend to file a final order. Frankly, I was surprised when Lina," which is Miss Busby, "told me this. My office was not aware of this claim and frankly, at this late date, I don't think there's anything we can do short of litigating after the fact because

we have most likely waived our ability to insist on an administrative hearing. I would advise you to speak with someone at the Health Department and/or make arrangements to pay unless you want a lawsuit. There is nothing from my office to do since they won't mediate -- won't mediate the matter or grant any extensions. If litigation arises, then we will get involved. I am copying the City Manager on this, because I don't believe you can pay a fine without her input." That was January 11<sup>th</sup>.

And my -- my point again in reading this e-mail is because it was known in January -- on January 11<sup>th</sup> by all of those individuals and -- and no one shared it with the Council. Miss Jones then replied back around 6:16 p.m. on January 11<sup>th</sup> to Miss Ryan, Mr. Aurigemma, Mr. Jones, Mr. Perry, Mr. Rhoads, Mr. Danford and Mr. Davis: "Lou, it is disturbing that this is the first time I or the Utility District heard of these violations. This is totally unacceptable. Why did you miss the deadlines? What corrective actions were taken? Who was disciplined for these violations? Please provide a complete and thorough report on all Health Department violations by Thursday, January 14<sup>th</sup>, 2016. Once the report is received, I will determine if additional actions need to be taken. In addition, you are directed to immediately make me aware of any and all violations in the future." And I -- I do want to address that part. Because I think it was stated on last week's meeting that prior to Miss Ryan being brought in it, she said that Miss Judy Davis, the Chair, received documents of some violations back in 2014. And it came in Miss Ryan's care.

And in the other documents that Miss Ryan provided it also stated that prior to that one event, she was never brought back into it until January -- or her office. I think it was in December or November. So Miss -- Miss Jones knew about it again. And that -- and that's the part that I want to make sure that everyone understands, is that one, it was about keeping the communication lines open with her employee, number one. Number two, also keeping the lines of communication open to the Council. It -- to me it -- it -- it is truly a concealment of the -- the information. Because it's not like no one was having conversations about it. Numerous conversations took place and that is in documents that Miss Ryan and Miss Jones provided to us and me. But I just can't quite understand why this information never came up and then when it didn't come up or when it -- when you wrote the first check on February 11<sup>th</sup>, six days later we had a meeting. A Utility District meeting. Not a City Council meeting because, you know, then the thing would be, Well, it wasn't the right forum to talk about Utility District stuff at a City meeting. It was not a City meeting. It was a Utility District meeting. Perfect venue to discuss these items.

Any other time we get phone calls if something come up or we'll get an e-mail about something or we'll get a memo in our mailbox. There were

numerous ways to communicate we had an issue. But when none of those means took place, to me it appeared that someone was trying to keep it quiet. Now, I honestly believe there -- there are numerous people that knew about this. And -- and like I said last week, it appeared that Mr. Aurigemma was going to be the scapegoat or the fall guy. Okay. He's gone. But it -- it doesn't -- it doesn't stop there because he did inform you at some point -- I don't know how or why he was able to keep the information from you. But let's say he was keeping it from you. But you eventually found out in January 2016.

Now, there are more, as we learned last week from the Health Department, that we had more fines or violations coming down the pipe from -- we actually were given in our binder from March and then we had one from April 1<sup>st</sup>. There was one from the DEP where we have a \$38,000 fine that we're going to have to be paying for very soon or it -- they said that it would be negotiable or maybe they can do some kind of in-kind project. But I did get the documents from the DEP today and it states that there's a \$38,000 fine getting ready to come. And we're talking about 10,000 from January. But we have that, as well. Is that the information that -- am I correct on that, Miss Jones, about when he mentioned it last week?

**CITY MANAGER JONES:** Yes. It was mentioned last week and in your packet you got the DEP --

**COUNCILPERSON MILLER-ANDERSON:** Are you -- you're talking about the one I just got out of the mailbox, this one?

**CITY MANAGER JONES:** I don't know whether it's that one or the other one.

**COUNCILPERSON MILLER-ANDERSON:** The one you just gave me yesterday?

**CITY MANAGER JONES:** And I don't know whether it's -- but it is in one of the packets.

**COUNCILPERSON MILLER-ANDERSON:** I -- I couldn't even --

**CITY MANAGER JONES:** And I don't know whether it was yesterday's or today's.

**COUNCILPERSON MILLER-ANDERSON:** -- it never --

**CITY MANAGER JONES:** And the fine has already been paid. That's the \$2,000 check --

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER JONES:** -- that you saw from Miss -- Mr. Aurigemma.

**COUNCILPERSON MILLER-ANDERSON:** When --

**CITY MANAGER JONES:** There is --

**COUNCILPERSON MILLER-ANDERSON:** -- what date? What date was that?

**CITY MANAGER JONES:** He signed that on March the 26<sup>th</sup>.

**COUNCILPERSON MILLER-ANDERSON:** March 26<sup>th</sup>. Uh-huh.

**CITY MANAGER JONES:** And as a part of that, there was a \$2,000 fine and there was an in-kind project. And that in --

**COUNCILPERSON MILLER-ANDERSON:** And that was the one for the DEP?

**CITY MANAGER JONES:** For the DEP.

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER JONES:** So it is -- if you -- you're reading the dollar value, yes, it looks like we've got to pay 30 some thousand dollars. We only had to pay two because our in-kind project was 35,000.

**COUNCILPERSON MILLER-ANDERSON:** Right. And -- and that goes to make my point. You know, had we all, you know, been told about all of this, then I would not have to go out searching for information because last week, I mean, it came to the board. But you didn't state that that it was case, because is that the -- I think I gave you a copy of a check and you weren't sure about where that check came from. I passed it down the dais. That was in the binder.

**CITY MANAGER JONES:** And that was the \$2,000.

**COUNCILPERSON MILLER-ANDERSON:** That was the one that you -- right. And that --

**CITY MANAGER JONES:** Yes.

**COUNCILPERSON MILLER-ANDERSON:** -- but that -- but that's -- that's some of my, you know, frustration with this whole thing is that, you

know, we're getting bits and pieces from different places where, you know, if all of the information is just disclosed, just to keep us informed, that tends to, you know, lessen the amount of excitement that people have when they're getting things from different departments and with no explanation behind it. I do know that you could do the -- we could do the in-kind and the guy mentioned that on last week and that could bring down the fine. But again, that is something that was not shared with the board so it's kind of hard to, you know, go from there --

**CITY MANAGER JONES:** Okay.

**COUNCILPERSON MILLER-ANDERSON:** -- if we don't -- we were never told. The other memo that was provided --

**CHAIR PRO TEM DAVIS:** Execute me, Madam Chair?

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CHAIRPERSON PARDO:** Go ahead.

**CHAIR PRO TEM DAVIS:** Before you move any further, I just want the record to reflect in the last memo that you read, you said Mr. Davis. Make sure it wasn't Councilman Terence Davis in that meeting.

**COUNCILPERSON MILLER-ANDERSON:** Yes, it was Allen Davis from the District.

**CHAIR PRO TEM DAVIS:** Okay. I just want to make sure the public understand I wasn't in that meeting.

**COUNCILPERSON MILLER-ANDERSON:** No. No. No Council people.

**CHAIR PRO TEM DAVIS:** Yes.

**COUNCILPERSON MILLER-ANDERSON:** No. I didn't see any e-mails with Council people names on here.

**CHAIR PRO TEM DAVIS:** Get that clear.

**COUNCILPERSON MILLER-ANDERSON:** I'm sorry.

**MAYOR MASTERS:** Seems -- seems to be a lot of Davises around here.

**COUNCILPERSON MILLER-ANDERSON:** And the -- the other memo -- and again, this point -- the reason for me reading the memos is to clarify the point that Miss Jones knew before the February -- February 11<sup>th</sup> date that she says when the check was written. There was a memo from Mr.

Aurigemma to Miss Jones regarding the notice of water sample violations for January 14, 2016. And that is the one that I had on the PowerPoint where it talked about over the last 18 months he had been meeting with the Health Department. And -- and there -- he identified the five counts that -- or the violations that we were violating. And I -- it -- again, I had put it up there on the board -- on the PowerPoint. But again, January 14<sup>th</sup> is when this memo was sent to Miss Jones from Mr. Aurigemma outlining the violations that had taken place. And then on February 11<sup>th</sup>, Miss Busby, the Assistant City Attorney, sent a memo to Miss Jones and cc'd Miss Ryan and Mr. Aurigemma about the \$10,000 one. And it said that, "On December 8<sup>th</sup>, 2015, the Health Department issued a Notice of Violation, Orders for Corrective Action and Administrative Penalty Assessment to the Riviera Beach Utility District Special District alleging five violations of regulations. Again, it -- it listed the five and we -- we talked about that on last week when the Health Department was here.

And on December 9<sup>th</sup>, the Department hand delivered the notice and left it with the clerk in the District Office, thereby delaying the timely response to the notice. And then on January 8<sup>th</sup>, Mr. Aurigemma met with -- met with Miss Busby to discuss the legality of this service or the process. On January 11<sup>th</sup>, she contacted the Department's attorney, Cathy Linton, who advised the Department would not offer an extension; therefore, on January 22<sup>nd</sup>, Miss Busby sent a letter to the Department pointing out procedural irregularity with the hope that they would start the process over. That did not happen. And thus the \$10,000 fine was paid.

Now, I've taken the time to -- to read these items and to lay it out for you, some of the events that took place, because my -- what I -- I really want to show is that one, many people knew. Two, they knew before April 21<sup>st</sup>. And I don't know how we can do business and not trust that those who are in charge are bringing us the information that we need to know in order to make sound decisions. If we have people in positions who are concealing information, covering up information, hiding information, how can we move forward as a city? I do want to take a pause for a minute because I have been talking for a good little while. But I do know that my motion that I made in regards to suspending was so that we could have a thorough investigation to find out who knew what, what transpired, and then how can we move forward. That is my -- my spiel for a few.

**MAYOR MASTERS:** Madam Chairman?

**CHAIRPERSON PARDO:** Mayor?

**MAYOR MASTERS:** Yes. I have a couple of questions of a couple of people. First, Deputy Manager Jones, what is your -- what is your duty as the Deputy Manager of the City of Riviera Beach, sir?

**DEPUTY CITY MANAGER JONES:** To assist the Manager in overseeing the day-to-day operations for the City of Riviera Beach, to oversee special projects within the City, and to act in her stead, in her absence.

**MAYOR MASTERS:** At -- were you -- the -- the record seems to indicate that you were in the meeting, in the discussion about all of this controversy --

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** -- for lack of a better word?

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** At any time, whether in the meeting, after the meeting, did you ever advise or tell the Manager or suggest in any way that this needs to be brought to the City Council?

**DEPUTY CITY MANAGER JONES:** Which meeting are you referring to, sir? The -- on April 21<sup>st</sup>?

**MAYOR MASTERS:** Take your choice.

**DEPUTY CITY MANAGER JONES:** Well --

**MAYOR MASTERS:** My question -- let me go back.

**DEPUTY CITY MANAGER JONES:** Okay.

**MAYOR MASTERS:** After you -- were you in the -- when is the first time you -- you had knowledge of this?

**DEPUTY CITY MANAGER JONES:** I've never been in a meeting to discuss this water situation until April, to my knowledge. And I --

**MAYOR MASTERS:** That's not my question.

**DEPUTY CITY MANAGER JONES:** Yeah.

**MAYOR MASTERS:** When is the first time you had knowledge of this whole situation or --

**DEPUTY CITY MANAGER JONES:** When -- when I received the e-mail.

**MAYOR MASTERS:** Would that have been in January?

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** Okay. My next question, I want you to follow me closely.

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** Because I'm going to be very clear.

**DEPUTY CITY MANAGER JONES:** Okay.

**MAYOR MASTERS:** After that meeting, at any time did you ever advise or tell the Manager or discuss with the Manager that you felt that this should be made -- should go to the Council, that we should know about it as soon as possible? That's a yes or no question.

**DEPUTY CITY MANAGER JONES:** There was -- there was no meeting. I didn't attend a meeting, sir. It was an e-mail and when the -- I saw the Manager, I asked about the additional information before she sent the e-mail out requesting additional information from Mr. Aurigemma.

**MAYOR MASTERS:** Well, let me ask you another way.

**DEPUTY CITY MANAGER JONES:** Okay.

**MAYOR MASTERS:** Do you ever talk to the Manager on a day-to-day basis?

**DEPUTY CITY MANAGER JONES:** Every day that I'm at work mostly.

**MAYOR MASTERS:** Do you ever -- every day?

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** A question is again, in your discussions with the Manager did you ever suggest in any way that the Manager -- that you felt that the Manager had a fiduciary duty to inform us?

**DEPUTY CITY MANAGER JONES:** No. No, sir.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON PARDO:** Okay. I would suggest at this time -- we have a lot of Public Comment cards. Let's listen to the public.

**CHAIR PRO TEM DAVIS:** Yeah. Sure.

**CHAIRPERSON PARDO:** And then Miss Jones will say what she needs to say and then it will be up to the Council.

**MAYOR MASTERS:** Madam Chair, I have one more question of the City Attorney before you go there, please.

**CHAIRPERSON PARDO:** Go right ahead, Mayor.

**MAYOR MASTERS:** Madam Attorney, you were -- your name was mentioned in this e-mail or whatever else. But as the attorney of the City, when is it that you inform the Council of any action as a standard operating procedure?

**CITY ATTORNEY RYAN:** Mayor, as I tried to explain in my memorandum, my job as your City Attorney is to advise you about legal actions, which I always do. Any time we receive a notice letter or a lawsuit, one of the first things that my office does is to copy the Council. In this situation as I explained in this -- in my memorandum, when my office received the -- the notice of a hearing and it was a litigation issue --

**MAYOR MASTERS:** (Coughs). Excuse me.

**CITY ATTORNEY RYAN:** -- it came to my attention. It came to Judy Davis as the chairperson and to my attention as the city attorney. I immediately sent that correspondence to Mr. Aurigemma because, again, I had no knowledge of it. I sent it to the City Manager. I sent it to Judy Davis and I sent it to the Utility District Board. So everyone knew about it. My job is to keep you abreast of any legal situation that my office is involved in. If you want me to get into details about this I'm happy to do that. Because my office was very involved after January 8<sup>th</sup> when Mr. Aurigemma came to us. Not understanding the substance of it -- I don't understand chloroform and all these other things -- Miss Busby got involved because she was under the impression that Mr. Aurigemma wanted to fight the issues.

And our reason for getting involved on his behalf was to try to get the Health Department to give us more time, to give us more time to address the issues so that the City would not get a fine. And when we learned that it was too late and, you know, basically requested a couple of times even in a letter that they give the City an extension, not an extension to -- to necessarily fight it, because we didn't know whether or not we could fight it, but to at least give us an opportunity to review the -- the matters in detail. We help departments every day. This is not the only department that's had an issue. I'm not going to say -- this is the only one that had

one of this type, but there are all kinds of issues that the Council does not know about that we work on and we're supposed to work on them. And - - and we -- and Mr. Davis is looking at me but there are all kinds of things that are supposed to be handled on an administrative level. And your Manager --

**MAYOR MASTERS:** Excuse me.

**CHAIRPERSON PARDO:** Please.

**MAYOR MASTERS:** Can we have order, please? Thank you.

**CITY ATTORNEY RYAN:** -- takes care of those things. In this case this was for something that did not necessarily have to come to Council. As a legal matter it was under the Manager's threshold. You have given the City Manager discretion to settle any issue of any type under \$25,000. If it had been over \$25,000 then an agenda item would have been prepared or you would have gotten a memorandum. You get memorandum -- memoranda from this department, the City Attorney's Office, all the time. I send you things constantly. I don't make decisions without the City Council's involvement. So to -- to try to -- to bring this in, my office participated in an effort to assist this department as we do with other departments. And as Miss Miller-Anderson read in the -- the memorandum from Miss Busby, once we sent the issue over and they decided they were going to pay the \$25,000 -- I'm sorry. The \$10,000 check, the matter was out of -- we were done with the issue. And you know, Mr. Aurigemma sends the Council -- he sends you guys memoranda all the time without going through my department. It does not come to us so we don't know whether or not you've been contacted.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** I've -- I've seen him send other things. But in terms of the legalities, there was nothing for Legal to do; otherwise, we would have sent it to you. I have no problem. There was nothing for the City Attorney's Office to hide. They're not my issues. I would happily let you know anything. If I didn't want to know about every little thing in the City, you have the right to know. I don't know if you want to know but you have the -- the right to know. But that's why you have policies and procedures and you've given your departments the authority to deal with certain types of issues in a -- in -- under a threshold amount.

**MAYOR MASTERS:** So I'm hearing you say -- you're saying that if it had been over \$10,000 or over -- 25,000, I'm sorry.

**UNIDENTIFIED SPEAKER:** 25,000.

**MAYOR MASTERS:** -- then you would have --

**CITY ATTORNEY RYAN:** No. What I'm saying is as you look at --

**MAYOR MASTERS:** What is the -- what is the amount that --

**CITY ATTORNEY RYAN:** -- right. Right. Right. The money.

**MAYOR MASTERS:** -- brings you into the Council?

**CITY ATTORNEY RYAN:** But the memorandum that we sent to the Manager stated that I -- you know, the Manager had to make a decision. I agree that it should be settled for \$10,000 or I don't agree. If it had not been settled, then we would have gone to administrative hearing. I send that same kind of memorandum to the Council when it's over \$25,000.

**MAYOR MASTERS:** That's what I'm trying to --

**CITY ATTORNEY RYAN:** Right. Correct.

**MAYOR MASTERS:** -- to -- to find out.

**CITY ATTORNEY RYAN:** And so the Manager handled this in this situation. My department was not involved anymore. And I'm not try -- and -- and I'm saying the Manager. This was sent to Lou Aurigemma as the -- to the Manager and to -- well, and to Lou Aurigemma as the Executive Director. And you know, we had a lot of conversations with him on this matter. The department -- I don't -- I don't know what Mr. Aurigemma was trying to do but I can certainly tell you that this -- the Legal Department was unaware as it stated in that memorandum. And if -- if, I mean, I'm not even going to say in hindsight because I will tell you this: Unless this Council says to change the way we operate, this is just not something that the Legal Department would have sent to Council.

**MAYOR MASTERS:** So final question: You operated in the way -- what you did you do this all the time.

**CITY ATTORNEY RYAN:** All the time.

**MAYOR MASTERS:** You operate in the regular way?

**CITY ATTORNEY RYAN:** Yes.

**MAYOR MASTERS:** There wasn't anything different --

**CITY ATTORNEY RYAN:** No.

**MAYOR MASTERS:** -- about the way you operated in this situation than --

**CITY ATTORNEY RYAN:** Issue. Correct.

**MAYOR MASTERS:** -- the other situation?

**CITY ATTORNEY RYAN:** That is correct.

**MAYOR MASTERS:** Okay. Thank you.

**COUNCILPERSON DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am?

**COUNCILPERSON DAVIS JOHNSON:** One quick -- one quick question.

**CHAIRPERSON PARDO:** Sure.

**COUNCILPERSON DAVIS JOHNSON:** Point of clarification: Did I hear you say that you noticed the entire USD Board?

**CITY ATTORNEY RYAN:** Oh, yes. If you look at the memorandum, the -- on the one in September 2014, and the -- it came to my office. That's the first -- and this was my example.

**COUNCILPERSON DAVIS JOHNSON:** It's in my binder downstairs.

**CITY ATTORNEY RYAN:** Okay. I'm sorry. I have an extra copy. But on September 5<sup>th</sup>, 2014, the same type of issue which I -- I'm going to be honest with you. I didn't know what -- I don't know substantive -- substantively what it meant. But I do know that I received it. And I sent it to Ruth Jones, Lou Aurigemma, to Judy Davis, Chairperson of Utility District Board, 'cause it came in her name, and cc'd the entire Utility District Board. And that was --

**COUNCILPERSON DAVIS JOHNSON:** And the Utilities District Board was made up of whom at that time?

**CITY ATTORNEY RYAN:** It would have been the City Council members who were sitting on the Council in 2014.

**COUNCILPERSON DAVIS JOHNSON:** Name names for me, please.

**CITY ATTORNEY RYAN:** Phew. 2014? It would have been --

**COUNCILPERSON GUYTON:** Everybody up here.

**CITY ATTORNEY RYAN:** -- the Mayor would have been here. Mr. Guyton would have been here. Mr. Thomas -- Cedrick Thomas was here. Mr. Davis was here.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** And Miss Pardo was here, as well.

**COUNCILPERSON DAVIS JOHNSON:** So we knew?

**CITY ATTORNEY RYAN:** You absolutely -- if you read your mail you knew on September 5<sup>th</sup>, 2014. Yes.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CITY ATTORNEY RYAN:** I mean, I -- I copied everybody.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, sir.

**CHAIR PRO TEM DAVIS:** Did you read that document?

**CITY ATTORNEY RYAN:** Did I read the document?

**CHAIR PRO TEM DAVIS:** Yes.

**CITY ATTORNEY RYAN:** It was a show cause order. Yes.

**CHAIR PRO TEM DAVIS:** So you read the document?

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

**CHAIR PRO TEM DAVIS:** Knowing there's some serious issues -- you're knowing that we're not attorneys and then not bring it to our attention how important that was?

**CITY ATTORNEY RYAN:** Okay.

**CHAIR PRO TEM DAVIS:** Hold on. 'Cause I'm only speaking to the -- the legality. That's it.

**CITY ATTORNEY RYAN:** This -- okay. This -- and the only reason I sent it to you is because it came as an order setting a pretrial conference, which my office was prepared to attend. This was a \$505 fine.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** Again, it -- if this had come to the -- to the Manager's Office and he had asked us for help --

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** -- we would have done the same process that we did on the \$10,000. Because it was \$500. It was under the threshold. The only reason I sent that to Council --

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** -- was because it came to Judy Davis. A -- it was sent to Judy Davis. It was served like a lawsuit.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** It was served like a lawsuit.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** And -- and to be honest with you, I figure --

**CHAIR PRO TEM DAVIS:** What -- what day did you send that -- send that e-mail?

**CITY ATTORNEY RYAN:** That was in 2014.

**CHAIR PRO TEM DAVIS:** What's the date?

**CITY ATTORNEY RYAN:** September 5<sup>th</sup>, 2014.

**CHAIR PRO TEM DAVIS:** September 5<sup>th</sup>?

**CITY MANAGER JONES:** I think it's under the January e-mail.

**CHAIR PRO TEM DAVIS:** What e-mail?

**CITY ATTORNEY RYAN:** No, I'm not talking about e-mail. This is old.

**CHAIR PRO TEM DAVIS:** I didn't know when the e-mail was sent.

**CITY ATTORNEY RYAN:** This is --

**CITY MANAGER JONES:** The e-mail.

**CHAIR PRO TEM DAVIS:** I need to know when the e-mail's sent so I can check my records.

**CITY MANAGER JONES:** The e-mail was sent.

**CITY ATTORNEY RYAN:** This was not an e-mail. This is the document I'm --

**CHAIR PRO TEM DAVIS:** So it was hand-delivered?

**CITY ATTORNEY RYAN:** Yes.

**CHAIR PRO TEM DAVIS:** Oh, so that's different. Because people have been goin' in my mailbox since day one. And I told you about that.

**CITY ATTORNEY RYAN:** Mr. Davis, I'm not saying that you read it. I'm just saying --

**CHAIR PRO TEM DAVIS:** No, no. Look. No.

**CITY ATTORNEY RYAN:** -- I sent it.

**CHAIR PRO TEM DAVIS:** But see, there was a -- perception is everything.

**CITY ATTORNEY RYAN:** Well, I can only tell you that it was sent.

**CHAIR PRO TEM DAVIS:** Because let me say this: Too many times -- Madam Chair, I must ask permission to speak.

**CHAIRPERSON PARDO:** Go right ahead, sir.

**CHAIR PRO TEM DAVIS:** Thank you. Too many times in this city things come to office later. People come in and out of office. Documentation. When you got something this important -- we're not talking about money, now. We're talking about quality of life. That's the issue that I'm just discussing. Okay? When we make mistakes we make them together and we figure out back then how we get to where we need to be to so we can save time from all these special meetings that we gotta do. That's the issue. The issue is we got a million dollar -- multi-million dollar corporation and don't nobody know nothing and --

**CITY ATTORNEY RYAN:** Look. I -- right. I understand.

**CHAIR PRO TEM DAVIS:** Hold on. Look, this is the same reason why earlier, when we got in this, the debate about why -- 'cause Councilwoman Miller-Anderson stated that everyone was involved but we don't know to what degree. My question when we talked about dealing with Miss -- addressing Miss Jones and this process, with hiring -- looking at the scope of services by Brown & Associates, it's to answer these same questions that we're discussing today. I don't want to ask y'all none of these questions. You know, I ain't asked y'all no questions yet. It's only very clear that we move through that process to allow an independent scope of service being done to answer the questions and be brought back before this board in a memo and -- or in a report. We can't waste time going back and -- we've been asking each other questions for three meetings. And every time there's a meeting something new pop up.

And I'm just talking to this board at this time. Something new pops up. But we need -- that's why it's so important. I didn't even need a motion now I'm thinking about it, to add this to the agenda. I can make a motion at this time if I choose to to have that scope of service looked at and talk about at this time, because these are the questions that everybody in the public want answered. And if -- if one member on the board don't want that done, at this time -- at that time she can change her mind in a motion when I put it on the floor. And I don't need five votes. I only need three for that to happen. So at this time I want to put a motion on the -- motion on the floor that we call Brown & Associates up --

**COUNCILPERSON GUYTON:** Excuse me.

**CHAIR PRO TEM DAVIS:** -- to -- hold on. I -- may I -- I gotta --

**COUNCILPERSON GUYTON:** But wait, there's already a motion on the floor.

**CHAIRPERSON PARDO:** Exactly. The motion --

**CHAIR PRO TEM DAVIS:** What motion?

**COUNCILPERSON GUYTON:** Wait. You made a motion to discuss or -- but we never voted on it.

**CHAIR PRO TEM DAVIS:** No, no. No. It failed. It failed.

**CHAIRPERSON PARDO:** Right. The City Manager --

**COUNCILPERSON GUYTON:** It --

**CHAIR PRO TEM DAVIS:** It died. It died.

**CHAIRPERSON PARDO:** Right.

**CITY ATTORNEY RYAN:** (Inaudible) motion on (inaudible).

**CHAIR PRO TEM DAVIS:** That was the motion -- that was the motion to add it to the agenda. But now that I think about the process --

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM DAVIS:** Because it's so related to this matter, it's -- I can make a motion that we can discuss it at this time why it is important. Not necessarily that we need to act at this time but we can have discussion to talk about it, because I want to make sure it's relevant to this issue and the matter that we're discussing today. And I'm making that motion at this time.

**CHAIRPERSON PARDO:** What was the motion again? To --

**CHAIR PRO TEM DAVIS:** The motion was for this board to right now take in consideration to go through this report that was provided to us by this -- our City Attorney to look at a special scope of service and discuss at this time that Brown & Associates report back to this board with information regarding this matter.

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON DAVIS JOHNSON:** A second with question.

**CHAIR PRO TEM DAVIS:** Thank you.

**CHAIRPERSON PARDO:** Okay. So Miss Ryan, okay, so the resolution doesn't apply to this?

**UNIDENTIFIED SPEAKER:** No.

**CHAIR PRO TEM DAVIS:** Nope.

**CHAIRPERSON PARDO:** You know, what's your opinion? You know, the way -- I read it one way. Please give us your legal advice.

**CITY ATTORNEY RYAN:** Y'all have to make your own decisions on your rules. You know --

**CHAIR PRO TEM DAVIS:** I'm -- I'm making a motion related to the matter. It's related to all the questions that's been asked in the last three meetings, including this meeting on -- even on Councilwoman Miller-Anderson's presentation, she went through talkin' about the different timelines. But she can specify how involved people were.

**CHAIRPERSON PARDO:** I didn't have time --

**CHAIR PRO TEM DAVIS:** So that motion is related to that presentation that you already allowed previously to -- to move forward in this meeting. That's it.

**CHAIRPERSON PARDO:** That was --

**CHAIR PRO TEM DAVIS:** So you already discussed it so y'all agreed to it.

**CHAIRPERSON PARDO:** -- (inaudible) .

**MAYOR MASTERS:** So is there a second? Was there a second?

**CITY ATTORNEY RYAN:** Well, let me just say this. It --

**CHAIR PRO TEM DAVIS:** But it was a second but for -- with questions.

**CHAIRPERSON PARDO:** There was a second. Go ahead, please.

**CITY ATTORNEY RYAN:** It's really up to the Council but you -- you already had a specific motion on the table to deal with the issue. It's kind of a backhanded way to get back to the -- to the underlying issue. I -- you know, and I'm -- I'm -- I'm saying that, you know, with respect because this -- the -- the board has to make its own decisions on these matters. But, you know, will be questions later. And the point is, is that the Council --

**CHAIR PRO TEM DAVIS:** By who?

**CITY ATTORNEY RYAN:** -- already made a specific -- you already had a specific vote on whether or not to have the discussion about Brown & Associates and --

**CHAIR PRO TEM DAVIS:** It was to be added.

**CITY ATTORNEY RYAN:** -- that motion failed.

**CHAIR PRO TEM DAVIS:** It -- that was a different motion. That one's to be added. This is to discuss. Two separate motions.

**CITY ATTORNEY RYAN:** That's -- I'm -- I'm leaving it to the -- to your colleagues.

**CHAIR PRO TEM DAVIS:** There are -- there are two separate -- there are -- there are two separate -- there are two -- there are two separate motions at that time. Now, we have a lot of people that came out tonight --

**CITY ATTORNEY RYAN:** I'm not gonna get involved.

**CHAIR PRO TEM DAVIS:** -- to discuss this matter but let's make it look like we're conducting business. And that's all I wanna do. Let's be professional.

**CHAIRPERSON PARDO:** Okay. So --

**COUNCILPERSON GUYTON:** Madam Chair, a question.

**CHAIRPERSON PARDO:** -- wait a second. So if we want to be professional, I think we need to follow Resolution 26-02 which the City Attorney read early on. This resolution was passed in February of 2002.

**MAYOR MASTERS:** In the rules it says not to do it.

**CHAIRPERSON PARDO:** Mayor Michael Brown signed on to it, Edward Rodgers, David Schneider, Donald Wilson, Sylvia Blue, Elizabeth Wade. It was a unanimous vote. So, you know, being professional, I would think you're going to follow the resolution in front of you. If not, if you want to throw it out, it's up to you. Miss Davis? Miss Davis-Johnson?

**COUNCILPERSON DAVIS JOHNSON:** The -- the question that I had was regarding just general discussion. We -- when we sat at the meeting, the Special Meeting of the Utilities Special District, we talked about bringing a scope of work under the authority of Mrs. Jones -- of Miss Jones' \$25,000 authority, correct? So we're going to have to address this some -- at some point. Do we address it as Utilities? Do we address it as Council? When we were in the meeting we were handling it under the Utilities District.

**CHAIR PRO TEM DAVIS:** Utilities, correct.

**COUNCILPERSON DAVIS JOHNSON:** So do we handle it there? And this is just for me to understand.

**CHAIR PRO TEM DAVIS:** I can answer the question. I can answer the question. Madam Chair?

**CHAIRPERSON PARDO:** No. Hold on a second.

**CHAIR PRO TEM DAVIS:** She asked me a question. I just want --

**CHAIRPERSON PARDO:** Miss --

**COUNCILPERSON DAVIS JOHNSON:** I'm -- I'm asking him a question.

**CHAIRPERSON PARDO:** Oh, him?

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

**CHAIRPERSON PARDO:** Okay. I thought the attorney.

**COUNCILPERSON DAVIS JOHNSON:** Well, no.

**CHAIR PRO TEM DAVIS:** The -- the --

**COUNCILPERSON DAVIS JOHNSON:** I -- I'm asking him because it was his motion.

**CHAIRPERSON PARDO:** Okay. Sure. Go ahead.

**CHAIR PRO TEM DAVIS:** The reason it -- it was being presented to us now, because there was a lot of actions that was trying to take place in that specific meeting. But we had to call a Special City Council Meeting because the two boards, even though they're parallel to some degree --

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

**CHAIR PRO TEM DAVIS:** -- the rules are changed in what type of actions you can take.

**COUNCILPERSON DAVIS JOHNSON:** Of course. Right.

**CHAIR PRO TEM DAVIS:** The City Council Board needs to know what's going on in the Utility District. Utility District reports back to the Council. So those -- those boards were very parallel.

**COUNCILPERSON DAVIS JOHNSON:** I -- I get that.

**CHAIR PRO TEM DAVIS:** When we take action on one side --

**COUNCILPERSON DAVIS JOHNSON:** I get that.

**CHAIR PRO TEM DAVIS:** -- this -- this -- this -- like, for instance, Miss Jones is not an employee of the Utility District..

**COUNCILPERSON DAVIS JOHNSON:** Right.

**CHAIR PRO TEM DAVIS:** She's an employee of the City of Riviera Beach. The Utility District Board cannot hold her accountable. But the City Council can.

**COUNCILPERSON DAVIS JOHNSON:** Well, audience, for transparency's sake, I'm looking at an e-mail. I'm not texting or anything like that. I didn't want that to appear as if I was being disrespectful. Okay. So we need -- we -- Madam Attorney?

**CITY ATTORNEY RYAN:** Yes, ma'am.

**COUNCILPERSON DAVIS JOHNSON:** You need to provide definitive direction. Either we can or we cannot. That's what I need to know.

**CITY ATTORNEY RYAN:** Right. I think that you could have, had the vote not already taken where the issue was presented in the same manner that Mr. Davis presented it, as an issue that can be raised at a City Council meeting in some form. But you already took a vote on that and you voted not to add it. To me it's -- doing it this way is still doing exactly what was voted on before. And I just -- I think that it's not really following the spirit -- the spirit of your resolution.

**MAYOR MASTERS:** Suspend the rule. Just suspend the rules and you can be done with it.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CITY ATTORNEY RYAN:** And, you know, we did just get the -- the -- the information late last night and I didn't give it to you till this morning.

**COUNCILPERSON GUYTON:** This morning.

**CITY ATTORNEY RYAN:** And you know, I -- you know, it was --

**CHAIR PRO TEM DAVIS:** That's why I say (inaudible). We (inaudible) gotta vote --

**CITY ATTORNEY RYAN:** -- it was sent to the --

**COUNCILPERSON GUYTON:** (Inaudible).

**CITY ATTORNEY RYAN:** -- I think it was sent to the Utility District Board.

**CHAIR PRO TEM DAVIS:** Correct.

**CITY ATTORNEY RYAN:** Not to the City Council.

**CHAIR PRO TEM DAVIS:** Correct.

**CITY ATTORNEY RYAN:** And I -- I have not spoken with Mr. Brown about the substance since he and I spoke last week. But this -- you all need to look at it. .

**CHAIR PRO TEM DAVIS:** That's why my motion, I stated we can call him up and he can discuss the purpose --

**CITY ATTORNEY RYAN:** Right.

**CHAIR PRO TEM DAVIS:** -- and the scope of work of this memo. If they choose not to --

**CITY ATTORNEY RYAN:** It's not just my -- my memo is -- was a --

**CHAIR PRO TEM DAVIS:** -- if -- if -- hold on.

**CITY ATTORNEY RYAN:** -- was -- is just one part of it.

**CHAIR PRO TEM DAVIS:** I understand but --

**CITY ATTORNEY RYAN:** And I provided it to give you information.

**CHAIR PRO TEM DAVIS:** -- and did what you're supposed to do. Correct.

**CITY ATTORNEY RYAN:** Yes.

**CHAIR PRO TEM DAVIS:** But my issue is --

**CITY ATTORNEY RYAN:** And, you know, transparency.

**CHAIR PRO TEM DAVIS:** -- whether you like it or not --

**CITY ATTORNEY RYAN:** Right.

**CHAIR PRO TEM DAVIS:** -- everyone has the right to at least listen. If it doesn't pass, guess what? It's part of the process. That's all. Let's let the process play itself out. Let it play itself out.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, sir.

**COUNCILPERSON GUYTON:** If -- if we're going to conduct business and we have rules by which --

**CHAIRPERSON PARDO:** Well, (inaudible).

**COUNCILPERSON GUYTON:** -- we have agreed to conduct business. When we start that slippery slope that this one will bend the rules. The next one, can we bend the rules. And every issue that comes before us, this would be a precedent now. You didn't adhere to your rules on that issue so why are you telling me on the next issue that we're going to abide by the rules that have been established? If we're going to run an efficient government, if we have a resolution that outlines how we're going to proceed, until those rules are changed, we need to abide by those rules. I mean, yeah, we can change them.

**CHAIR PRO TEM DAVIS:** Right.

**COUNCILPERSON GUYTON:** To do it on the spot for a specific issue, I think is bad business and not good government. If we have rules established, we can set a date to say that we want to discuss --

**CHAIR PRO TEM DAVIS:** Okay.

**COUNCILPERSON GUYTON:** -- how we're gonna deal with these type of issues. And that resolution need to be on the table for discussion. Do we need a unanimous vote? Some may think not but right now those are the rules that exist. What -- my second point: I just got this information this morning.

**CHAIRPERSON PARDO:** Me, too.

**COUNCILPERSON GUYTON:** I work a full-time job. I didn't even know what you were talking about 'cause I hadn't even looked at it. Because I've been working all day.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**COUNCILPERSON GUYTON:** I'm not prepared -- I'm not -- for discussion on this yet. I -- I just looked at it up here. But one of the things that jumped out at me --

**CHAIR PRO TEM DAVIS:** Well, let's -- let's wait until the motion be called --

**COUNCILPERSON GUYTON:** Okay. Wait, wait. Let --

**CHAIR PRO TEM DAVIS:** -- before we discuss the memo.

**COUNCILPERSON GUYTON:** -- okay. Wait, wait, wait, wait, (inaudible).

**CHAIR PRO TEM DAVIS:** -- before we discuss the memo.

**CITY ATTORNEY RYAN:** Miss -- Miss Davis-Johnson, that answer your question?

**CHAIRPERSON PARDO:** Wait, hold --

**CITY ATTORNEY RYAN:** I just want to make sure I answered --

**COUNCILPERSON GUYTON:** There's a motion on the floor now.

**CITY ATTORNEY RYAN:** -- Miss Davis-Johnson.

**COUNCILPERSON GUYTON:** Whether to discuss it.

**CHAIRPERSON PARDO:** All right. Hold on. Hold on.

**CITY ATTORNEY RYAN:** Did I give you a definitive answer?

**COUNCILPERSON DAVIS JOHNSON:** (No audible response).

**COUNCILPERSON GUYTON:** I still have the floor. I just made a couple of -

**CITY ATTORNEY RYAN:** You don't think so?

**CHAIRPERSON PARDO:** Go ahead.

**COUNCILPERSON GUYTON:** Okay.

**CITY ATTORNEY RYAN:** Okay.

**COUNCILPERSON GUYTON:** So I -- I -- my first point, if we have rules established, we need to abide by them until they're changed. That's my first point. That's good government. The next thing that jumped out at me is this agreement from Mr. Brown clearly states that, "This confirms the engagement of Brown & Associates as a special league of counsel to the Riviera Beach Utility District Special Water District Board."

**CHAIR PRO TEM DAVIS:** Correct.

**COUNCILPERSON GUYTON:** We're not sitting as that board right now.

**UNIDENTIFIED SPEAKER:** No.

**COUNCILPERSON GUYTON:** We need to be in the proper venue to discuss the issues related.

**CHAIR PRO TEM DAVIS:** Right.

**COUNCILPERSON GUYTON:** And -- and he says it himself.

**CHAIR PRO TEM DAVIS:** Right.

**COUNCILPERSON GUYTON:** So right now I don't think it's appropriate because, one, we have the -- we have a resolution that prohibits it. Until that changes, I don't think we should start this slippery slope and say, This issue, we're not going to adhere to it but the next issue we will.

**CHAIR PRO TEM DAVIS:** Okay.

**COUNCILPERSON GUYTON:** So I -- I don't think it's appropriate to discuss it today until we sit as the Utility District Board. Thank you.

**CHAIRPERSON PARDO:** Okay. Anyone else?

**MAYOR MASTERS:** (Inaudible).

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** Go ahead.

**CHAIR PRO TEM DAVIS:** With all due respect, I agree to what Councilman Guyton is stating, if this was the case. But in this matter this is not the case because my motion was very specific about adding the item versus discussing the item at this time because we're all sitting here trying to get questions answered.

**COUNCILPERSON GUYTON:** Add it to discuss it.

**CHAIR PRO TEM DAVIS:** No. Well, I add it -- I made a motion to make an addition, because the -- the agenda didn't have Additions and Deletions on it. So you put this board in a bad position already. And to your second point about the -- about the way it was worded to the Utility - USD Board, which you're correct, but any given time that could be USD Board and Council Board. 'Cause both boards serve in separate capacities but it's the same members. But it could be addressed. Just like in here, and it talks about the Special Meeting. It says "may" versus "shall." "May" may not necessarily mean that it has to happen. It's says "may." And that's why the -- the motion failed, because we talked about "may." "May" don't mean it can't happen. It just says "may," not "shall." So we get back to the board, your rules are right if we're sticking to the rules. But the verbiage is different. I'm learning here.

**COUNCILPERSON GUYTON:** All right. I just don't agree with that logic.

**CHAIR PRO TEM DAVIS:** I'm -- I'm gonna say I'm learning how to play this game.

**CHAIRPERSON PARDO:** Okay.

**CHAIR PRO TEM DAVIS:** And guess what?

**COUNCILPERSON GUYTON:** Yeah.

**CHAIR PRO TEM DAVIS:** It's to the benefit of the people.

**COUNCILPERSON GUYTON:** No. But, look.

**CHAIR PRO TEM DAVIS:** And all I'm saying -- all I'm saying, Mr. Guyton -- I respect -- I listened to you.

**CHAIRPERSON PARDO:** All right. Which --

**CHAIR PRO TEM DAVIS:** You made a very valid point. All I'm saying out of respect to me as a board member like I'm respecting you this time, all I'm asking is that we have a little discussion. We ain't gotta take action tonight. We don't have to. How about that?

**COUNCILPERSON GUYTON:** Okay. Okay.

**CHAIR PRO TEM DAVIS:** We -- we don't have to discuss here the memo. You -- you --

**COUNCILPERSON GUYTON:** Let me just --

**CHAIR PRO TEM DAVIS:** -- go back and read it. Then we set up another meeting later.

**COUNCILPERSON GUYTON:** Okay. The only point I'm making is let's do it in the right venue.

**CHAIRPERSON PARDO:** Right.

**COUNCILPERSON GUYTON:** I'm not saying not discuss it.

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON GUYTON:** That's all I'm saying.

**CHAIRPERSON PARDO:** Okay. So there was a motion and a second.

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

**CHAIRPERSON PARDO:** Any other --

**MAYOR MASTERS:** Call for the previous question, please.

**CHAIRPERSON PARDO:** -- questions, comments?

**CITY ATTORNEY RYAN:** What's the motion?

**CHAIRPERSON PARDO:** Madam Clerk?

**CITY ATTORNEY RYAN:** Do we know what the motion is?

**CHAIRPERSON PARDO:** Yeah. The motion is to --

**MAYOR MASTERS:** Discuss it now.

**CHAIRPERSON PARDO:** -- add this as a discussion. Add the Michael Brown contract as a discussion.

**CHAIR PRO TEM DAVIS:** No. The -- the -- the motion was to discuss the, uh -- yeah, to discuss the contract --

**CHAIRPERSON PARDO:** Right.

**CHAIR PRO TEM DAVIS:** -- at this time.

**CHAIRPERSON PARDO:** Right.

**CHAIR PRO TEM DAVIS:** Yeah.

**CHAIRPERSON PARDO:** Madam Clerk?

**CHAIR PRO TEM DAVIS:** But not add it 'cause I already put that on the previous motion.

**CITY ATTORNEY RYAN:** Yeah.

**CHAIRPERSON PARDO:** Madam Clerk?

**DEPUTY CITY CLERK BURGESS:** COUNCILPERSON MILLER-ANDERSON?

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** COUNCILPERSON DAVIS JOHNSON?

**COUNCILPERSON DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** COUNCILPERSON GUYTON?

**COUNCILPERSON GUYTON:** No.

**DEPUTY CITY CLERK BURGESS:** CHAIR PRO TEM DAVIS?

**CHAIR PRO TEM DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**CHAIRPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** And I have a discussion back for the City Attorney.

**CITY ATTORNEY RYAN:** What?

**DEPUTY CITY CLERK BURGESS:** I'll be --

**MAYOR MASTERS:** The motion carries.

**CITY ATTORNEY RYAN:** You don't -- yeah. (Inaudible).

**CHAIR PRO TEM DAVIS:** I guess. I'm -- I'm gonna make it a motion, so --

**CHAIRPERSON PARDO:** All right.

**DEPUTY CITY CLERK BURGESS:** That's -- motion pass.

**CHAIRPERSON PARDO:** Okay, great. So at this time we are going to Public Comments. Andrew --

**CHAIR PRO TEM DAVIS:** Hold -- hold -- hold -- hold on. I just put a motion on the floor.

**CHAIRPERSON PARDO:** -- Melville. What?

**CHAIR PRO TEM DAVIS:** It passed three, two.

**CHAIRPERSON PARDO:** And it passed, right.

**CHAIR PRO TEM DAVIS:** Okay. So we can discuss this now.

**CITY ATTORNEY RYAN:** Not to add it. He just wants to discuss it.

**COUNCILPERSON GUYTON:** But --

**CHAIRPERSON PARDO:** So you want to discuss it now?

**UNIDENTIFIED SPEAKER:** Yeah.

**CHAIRPERSON PARDO:** We were getting ready to go to Public Comment.

**CHAIR PRO TEM DAVIS:** Well, let's do -- let's do -- let's do it after the public 'cause they've been waiting. I can wait.

**CHAIRPERSON PARDO:** Right.

**UNIDENTIFIED SPEAKER:** Yeah.

**COUNCILPERSON GUYTON:** So -- so are we ignoring the resolution?

**CHAIRPERSON PARDO:** Andrew Melville?

**MAYOR MASTERS:** Yeah.

**CHAIRPERSON PARDO:** Correct.

**MAYOR MASTERS:** That's what. That's what they're doing.

**COUNCILPERSON GUYTON:** That's crazy.

**CHAIRPERSON PARDO:** Andrew Melville and then Tommy Walker.  
Okay. So --

**SPECIAL PUBLIC COMMENTS**

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

**ANDREW MELVILLE:** Good afternoon. I'm Andrew Melville.

**CHAIRPERSON PARDO:** Good evening, sir.

**ANDREW MELVILLE:** I live at Bermuda Circle.

**CHAIRPERSON PARDO:** Welcome.

**ANDREW MELVILLE:** I wasn't going to say anything about this but it's clear to me that maybe we shouldn't just suspend Miss Jones; we should suspend everybody. I mean, it's -- it's out of confusion that we've had here for the last hour and change. It's ridiculous. First of all, no one addressed the fact that we the public citizens didn't know about what was going on. And we're worried about \$10,000; we're talking about our health, the health of our kids and we have no idea what's going on. And I think it's -- it's sad that even if this is not as bad as Flint, but I thought with all the Flint controversy, that you guys would run to the public and tell us everything we need to know about our water when there's an issue. And I think it's -- it's irresponsible.

Even if it doesn't rise to the level where you think that we need to take action, we need to know. Maybe some of us are paranoid and we want to boil our water; we want to do what we need to do. It -- it -- from 2014 until now -- I don't know Miss Jones. But if I was Miss Jones I probably wouldn't tell y'all because I'm scared of a whole lot of argument and nothing get done so she dealt with it the best way she can. I'm not saying she's right 'cause I really don't know her and I'm not here for politics. I'm worried about the health of my kids. I'm worried about my health. And I think you guys have not addressed that. You've been talking politics all night about what you need to do and it's sad.

**CHAIRPERSON PARDO:** All right, please. Tommy Walker and then Bonnie Larson.

**TOMMY WALKER:** Tommy Walker, 1582 W. Ninth Street.

**CHAIRPERSON PARDO:** Good evening.

**TOMMY WALKER:** Y'all didn't need that. He took it right out of -- out -- out of my mouth. Is the water safe to drink? That's the first thing.

**CHAIRPERSON PARDO:** Yes.

**COUNCILPERSON GUYTON:** Yes.

**TOMMY WALKER:** Okay. Now, as we sit here --

**UNIDENTIFIED SPEAKER:** Can't hear you.

**TOMMY WALKER:** -- we -- as we sit here, we has -- we have to move on with this. There's a lot of politicking going on. Y'all already up there. Speaking about politicking, Bruce haven't politic all night. Ain't said nothing.

**COUNCILPERSON GUYTON:** Thank you.

**TOMMY WALKER:** But I got a letter here I want to read to y'all that y'all might have not know. And -- and -- and I'm -- I'm gonna read this because it's like that old -- age-old thing, Divide and Conquer. Now, this was something sent to the residents of Singer Island way back when the second run-off came. And it says, "This run-off election is critical. It's important to Singer Island. That's why I'm endorsing Bruce and Sylvia. Both Bruce and Sylvia support our issues and oppose the development and submerged land, oppose floating homes along our shores and support our beach renourishment efforts."

**CHAIRPERSON PARDO:** He shouldn't be talking (inaudible).

**TOMMY WALKER:** "In fact, the new majority may very well oppose our issues. Yacht Harbor Manor and Palm Beach Isles road money could be reallocated, as well as beach renourishment funds. We can't let this happen." Check this out: "I worked hard over the last eight years to make Singer Island what it is today. If our candidates lose this election, Singer Island once again will be nothing more than an afterthought." Divide and Conquer. I would like for this Council to be smarter than that. I want my City to be smarter than that. Signed Miss Dawn Pardo. I forgot to tell y'all that.

**CHAIRPERSON PARDO:** Right.

**TOMMY WALKER:** I want the east and west --

**CHAIRPERSON PARDO:** Sir, you need to stay on topic here. It's not public comment.

**TOMMY WALKER:** Oh, okay. I'm -- I'm gonna get right back. I got one minute, Miss Pardo.

**CHAIRPERSON PARDO:** All right. Go right ahead.

**TOMMY WALKER:** Okay. Now, with that being said --

**CHAIRPERSON PARDO:** And I (inaudible) it.

**TOMMY WALKER:** -- let's merge. Let's come together. We have a golden opportunity here. We can clean house if we want to. Don't leave KaShamba out there to dry. Let's all come together. Let's do what we're supposed to do. Leave the politics out of it and make this city work. We got enough votes to do that. Let's not play. Everybody stand up on their own. I thank you y'all for this time.

**CHAIRPERSON PARDO:** All right. I want to remind -- remind the public. All right. So this is -- and that's fine. I signed that letter. I even did a robocall with it. But the topic right now is the City Manager. So please stay on topic. Any -- you know, at Public Comment you can say what you want. Bonnie Larson and then **FANE LOZMAN**.

**BONNIE LARSON:** Bonnie Larson. Yes, the discussion tonight is to suspend or not suspend Miss Jones so I will stay on that subject.

**CHAIRPERSON PARDO:** Thank you.

**BONNIE LARSON:** And I'm going to add some things other than the Water Department. There was a -- an issue you have to remember several months ago. There was a -- there were fights going on in the Utility Department among employees. Miss Jones was asked, "Did you -- did you know there was a police report? Did you read it?" She said, "I didn't know there was a police report so no, I didn't read it." She is the City Manager. She is in charge of all the department heads. She needs to know what's going on. That was in the paper, also. We need to -- we need to have our City Manager in control of all department heads. You can't come up here and say, "I didn't read the reports."

All right. Someone else who might -- is probably involved in this. Who writes the checks? Who wrote that check for \$10,000? Somebody wrote it. Was it the Utility Department themselves or was it our Finance Department? Somebody wrote that check for \$10,000 and fraudulently wrote on it Engineering Services. That is fraud. Miss Jones tonight said, "Well, you

can take it out of any -- any line item you want to just so it stays within the department." That shouldn't be. We have a budget for a reason, don't we? If not we would just say, All this money goes into the Utility Department. Spend it however you want. We have a budget. If there is something as serious as a fine in a department, no matter if it's \$500, that needs to come to the Council. I know Miss Ryan said, "We take care of all those things. There's a lot of things you, the Council, are not told." Well, that's something certainly -- a fine, a violation, the Council should be well aware of that, even if it's only for \$500. We've had 2,000, 3,000 -- Miss Miller has all the -- all the facts and information. We were told on that Monday night that there was a \$10,000 fine. Why weren't we told about the 25,000 extra that came up the next night? I wasn't here but I understand there was another 25 the next night. Why weren't we told about it that one night? Why are these things being withheld, not only from us the public, but from you the Council. You can't possibly do your job as a City Council if you don't have the information, if people are withholding information from you. How confident are you if that is happening? We had a canvassing board situation.

They called Miss KaShamba Miller at work and said, "Where are you guys? You're supposed to be down here for the canvassing board representing." Miss Jones said, "Well, I didn't know about that." They also told Miss Miller that they weren't there the last time, either, a couple months ago. Again, Miss Jones said, "I didn't know. I didn't get a letter." Well, somebody got the letter.

Now there's talk of putting Troy Perry into the Water Department. Does he know about water? He is a former police chief. Excuse me, fire department in Riviera Beach. What does he know about the Water Department? It -- is his position not a 40-hour job in the City Manager's Office? It seems like he's disposable. He doesn't need that job. We're going to put him over in the Water Department now. Those dates for the Water Department -- excuse me, for the water tests are very, very important that they be done during the summer. Mr. Aurigemma said, "Oh, I forgot." No, you don't forget. And as a City Manager, you must know when those dates are due 'cause it's very important that it be done during the summer. There's a reason for that and maybe the Health Department person explained that to you. But it's very important. Thank you.

**CHAIRPERSON PARDO:** Thank you. Fane Lozman and then Daniel Taylor.

**FANE LOZMAN:** Fane Lozman, Singer Island.

**CHAIRPERSON PARDO:** Good evening.

**FANE LOZMAN:** I still don't have an address 'cause your City Manager won't call me back to discuss it. But the City just spent \$14,000 on an attorney to represent the City in a lawsuit that had to file to try and get an address. Here's a picture that was sent around to everybody around town showing water pipes with holes in them saying some of them are a hundred years old. Mr. Guyton sent that around. And he talked about how safety is a top priority. And he's right. Safety is a top priority. The number one job for the City Manager is to make sure we're safe. Make sure the water we drink is safe. Make sure the traffic lights work. Run the city. She's supposed to manage the city. She's the top dog. Everything flows into her. Now, she has to have integrity. Now, we know that she learned on January 11<sup>th</sup> and she wrote a check and all that. But what has she done that we have all seen in this audience at the last meeting what we can say, You just lied to us at the last meeting.

At the last meeting she said, "You know, when we wrote the check I was going to tell you in the March or April meetings but those meetings were getting canceled. I was eventually going to tell you maybe in May." But the point is we caught her in a lie there, because there was a meeting in February. Six days after she wrote the check she should have told us then but she didn't 'cause what they hoped was this was just going to slide by. They get a new chlorine machine in and things would go on. Because she was on probation last year for six months for the OIG scandal, \$850,000 of money that was mismanaged so she knew if this popped up like, Oh, by the way, for the last five years the chlorine system doesn't work and we have zero percent chlorine around the city and we got all these high bacteria levels. I haven't been doing my job because in 2014 we paid some fines. When we paid those fines, we should say, "You know something? We can't put a dollar back in that marina until we get our water system fixed first and that can wait a year or two."

But she didn't do that. She just tried to kick it down the road because it would make her look bad 'cause she was just on probation. So she lied point-blank at the last meeting when she said, "Oh, I couldn't tell you 'cause the March and April meetings were canceled." What about February 17<sup>th</sup>? You work for us, lady. We don't work for you. We pay your salary. As property owners, we pay your salary and we expect you to inform us through our elected officials when we have a contamination issue. And you can look at this -- Bruce Guyton recognized there was a contamination issue 'cause all these holes have -- all these pipes have holes in them. He says right here, "You can have contamination coming through these pipes," which we did. Why didn't you tell the Council? Why didn't you tell us on February 17<sup>th</sup>? You don't get another chance. You should be terminated for lying to us, for lying to the Council and for not doing your job: managing the safety of the residents in this city. I have no confidence in you. Nobody in this room

has confidence in you. What you should do is just submit your resignation right now and take off.

**CHAIRPERSON PARDO:** All right. Hold on. Come on, please. Daniel Taylor and then Margaret Shepherd.

**DANIEL TAYLOR:** Oh, hello, Mrs. Jones.

**CITY MANAGER JONES:** How do you do, sir.

**DANIEL TAYLOR:** You remember me from 10 years ago when I walked in your office the first time? I was there the first week you came from Atlanta.

**CITY MANAGER JONES:** I remember you (inaudible).

**DANIEL TAYLOR:** And I had a hard time with Mary McKinney, the beautiful woman that planted sea grapes all over my private property and refused to move them and you said you would help me?

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

**DANIEL TAYLOR:** Well, it's 10 years. A long time has gone by, right, Miss Jones? A long time.

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

**DANIEL TAYLOR:** Right? Been about 10 years, right?

**CITY MANAGER JONES:** (No audible response).

**DANIEL TAYLOR:** Well, I'm suing the City again. Here I am again suing the City on the Bert J. Harris Private Property Protection Act. And you know all about that, too, right? And it's going to cost the City a ton of money. And I'm tired of hearing Fane Lozman come up here and talk about an address. Now I own property right next door to Mr. Lozman. And I do have an address. That address is 5281 N. Ocean Drive. You know, why can't we give Mr. Lozman an address and shut him up and get him down the road? Right? And then it would be -- it would be resolved. You know, I like you, Mrs. Jones. I think you're a wonderful lady. But I just think you -- you walked into a bad situation 10 years ago but it's only gotten worse. And I like you. You're a sweetheart. I'd kiss you in a minute. I'd kiss you right on the mouth and give you a big old hug.

**CITY MANAGER JONES:** We'll wait.

**DANIEL TAYLOR:** But I think it's time to go. I mean, the people are -- the people are tired and beat up. I know Bruce, too. Bruce got hit at the Palm Beach Gardens High School, '78. He came across the middle and I hit him so hard. Larry Hood said, "I never seen a guy get hit so hard." Right, Bruce?

**COUNCILPERSON GUYTON:** I played basketball.

**DANIEL TAYLOR:** No, you played football. You just didn't remember it. But anyways --

**COUNCILPERSON GUYTON:** What you been smoking?

**DANIEL TAYLOR:** -- let's -- let -- let's get something right and let's don't forget about the people of the city. I hear about -- talking about money and money, money, money, money, money. I'm getting so tired of hearing about \$500, \$1,000, 1,500, 2,000, whatever it is. Let's take care of the people on the west side, the east side, and if there's a problem with the water, then get the damn water fixed. And who's ever responsible for it, you've got to go. It's time to go. If that's Mrs. Jones, I love you but you gotta go. Miss Pardo, you're okay, but if you know about it you gotta go. And Miss Ryan --

**CHAIRPERSON PARDO:** We didn't know about it.

**DANIEL TAYLOR:** -- my whole family are attorneys. Even my daughter's an attorney. I don't know where you went to law school but it's time to go back. Okay? All the best.

**CHAIRPERSON PARDO:** Okay. Margaret Shepherd.

**CITY ATTORNEY RYAN:** All the best to you.

**CHAIRPERSON PARDO:** All right. Please, please, everyone. Come on. Margaret Shepherd and then Dorothy Bullard.

**MARGARET SHEPHERD:** Margaret Shepherd, Riviera Beach.

**CHAIRPERSON PARDO:** Good evening.

**MAYOR MASTERS:** Good evening.

**MARGARET SHEPHERD:** Those without sin, please cast the first stone.

**CHAIRPERSON PARDO:** Uh-huh.

**CITY MANAGER JONES:** Amen.

**MARGARET SHEPHERD:** I understand you, Miss Miller, where you're coming from. And yes, my mouth is open pretty wide. But secrets have been kept in this city for many, many years. There was a check cashed for a million dollars and somebody asked who -- who signed that check? CRA. There was a million and a half dollars given away. It was some stipulations with that check with a phone call. See, everybody act like they don't know what's going on, but they know. There was some funds that was spent and IGA [sic] was called in and, you know, they trying to say Miss Jones did all this. But it was only three things that I read that Miss Jones is responsible for. If you all don't know what you're talking about, there's books over in the library. Educate yourself. If you're going to throw her under the bus, somebody said it all. The Finance Director had to know that a check had to be cashed in a matter of days, but nobody said nothing about Randy Sherman.

And then Randy Sherman, I understand, is over Utilities. And then Randy Sherman, I understand, is the disciplinarian. Well, God sent us a mighty man. And I -- no, I hope nobody made this up. But they said to me that Randy Sherman came from West Palm Beach where he really agitated black women and had to leave. And I heard two women left here, black women. If you're going to throw Miss Jones under the bus, and I urge you not to -- I urge you to bring the IG here and let's find out. You did it chronologically. But Miss Anderson, I'm telling you, it's some crevasse in there I want to know about. If you keep doing the same thing over and over again, it becomes crazy. Bill Wilkins was put on administrative leave. Pete Rose said he -- he never said a word. He walked away with a half million dollars. Do we want to go through that cycle again? I hope not.

But you said it all. It's time for this foolishness to quit. Somebody has to be held accountable. I urge you don't just put this disciplinarian project on Miss Jones. It's other people in the wash. It's other people. Don't just say Miss Jones. Even in my household when my son was dealing drugs and the police came by, I don't know nothing about that. You know why? You don't know everything going on in your house. You're doing this; you're doing that; you're doing -- how does she know all of this is going on?

**UNIDENTIFIED SPEAKER:** It's her job.

**MARGARET SHEPHERD:** It's her job. But what you do is take --

**CHAIRPERSON PARDO:** Okay.

**MARGARET SHEPHERD:** -- everybody and lead them out the door. That's my opinion. They all should go.

**CHAIRPERSON PARDO:** Okay. Thank you. Dorothy Bullard and then Bessie Brown.

**DOROTHY BULLARD:** Good evening. Dorothy Bullard, 1620 W. 36<sup>th</sup> Street, Riviera Beach, Florida.

**CHAIRPERSON PARDO:** Good evening.

**MAYOR MASTERS:** Good evening.

**DOROTHY BULLARD:** And I'd like to address some of my concerns to Mrs. Jones. Mrs. Jones, you've been employed with the City of Riviera Beach as City Manager since 2009 with a salary of 182,000 plus. Mrs. Jones, you have a Deputy Manager whose salary is \$139 -- \$139,000 and a City -- Assistant City Manager whose salary is \$73,000. This is public information. One thing I'm -- reason I'm quoting this, that's about \$400,000 for just those three people. The City residents' average salary for Riviera Beach is \$30,000. Mrs. Jones, does your entire City department have a written policy and procedure manual? How often are they reviewed and have you revised them since you've been City Manager? Who is monitoring each department to see if they're following their department guidelines? And if a citizen has a concern and can't get an answer from a department manager, who can they contact for an answer? Maybe one of your assistant managers should be able to meet with the Riviera Beach citizens in your absent.

And then I want to direct something to Mr. Guyton. In February, after the meeting you all had, I was in a meeting with him, a City meeting, and he presented our landscape design firm which, a beautiful presentation for the renovation of Cunningham Park. Who -- Mr. Guyton, what was the cost to the City and what was the total cost for that renovation? The reason I'm asking these question, if we can find monies in the budget for three highly paid City Managers and to increase the Councilmen and Mayor's salary for projects that aren't really necessary and the community hasn't asked for, why can't we find money in the budget to buy a needed pump for the Water Department to ensure we don't have contaminated drinking water? At that meeting in February, I asked Mr. Guyton, my representative, if our water was safe. Every department head Riviera Beach had, including the City Manager, the Attorney and everything, assured me our water was not contaminated. That is not the case. You know, our water, we can't buy -- we can't find money for a pump. I have been trying with Mr. Jones since she's been here for three years to get our storm drainage system connected on 36<sup>th</sup> Street and S Avenue to no avail.

**CHAIRPERSON PARDO:** Thank you. Bessie Brown and then Dosha Newbold.

**MAYOR MASTERS:** Madam Chair, as Miss Brown is coming forward, just for the record I'm -- the previous speaker was probably talking about the \$1,000 raise that the Council had voted on. I refused it. I didn't get it. My salary was still the same. So that did not affect me. Thank you. Just for the record. I'm still poor.

**BESSIE BROWN:** Good evening.

**CHAIRPERSON PARDO:** Good evening.

**CITY MANAGER JONES:** Good evening.

**BESSIE BROWN:** Madam Chair and Council.

**MAYOR MASTERS:** Good evening, Miss Brown.

**BESSIE BROWN:** And Mrs. Jones.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**BESSIE BROWN:** Basically I'm here about the -- I -- I want to know, too, is the water safe. Everybody said that we had those problems, even the Department of Health. They never said that we can drink it. We should have all had an opportunity to decide that for ourselves. Miss Jones, actually we have a -- I don't -- I'm not sure but I want to ask. Do we still have the auditor working? We -- we hired an auditor, right? Do we still have the auditor? I just wanted to make sure before I say what I'm going to say. And if we do have the auditor, what is he doing? Because every month he should be auditing those check registers and -- and -- and -- and checking that -- that it's paid, that those things, the dollar amounts are being paid. Because I thought he was hired after you had the -- the \$800,000, you know, from the IG, ever since we got that. But you know, we have to -- we have a bunch of people working in here keep doing nothing. And getting paid for nothing.

Because we're still going through other things and over and over again. And -- and we do have a Finance Director who should have -- he should have actually -- if he knew it was a fine, it could have been documented as a fine, not as well as Engineering Services, because I actually worked in Finance for 12 -- for 12 years in this city. And I -- and -- and filing the documentation of all the checks was my job. And I specifically know that there -- you can -- you can get the check register and see how much has been paid. Now, there -- there are things that you -- people are talking about in here and not telling the Council, withholding information. You know, we -- you need to make sure that you get all of the information and ask for all of the information. And we do have a Finance Director that I wasn't happy with being hired because I was told that he was actually escorted out of City of West Palm Beach and was fired.

And Miss Jones has to stop hire -- hiring people that were fired. It was also said that Mr. Aurigemma was fired. And -- and it's to my understanding today -- well, yesterday that Mr. Cedrick Thomas has been hired.

**UNIDENTIFIED SPEAKER:** No.

**UNIDENTIFIED SPEAKER:** Yes.

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CHAIRPERSON PARDO:** Dasha Newbold and then Lynne Hubbard.

**DOSHA NEWBOLD:** Good night, Dasha Newbold, 825 W. Sixth Street.

**CHAIRPERSON PARDO:** Good evening.

**MAYOR MASTERS:** Good evening.

**DOSHA NEWBOLD:** I came here and I've heard everything everyone said. I agree with most of what everyone said. We're not throwing Miss Jones turned bus. Miss Jones reports to the City Council. You all and the citizens, y'all are her boss. Now, we're talking about checks and monies. But when you write a check -- and I work for accounting for Florida Power & Light -- and you put Engineering Consulting on that, the government watch anything that's \$4,999.99. You get to 5,000, you're on the red line. If they came in here and audited us, they want to know what the consultant was about. When they're told by the City or the Health Department that it was for a fine, that constitutes fraud.

**UNIDENTIFIED SPEAKER:** Fraud.

**DOSHA NEWBOLD:** And at \$10,000, that's a federal fraud conviction that can happen here with everyone involved with the way the check was written, which was to cover up. Let's be real about this. Nobody's throwing nobody under the bus. But anybody involved in that check committed fraud.

**UNIDENTIFIED SPEAKER:** Uh-huh.

**DOSHA NEWBOLD:** And it's a felony offense. If any of her employees had done that without her being involved, they would have been fired without a shadow of a doubt. Miss Jones is our chief operator. She's the CEO over the City. She made it so that he's a Deputy. She doesn't have an assistant. So with that being said, she want total responsibility. Like I said before, with the 800 with the OIG report, you dot every I and cross every T. How many times are we going to write these checks, throw things under and if -- if -- if you find out about it, "Oh, well, I didn't know," and, "Well, I was going to." That's not acceptable. That's called incompetent. And she has a job. If she's not doing it she'll sit here and filibuster. In layman's term that's BS us. She'll fluff when you get her -- to ask her a question.

I sit here and I'll watch her. She'll dance around the entire situation until you pin her down to a yes or no. If you're doing your job and you're doing it correctly and there's no transparency and you're not doing anything wrong, you can pop off the questions. You don't need to dance around it. You can say yes, no, or whatever. I don't require that we do micro managing but apparently we don't have the proper manager. We

thank her for her service but it's time to go. And in reference to what Mr. Davis, Terence Davis was saying, if we have an auditor, why are we going to hire an attorney firm? But maybe then again you need to discuss that and maybe we should hire someone outside to see if the auditor is doing his work. And where was Mr. Sherman in this \$10,000 incident? He's a Director of Finance. He should have corrected the check. He should be fired.

**UNIDENTIFIED SPEAKER:** That's right.

**UNIDENTIFIED SPEAKER:** That's right.

**CHAIRPERSON PARDO:** Thank you.

**UNIDENTIFIED SPEAKER:** That's right.

**CHAIRPERSON PARDO:** Lynne Hubbard and then Tradrick McCoy.

**LYNNE HUBBARD:** Good evening, Lynne Hubbard, 1405 W. 23<sup>rd</sup> Street, Riviera Beach.

**MAYOR MASTERS:** Good evening, Miss Hubbard.

**CHAIRPERSON PARDO:** Good evening.

**LYNNE HUBBARD:** We -- we talked about most -- the -- most of the things that we talked about was the monetary value of the fines. And to me, that's the least important of it all. What's more important is the quality of life. The water. Who's drinking the water? It's the residents of the water. It's the people that's visiting our city. We have two hospitals here. The notification of it. What caused me concern is when the City Attorney stated that, "Yes, I know I received it but I'm only to review this for legal sufficiency." If the janitor knew that there was something wrong with the water and that the Health Department said the public, the general public should be notified, and he didn't tell somebody in authority, I would hold him responsible.

So just because Miss Ryan gets a document that is -- it's not meaning that -- it doesn't mean that she should just review it for legal sufficiency. Just from one human being to another, just for being paid, just -- if you don't care about us as residents, just think about the fact that we're paying a salary and then you would want to tell us for our own well-being that there's something wrong with the water, rather than to pay the fine and not to tell us. I think that that -- that that's a problem on its face. I don't know if we'll have any more opportunities for public comments. I couldn't tell based on the construction of the agenda tonight. But I wanted to say to everybody who have received information that there is absentee ballot fraud in the City of Riviera Beach, that that is untrue. That is untrue.

I -- I talked to the Supervisor of Election Officer to find out what was going on with that. There are no warrants being issued -- issued. There have -- arrests have not been made. The community for years have been threatened by the ballot box. We have been kept from the ballot box by being scared to death, beaten to death. This is a blood-bought right that the citizens have to vote. So don't be scared by glossy paper that's put out there and it is a shame. Patriot Games is the campaign managers of Bruce Guyton. But they shouldn't do that. People have paid dearly with their lives to vote. And to try to scare us and to keep us from voting, I think that's wrong on so many levels. So if you received this, this is just something to scare you to keep you from voting in the upcoming elections.

**CHAIRPERSON PARDO:** Thank you. Tradrick McCoy and then Cynthia Morrow.

**MAYOR MASTERS:** while Mr. McCoy is coming, I also checked that out today. There aren't any arrest warrants for anybody, and that's just -- I don't know why that was even sent out. And I also found out that none of the residents received it on the island.

**CHAIRPERSON PARDO:** Okay.

**MAYOR MASTERS:** But the mainland received it. What I was told earlier. Thank you.

**CHAIRPERSON PARDO:** Thank you. Good evening, sir.

**TRADRICK MCCOY:** Thank you, Madam Chair.

**MAYOR MASTERS:** Good evening.

**TRADRICK MCCOY:** Mayor, City Council, Madam Manager and Madam Attorney. I'm Tradrick McCoy, Riviera Beach. A few things. I -- I'm a little concerned because it seemed like this -- the tone of these meetings have went in so many different directions. I don't even know which way we're going. You know, one of the things I -- I thought we were going to stick with was actually getting to the root cause of finding out how this problem happened and how do we correct it. And I believe wholeheartedly I'm glad we do have a Health Department because that represents another control that prevents real contamination.

I know I've heard in the last -- I -- I believe this is the third meeting, about six different items that has to have been -- has been proposed to be decided on whether it's hiring Brown & Associates, firing Mr. Aurigemma, suspending the City Manager. It seems like we've really lost our focus as so what we're

charged with doing here. But number one, it seems like we're rehashing this same thing from 2000 and -- I believe it was 2008 or '09 when we got rid of our last city manager and it was almost for the same exact reason. But that only lends me to believe that we can't hold the City Manager responsible for every minute detail that an employee makes. And I'm going to tell you why. Mr. -- Mr. Sherman, I heard his name tossed around. There are internal control mechanisms. So if it's not caught at Mr. Sherman's level, then certainly it needs to be escalated. But that's why I believe when it got to the City Attorney and the City Manager, obviously there has to be some sort of discussion on how we move forward. But if you turn around and fire our City Manager and fire our City Attorney and our Utility Director, let -- let me ask: Has anybody up here took one day to shadow any one of these people. I'm sure they have arduous tasks. I -- I've spent some time working in government and you get -- you know, I -- I once got 3, 400 e-mails a day. So certainly I want to give them the opportunity to try to fix it before we come in here and try to propose cleaning house.

Additionally, something concerning about this whole idea of Brown & Associates. Now, I do have a lot of respect for Attorney Brown, but one of the things I -- I would caution you on. If we don't have a clearly defined and refined scope, we're going to find ourself hiring somebody that doesn't possibly complete the job and then we're short just of that level of the City Manager. Now we're about \$24,000. The job is not done. He can't move forward and we haven't even figured out what exactly we want him to do. Now, then that's a problem that we're going to have to face when it comes to the Inspector General. Because now we hired somebody with no real scope and we have no real measurables or deliverables that he's going to bring us back. And it's not really rocket science. Do we need somebody? There were two gentlemen here that actually worked in the treatment plant. Nobody said one thing to them. And those are the people that should have been on the hot seat for those two meetings. So certainly I want to make sure that we review and try to take a step back before we make a haphazard decision. Thank you.

**CHAIRPERSON PARDO:** Thank you, sir. Cynthia Morrow and then Sylvia Blue.

**CYNTHIA MORROW:** Good evening, Cynthia Morrow, Riviera Beach, Chairman.

**MAYOR MASTERS:** Good evening.

**CYNTHIA MORROW:** Mayor.

**MAYOR MASTERS:** Good evening.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**CYNTHIA MORROW:** You know, I've been sitting in this meeting since about 5:30. It's really, really -- all of y'all are accountable for what has happened in this city. Not Mrs. Jones. You know, for several meetings, several persons came up to this mike seeing things that were happening in the Utility District. I think it was Miss Kisner. I believe Miss Shepherd, several members. Did any of you take time to go over there to see what was going on? Can you answer? Nobody went over. I mean, they bought it to you. Then you had a man wanted to blow up the department. Did anybody go over there after that time? But we want to hold Miss Jones responsible. I think we're all -- you all are responsible for what has happened here in the City. And you know, I don't know whether some -- it sounds like some Sunshine's been beating around here somewhere because out in the community we've heard about several people gonna be fired. And you talk about your top people. You're right at time for budget so what you gonna do? You know, and my parents always taught me, when you dig a ditch you better dig two. Be careful that you don't fall in that one that you're trying to dig. You canceled all meetings of the council because of Mr. Guyton. I don't know why. But then you calling all these special meetings. Congratulations to you, Miss Tonya.

**COUNCILPERSON DAVIS JOHNSON:** Thank you, Miss Morrow.

**CYNTHIA MORROW:** But you -- we need to think, have you -- any of you ever been unemployed? It's not a good feeling not to have employment coming in your household. How are your children gonna eat? How are you gonna pay your light bill? How you gonna pay your mortgage? That's not a good feeling. And I've gone to several meetings that Mr. Guyton has held in our community. He didn't talk about -- he didn't know the water -- the water is safe if the Health Department say we can drink it. He talked about the broken pipes and things that needed to be done to keep our water from being contaminated. Now, I think we all need to be held accountable. Not Miss Jones. Every one of you need to be held accountable, because how many went over there? It may have been employees that was in an uproar, but why were the employees in an uproar? They were trying to tell you something then but you didn't go. So be careful. Vote your conscience. Can you sleep at night when you talk about taking jobs away from people? Vote your conscience and to God be the glory for the things that you have done and the things that you will do. And remember one thing: He say woe be unto the shepherds that scatter the sheep.

**CHAIRPERSON PARDO:** Uh, uh, uh. Sylvia Lee Blue

**SYLVIA BLUE:** Good evening, Madam Chair.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**SYLVIA BLUE:** Members of the board. I'm Sylvia Blue, 748 W. First Street. Going forward as a community, how do we move forward and at the same time maintain stability? The purpose of this meeting is truly concerning. Do we have a hit list? Are we paying political favors? Are we power-struck? It is wrong to ignore or violate your own policy. It was Jerry McClain that said, "The best example of leadership is leadership by example." For every good occurrence in this city, the Mayor and City Council has taken credit. When there's a negative occurrence, you want to lay blame. Now, it's unfortunate that an error in judgment cost a good employee his job. I truly admire the fact that he didn't throw his employees under the bus. He could have. He didn't. He accepted responsibility. At what point do you as leaders accept responsibility for the state of this city? Are you a boss or are you a leader?

It was Russell Ewing that said, "A boss creates fear. A leader, confidence. A boss fixes blame. A leader corrects mistakes. A boss knows all. A leader asks questions. A boss makes work drudgery. A leader makes it interesting. A competent leader can get efficient service from poor troops. While on the contrary, an incapable leader can demonstrate -- or demoralize the best troops." I am a resident and one of the best troops standing in support of the manager as it serves no purpose to relieve or suspend other than to derail the business and government of the City of Riviera Beach. The best example of leadership is to lead by example. Are you a boss or are you a leader? As a leader, please take into account that we all at some point in time have made errors in judgment. There's a lot of blame to go around. And it starts with you, the Council. Thank you.

**CHAIRPERSON PARDO:** Thank you. Okay. That's the end of public comment. Miss Jones?

**MARY BRABHAM:** No, I had one. I had one. Yeah, Miss Brabham had one.

**UNIDENTIFIED SPEAKER:** I had one.

**UNIDENTIFIED SPEAKER:** I had one.

**CHAIRPERSON PARDO:** Oh, wait, wait, wait, wait, wait. Wait. Hold on. Wait. Hold on.

**MAYOR MASTERS:** Madam Chair, while you're counting --

**CHAIRPERSON PARDO:** No, hold on a second.

**MAYOR MASTERS:** While you're counting those --

**CHAIRPERSON PARDO:** No. Miss Brabham, I have you under Special Public Comments.

**COUNCILPERSON DAVIS JOHNSON:** That's where we are.

**CHAIRPERSON PARDO:** Public Comments.

**COUNCILPERSON DAVIS JOHNSON:** That's where we are.

**MAYOR MASTERS:** No. That's what we're doing --

**CHAIRPERSON PARDO:** That's on the agenda.

**COUNCILPERSON MILLER-ANDERSON:** That's all we have. That's the only --

**COUNCILPERSON DAVIS JOHNSON:** Madam -- Madam Chair, point of clarification.

**CHAIRPERSON PARDO:** Wait. Hold on, then. Hold on one second. You know --

**COUNCILPERSON DAVIS JOHNSON:** No. We only have one Special Comment. We only have one Special Public Comment.

**CHAIRPERSON PARDO:** Right. But then under Mayor and City Comments and then under that we had Special Public Comments. So the --

**CITY ATTORNEY RYAN:** I think --

**COUNCILPERSON DAVIS JOHNSON:** But it was your position that we would take the public comments --

**CHAIRPERSON PARDO:** -- a good chance --

**COUNCILPERSON DAVIS JOHNSON:** -- before we went to the Mayor and City Council.

**UNIDENTIFIED SPEAKER:** Yes.

**CHAIR PRO TEM DAVIS:** Yeah.

**COUNCILPERSON DAVIS JOHNSON:** So that's what we were doing.

**CHAIR PRO TEM DAVIS:** Correct.

**UNIDENTIFIED SPEAKER:** She did say --

**COUNCILPERSON DAVIS JOHNSON:** Is that not what you were doing, Madam Chair? Because that's what I understood you to do.

**CHAIRPERSON PARDO:** No, no.

**CITY ATTORNEY RYAN:** There's -- there should only be one section of Public Comment.

**CHAIRPERSON PARDO:** My --

**CITY ATTORNEY RYAN:** Is there one public -- this is a Special Meeting about a special issue.

**CHAIRPERSON PARDO:** Listen.

**UNIDENTIFIED SPEAKER:** I -- I feel (inaudible).

**CHAIRPERSON PARDO:** All right, please.

**COUNCILPERSON DAVIS JOHNSON:** Stop.

**CHAIRPERSON PARDO:** Okay. So --

**COUNCILPERSON DAVIS JOHNSON:** Question.

**CHAIRPERSON PARDO:** -- all right. So it was Item 1 and we had people come up to speak about the City Manager's, you know, disciplinary action. All right? And then everyone would be able to speak up here and that was the end of that item. And then like any other agenda, then the Mayor and Council could make whatever remarks they want to make and then we would go for just general Public Comments.

**COUNCILPERSON DAVIS JOHNSON:** Okay. That's not what I understood to have happened.

**CHAIR PRO TEM DAVIS:** No.

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON DAVIS JOHNSON:** What I understood that you were doing was you said Special Public Comments, because when the question was answered -- asked, "What are Public Comments -- or what are Special Public Comments?" there was a definition given. So if we are commenting and you are now saying we were only commenting on one and then going

back to Special Comments, that just doesn't match and marry, so to speak, because it was --

**UNIDENTIFIED SPEAKER:** (Inaudible).

**COUNCILPERSON DAVIS JOHNSON:** Please. Please. Please. Please. I think that we need to allow those comments. If they put it under Special Comments, we said we would take Public Comment. Be it Special or otherwise it was just Public Comments. That's what I understood.

**CHAIRPERSON PARDO:** Okay. Well --

**COUNCILPERSON DAVIS JOHNSON:** Did you not understand that, Madam Attorney? And that -- was that not your intent?

**CITY ATTORNEY RYAN:** I thought that was the intent.

**CHAIRPERSON PARDO:** Okay. All right.

**COUNCILPERSON DAVIS JOHNSON:** That was the intent.

**CHAIRPERSON PARDO:** So I have -- honestly, I have no problem with it. So the people who haven't spoken already I'm going to call you. So we have David Harris and then Patricia Copeland-Johnson.

**DAVID HARRIS:** Good evening, City Council. I'm David Harris.

**MAYOR MASTERS:** Good evening. Welcome back.

**DAVID HARRIS:** Retired employee after 35 years with the City.

**MAYOR MASTERS:** Good to see you back.

**CHAIRPERSON PARDO:** Good evening.

**DAVID HARRIS:** I've been retired approximately -- going on 18 months and I -- I still watch the City Council meetings 'cause I spent most of my life here. And the City was very, very good to me. I'd like to say that I -- I think this is probably the best council I've seen seated. Y'all have the tools to work through this problem here. I think Miss Anderson is -- is on the right track because when I watch these council meetings at home, I see frustration building in her because when she asks for things to be done, they don't seem to be completed. And I think her frustration level reached the maximum with this water issue.

But the one thing I have to say is as the council, maybe when you have your retreat, you differentiate between what you want to know from your boss and what you need to know. I think that's an important issue, because your phone can't be ringing all the time for little issues or it would be constantly ringing. I know that for a fact. Because my phone constantly rang when I was the Assistant Chief at the police department. You have capable people here and they're home-grown people. You have Pam Ryan, went to school here. You have Michael Brown, went to school here. And a lot of times I see in the city we let these -- we let these people get away. Pam Ryan runs the Legal Department. The day-to-day operations of the city, which this water problem fell under, is under the Manager's Office. Not the Legal Department. For whatever reason Miss Jones determined to make that decision, she left out her City Managers Troy Perry and Danny Jones. She chose not to tell you. Danny Jones and Troy Perry, they're two of the most dedicated employees you'll have ever working in the City. To let them go would be a disaster for y'all. Trust me. It's too much talent here. And what I've seen, you know, from the outside world now is that everybody leaves Riviera Beach gets scooped up by another agency immediately, because you have the talent here. And when they leave here they have a tremendous amount of talent.

In closing, you know, I'd just like to reiterate, I think this is the best council I've seen seated. I think you guys can move on. It -- it's aware of what decisions you're going to have to make. They're going to have to be tough but I think you all have the tools to do it and I -- I think when you -- in the future after you, you know, have a retreat, if you have a minor problem and someone doesn't -- who's ever running the ship doesn't answer your questions, have that addressed immediately so it doesn't fester and lead into where we are today. Thank you.

**CHAIRPERSON PARDO:** Thank you. Patricia Copeland-Johnson and then Willis Williams.

**MAYOR MASTERS:** While Miss Copeland is coming I need to say quickly, the statement made by Mr. Guyton's chief of -- legislative aide, Sylvia Blue, I disagree with. I think Mr. Aurigemma was not a good employee based upon the suspension -- based upon the fact that he withheld information from the manager. Thank you.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**PATRICIA COPELAND-JOHNSON:** Good evening.

**CHAIR PRO TEM DAVIS:** Good evening.

**PATRICIA COPELAND-JOHNSON:** My name is Patricia Copeland-Johnson. I reside at 1360 W. Second Street.

**MAYOR MASTERS:** Good evening.

**PATRICIA COPELAND-JOHNSON:** My question is are you now directing your anger -- and I'm directing this to the Council. Are you now directing your anger towards the City Manager and the City Attorney because it's your way of diverting the attention of Riviera Beach citizens? Is this your smoke and mirrors game? You are attempting to dazzle us with unmitigated anger that such a thing could happen right in your face. Not up under your nose but smack dab in your face. So now which one of you is going to resign from the City Council? Which one of you is going to suggest that the current Utility District Board be dismissed? That would be quite consistent with the public disgust and dissatisfaction you have boldly, publicly exhibited in the media. If the City Manager and the City Attorney have to go, then why shouldn't each of you? Because as I understand it, you have been paid about \$8,000 since October to attend meetings, some of which did not occur because they were canceled. If you keep your jobs, then the City Manager and the City Attorney should keep theirs and do what I hope you all will do: Move forward. Correct the problem and stop robbing the people of Riviera Beach. At least Robin Hood gave his spoils to the poor. You pocket yours and it -- and if your excuse is, I give it away; I don't keep it -- David said when he was about -- somebody gave him something that didn't cost them anything, he said, "I will not give God anything that I didn't earn." And you take that money and do nothing and -- and -- and we have to have bad water. Repeal that \$1,000 a month you voted to give yourselves to sit on the Utility District Board under the guise of being actively engaged in what happens with the City's water. Or better yet, fire yourselves for failing to provide the service for which you paid yourselves a hefty sum to do.

By the way, just wanted to let you know. I received my water bill today. It is \$3 and some change shy of being \$300 for two months for three people who live in one house. It wouldn't hurt so badly if I had \$1,000 a month extra income. Repeal it.

**CHAIRPERSON PARDO:** Thank you.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON PARDO:** Willis Williams and then -- is it Jerry Bullard? Jenny Bullard? Jerry? Good evening, sir.

**WILLIS WILLIAMS:** Willis Williams, 1690 W. 26<sup>th</sup> Court.

**MAYOR MASTERS:** Good evening, sir.

**WILLIS WILLIAMS:** Good evening, Mayor and Council. Miss Jones, you know you and I had a lot of conversations over the years when I was employed with you -- with the City. I was in your office more than one time and I talked to you about your department heads. And I'd say you put too much trust in him. You've got to get out here and find out what all these employees do. I -- I assume that you didn't think that was important, because your employee is the one got you in this situation. You got other employees that are doing the same thing. They have gotten rid of a lot of good employees, borderline employees in this city, because you just carte blanche their termination by just allowing other departments to just say, This person need to be fired. But now when it comes to you, Mrs. Ryan, you want the gates to stay closed. It comes a time to go. The time is now. It's just that simple. No -- nothing to do with you personally. You know, it's just business. You guys make too much money to tell people lies. It's just ridiculous. But you -- you sit right there, Miss Jones -- I didn't know you was at \$180,000. I almost jumped out of my seat back there. And to lie to the public and not -- you know how many people this thing has really affected? I get people every day that I'm out here working in this poll, working, trying to get people to vote, saying, "What are y'all gonna do about that water?" If those people -- if you'd have just said, "We got a water problem. We got a water crisis. We need to take this right --" everybody went right on board with you. But everybody that was on that list that -- that knowed [sic] needs to go. At least there's no trust in 'em. You can't trust them people. They lied to you. So now you want to -- you want to stick Troy -- I like Troy. Always have liked Troy. But, like ain't got nothing to do with it now. It's about what to do what's right and what's got to be done.

**CITY ATTORNEY RYAN:** Uh, uh, uh.

**WILLIS WILLIAMS:** We're gonna have to bring in an outside, somebody, to make sure that this water is done properly so we can get the right answers. 'Cause we're not getting them. And this -- and Miss Miller, I'm behind you a hundred percent. I worked with you on your campaign. I'm behind you. You're doing the right thing because it's never been done before.

**UNIDENTIFIED SPEAKER:** Uh-huh.

**WILLIS WILLIAMS:** And it needs to be done. You've got to keep doing this. You've got to keep digging. 'Cause everybody that I talk to out there in the public -- and I'm out there all day 'cause I ain't got nothing to do no more but ride up -- thank the City for that check.

**CITY ATTORNEY RYAN:** Uh-huh. You're welcome. Yes.

**WILLIS WILLIAMS:** So I'm -- I'm talking to people all the day, every day and they say y'all got to go.

**CITY ATTORNEY RYAN:** (Inaudible) the council on him.

**CHAIRPERSON PARDO:** All right. Please. Jerry Bullard and then Lloyd Brown.

**JERRY BULLARD:** Good evening, Councilmen.

**CHAIRPERSON PARDO:** Good evening, sir.

**UNIDENTIFIED SPEAKER:** Hello.

**MAYOR MASTERS:** Good evening, sir.

**JERRY BULLARD:** Jerry -- Jerry Bullard, 1620 W. 36<sup>th</sup> Street. I just found out here about two months ago who our councilman was. It's Bruce Guyton. I never heard anything he did for our side. I never really have. Nothing have you done. The drainage. We got two drainage. One on the east side, one on the west side of 36<sup>th</sup> and S. We went to Miss Jones and complained about that. That's just deaf ear. She sent Bert Jones --

**UNIDENTIFIED SPEAKER:** Brynt.

**JERRY BULLARD:** -- Johnson -- Brett Johnson out there.

**UNIDENTIFIED SPEAKER:** Brynt Johnson.

**JERRY BULLARD:** And if you want to hear some lies, Brett and Peter Ringle over Building Inspection, I got a house full of letters. They do nothing.

**MAYOR MASTERS:** Huh.

**JERRY BULLARD:** Not one thing do they do. Right now my yard is full of water from the drainage. They just have two drainage and ain't nothing but holes. He came out. He called me a liar right there in Miss Jones' office, say that they had an opening, which they didn't. She sent him out to check to see was there really an opening. I stood right there and watch him go down the ladder to check and see. You know, the devil's business. I'm standing up and he went down in that hole. But -- and --

**UNIDENTIFIED SPEAKER:** (Inaudible) right now. (Inaudible).

**JERRY BULLARD:** Yeah.

**MAYOR MASTERS:** Huh.

**JERRY BULLARD:** And it's another thing I want to ask. How do y'all go about electing senior citizens in Citizen of the Year?

**MAYOR MASTERS:** In what? We didn't hear you, sir.

**JERRY BULLARD:** I'd like to know. The reason I ask, because we had a seminar to the Doubletree Hotel. Bruce Guyton was there. I spoke to him. He didn't -- act like he didn't see me. He went to Malachi Knowles. From that day on it was over with for me and him. And come to find out Malachi Knowles introducing all the big guys up there at the Doubletree. Come the Martin Luther King Day Parade, Malachi Knowles was the Senior Citizen of the Year. So I just wonder how you work things. It's -- do we have to know somebody over there to get something?

And last but not least, Miss Miller, you're doing a wonderful job. Stick with it. Stick with it.

**MAYOR MASTERS:** Thank you.

**JERRY BULLARD:** Tell Miss Jones bye.

**CHAIRPERSON PARDO:** Lloyd Brown and then Edwin Ferguson.

**LLOYD BROWN:** All right, hello. My name is Lloyd Brown and I live in Riviera Beach.

**CHAIRPERSON PARDO:** Good evening.

**LLOYD BROWN:** And you know, I live in the City of Riviera Beach. And you know, Hitler used propaganda. Stalin used propaganda. City of Riviera Beach uses propaganda. Propaganda is like the -- the derogatory information, especially of a bias or misleading nature used to promote or publicize a particular cause or point of view. That's like y'all point of view. Okay? I've been over here to see Miss Jones just like the -- the guy who was talking about his address. I was over here to see Miss Jones. I was over here to see prior councilmen, current councilpeople. And I'm through. You know, we figure we put these -- our blacks in office, things would get better? Bull. Jobs? None. Business? None. Community activities? None.

When James Brown said, "Say it loud. I'm black and I'm proud," back then it meant something. But today is not proud of being black with this situation that blacks are having to do with this city. I'll tell you the truth: There's no

one in this city government that will make me feel proud to be black. It's like putting you people in this council of our city. We have lost once a proud -- I mean, a proudness of being black in this city. No matter what black, you know, sits up here, today you think, I mean, there's no future for blacks. I sit out there. I ride my bike a lot. I sit over here and I watch these people going over to Singer's Island working and I look at the stores and I see all these guys, no jobs. They're felons because you let them make these rules for addicts who become felons because they got an addiction. You let them pull people on the corner for no lights on bicycles, put their knees in their back. Then you go to the stores in the morning, you see everybody from Public Works to the police department buying breakfast from these community stores that don't do a damn thing to help nobody in this city. They don't give nothing for shit -- excuse -- oh, that slipped. I'm sorry.

**CHAIRPERSON PARDO:** Oh, please.

**LLOYD BROWN:** Apologize. Apologize. I wish you could have bleeped me but they don't help at all. And I mean, the whole city council, like I say -- my shirt says, all y'all need to go. Honestly. 'Cause once you get in you can't tell on nobody. Like, when you join a gang, they make you kill somebody, right? So that's -- they got that over your head. So once you got in the city council and you screw up, they got that over your head so you gotta agree with all the faults and all the wrongdoing they're doing over here. So if Miss Jones did that, then she probably had to because they had something on her and she had something on them.

**CHAIRPERSON PARDO:** Edwin Ferguson and then Mary -- excuse me, Mary Brabham.

**MAYOR MASTERS:** Madam Chair, Miss Jones, the incident with the employee called a resident a liar, please send me a report of that 'cause that's not going to be acceptable with me if it happened. Thank you. Whenever you get a chance.

**CITY ATTORNEY RYAN:** What are we talking about?

**CHAIRPERSON PARDO:** What are you talking about?

**CITY MANAGER JONES:** Which one said it?

**MAYOR MASTERS:** They said a report.

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

**EDWIN FERGUSON:** Good evening. Edwin Ferguson --

**UNIDENTIFIED SPEAKER:** Oh, yeah. (Inaudible).

**EDWIN FERGUSON:** -- Attorney at Law. My --

**CHAIRPERSON PARDO:** All right. Please, everyone.

**EDWIN FERGUSON:** -- my office address is 41 W. 27<sup>th</sup> Street. I'll be brief because much has been said and there's no need to restate what's already been well said. I think this is a teaching moment. I've heard people having an issue with whether the \$10,000 should have been paid and when it should have been paid. And up to \$25,000 authorization where you can just pay things without bringing it to the council. It's not really about that. It's already been said by many citizens here that it's really about a -- it's a health issue. Now, I've been coming to the meetings religiously for the past six months so I don't profess to know everything about the history of the City but I'm trying to learn. And I definitely would encourage anybody who's here and anyone who's watching this on television to be interested in our city from that standpoint, as well. We need to know exactly what's happened before so we can assure it doesn't happen again.

I heard that the last city manager left on bad terms and apparently from one of the speakers before me, we're in a similar situation right now. I think that this issue as to whether Miss Jones be terminated or suspended should be addressed very cautiously.

**UNIDENTIFIED SPEAKER:** That's right.

**EDWIN FERGUSON:** There appears to be some missteps and mismanagement, whatever the adjective you want to use that occurred as it relates to this water issue. But what's the alternative? If we -- if we terminate her and it sounds like, based on what I've heard before, that we would also need to terminate all the assistant managers and the people who would be assistant manager. And it might even pour into the city commissioners having to step down. Where would the city be? We'd be in anarchy. We can't just simply cut off the head and say, Okay. Let's just start over, 'cause we'll always be at the start line. Again if there was some missteps done by Miss Jones or anyone else, I don't condone that and I think we need to move forward as far as keeping a closer eye on them. If that ultimately means that Miss Jones at some point is terminated, so be it. But to just terminate her and, again, from what I heard -- and maybe I didn't hear correctly -- it would seem, then, that all of her subordinates would need to be terminated, as well. That's not going to help us.

**UNIDENTIFIED SPEAKER:** No.

**EDWIN FERGUSON:** That's not going to help us at all. So let's -- let's think about -- let's think this through carefully before we make a decision that will ultimately hurt the City, which each of us here -- well, actually, it's not us. I'm sorry. But the city commissioners, you work for us the citizens. You're our agents. So you have to make sure that you do at all times what's in our best interests, even if it means you're doing something that you personally don't want to do. All right? So if that regard again, I don't have all the information but the little that I've seen over the past six months and maybe even a little bit more than that, let's just -- let's just take this with a little more caution before we do anything that will ultimately hurt the City. I thank you for your time and have a good evening.

**CHAIRPERSON PARDO:** Thank you. Mary Brabham?

**MARY BRABHAM:** Mrs. Mary Brabham, Riviera Beach.

**CHAIRPERSON PARDO:** Good evening. Good evening.

**MARY BRABHAM:** I listened today to President Obama when he was in Flint, Michigan. And he stated, "A corrosive attitude on our politicians and our government causes a failure to the people of Flint." We could be in that same situation. Also he said, "We cannot have a democracy where people do not count." This problem here, as I stated last week, this was an ongoing problem here in the City of Riviera Beach. I gave the City Manager, which she stated that I gave her, that pertinent information to stay on guard. I gave it to the Water Utility District manager, too. Sat down and had a -- a talk with him and asked him to comply.

Now, when I stated that in 2014, October the 3<sup>rd</sup>, that I had them to come to test the water, because I knew then. See, I was all out in the acreage with that council. So I got a lot of pertinent information that was pertaining to this city here and our water supply. We should be addressing that. The Health Department was here and they stated that we need to have testing done on our faucets inside, as well as outside. They were doing tests in the back yards. What did the Health Department say? That we need that done. And anybody that needs to do this need to be vetted because this is critical. The water element, that is our element. Our bodies cannot survive without it. And we need to be focused in on that. I heard nothing here from anyone saying that they was firing anybody. They said that they was probationary or whatever or 30 days or something like that or just suspending you. I haven't heard anything about firing anyone. Because guess what? You're not going to fire them. I know that.

You may do that what you need to do, but we need to correct this problem here. And if I am the CEO -- I had a talk with Miss Jones. Yeah, I'd take responsibility for it. Because this is my community. It has been a -- a -- a

breakdown here in our call for oversight. We need better oversight in this city here. The Utility District, yes, we do need an attorney for the Utility District, because Pamala Ryan, she stated she can't be in every area. So this city has too many complex problems here. I've often challenged you all to do that. Do the correctiveness [sic] that you need to do in this city here. Thank you.

**CHAIRPERSON PARDO:** Thank you. Okay. So that's the end of Public Comments. Everyone got to speak. Okay. Miss Jones? There you go, ma'am.

**CITY MANAGER JONES:** Madam Chair and members of Council, to the residents and all of those in attendance and those looking by television, let me say this emphatically, your water is safe to drink. Your water is safe to drink. Your water is safe to drink. And that's the first thing I want to dispel. Despite what people may tell you, despite how loud they may talk, despite how emotional they may get, your water is safe to drink. But if we do not address the infrastructure, I won't say your future that I'm going to be able to say that. Because we've got to deal with that issue. It's not that bad now. But if you don't tend to your infrastructure, you are getting closer to that. We have tested the water since last week. Every member of council has gotten the results from Jupiter Environmental Laboratories. And was there any positives in any of those reports you got?

**CHAIRPERSON PARDO:** There were not.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CITY MANAGER JONES:** There were no positives.

**CHAIRPERSON PARDO:** Go ahead.

**CITY MANAGER JONES:** And so I just want --

**CHAIR PRO TEM DAVIS:** No problem. No, you paused for a minute.

**CHAIRPERSON PARDO:** Go ahead.

**CHAIR PRO TEM DAVIS:** I was waiting -- I apologize.

**CHAIRPERSON PARDO:** All right. Go ahead.

**CITY MANAGER JONES:** Okay. So I just want you to know that your water is safe to drink. Now, I am not one to throw people turned bus. That's just not my nature. It may be the nature of some people, and that might be a

flaw of mine in that I see myself as a servant. And as a servant you do not go throwing your staff under the bus. I could start all the way down at the bottom. It -- in the lowest position in Utility District, and I can tell you who was deficient and who did not do what they should have done. But I'm not the one to throw them under the bus.

I know who approved the check. And no, it wasn't Randy Sherman but I'm not going to throw that person under the bus. That's not my mentality. That is not my makeup and my Creator did not create me that way. So let's think about the problem. When you don't tell a person what they want to hear, then you've lied to them. Be real careful about people telling you what other people have said without knowing the truth and the facts for yourself. People will say things but that doesn't make it true just because they said it. With this particular situation, this was called. It was done. Miss Miller-Anderson has asked for and all of the council have received -- these kind of consent orders have been coming since the year what -- the latest one, 2000 and something?

**CITY ATTORNEY RYAN:** The latest one?

**CITY MANAGER JONES:** Well, the oldest one. I mean, they always come. They always come. And the point that the resident made, and I think it was David Harris that said, determining what you want to know and what you need to know. These -- these particular issues with the water tests are done every month. There have been positives all along. That information from what I am looking and what you will see in your packet never escalated up to the Utility District Board. If that is what you want, by all means I will give it to you. But I was not trying to hide, sabotage, cover up and any of the other phrases that have been used as to why this did not come forward. The -- if we want -- if that is to be the case, I'll gladly comply. There was no cover-up. An issue had to be dealt with and I dealt with it. I might have dealt with it wrong by paying the fine. I -- I might have dealt with it wrong by not bringing it to your attention. But I am not here for this City to have to go through lengthy and costly litigation if I can make a decision within my authority to try to keep us from spending that extra money.

It wasn't cover-up. It was thinking about this City. Now, I wrote down a lot of the questions but I was just -- heard it say, Leave them alone. Cut it short. But the key thing is for me, last meeting I went through the things that have happened since I've been here. I also know that my Bible teaches me that when you're wrong, you admit it. You repent and you accept the consequences. I admitted I didn't tell you. I asked your forgiveness and whatever penalty or consequent you feel is appropriate, I will accept that. I just ask that it be reasonable in light of what we have done in the past in the City of Riviera Beach and what the basic facts are. Thank you.

**CHAIRPERSON PARDO:** Thank you. Anything from Council?

**MAYOR AND CITY COUNCIL COMMENTS AND REMARKS**

**COUNCILPERSON MILLER-ANDERSON:** Yes. I had a question in regards to what Miss Jones just stated about the consent orders coming all the time. We only get a consent order if there are violations, correct? Is that -- am I correct in --

**CITY MANAGER JONES:** You only get a consent -- first you get a violation notice.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** And if you get so many violation notices that they feel as though the issue is reoccurring --

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** -- like January, February, March, then you get to consent.

**COUNCILPERSON MILLER-ANDERSON:** Right. So that I think for me -- that is the issue is the fact that we had continuous violations, not notifying the public, the Tier 2 we discussed. Not doing the samplings as often as it should be done. And it -- and in the documents that we have it states that this was something that was continuous. And I even asked the Health Department guy last week, "Is this the norm? Most municipalities receive these orders and these violations consistently? I mean, are we doing anything different from what other municipalities are doing?" And he stated that ours was well above what is typically the norm. So I don't -- I don't want to seem as if, you know, we're -- I'm not asking for each and every detail of things that occur. But when we're dealing with -- and I do want to make sure I clear it up. I know I've talked about \$10,000, but it's not about the money for me. That's not what it's about.

Because the whole issue is the public was not notified and I thought that was kind of self-explanatory because that was what the Tier 2 nonacute notice was. That's why we received the violation because the public was not noticed. So when we get these violations, I mean, you don't just get a violation just to get it. So when we get the consent orders, that means we have had a number of violations. If that is the case, it seems that we have a breakdown in, you know, making sure that the jobs are completed. And especially since we're talking about water. We're talking about the public not being notified. Clearly that is going to set off some red flags for us. So for me just knowing that the issue had gone on for so long and they even stated

some of the same issues. It's not like we're getting a violation for this this month and a violation for this next year. They're the same violations just about every month or however often they're writing these violations. They're the same thing, not notifying. Not taking the samples. It's the -- the same thing. There's a pattern.

And so because of that, knowing that it could get out, we -- I just think, you know, we -- I know me. I get caught up with people telling me something that I didn't know nothing about but some did. But most don't. And I just think that providing the information to the council so that we're not caught off guard, it, you know -- it -- it just puts at a -- put us in a very bad position when we can't answer or when we're looking silly and not knowing what the public is talking about. Because the streets always talk and the streets usually know what the answer is. We're always the last one to find out what it is.

So I -- I don't want it to seem like -- and I'm only speaking for me -- that I want to know each and every move that is made. But if it's something that affects a large amount of people, that is something that is dealing with the quality of life, that is something we do need to know about. I mean, and I think one of the public spoke about it. We -- we could have possibly put money into this issue. I'm sure we would have preferred to fix this issue versus give money from the FP&L to the CRA because they didn't calculate it right. So it's just those little things, having that in your -- in the back of your head. You can make better decisions but you can't make better decisions if you don't have all the facts.

**CITY MANAGER JONES:** Uh-huh.

**COUNCILPERSON MILLER-ANDERSON:** So I don't want it to be downplayed like we're asking for every single thing. It is -- if it's of great importance, we definitely need to know about it. Now, I know you also said that, you know, people make -- you don't want to throw anybody under the bus. I get that. But if it's wrong it's wrong. I'm not going to protect nobody that's wrong. If they're doing something or saying something or ask you to do something to not throw someone under the bus, if it's wrong it's wrong. And were any reprimands given at any time to any of the employees that did not do what it was this they were supposed to do over the course of these years when these violations occurred?

**CITY MANAGER JONES:** As I review the files, they were not.

**COUNCILPERSON MILLER-ANDERSON:** And see, and that -- that's -- so I mean, we can admit wrongdoing. We can ask for forgiveness. We can repent. We can, you know, take the consequence. But you -- it makes it a little easier to have that desire to just say, Okay. Well, at least she -- she did

this, or, She -- she covered herself by making sure the people who were not doing their jobs were reprimanded. Go ahead.

**CITY MANAGER JONES:** I want to make that clear. The actions that occurred were down in the organization.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** With your superintendent and the tests and what I was saying in my answer was I don't see where, when either Mr. Danford missed the dates or he didn't send out the notices -- 'cause all of that falls under his division, that he was reprimanded. And that's -- that was what I was saying. When I go back through his file, I don't see where the individuals were reprimanded for not doing what they were to do.

**COUNCILPERSON MILLER-ANDERSON:** Right. Which -- which again, is one of my issues, is that it was -- it wasn't corrected. Nothing was done to correct the issues. And so when we -- you knew about a certain violation, well, it's probably Mr. Aurigemma. Apparently -- because in -- in the documents, as well, it says that there was a -- a -- no response. A lot of times when the Health Department was trying to reach out to him, they were nonresponsive. Just basically just ignoring the people as if they were going to go away. And rejecting the documents that were trying to be delivered. There was a lot of avoidance-type things going on. So with that happening, I don't -- I still don't quite understand how it was just in Mr. Aurigemma's possession to be the judge and jury of all the documents that came and did not allow for you or anyone else outside of his office to know what was going on.

-- I just don't get that. I know now as of January, I guess, the procedure now will involve Miss Ryan receiving these consent orders or no? Was that the suggestion?

**CITY ATTORNEY RYAN:** Well, the -- well, right. There were a couple of issues.

**CITY MANAGER JONES:** (Inaudible) there's more (inaudible).

**CITY ATTORNEY RYAN:** Well, the Executive Director is the representative for the Utility District. All special districts have to register with the State of Florida.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY ATTORNEY RYAN:** And so what -- from what they told us, and I think other agencies do this, as well, they go to that site and they find out the name on the registry and then they just send the correspondence to that

person. What we've asked the Health Department to do is to -- to copy me. But we need -- we're checking in with the State to see if we can add an additional name to the actual state registry that all departments use. So if the Department of Revenue wanted to reach out to them, they -- I think they go to Finance but I'm just saying, they will go -- it will go to the Executive Director. So we're not taking the Executive Director off but we're going to ask them if they will copy the City Attorney's Office. The Health Department has stated --

**COUNCILPERSON MILLER-ANDERSON:** Why --

**CITY ATTORNEY RYAN:** -- that they will. But we have not -- we have to go through the process with the State.

**COUNCILPERSON MILLER-ANDERSON:** Why did that one come to you -- oh, come to the Chair back in 2014?

**CITY ATTORNEY RYAN:** Correct.

**COUNCILPERSON MILLER-ANDERSON:** Why was that --

**CITY ATTORNEY RYAN:** We presented that to them. The attorney who's there now was not there then. And it was -- and I still don't understand the relationship between the consent order -- the consent orders and these orders to show cause, because -- but I think that in this situation it had gotten further along than the show cause -- I'm not -- I mean, than the consent order. And they were now saying, "You're going to hearing. And to avoid going to hearing, pay \$500." So I think because that was an official legal litigation hearing, that's why it came. Those other consent orders are not necessarily legal. And this was served. I think it was served by a process server. So this was an actual type -- lawsuit-type situation.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY ATTORNEY RYAN:** But we did present it to them and the attorney was not familiar with that, how that happened.

**COUNCILPERSON MILLER-ANDERSON:** Again, I feel that there needs to be a full investigation. And I -- I -- I've heard everything that Miss Jones stated but -- and as well as the public. But I believe that there's still a number of things that we don't know. And I know that I asked of Miss Jones and Miss Ryan numerous questions. Some of them I got the answers to; some of them I didn't get the answers to; some of them I just got here out of my box this afternoon, which clearly I haven't read it if I just picked it up right

-- 15 minutes before the meeting. But I -- I -- I strongly feel that we need to find out what took place.

**CHAIRPERSON PARDO:** Uh-huh.

**COUNCILPERSON MILLER-ANDERSON:** We need to find out how can we avoid this issue happening again. And then we need to be able to move forward. Now, how do we do that? When do we do that? With who will we do that? I can't tell you that at the very moment. But what I can say is we can't ignore the fact that we have a problem. We had a problem. We had a communication problem. And we had a policies and procedure problem. I think that in most of this we can still tie it back to the fact that there's no policies and procedures in place. And because there's no policies and procedures in place, you're not going to have a checks and -- checks balance. And -- and that's part of the problem. And that falls under City Manager. You know? Again, this is not personal. Nothing I do is personal when it comes to taking care of business. I can promise you that.

I did want to -- on the record tonight, I thought about this, because I know it - - I did try to add Miss Ryan on to the agenda for discussion in regards to both of their contract status based on the fact that both of them knew. And those are the two employees that report to the board only. So that is why it was just the two of them. I did receive a number of calls. I even received -- and I'm kind of getting -- I'm not getting off. I'm -- I'm trying to make a point here. I did receive calls from family members. And the reason I received calls from family members is because Miss Ryan and I are distant cousins. We're third or fourth cousins. Did not know Miss Ryan. Still don't really know Miss Ryan. We never crossed paths until a couple months before I got elected. It was brought to our attention. She was well aware, as well as I was aware. I contact the -- contacted the Ethics in Palm Beach County, as well as the State. Received an opinion from them in writing which stated that there was no conflict with us being here because I knew her contract was coming up months after I got on the board. And as we all know, I voted no both -- each time. So I'm not here to -- people are talking about a hit list or somebody's after someone or a witch hunt. That's not what it's about for me.

For me it's about doing business. What's right is right, wrong is wrong. It doesn't matter who knew. It don't matter if we're in the same family. But I did get family members calling me, but not having the full understanding of what is going on. The full understanding of what was going on is that we had a problem here at the City. It had nothing to do with family members at all. So I -- I'm -- I'm saying that to say it's not personal. I don't -- I don't dislike anybody up here. I was even asked that. You know, "Do you -- what is your relationship with so-and-so? Do you not like them?" It's not about

that for me. And I hope that if you don't learn anything else from me, it is about taking care of the business. I will never mix business with personal. And again, this is -- I said all that to say that what I -- I -- the reason I brought this up with the -- about the suspension on last week is because we have an issue. It needs to be addressed. We can't get the full disclosure from everyone on what happened because somebody is trying to protect someone or -- or don't want to throw them up under the bus. I don't know what it is. But I'm not really concerned about anybody being thrown under the bus. I mean, if you did something to get up under the bus --

**CHAIRPERSON PARDO:** Uh-huh.

**COUNCILPERSON MILLER-ANDERSON:** -- then you just gonna go up under the bus.

**UNIDENTIFIED SPEAKER:** That's right.

**COUNCILPERSON MILLER-ANDERSON:** You know? So it took -- for me we need to find out what happened, who was involved, how are we going to fix it and how we move on. Thank you.

**COUNCILPERSON DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am.

**COUNCILPERSON DAVIS JOHNSON:** So the purpose of this meeting was to discuss the disciplinary action of Miss Jones. It came at the -- I don't know if I want to say at the recommendation or at the --

**MAYOR MASTERS:** Request.

**COUNCILPERSON DAVIS JOHNSON:** -- moving or request of Council -- Councilwoman Miller-Anderson.

**CHAIRPERSON PARDO:** Correct.

**COUNCILPERSON DAVIS JOHNSON:** And one of the very first things that was discussed last week when we were in the USD Special Meeting was understanding that there has been a breakdown in communication and understanding that there has to be a consequence. Most of us up here -- I believe everybody up here works a full-time job and we understand that in our employment when there is a violation of a policy, then, yes, there is, in fact, a consequence. So we -- the consequence that we discussed was, what was requested and brought to the table was a 30-day suspension. And

-- and I want to say this because I, too, have gotten the calls. Individuals have made calls to other people representing my interests and my position.

But I want to say this. And -- and I think that since I took the dais, the one thing that I have always said is that it is about the process. It is about making sure that we follow -- we follow what those rules are. And I'm sure someone would probably say, Well, you know, tonight in process, you voted to have a discussion. But discussion is always going to get you to the conversation that you ultimately need to get to. It's never a situation where I want to directly violate a -- a policy. But I think that one of the things that, because of Sunshine, we don't always get to talk. And I know that I will not violate Sunshine for anyone sitting here. But what -- what I will say is based on everything that has been said -- and a lot has been said -- I would make the motion to suspend Miss Jones for 30 -- for the 30 days. But one of the things that I -- I -- I need to say is that, you know, folks stood up and you want us to clean house.

But if we cleaned house, we are left with no one virtually to help us run this city. And the one thing that I will not support is bringing back someone who has either been relieved of their duties with this city, to come in and run it. We've got to be strategic. And I say this and I've said this since taking office on the 4<sup>th</sup>. You may not necessarily agree with the position that I take, but I do believe that we have to take the best position that is going to maybe get us to the end result. But it has to be in decency and order. And we can't just send everybody flying out of the door because we would be in a worse position than we currently are in.

If that means us taking this under advisement while we have conversation and talk about the direction that we would like to take this city in -- because I do believe that a session, be it goal-setting or otherwise, whichever is legal under the -- the laws of the State of Florida for this board to have conversation, that needs to happen, because that's the only way we -- we can sit out and really hash it out and put our -- our -- our initiatives, our visions, our goals and desires for this city on the table. So Miss Miller made the request. We said that we would schedule this Special Meeting for that purpose. We don't need to belabor tonight. It's been laid out. We understand that there has been a -- there has been miscommunication and it -- pardon?

**CHAIR PRO TEM DAVIS:** Okay. I have a motion on the floor already that passed for the item that --

**CHAIRPERSON PARDO:** Huh?

**CHAIR PRO TEM DAVIS:** -- passed three-two.

**CHAIRPERSON PARDO:** No. That was only -- that was to discussion. But she just --

**CHAIR PRO TEM DAVIS:** Oh, okay.

**CHAIRPERSON PARDO:** -- made a motion right now.

**CHAIR PRO TEM DAVIS:** So she can -- okay.

**CHAIRPERSON PARDO:** Well, she's in the middle of making her motion.

**COUNCILPERSON DAVIS JOHNSON:** I -- I'm -- yes.

**CHAIR PRO TEM DAVIS:** Okay. Okay.

**COUNCILPERSON DAVIS JOHNSON:** So I -- I'm -- I'm saying all of that to say that I -- you -- the city -- the citizens of Riviera Beach -- let's just say this. And this isn't politicking. This is how I feel. The city -- the citizens of Riviera Beach elected me to do a job and I simply say, I honor and I appreciate your support of me in doing that. But I say allow me to do the job right. I would expect that you would expect nothing less of your elected officials to do their due diligence, to make the decisions that we may not always agree on but to be able to make the decisions that are going to be in the best interest of this city. And I would believe that as citizens, you are taxpayers. You want what is absolute -- what is in your absolute best interest. And I'm saying allow us to do a job that you elected us to do, and allow us to do that job right. So my motion follows the request of Council -- Councilwoman Miller-Anderson to suspend our City Manager for 30 days. And during that time, we will take under advisement as to what our next steps are, because we don't need to go out and not have a plan B. And so we need to be able to have our position where we can have a conversation and know what our plan B is and how we intend to carry on this -- the business of this city.

**CHAIRPERSON PARDO:** There's a motion. Is there a second?

**CHAIR PRO TEM DAVIS:** Second.

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON GUYTON:** Madam Chair?

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

**COUNCILPERSON GUYTON:** Very quickly, a couple of items to touch on before we vote. It's been said tonight that our water is contaminated. That

is absolutely not true. There's no evidence to support that. And if that were the case, the consequences would be much more severe for me. And I say that to say -- and let me back up. That's not the City's opinion. That's the Health Department opinion. When they stood there, I had three questions: Is the water safe to drink? Yes. Is the water safe to bathe with? Yes. Is the water safe to cook with? Yes. Now, all these other issues about the level of chemicals, those are things that we must address so that it never get to the level where the water is contaminated.

And there's nothing more important to me -- and I've said this -- than the health and welfare of the residents who put me here to serve them. Nothing more important than that. So what I'm concerned about is are the residents safe with the water that's coming to their homes. And the answer is yes. Do we have work to do to maintain that? Yes. Sometimes for political reasons, we have small forces want to embellish the problem for their own political reasons. But when it comes to somebody health and welfare, one, I want to be truthful. But two, I don't want them to be over-alarmed if there's no evidence to support that. That's all I'm saying. Let's keep it real. If we have a serious problem, let's say that and let's develop a -- a -- a plan to deal with it.

But fortunately we're not there yet. There have been several people that said that Bruce Guyton has been talking about the infrastructure. You're right. We as a community need to be pre-emptive and understand that the infrastructure below us is corroding and it needs to be replaced or we're going to have a major problem. That wasn't politically correct in an election season. Who talks about replacing infrastructure and having to raise the water bill slightly? That's not popular. But the health of the people are more important to me than the politics. I know we have a problem. So just because I'm running for office, I'm not going to act like that, No, we shouldn't raise it just a little bit because we know we need it to correct this problem. We are very pre-emptive in our approach to start these projects to replace the infrastructure. And if I had to do it again, I would do it again. Because as soon as something happen to one of the residents, and we don't address the problem, you know who fault that is? That's ours. 'Cause we know the infrastructure is corroding. So my position is the same. We need to replace that infrastructure before it gets even worse. And it's going to require community coming together and financing it, sometimes by a slight raise in the water bills. Yes. So -- and you know, and there are not many people that -- that -- that would be --

**CHAIR PRO TEM DAVIS:** Point of order.

**COUNCILPERSON GUYTON:** -- on --

**CHAIR PRO TEM DAVIS:** Just to be clear, I'm not voting on slight raise of water bill.

**COUNCILPERSON GUYTON:** No. I'm talking about --

**CHAIR PRO TEM DAVIS:** Obviously -- yeah, yeah, 'cause, see, people get distracted by -- by that. So --

**COUNCILPERSON GUYTON:** -- what has already happened. Yeah. Okay.

**CHAIRPERSON PARDO:** All right.

**CHAIR PRO TEM DAVIS:** -- let's try to keep going and --

**COUNCILPERSON GUYTON:** That's good. No.

**CHAIR PRO TEM DAVIS:** -- let's try to get to Public Comments so you can (inaudible).

**CHAIRPERSON PARDO:** Go -- go ahead, Mr. Guyton.

**COUNCILPERSON GUYTON:** Yeah. Okay. And -- and the last thing -- but -- but you know, there -- there -- there's been a lot of discussion about why the water bills are -- are -- are going up slightly. That's why. We have bad infrastructure that needs to be replaced. And -- and -- and -- and there are those that have the opinion about -- and -- and -- and what I would like for -- for those who oppose it to give me a plan to replace the infrastructure. A financial plan. I -- I -- I would be open to it and I'll be very receptive. But we have a -- an issue that we need to address now.

The last thing about Miss Jones and -- and -- and where I am. Somebody said it tonight. Ultimately, you know who responsible? That's us.

**UNIDENTIFIED SPEAKER:** Uh-huh.

**COUNCILPERSON GUYTON:** The elected officials. We can point here. We can point there. We can point everywhere. We are ultimately responsible. Do we do the day-to-day? No, we don't. So we have staff that we rely on to provide us with the information we need to make rational decisions. Miss Jones is one of those people that we rely on to provide us the information that we need. I was disappointed and I expressed that to Miss Jones.

**CITY MANAGER JONES:** Yes, you did.

**COUNCILPERSON GUYTON:** That I wasn't informed sooner. I don't like the public grandstanding and attacking employees, but the employees that work with me understand that when we go behind closed doors, if I'm not happy, they're going to know about it in no uncertain terms. Miss Jones understood in no uncertain terms that I was not happy. And I'm in support of Miss Jones. I try to look at the total picture and not isolate one incident. I'm looking at is our unemployment rate coming down? Is there a lot of people that still need work? But the answer is yes. Are we getting investment in our community to stimulate our economy? Yes. In the last two years we have had \$130 million of new construction and investment in our community outside of the marina. So when I look at the total picture and not isolate this one incident, Riviera Beach is in a good place from the leadership that we have in place. People have their own political agendas: I don't like this one; I don't like that one. Let's go and fire them.

**CHAIRPERSON PARDO:** All right.

**COUNCILPERSON GUYTON:** So as it -- and the other thing, when -- when I was elected, Miss -- Miss -- Miss Tonya Davis Johnson --

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON GUYTON:** -- my supporters wanted me to terminate people. And -- and what I told them was, How can you expect me to go in and terminate someone that I haven't had the chance to work with in my capacity as a city councilperson? If you put trust in me to come here and read the information and make rational decisions, I can't do it if I haven't worked with them in the capacity of an elected official. That's just my position. And I was glad I took that position because the city is on the move. We are getting awards from associations around the state --

**CHAIRPERSON PARDO:** All right.

**COUNCILPERSON GUYTON:** -- for how we conduct business.

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON GUYTON:** The -- the 30-day suspension, I think -- I'm keeping everything in context -- I think that is -- is the -- is a little strenuous to me. I do think that two weeks is warranted suspension. Because what was done -- and somebody said that we didn't have policies and procedures. We're here because we didn't follow the regulations to notify our public. That's policy and procedures. We do have those.

**COUNCILPERSON DAVIS JOHNSON:** No.

**COUNCILPERSON MILLER-ANDERSON:** That's the Health Department.

**COUNCILPERSON DAVIS JOHNSON:** No.

**COUNCILPERSON GUYTON:** That's the Health Department regulations.

**COUNCILPERSON MILLER-ANDERSON:** That's not ours.

**COUNCILPERSON DAVIS JOHNSON:** That's not ours.

**COUNCILPERSON GUYTON:** So -- okay.

**COUNCILPERSON MILLER-ANDERSON:** That's not ours.

**COUNCILPERSON DAVIS JOHNSON:** I'm sorry to interrupt but clarification.

**CHAIRPERSON PARDO:** All right.

**COUNCILPERSON DAVIS JOHNSON:** Clarification. When Mr. Aurigemma was asked about internal policies and procedures, he indicated that there were none. We then were governed by the policies of the Health Department.

**CHAIRPERSON PARDO:** Correct. All right.

**COUNCILPERSON DAVIS JOHNSON:** So let's just keep it --

**CHAIRPERSON PARDO:** Okay. All right.

**COUNCILPERSON MILLER-ANDERSON:** -- honest.

**CHAIRPERSON PARDO:** Wrap up, please.

**COUNCILPERSON GUYTON:** I just said we had policies and procedures. I didn't say who had them.

**CHAIRPERSON PARDO:** Okay. Please wrap up.

**COUNCILPERSON GUYTON:** I mean, really.

**MAYOR MASTERS:** Madam -- Madam Manager?

**COUNCILPERSON DAVIS JOHNSON:** Okay. All right.

**CHAIRPERSON PARDO:** Wait. Hold on, Mayor.

**COUNCILPERSON GUYTON:** Okay.

**MAYOR MASTERS:** Okay.

**CHAIRPERSON PARDO:** Just wait.

**COUNCILPERSON GUYTON:** Oh, boy, oh boy.

**CHAIRPERSON PARDO:** All right. Mr. Guyton, are you done?

**COUNCILPERSON GUYTON:** I am done. I support two weeks. We -- we -  
- we have --

**UNIDENTIFIED SPEAKER:** (Inaudible).

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CHAIRPERSON PARDO:** All right. Please, everyone.

**COUNCILPERSON GUYTON:** -- we -- we do have regulations -- if you don't want to consider them policies -- that were not complied with. The point I'm making is that we have guidelines that govern us. However you want to characterize them.

**CHAIRPERSON PARDO:** Okay.

**COUNCILPERSON GUYTON:** We have guidelines. They were not complied with. I think that there is warrant for that but to 30 days, I think is -- is a bit much because she has been moving aggressively to put into place -- and we should provide the public with a corrective plan how we're going to correct all these issues and make sure that either it's on Channel 18 or some other media outlet so that the public can see what the plan is to ensure from this point moving forward, that we do have a plan in place that this doesn't happen again.

**CHAIRPERSON PARDO:** All right.

**COUNCILPERSON GUYTON:** Thank you.

**CHAIRPERSON PARDO:** I want to make my comments because I've been quiet here tonight. You know, first and foremost, we, all of us sitting up here, are here to protect the safety and health of our residents. And, you know, I've been thinking about this all week. And this goes back in my mind to the IG report that came out. When that report came out we had a public

discussion about it and I said to Miss Jones, "You need to get your employees under control."

**CITY MANAGER JONES:** Uh-huh.

**CHAIRPERSON PARDO:** Okay? So she did what she had to do with several departments. However, it is obvious that that -- those words did not, you know, penetrate over in the Utility District. And for that, you know, I am really disappointed. The public should have been notified about the water issue. Each of us up here drink the water, bathe -- bathe in the water. You know, everyone sitting out there, everyone home in TV land. Okay? First and foremost, we should have been notified and we weren't. And I have an issue with that, not only as an elected official, but as a resident in this city.

You know, to me it was unconscionable that we were not notified. Two -- four, five years ago, the council voted to move forward with the hypochlorite system which is the bleach system that you heard about last week. And you know, for over a year I was ask -- for man a year, "What's going on with the system?" "Oh, you know, we have problems in purchasing and we need to go out for bid. We need to do this. We need to do that." And you know, we're no further along today than we were two years ago on this. And you know -- and I've asked about that in public meetings, in private meetings, "What's going on with it?" And that could have helped this situation. But we heard last week that it's going out for bid now. You know, finally.

Several years ago, Miss Jones, we, the taxpayers of this city, and the City Council, gave you the tools to move this city forward. And we also gave you the funds to hire an executive director and then, you know -- not executive director -- an assistant city manager and then we give you funds for a second assistant city manager. Someone should have been over the Utility District. They should have known what was going on. We have an internal auditor. He should have been over there, you know, pulling reports and taking a look at things. You know, what I would like to see, there's been discussion about hiring an outside attorney. And you know, it is what it is. You want to hire an outside attorney? Fine. But what we really need, we need someone that has absolutely no ties to this city. Someone who can come in and rip through the Utility District. And if you have to go out and hire an agency to do that, but someone with no ties to this city, because we need to find out what is really going on in the Utility District.

And my feeling is just hiring a local attorney, we're not going to get where we need to be. So, you know, I hope that that's something that my colleagues will consider. You can still have your attorney but let's go hire someone to really rip through everything. You know, the 30-day suspension, I think I can support a 30-suspension of the City Manager.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** All right. Mr. Davis?

**CHAIR PRO TEM DAVIS:** As regards to this item, we can hire as many people as we need to protect the people, whether they're inside or outside. But someone outside this community is what got us in this situation. And the reason why he felt so empowered is because he sat at that same very microphone when we discussed a contract that he allowed to expire without bringing it before the board and informing us. That same company is what got us into compliance. And I thought that was very egregious for what he did. And then when I questioned him, he was very disrespectful to me and treated me like he treated the employees.

The Mayor was very, very courageous at that time. He filed for a suspension. His suspension was overturned by three board members. That's why he felt so empowered. Now, Miss Jones, you got some improvement to do. But when that man got empowered by disrespecting a board member and he felt he had the power to do that, he can treat our community any kind of way he wanted to. He should have been fired at that day.

**UNIDENTIFIED SPEAKER:** Yes.

**CHAIR PRO TEM DAVIS:** That should have happened. But back to this, Miss Jones, we've had our discussions.

**CITY MANAGER JONES:** Yes, we have.

**CHAIR PRO TEM DAVIS:** And we -- I was very clear and I'm always upfront with you. I didn't come here today to talk -- ask questions in this meeting. Came here today to address a matter. Councilwoman Miller-Anderson at the last meeting stated that she wanted a 30-day suspension. I like the fact that Councilwoman Johnson respected that and put that motion on the floor, and that's why I'm supporting that today. And once this motion is over with and passes, then we can discuss how qualified the attorney is that we discuss on how we got to where we are today. And I will talk no further.

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

**CHAIRPERSON PARDO:** Yes, ma'am.

**MAYOR MASTERS:** Madam -- Madam Chair?

**CHAIRPERSON PARDO:** Miss Miller.

**MAYOR MASTERS:** I mean, Madam Chair, after she (inaudible).

**COUNCILPERSON MILLER-ANDERSON:** I -- I just -- I do want -- I know we're talking about the 30-day. On -- last week when we first talked about this, I -- you know, I thought of 30 days. But there's -- I've received tons and tons more information since then. What I -- I would -- if you are okay with amending the motion to do a suspension, effective immediately but it will be based -- without pay. And it will be based on the investigation. You know, an outside person doing the investigation from top to bottom. If, at the end of that investigation, find there's no wrongdoing, she be reinstated with her pay. I -- I -- I don't know -- we don't know that 30 days is enough time. I don't know what it is going to require for the person that's doing the investigation to -- considering all of this information now. If I took -- reading all of this, just imagine -- this is probably not everything. I -- matter of fact, I know it's not everything 'cause I didn't know to ask for everything. This is just what I asked for. But I -- I would like to know if you would entertain a -- an amended motion to do a suspension effective immediately without pay pending the investigation, top down, from a person who's -- has no ties, who's an independent agency to find out --

**CHAIRPERSON PARDO:** All right.

**COUNCILPERSON MILLER-ANDERSON:** -- exactly what took place, who knew what. If there's no wrongdoing or if we -- we say after the investigation is 30 days and we're good with 30 days, then it's 30 days. If the investigation takes 60 days it takes 60 days. And if she's fine, she can come back to work. If not, we'll look at what we go to from there.

**CHAIR PRO TEM DAVIS:** Madam Chair?

**CHAIRPERSON PARDO:** Mayor, did you have something to say?

**MAYOR MASTERS:** I -- I did.

**CHAIRPERSON PARDO:** Go right ahead, please, sir.

**MAYOR MASTERS:** I've been very patient. I wanted to make sure that -- that everyone had an opportunity to speak.

**CHAIRPERSON PARDO:** Thank you.

**MAYOR MASTERS:** Let me just say as relates to what Mr. Guyton said, as usual I distanced myself from 90 percent of what he said. And I'm in -- in disagreement with most of what he said. As usual. One of the things he

said, I will not take responsibility, that we are responsible for this, like it's our fault. And maybe that means somebody ought to be unelected or re-elected or whatever. But I did what I had to do. When I found out about it, I called this entire community together to get the facts. I did what I was supposed to do. I suggested to the Manager that that person should be relieved of their duties. I did what I was supposed to do when I suspended them. Because I knew there was a problem. So I'm not going to -- I don't know who previous, previous, previous -- Miss -- Miss -- back to Mr. Guyton, who he was talking about, but I'm not one of those people. Thank you very much. That's it.

**CHAIRPERSON PARDO:** Thank you. Okay. I have a question. So we're going to go to the vote. Now, the only thing is, is this -- are we suspending her as of tonight? Are we waiting until Friday so she can tie up loose ends? What do you want to do? Effective immediately?

**COUNCILPERSON MILLER-ANDERSON:** I thought effective immediately. Mr. Danny Jones should be able to -- I'm sorry. I mean --

**CHAIRPERSON PARDO:** Okay. Yeah. Miss Tonya --

**COUNCILPERSON DAVIS JOHNSON:** But what -- what I -- what I would say is she does need an opportunity to meet with her staff to -- and set some things in motion so that the City can continue to -- continue to run.

**COUNCILPERSON MILLER-ANDERSON:** Okay. So what do you recommend?

**COUNCILPERSON DAVIS JOHNSON:** So it would be to allow her through the end of the week.

**CHAIRPERSON PARDO:** Friday at 5?

**COUNCILPERSON DAVIS JOHNSON:** Starting --

**CHAIRPERSON PARDO:** Friday at 5?

**COUNCILPERSON DAVIS JOHNSON:** -- Monday. And with regards to amending the motion, I think that if we are having an independent evaluation of what happened and how this process -- that process shouldn't take longer than 30 days.

**CHAIR PRO TEM DAVIS:** No. (Inaudible).

**COUNCILPERSON DAVIS JOHNSON:** It's a -- it's a matter of getting in and getting information and naturally we'll have to have a conversation as it relates to the scope of work that's being proposed. But I would not want to

say for as long as the investigation takes because, you know, we know consultants. Consultants can take an extenuating amount of time to reach an -- reach a conclusion. So when we talk about the -- when we talk about the scope of work we need to also put in there our absolute deadlines and our time frames and our milestones and what we want to see and when we want to see it. You know, if we don't start a process of indicating what we want, how we want it, we won't -- we'll be back here at this -- at this position. So what I would say is that to your request to extend it up until the time that the consultant gives a rendering, with you need to put a time -- I would say put a time frame but that's another conversation.

**CHAIRPERSON PARDO:** Right.

**COUNCILPERSON DAVIS JOHNSON:** So the question answered is effective Friday 5 p.m.

**CITY MANAGER JONES:** Can I --

**CHAIRPERSON PARDO:** Okay. And your second still stands, Mr. Davis?

**CHAIR PRO TEM DAVIS:** Yes, ma'am. Yes, ma'am.

**CHAIRPERSON PARDO:** Okay. All right.

**CITY MANAGER JONES:** Can I get clarification?

**CHAIRPERSON PARDO:** Now --

**MAYOR MASTERS:** Call for -- for the question.

**CITY MANAGER JONES:** I just have one question, please.

**CHAIRPERSON PARDO:** Uh-huh.

**UNIDENTIFIED SPEAKER:** Yes, ma'am.

**CITY MANAGER JONES:** I know it is for 30 days. It is effective Friday at 5.

**CHAIRPERSON PARDO:** Uh-huh.

**CITY MANAGER JONES:** I know that during that period of time you are going to have an investigation. Is this an investigation of me or of process? I just need it on the record.

**CHAIR PRO TEM DAVIS:** Process.

**COUNCILPERSON DAVIS JOHNSON:** Process. Process.

**CITY MANAGER JONES:** Okay. So it's investigation of process. And the suspension is for --

**CHAIRPERSON PARDO:** Thirty days.

**CITY MANAGER JONES:** -- that's the -- that's the length. The reason?

**COUNCILPERSON MILLER-ANDERSON:** The -- I -- it's just cause for me. That -- that is --

**CITY MANAGER JONES:** For failure to --

**COUNCILPERSON MILLER-ANDERSON:** -- why --

**COUNCILPERSON DAVIS JOHNSON:** Failing to notify the board.

**COUNCILPERSON MILLER-ANDERSON:** Neglect of duties. Neglect of duties. Yeah.

**CITY MANAGER JONES:** All right. I just needed -- yeah. Okay. Thank you.

**CHAIRPERSON PARDO:** Okay. So there's a motion. There's a second. Madam Clerk?

**MAYOR MASTERS:** Previous question, yes.

**COUNCILPERSON MILLER-ANDERSON:** What is the previous question?

**MAYOR MASTERS:** Go ahead. (Inaudible).

**COUNCILPERSON MILLER-ANDERSON:** What is --

**DEPUTY CITY CLERK BURGESS:** Councilperson --

**COUNCILPERSON MILLER-ANDERSON:** Wait. Read it again. What -- where -- we didn't change (inaudible)?

**COUNCILPERSON DAVIS JOHNSON:** The motion?

**COUNCILPERSON MILLER-ANDERSON:** You -- your motion for --

**CHAIR PRO TEM DAVIS:** Still the same.

**COUNCILPERSON DAVIS JOHNSON:** My motion still -- my motion still stands for a --

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM DAVIS:** Yeah, it didn't --

**COUNCILPERSON DAVIS JOHNSON:** -- 30-day suspension starting Friday at 5 p.m. Um, pending the investigation -- well, not pending but with the process of -- of review for -- Lord. Let me restate. My motion is simply this. As a result of Mrs. -- Miss Jones failing to notify this board, I am recommending suspension of 30 days. During that 30 days, she will not receive pay. It will begin Friday at 5 p.m.

**CHAIRPERSON PARDO:** All right. And your --

**COUNCILPERSON MILLER-ANDERSON:** I have a question.

**CHAIRPERSON PARDO:** -- second still stands?

**CHAIR PRO TEM DAVIS:** Correct.

**CHAIRPERSON PARDO:** All right. Go ahead.

**COUNCILPERSON MILLER-ANDERSON:** Okay. So say there's wrongdoing. I mean --

**CHAIR PRO TEM DAVIS:** We can discuss that at that time.

**COUNCILPERSON MILLER-ANDERSON:** -- whatever. No, no. The -- the reason I'm asking is, are we saying that the 30-day is the consequence and it's over and that's it? But if we find out there's more to it, we -- we can't address that issue again with the consequence.

**CHAIRPERSON PARDO:** You can -- you can always address it.

**CHAIR PRO TEM DAVIS:** We can do what we want to do. We can do whatever we want to do.

**COUNCILPERSON MILLER-ANDERSON:** We're going to go with cause?

**CHAIRPERSON PARDO:** You can just -- you can always address it.

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

**CHAIR PRO TEM DAVIS:** Whatever you want.

**COUNCILPERSON MILLER-ANDERSON:** If it's --

**CHAIRPERSON PARDO:** Is that true, Miss Ryan? Right? If we find out something that we don't know right now, we can --

**COUNCILPERSON MILLER-ANDERSON:** But are we right now saying --

**CHAIRPERSON PARDO:** -- when that report comes back --

**COUNCILPERSON MILLER-ANDERSON:** -- this is the consequence?

**CITY ATTORNEY RYAN:** I mean, do you really want me to comment on this?

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM DAVIS:** No.

**CITY ATTORNEY RYAN:** It seems to me that you are suspending the City Manager --

**CHAIR PRO TEM DAVIS:** For not notifying.

**CITY ATTORNEY RYAN:** -- for what occurred. Now, that was how it started off.

**COUNCILPERSON DAVIS JOHNSON:** For not informing us.

**CITY ATTORNEY RYAN:** But now I'm hearing -- and -- and I was going to ask for clarification -- you want to suspend her for 30 days for not notifying you, but if there's misconduct that is uncovered -- and I don't know what misconduct is.

**COUNCILPERSON MILLER-ANDERSON:** Not necessarily. No.

**CITY ATTORNEY RYAN:** I don't know what you mean by misconduct. If you -- maybe there's some letter that says, "Don't tell the City -- Don't tell the City Council about this." I don't know what you're looking for.

**COUNCILPERSON MILLER-ANDERSON:** I'm not looking for anything.

**CITY ATTORNEY RYAN:** But you --

**COUNCILPERSON MILLER-ANDERSON:** Whatever comes up.

**CITY ATTORNEY RYAN:** -- well, what I'm saying is, you're looking for misconduct and you want to --

**COUNCILPERSON MILLER-ANDERSON:** I'm not necessarily looking for misconduct. If there are some other issues that are revealed, I don't know what it is.

**CITY ATTORNEY RYAN:** Well, something --

**COUNCILPERSON MILLER-ANDERSON:** I mean, if there's something else that will be a little more than a 30-day suspension, then are we stuck with it being just 30 days?

**CITY ATTORNEY RYAN:** Well, that begs the question, should you be suspending without doing a thorough investigation?

**CHAIR PRO TEM DAVIS:** Yeah. She's right.

**COUNCILPERSON MILLER-ANDERSON:** But you -- here's the thing.

**CITY ATTORNEY RYAN:** I'm just --

**CHAIR PRO TEM DAVIS:** You're right.

**COUNCILPERSON MILLER-ANDERSON:** To do a thorough investigation, I don't think that it is proper for her to still be in the position while it's going on. I mean, most -- plenty of places when they do an investigation, they put the person on leave and they do the investigation and if they're cleared, they're cleared. They come back. I mean, you know what I mean? So that is why I asked about the amended motion, to not put a time limit on it.

**CHAIRPERSON PARDO:** All right. Can everyone please -- please be quiet?

**CITY ATTORNEY RYAN:** So are you saying a 30-day suspension or a suspension without pay that lasts as long as the investigation lasts?

**COUNCILPERSON MILLER-ANDERSON:** We're -- we said that we would try to put the timeline for whoever's doing the investigation so that it does not go on for six months.

**CITY ATTORNEY RYAN:** Well, yeah, when we do that at the City --

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CITY ATTORNEY RYAN:** -- when we are investigating an employee, we put them on administrative leave with pay.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CHAIR PRO TEM DAVIS:** Yeah.

**CITY ATTORNEY RYAN:** Because we have plenty of employees that have been accused of all kinds of things.

**COUNCILPERSON MILLER-ANDERSON:** (Inaudible).

**CITY ATTORNEY RYAN:** That this council doesn't know about but all kinds of stuff. And they are put on leave pending the investigation. And at the conclusion of the investigation, you render your decision.

**COUNCILPERSON DAVIS JOHNSON:** Okay. May I?

**CITY ATTORNEY RYAN:** So -- yes.

**COUNCILPERSON DAVIS JOHNSON:** So you sat there as I made that motion with that position.

**CITY ATTORNEY RYAN:** No, I didn't -- I -- hold on. I didn't -- I didn't understand.

**COUNCILPERSON DAVIS JOHNSON:** No, no, no, no, no. You hold. Wait one moment, now.

**CITY ATTORNEY RYAN:** Sure.

**COUNCILPERSON DAVIS JOHNSON:** I -- you -- you let me go through making the motion to suspend when you -- you understood what the policy was? I don't profess to know every -- hold on, Miss Ryan. Miss Ryan, please. I don't profess to know every process and policy. But what you just said was typically when there is an investigation of any kind, there is administrative leave with pay.

**CITY ATTORNEY RYAN:** Not always. But -- not -- not always but most of the time. And Miss Tonya Davis Johnson, I didn't hear you say that. I thought your motion --

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CHAIRPERSON PARDO:** Please, everyone.

**CITY ATTORNEY RYAN:** -- was to suspend for 30 days.

**COUNCILPERSON DAVIS JOHNSON:** My -- my motion -- I simply said my -- my motion was for her failing to notify, I would recommend a suspension of 30 days. My -- my motion did not have anything to do with an investigation.

**CITY ATTORNEY RYAN:** Right. I thought that's --

**COUNCILPERSON DAVIS JOHNSON:** It was --

**CITY ATTORNEY RYAN:** Correct.

**COUNCILPERSON DAVIS JOHNSON:** -- it -- my motion --

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON DAVIS JOHNSON:** -- we're talking about my motion.

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON DAVIS JOHNSON:** Not Councilwoman Anderson --

**CITY ATTORNEY RYAN:** Correct.

**COUNCILPERSON DAVIS JOHNSON:** -- Miller-Anderson's asked for a revision or an amendment.

**CITY ATTORNEY RYAN:** Correct.

**COUNCILPERSON DAVIS JOHNSON:** My motion was simply to suspend her because -- as a result of her failing to notify. Had absolutely nothing to do with an investigation but as she talks about investigation into the -- the piece, you -- you should have said it at -- at some point, point of order or point of clarification. This is what typically happens. Because that could have governed how my motion was made and what my thought process was. Do you understand what I'm -- I'm saying?

**CITY ATTORNEY RYAN:** I understand what you're saying but I don't fully understand what -- I didn't fully understand what you were trying to do. I thought --

**COUNCILPERSON DAVIS JOHNSON:** Here's what I'm trying to do.

**CITY ATTORNEY RYAN:** -- I thought you were not doing what Miss Miller-Anderson was stating. I didn't think you were doing that. I thought your motion was --

**COUNCILPERSON DAVIS JOHNSON:** What I'm -- what I'm simply trying to do --

**CITY ATTORNEY RYAN:** -- just to do 30 days.

**COUNCILPERSON DAVIS JOHNSON:** -- is -- is say to every action there's a consequence.

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON DAVIS JOHNSON:** When we fail to do what we need to do, there is a consequence to that action. My motion was to address the failure, which is the consequence.

**CITY ATTORNEY RYAN:** Correct.

**COUNCILPERSON DAVIS JOHNSON:** Miss Jones was fully aware of that.

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON DAVIS JOHNSON:** And when we had this conversation to bring it back --

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON DAVIS JOHNSON:** -- she had absolutely no hesitation or reservation.

**CITY ATTORNEY RYAN:** Right.

**COUNCILPERSON DAVIS JOHNSON:** So in moving forward and making sure that the message is now sent, okay.

**CITY ATTORNEY RYAN:** Yes.

**COUNCILPERSON DAVIS JOHNSON:** You tell us and we need to make a decision as a council and as the Special District Board as to what it is that we really need to see or want to see or have a -- or she has a responsibility to bring.

**CITY ATTORNEY RYAN:** Correct. Correct.

**COUNCILPERSON DAVIS JOHNSON:** So I -- I just don't --

**CITY ATTORNEY RYAN:** Hold on. May I say this? So there were two other things that occurred that made me say that. One, I heard Miss Miller-Anderson saying she wants the suspension to continue while that investigation --

**COUNCILPERSON DAVIS JOHNSON:** Okay.

**CITY ATTORNEY RYAN:** -- was going on. So the suspension is not 30 days.

**CHAIR PRO TEM DAVIS:** She threw that out, right.

**CITY ATTORNEY RYAN:** But I'm hearing it's maybe 45 days, maybe 60 days. That's not a concrete 30 days.

**COUNCILPERSON DAVIS JOHNSON:** But I came back and I said 30 days.

**CHAIRPERSON PARDO:** Right.

**COUNCILPERSON DAVIS JOHNSON:** And we need to make it clear to the consultant that that report needs to be wrapped up in 30 days.

**CHAIRPERSON PARDO:** Right.

**COUNCILPERSON DAVIS JOHNSON:** I said that. I said that.

**CHAIR PRO TEM DAVIS:** What are we (inaudible)?

**CITY ATTORNEY RYAN:** Okay. But she kept going. And I -- I'm -- I'm listening. I'm -- I'm sorry, but I was paying attention to what she was saying.

**COUNCILPERSON DAVIS JOHNSON:** But no disrespect to Miss Miller-Anderson.

**CITY ATTORNEY RYAN:** I understand. All right.

**COUNCILPERSON DAVIS JOHNSON:** She was not the maker of the motion.

**CITY ATTORNEY RYAN:** I understand. I understand.

**COUNCILPERSON DAVIS JOHNSON:** And so any clarification should have --

**CITY ATTORNEY RYAN:** I apologize.

**COUNCILPERSON DAVIS JOHNSON:** Okay.

**CITY ATTORNEY RYAN:** Okay. I gotcha. I apologize.

**COUNCILPERSON DAVIS JOHNSON:** That -- that -- that's the -- that's what I --

**CITY ATTORNEY RYAN:** I apologize.

**COUNCILPERSON DAVIS JOHNSON:** -- need not to happen.

**CITY ATTORNEY RYAN:** Yes. Yes, ma'am. But -- so now I'm still not clear as to what your motion is. I'm not. Is your motion --

**COUNCILPERSON DAVIS JOHNSON:** You're not clear?

**CHAIR PRO TEM DAVIS:** (Inaudible).

**CITY ATTORNEY RYAN:** -- your motion is (inaudible).

**COUNCILPERSON DAVIS JOHNSON:** My motion, Madam Attorney --

**CHAIRPERSON PARDO:** Please, everyone.

**COUNCILPERSON DAVIS JOHNSON:** My motion is to suspend Miss Jones for failing to notify this board of the -- the -- of the complaints and of the violations. Period.

**CITY ATTORNEY RYAN:** Correct.

**COUNCILPERSON DAVIS JOHNSON:** Right? For 30 days beginning Friday with no pay.

**CITY ATTORNEY RYAN:** Okay.

**CHAIRPERSON PARDO:** Okay?

**CITY ATTORNEY RYAN:** So you're not --

**COUNCILPERSON DAVIS JOHNSON:** That's my motion.

**CITY ATTORNEY RYAN:** -- right. So we're -- so if Miss Miller-Anderson wants to do something else, she can do that after your motion is complete.

**COUNCILPERSON DAVIS JOHNSON:** Absolutely.

**CHAIRPERSON PARDO:** So there was a motion and a second. Madam Clerk?

**CITY MANAGER JONES:** That was confusing. Madam Clerk, yeah.

**DEPUTY CITY CLERK BURGESS:** **COUNCILPERSON DAVIS JOHNSON?**

**COUNCILPERSON DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** **COUNCILPERSON GUYTON?**

**COUNCILPERSON GUYTON:** Yes.

**DEPUTY CITY CLERK BURGESS:** **COUNCILPERSON MILLER-ANDERSON?**

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** **CHAIR PRO TEM DAVIS?**

**CHAIR PRO TEM DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Pardo?

**CHAIRPERSON PARDO:** Yes.

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

**CHAIRPERSON PARDO:** Thank you. Yeah, that's the -- what else do we have?

**CITY ATTORNEY RYAN:** I have something I need to add.

**CHAIRPERSON PARDO:** Go ahead.

**CITY ATTORNEY RYAN:** Okay. Well, it's off the subject completely.

**CHAIR PRO TEM DAVIS:** No. We're discussing --

**CITY ATTORNEY RYAN:** Oh, I forgot about -- I apologize.

**CHAIR PRO TEM DAVIS:** -- the -- the -- the Brown & Associates.

**CHAIRPERSON PARDO:** Oh, yes.

**CHAIR PRO TEM DAVIS:** Is Mr. --

**CITY ATTORNEY RYAN:** Yes.

**CHAIR PRO TEM DAVIS:** Is Attorney Brown still here?

**UNIDENTIFIED SPEAKER:** No. He (inaudible). He left.

**CHAIR PRO TEM DAVIS:** No. No. He -- there he go.

**COUNCILPERSON DAVIS JOHNSON:** I think that --

**CHAIR PRO TEM DAVIS:** I see him.

**COUNCILPERSON DAVIS JOHNSON:** Where you at?

**CHAIR PRO TEM DAVIS:** I'll wait.

**COUNCILPERSON DAVIS JOHNSON:** I -- I -- I think --

**CHAIR PRO TEM DAVIS:** I put a motion to discuss the verbiage.

**CHAIRPERSON PARDO:** And staying with us till 5:00 Friday.

**CITY MANAGER JONES:** I got (inaudible).

**CITY ATTORNEY RYAN:** And Miss Davis Johnson, I will be more concrete going forward. I will --

**COUNCILPERSON DAVIS JOHNSON:** That has to happen.

**CITY ATTORNEY RYAN:** -- I will be very concrete.

**CHAIR PRO TEM DAVIS:** Attorney, as you begin to get into the information that you provided for our City Attorney in this discussion, would you please give people the background on the Honeywell situation so they can understand how significant this is?

**MICHAEL BROWN:** Well, I will. First I want to also point out that the proposal that I submitted to Miss Ryan was as a result of the meeting when I was here the other night. And it was as a result of an e-mail that Miss Ryan sent to me which clarified the issues that she understood that were discussed at the meeting. So she asked me, and I think properly so, to

submit a proposal that I felt would -- reflected what you all had discussed. And in fact, Miss Ryan sent me an e-mail with her bullet points as to what she thought should be in the proposal.

The issues that are in the proposal that you all have seen mirror and reflect the proposals and bullet points that Miss Ryan put in her e-mail and suggested and we -- we both agreed should be in the proposal. So I didn't just pull that information out of the sky. It was as a result of that conversation.

Now, back to Honeywell, when I was Mayor -- for those of you all, it's been a while -- and I've mostly recovered by now. But when I was Mayor we had -- in fact, when I had only been in office less than a week, some folks walked into my office and wanted me to agree that I would sign off on a deal that would allow Honeywell to basically be absolved of any responsibility in the future for cleaning up our water supply. And it threw me for a loop because again, I hadn't been in office about a year and I said, "You gotta be kidding me." And with Honeywell was the EPA. And in fact, it was the EPA who came in, and I said, "Well, wait a minute. You're the EPA. You're supposed to be protecting us, just like in Flint."

And the EPA was not, at that time, really protecting us. And as a result, I knew enough from my experience as a -- as an attorney. I'd worked at a major law firm. We had dealt with utility issues and -- and pollution issues. And I knew that there was something wrong with that issue. The bottom line is as a result of that, we had a council that supported us. We came together on that issue and we actually ended up having a meeting by necessity in the White House regarding our water supply. At that time Honeywell and the EPA's position was that Honeywell was not going to clean up the water supply. The EPA was not going to make Honeywell clean up the water supply. The City at that time was paying over, I believe, a quarter of a million, a half a million dollars a year to clean the water itself. And Honeywell and the EPA's position was, City, you're cleaning it up. The pollution that we put in your water is -- is -- is naturally going away. The EPA was going to let Honeywell wash their hands and move away. And we fought that. And we fought that issue. And it took us a long time and we ended up eventually having to sue them.

And what's interesting about it is we went to Washington. We had to get congressional support. Former Congressman Mark Foley was involved. Former Congressman -- I mean, current Congressman Alcee Hastings was involved. We actually had a meeting in the White House on this issue. And at the end of the day there was a Congressman who was the former mayor of -- of -- of -- of Fort Lauderdale, Clay Shaw. And he happened to be a Republican Congressman. And because he had been a former mayor and he was a good man -- in fact, he was a great man. Because when the politics shifted -- this is in 2000 when we went from everybody expecting the

Democrats, because Riviera Beach is mostly a Democratic city, and then when the President Bush won, every -- the EPA and everybody else just told us to go away. But Congressman Clay Shaw, who was a Republican -- he's deceased now. He was a Republican and he was a very powerful Republican. But he was a former mayor of Fort Lauderdale. And he said, "I understand water issues." And through his political clout and through really - through his good heart, he forced the EPA and Honeywell back to the table.

And the end result is when you go at the intersection of Avenue O and Blue Heron, you'll notice there's, like, a little barn sitting there. And within that barn is a cleansing system that Honeywell has to pay for and they will pay for it today, tomorrow, and as long as it takes. And by the way, the pollution that's in our water that came from that plant over there, they don't know how -- it could be here another hundred years or another 200 years. Based upon our effort and my knowledge and experience with that issue, we were able to -- we, the City of Riviera Beach and the council, we were able to force Honeywell to clean up our -- they entered an agreement to clean up our water supply, reimburse us for monies that we'd already spent, and as long as it takes to clean up that water, whether it's 50 or a hundred years, Honeywell is required to do that. And in that process, I obviously learned and know a lot about the -- the water process, the pollution process, and the process of how this works over here. And -- and so that's part of why I think that I'm certainly suited. I'm sure there are people that are better suited.

**CHAIR PRO TEM DAVIS:** Excuse me. Hold on. I'm trying to hear him but I hear you on the microphone.

**MICHAEL BROWN:** But that -- that is -- that is my experience with our water and Utility Department and our cleaning the water and protecting the water for the citizens of Riviera Beach. And I hope I answered the question.

**CHAIR PRO TEM DAVIS:** Thank you. I -- I thought it was very significant that you state that. Because this is a decision that we just gotta make as far as consideration. And I follow that issue being a resident in the community, and I follow the council, the way y'all worked well together on that issue. As regards to the information, now, you would like to discuss the scope of services so that my colleagues can answer any questions as they go back later on when we make -- wait until later to make any decisions.

**MICHAEL BROWN:** Right. The scope of services there, as I said, they mirror, I believe -- and Miss Ryan would be able to either agree or disagree with this, but they mirror the issues that she and I discussed and I think were

reflected in an e-mail that she sent to me which I believe was intended to summarize. In fact, I wish I would have brought the e-mail with me. But it basically said, "Look, here's what -- here's what I think they want you to do." And Miss Ryan was very supportive and cooperative about, you know, her thoughts as to how I could help.

And so all of the issues there that you look at that are -- I put them in bold print so people would not miss them -- it's basically to investigate the circumstances under which this situation occurred, to review all relevant records and documents to determine what happened, who knew what, what action, if any, they would -- that were taken. And basically just to put together a report that will basically -- for you all as the board, so that you will have a report, an independent report that -- from someone who gathers the information. Just the facts. And says, "Here's what's happened. Here's what the situation. Here's what occurred." And then y'all would be able to do with that factual report what you deem is proper and necessary. You know, it's -- it's not like a report -- I don't think a report should be put together that's slanted in a -- just whatever the findings are. Here's what happened. Here's the situation. And here's the information.

And that's certainly -- I'm willing to do it. I -- I think I'm equipped to do it. But it's your decision. It's -- if you decide not to hire me, that's your decision. But I'm certainly capable of doing it. I've practiced law for almost 30 years. It's amazing to me. Twenty-five, 20 something years. And certainly I've had the experience as a private attorney in a former firm, in my own firm, and as Mayor, and y'all -- most of y'all know my formal public experience. And I think I'm more than qualified to do a fact-finding mission on this issue.

**CHAIRPERSON PARDO:** Okay. Anyone else? All right.

**MICHAEL BROWN:** Thank you.

**CHAIRPERSON PARDO:** Thank you very much, sir. Okay. Since there's -  
- Miss Ryan, did you have something to announce and then we're done?

**CITY ATTORNEY RYAN:** Oh. I thought we was just doing a discussion. I'm sorry.

**CHAIRPERSON PARDO:** Right. This is discussion.

**CITY ATTORNEY RYAN:** I sent -- oh, yes. I sent an e-mail to Council about a closed executive session. A -- a request -- I want to just make the request on the record. My assistant called around and only heard from a couple of council members so I hope that you all can make the date. Yes. I heard from Mr. Davis and I heard from Miss Davis Johnson.

**CHAIRPERSON PARDO:** From me.

**CITY ATTORNEY RYAN:** And I heard from you, Miss Pardo. Sorry. This is on the Murphy Construction case and I'm hoping that we can have the closed executive session on Thursday, May 12<sup>th</sup>, at 5:30. It shouldn't last more than an hour. That would be next Thursday if that's okay with everyone. I'm just going to announce it for the public. It's Murphy Construction versus City of Riviera Beach. And present at the closed executive session will be Special Counsel Richard Jarolem, the Mayor and Council, myself and Miss -- I'm going to say the Deputy City Manager Danny Jones. And that's it.

**CHAIRPERSON PARDO:** Okay.

**CITY ATTORNEY RYAN:** That's it. Thank you.

**CHAIRPERSON PARDO:** All right.

**COUNCILPERSON MILLER-ANDERSON:** What time did you say? 5:30?

**CITY ATTORNEY RYAN:** 5:30.

**CHAIRPERSON PARDO:** 5:30. All right.

**COUNCILPERSON GUYTON:** Move to adjourn.

**COUNCILPERSON DAVIS JOHNSON:** Oh, one second, please.

**CHAIR PRO TEM DAVIS:** Whoa, whoa. Hold on. I thought --

**COUNCILPERSON DAVIS JOHNSON:** One second, please.

**CHAIR PRO TEM DAVIS:** No. Y'all did all that talking. Now I've got some questions.

**COUNCILPERSON MILLER-ANDERSON:** There's some comments.

**COUNCILPERSON DAVIS JOHNSON:** I -- I have a comment. Pending the weather holds up, there is a community cleanup on the South side. They will --

**CHAIR PRO TEM DAVIS:** Saturday, right?

**COUNCILPERSON DAVIS JOHNSON:** -- Saturday. Did I say Sunday?

**CHAIR PRO TEM DAVIS:** No. I'm just making sure I (inaudible).

**COUNCILPERSON DAVIS JOHNSON:** Saturday.

**CHAIR PRO TEM DAVIS:** I forgot about it.

**COUNCILPERSON DAVIS JOHNSON:** Saturday morning at the South side Firehouse Park is where we will begin to disperse in order to do the work. It begins at 7 a.m., so for those of you out in the public that would like to join us and members of the Council, if you would like to join us, as well. Let's work to clean up some of the area down in the South side area.

**CHAIRPERSON PARDO:** Thank you. Anyone else?

**CHAIR PRO TEM DAVIS:** Yeah, I just -- a question. When is the next Utility District --

**CHAIRPERSON PARDO:** Go ahead.

**CHAIR PRO TEM DAVIS:** -- meeting?

**COUNCILPERSON GUYTON:** Y'all canceled all the meetings (inaudible).

**CHAIRPERSON PARDO:** Yeah. So we can either have it on the 18<sup>th</sup> or if everyone, you know -- we'll have to have it prior to the city council meeting.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CHAIRPERSON PARDO:** Or if everyone's available, how about the 19<sup>th</sup>?

**CHAIR PRO TEM DAVIS:** That's on --

**CHAIRPERSON PARDO:** The day after. The day after the regular city council.

**CHAIR PRO TEM DAVIS:** 17<sup>th</sup> is on a Tuesday. Oh, you're right. You're right. 19<sup>th</sup>'s fine with me.

**CHAIRPERSON PARDO:** Seventh -- all right.

**CHAIR PRO TEM DAVIS:** I just think that it would be important if we --

**CHAIRPERSON PARDO:** Is the 19<sup>th</sup> fine with everyone else?

**COUNCILPERSON MILLER-ANDERSON:** Why can't we do it on the 18<sup>th</sup>? What did you say?

**CHAIRPERSON PARDO:** It's going to be a long meeting.

**COUNCILPERSON MILLER-ANDERSON:** Oh.

**CHAIR PRO TEM DAVIS:** Yeah.

**CHAIRPERSON PARDO:** The -- so I would say let's have it just a stand-alone on the 19<sup>th</sup>.

**COUNCILPERSON MILLER-ANDERSON:** Uh-huh.

**CHAIRPERSON PARDO:** Is everyone good with that?

**COUNCILPERSON MILLER-ANDERSON:** During that meeting what are -- are we going to be talking about -- are we holding off until the 19<sup>th</sup> to start the investigation?

**CHAIRPERSON PARDO:** (Inaudible).

**COUNCILPERSON MILLER-ANDERSON:** As the -- the investigation and also --

**CHAIR PRO TEM DAVIS:** Unless you want me to sit here tonight.

**COUNCILPERSON MILLER-ANDERSON:** -- to figure out how we're going to make sure everything is brought into compliance?

**CHAIRPERSON PARDO:** Miss Jones?

**COUNCILPERSON MILLER-ANDERSON:** Or with Mr. Jones or --

**CHAIRPERSON PARDO:** No. Miss Jones.

**COUNCILPERSON MILLER-ANDERSON:** -- Mr. Perry? Mr. -- which one?

**CHAIR PRO TEM DAVIS:** She's here until --

**CHAIRPERSON PARDO:** Well, yeah. But you're -- still you have to --

**CITY MANAGER JONES:** Okay. The other item --

**CHAIRPERSON PARDO:** Go ahead, ma'am.

**CITY MANAGER JONES:** -- the items you have about four procurement items and then you have, of course, a discussion that was asked to be had about BFA is one that needs to be added to that. And it's also executing the contract from the discussion tonight. So you have at a minimum those

items, as well as an update on the things that have taken place in the Utility District up until that point. So those are the items that you have on that agenda. What else would you want to add to that?

**COUNCILPERSON MILLER-ANDERSON:** No, that -- that would be it. I was asking about, you know, who's going to do the independent investigation, as well as --

**CITY MANAGER JONES:** Well, that's the contract that's on that agenda --

**COUNCILPERSON MILLER-ANDERSON:** Right. Right. Right. That's what I'm saying.

**CITY MANAGER JONES:** -- for Brown & Associates.

**COUNCILPERSON MILLER-ANDERSON:** You said those two things and BFA or whoever we're going to look at for the compliance part of it would be on that agenda so --

**CITY MANAGER JONES:** All of that would be on that agenda.

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**FANE LOZMAN:** Point of order.

**CHAIRPERSON PARDO:** Okay.

**FANE LOZMAN:** Members of the public have public comment cards and you didn't give them (inaudible).

**CHAIRPERSON PARDO:** Sir, you're done.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON PARDO:** Go ahead.

**FANE LOZMAN:** That's what I'm saying. We've got two people here (inaudible).

**CHAIRPERSON PARDO:** All right, Mr. Lozman, please.

**FANE LOZMAN:** I don't want (inaudible) --

**CHAIRPERSON PARDO:** Please, Mr. Lozman. No.

**FANE LOZMAN:** -- comments.

**COUNCILPERSON MILLER-ANDERSON:** What is he talking about?

**FANE LOZMAN:** We put a card in.

**CHAIR PRO TEM DAVIS:** We already did it already.

**CHAIRPERSON PARDO:** There were only --

**CITY ATTORNEY RYAN:** We're done.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON PARDO:** -- one -- right. We did Public Comment.

**CHAIR PRO TEM DAVIS:** We took Public Comment already.

**CHAIRPERSON PARDO:** Go ahead, Mayor.

**FANE LOZMAN:** (Inaudible) number one.

**MAYOR MASTERS:** Yes. This is to the -- the attorney just to remind you.

**FANE LOZMAN:** (Inaudible).

**MAYOR MASTERS:** I know that I had asked a few weeks ago and I know you've been very busy with other issues. But I had asked if --

**FANE LOZMAN:** (Inaudible) all the way over here (inaudible).

**MAYOR MASTERS:** -- because I know Mr. Guyton has advocated to change the -- the way that --

**FANE LOZMAN:** (Inaudible).

**MAYOR MASTERS:** -- we vote, that the vote for a Mayor would not take place with his -- in his opinion, that the Mayor would be selected by the Council and that people would not have the chance to vote for a Mayor if that passed with his --

**FANE LOZMAN:** (Inaudible).

**MAYOR MASTERS:** -- his advocacy. So my question, Madam Attorney --

**UNIDENTIFIED SPEAKER:** Don't do it.

**MAYOR MASTERS:** -- have -- have you had chance to research --

**CITY ATTORNEY RYAN:** This is getting (inaudible).

**MAYOR MASTERS:** -- to see if that is retroactive? If that happens to pass would that --

**CITY ATTORNEY RYAN:** I have not had an opportunity but I promise you, you will get a written memo --

**MAYOR MASTERS:** -- three --

**CITY ATTORNEY RYAN:** -- next week. I promise you that.

**MAYOR MASTERS:** Okay. Thank you. That's it for me.

**CHAIRPERSON PARDO:** Okay. Anyone else?

**COUNCILPERSON DAVIS JOHNSON:** May I just clarify? I did say Firehouse but it is -- I know that it is Sadie McCray Park but Mrs. Dawson told me to make sure that we reference it so it is McCray -- Sadie McCray Park but you'd know it also by Firehouse.

**CHAIRPERSON PARDO:** Okay. All right. Anyone else?

**UNIDENTIFIED SPEAKER:** What's the address?

**CHAIRPERSON PARDO:** Okay. We are adjourned, thank you.

**COUNCILPERSON DAVIS JOHNSON:** The address? I'll get it for you.

**FANE LOZMAN:** Adjourn the meeting without --

### **ADJOURNMENT**

There being no further business, the meeting was duly adjourned at 9:07 p.m.

(CONCLUSION OF MEETING)

APPROVED:

Thomas A. Masters  
THOMAS A. MASTERS  
MAYOR

Terence D. Davis  
TERENCE D. DAVIS  
CHAIRPERSON

ATTEST:

Claudene L. Anthony  
CLAUDENE L. ANTHONY  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK

KaShamba L. Miller-Anderson  
KaSHAMBA L. MILLER-ANDERSON  
CHAIR PRO TEM

Lynne L. Hubbard  
LYNNE L. HUBBARD  
COUNCILPERSON

Tonya Davis Johnson  
TONYA DAVIS JOHNSON  
COUNCILPERSON

Dawn S. Pardo  
DAWN S. PARDO  
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS JOHNSON

L. HUBBARD AYE

K. MILLER-ANDERSON AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: JUNE 15, 2016