

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
SPECIAL CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MONDAY, JULY 11, 2016 AT 5:30 P.M.**

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

I. CALL TO ORDER

CHAIRPERSON DAVIS: At this time we're gonna call this Special Meeting to order. We're going to have a moment of silence, the Pledge led by Mayor Masters with the flag facing north.

MAYOR MASTERS: Yes, sir.

CHAIRPERSON DAVIS: Everyone stand.

CITY CLERK ANTHONY: Mr. Chair, we need to do the roll call first, please.

MAYOR MASTERS: Yes, ma'am.

CHAIRPERSON DAVIS: Oh, yes. We'll do that first.

CITY CLERK ANTHONY: Thank you.

CHAIRPERSON DAVIS: Who left -- who left that off the agenda?

CITY CLERK ANTHONY: Mayor Thomas Masters?

MAYOR MASTERS: Present.

CITY CLERK ANTHONY: Chairperson Terence Davis?

CHAIRPERSON DAVIS: Here.

CITY CLERK ANTHONY: Chair Pro Tem KaShamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Here.

CITY CLERK ANTHONY: Councilperson Lynne Hubbard?

COUNCILPERSON HUBBARD: Here.

CITY CLERK ANTHONY: Councilperson Tonya Davis Johnson? Councilperson Dawn Pardo?

COUNCILPERSON PARDO: Present.

CITY CLERK ANTHONY: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

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

CITY ATTORNEY RYAN: Present.

CITY CLERK ANTHONY: You may proceed.

CHAIRPERSON DAVIS: Thank you so much. We'll stand and have a moment of silence with the Pledge led by Mayor Thomas Masters. We all face the north.

(Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by Mayor Masters).

CHAIRPERSON DAVIS: Let the record reflect that Councilperson Davis Johnson is here. Next item on the agenda, we're going to have the Special Public Comments.

II. PLEDGE OF ALLEGIANCE

III. SPECIAL PUBLIC COMMENTS

CHAIRPERSON DAVIS: Members of this council, do you want to take the comments before we hear from the -- the candidates for this particular position/vacancy, or you want to wait till afterwards?

COUNCILPERSON DAVIS JOHNSON: What's the question? Sorry.

CHAIRPERSON DAVIS: The public comment cards. Do you want to hear those now or afterwards?

COUNCILPERSON DAVIS JOHNSON: (Inaudible).

CHAIRPERSON DAVIS: Anybody opposed to when we hear the public comment cards?

COUNCILPERSON HUBBARD: No, uh-uh.

CHAIRPERSON DAVIS: Are there any other public comment cards that are out there that we haven't received? At this time, you want to please pass those up. So, I guess we don't have any.

CHAIR PRO TEM MILLER-ANDERSON: (Inaudible).

CHAIRPERSON DAVIS: Okay. So we have two public comment cards. We're going to do the first one, Miss Margaret Shepherd?

MARGARET SHEPHERD: This gonna show up for the (inaudible)?

CHAIRPERSON DAVIS: Yes.

MARGARET SHEPHERD: You decide?

CHAIRPERSON DAVIS: Yes. We haven't made a decision yet. Or do y'all want to wait -- you -- you would rather wait till afterwards or what?

MARGARET SHEPHERD: Yeah, if you please. I --

CHAIRPERSON DAVIS: Mr. Sloser, how about yourself?

MICHAEL SLOSER: Just go ahead.

CHAIR PRO TEM MILLER-ANDERSON: Mr. Chair?

CHAIRPERSON DAVIS: Hold -- Madam -- Madam -- yes?

CHAIR PRO TEM MILLER-ANDERSON: Well, I -- I notice that our comments and remarks are at the -- above the regular. Why is it structured that way?

CITY ATTORNEY RYAN: because the agenda needs to be (inaudible).

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

CITY MANAGER JONES: Yeah. Now, this, you're correct. This, um, is not really the Special Agenda that should have been used.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: I -- I'm --

CHAIRPERSON DAVIS: So --

CITY MANAGER JONES: Yeah.

CHAIRPERSON DAVIS: -- so what you -- so we're suggesting that we just -- let's just go through procedure and just wait or --

CITY MANAGER JONES: Well --

CHAIR PRO TEM MILLER-ANDERSON: Well, we didn't --

CITY MANAGER JONES: -- go ahead and do the item. Finish the item and then Council can speak at the end as usual.

CHAIRPERSON DAVIS: Okay. So we'll refrain all comments until then at that time.

COUNCILPERSON PARDO: Right. And we haven't adopted the agenda.

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

MAYOR MASTERS: Right.

CHAIR PRO TEM MILLER-ANDERSON: None of that is on here. Who did the agenda?

UNIDENTIFIED SPEAKER: What she talking about?

CHAIR PRO TEM MILLER-ANDERSON: Who did the agenda?

CHAIRPERSON DAVIS: We'll address that later.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: On this --

CHAIR PRO TEM MILLER-ANDERSON: because we need to do disclosures and all of that stuff after --

CHAIRPERSON DAVIS: This is a special --

COUNCILPERSON HUBBARD: (Inaudible).

CHAIRPERSON DAVIS: Hold on. This is a special meeting. So the only item that's on the agenda is the Short-term Appointment City Attorney. Um, let's have a motion to -- to adopt and approve the agenda.

COUNCILPERSON HUBBARD: So moved. I guess (inaudible).

CHAIR PRO TEM MILLER-ANDERSON: Second. Well, no. I don't second because --

CHAIRPERSON DAVIS: You can't second.

CHAIR PRO TEM MILLER-ANDERSON: -- are we --

CHAIRPERSON DAVIS: Why? You second for discussion?

CHAIR PRO TEM MILLER-ANDERSON: No.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: I'm not. Take my second back.

COUNCILPERSON HUBBARD: Are we going to reorder the --

CHAIR PRO TEM MILLER-ANDERSON: I don't want it to kill everything. I just wanted to address the order. I don't want to approve it in that way that it's --

CHAIRPERSON DAVIS: Oh, go ahead.

CHAIR PRO TEM MILLER-ANDERSON: -- ordered.

CHAIRPERSON DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: So can we come --

CITY ATTORNEY RYAN: Okay. So I think what you want to do is, um, at -- it says Regular. It -- number 5 should now be number 3. And I guess the Public Comments, you really shouldn't have public comments. You don't need to have public comments, um, as a separate item because you are allowing public comments under the item automatically.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: So you don't have to list it. You don't list public comments under every item. So that should be deleted in and of itself.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: Because you're only here to talk about the one issue.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: So number 5 should now become number 3. Number 3 should be deleted. And then if you want to have a special -- you want to have comments that are separate from this discussion? If you don't, then you don't need item number 4, either. It's just 1, 2, the new 3, which is Short-term Appointment of the City Attorney, and Adjournment.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: That's it.

CHAIRPERSON DAVIS: All right.

CITY ATTORNEY RYAN: And then, of course, you'll take comments from the public under the item itself.

CHAIRPERSON DAVIS: On the item.

CHAIR PRO TEM MILLER-ANDERSON: Are we --

CHAIRPERSON DAVIS: Which is item number 1.

CITY ATTORNEY RYAN: Correct.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Chair Davis?

CHAIRPERSON DAVIS: Yes?

CHAIR PRO TEM MILLER-ANDERSON: So do we wait to do disclosures once we get to the item, or do we do it at the beginning like we typically do?

CITY ATTORNEY RYAN: You can -- you can do the disclosures at the item.

CHAIRPERSON DAVIS: We -- yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Okay. I will second the adoption of the agenda with the --

CHAIRPERSON DAVIS: Corrections?

CHAIR PRO TEM MILLER-ANDERSON: -- corrections that Miss Ryan just stated in that order.

CHAIRPERSON DAVIS: Okay. With item 5 being 3; 3 being deleted, along with 4. Do I have a second?

CHAIR PRO TEM MILLER-ANDERSON: I seconded that.

COUNCILPERSON HUBBARD: She did second.

CHAIRPERSON DAVIS: Oh. Okay. All right. Madam Clerk?

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Councilperson Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: All right. Now we're down to the regular -- any disclosures by any -- any of the Council?

COUNCILPERSON HUBBARD: Councilwoman Lynne Hubbard disclosing that, um, I have been represented by Attorney Andrew Degraffenreidt.

CHAIRPERSON DAVIS: Councilperson -- Councilperson Davis. I have been represented in the past by Attorney DeGraffenreidt, and I've also had a conversation with Attorney Corey Smith.

CHAIR PRO TEM MILLER-ANDERSON: I have not been represented by any one of the attorneys. I did ask Miss Ryan to send over all of the resumes, and so based upon the resume that was submitted by Mr. DeGraffenreidt, I did meet with him a couple days ago.

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON DAVIS: Yes?

MAYOR MASTERS: I'd also like to disclose that I've been represented a few times by Attorney DeGraffenreidt since I've been here.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: And I did not have those other resumes before this -- today. Well, the weekend. Sunday.

COUNCILPERSON HUBBARD: Right.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM MILLER-ANDERSON: No. Yesterday?

CITY ATTORNEY RYAN: Yesterday's Sunday. Yeah.

CHAIR PRO TEM MILLER-ANDERSON: Right. Okay. So that's why I didn't meet with the others.

CITY ATTORNEY RYAN: Actually, you didn't get it till -- because it didn't go through. I tried to e-mail it last night, and it would -- I didn't know it was in my outbox --

CHAIR PRO TEM MILLER-ANDERSON: Right. So this morning.

CITY ATTORNEY RYAN: -- until you sent me the e-mail this morning.

CHAIR PRO TEM MILLER-ANDERSON: Okay. That's -- that's why I met with only Mr. DeGraffenreidt.

CITY ATTORNEY RYAN: Correct.

CHAIRPERSON DAVIS: All right. Okay. At this time, all right, now, Madam Clerk, we have the Short-term Appointment of the City Attorney.

IV. COMMENTS AND REMARKS BY THE MAYOR AND CITY COUNCIL

IV. REGULAR

1. SHORT-TERM APPOINTMENT OF THE CITY ATTORNEY

CITY ATTORNEY RYAN: May I start just to say where we left off at the Council meeting, Mr. Chair? Uh, after the Council meeting -- and I know there was a lot of different discussions, but I reached out to Mr. DeGraffenreidt and to Miss Booker.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: Miss Booker has not responded. I sent her an e-mail regarding submitting a resume or a C.V. and she has not done that. So I -- I wanted to let y'all know that you don't have it because she did not submit anything to me.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: I don't know if she submit -- submitted something to you directly.

CHAIRPERSON DAVIS: And didn't you say she reached out to you before inquiring about the position?

CITY ATTORNEY RYAN: She did.

CHAIRPERSON DAVIS: So what happened between then and now?

CITY ATTORNEY RYAN: The Council meeting?

CHAIRPERSON DAVIS: Yes.

CITY ATTORNEY RYAN: That's all I know that happened between then and now. I'm just saying that's all I know.

CHAIRPERSON DAVIS: That's interesting.

CITY ATTORNEY RYAN: She didn't respond.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: Also today, um, I received a letter of interest from Attorney Corey Smith. I reached out, as I believe it was Miss Davis Johnson who asked that I send a letter, an e-mail or something out to all of the attorneys that were on our list. So I sent an e-mail out to all of those attorneys and, um, Mr. Torcivia's firm responded and Mr. Smith responded today.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: And I think he sent you all an individual e-mail, which you --

CHAIRPERSON DAVIS: He did. I -- yeah. Yes.

CITY ATTORNEY RYAN: -- which you -- which you have.

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: That's it.

CHAIRPERSON DAVIS: All right. So this time would the Council like to have each person's firm, or each individual come up and talk a little bit about who they are and some of their experience with them? How would y'all like to conduct it? Are y'all comfortable with that?

COUNCILPERSON HUBBARD: I'm fine with it.

CHAIRPERSON DAVIS: That's fine? Okay. All right. So let's start with Glen Torcivia's firm.

CHRISTY GODDEAU: Hi, good afternoon.

CHAIRPERSON DAVIS: Good afternoon.

CHRISTY GODDEAU: My name is Christy Goddeau. I'm a shareholder in Torcivia's firm which is now Torcivia Donlon Goddeau & Ansay. Get this a little closer. How's that?

CHAIRPERSON DAVIS: Perfect. Better.

CHRISTY GODDEAU: That better?

CHAIRPERSON DAVIS: Much better.

CHRISTY GODDEAU: Has everybody received our proposal? If not, I have extra copies here.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM MILLER-ANDERSON: Yeah. We got it this morning.

CHRISTY GODDEAU: Okay. Just briefly, as stated in our proposal, we've been representing the City since 1989. And we continue to represent the City. We represent you on litigation, labor and employment, and we represent your police department. In the past we have also provided you with interim legal services. We've represented you as both the city attorney and as a special assistant city attorney, providing your day-to-day legal services with usually Glen attending the night meetings.

CHAIRPERSON DAVIS: Okay.

CHRISTY GODDEAU: As stated in our proposal, we have extensive experience in Palm Beach County with representing local governments. The proposal contains additional background information on our firm and all of our attorneys that we use as a

resource and a team approach for every client. We submitted our proposal based on Miss Ryan's e-mail that you were in need of interim services. And believing it just makes sense, since we've done it in the past, to step in. The firm certainly appreciates the opportunity to present this proposal to you, and I'm here today to answer any questions you may have about our firm, myself or our previous service or our current services to the City.

CHAIRPERSON DAVIS: Thank you so much. Any members of the Board, you can start your questions now for the Torcivia firm.

MAYOR MASTERS: I have questions.

CHAIRPERSON DAVIS: Mayor?

MAYOR MASTERS: Yes. Could you name the attorneys that are working on your -- in your firm?

CHRISTY GODDEAU: Yes. There's, of course, Glen Torcivia who started the firm. There's Lara Donlon who does labor and employment. There's myself. I do primarily local government. There's Jon O'Connell who does labor and employment. There's Carolyn Ansay who does primarily environmental law, but also local government. And there is Jennifer Hunecke, which provides local government services, as well.

MAYOR MASTERS: Okay. This is -- I -- I'm kind of going through your, um -- your -- the bio or synopsis of your firm. Have you submitted any type of suggested cost to the City?

CHRISTY GODDEAU: Yes, Mayor.

MAYOR MASTERS: What is that, please?

CHRISTY GODDEAU: Our current rate for general services to the City is 195 an hour, and we have proposed to continue at that rate.

MAYOR MASTERS: Okay. If you were working in an interim position, how do you calculate that when -- are you eight hours a day times --

CHRISTY GODDEAU: That's a good question. What we don't do is we don't block bill. When we do interim services as we've done in the past, I come to the City with my laptop and I do whatever work is necessary, whatever meetings are necessary with staff or with Council members. But I only bill you for the time I'm actually working on your issues. Because -- because we have a lot of local government clients, at times, we get an emergency, a fire that we've got to attend to. So I do not, of course, bill the City for that time. So on my billing for interim services, you will see specific time frames for issues that I actually worked on.

MAYOR MASTERS: So actually you would be somewhat on call. We -- you know, when there's an issue, you bill us.

CHRISTY GODDEAU: Yes. Absolutely.

MAYOR MASTERS: If there isn't an issue or there's not a need, then you don't bill. Is that what you're saying?

CHRISTY GODDEAU: That's exactly what I'm saying. And -- and the way we've done this in the past, Glen and myself, is y'all have our cell phone numbers. You have our e-mail address. We set up hours with the legal staff or other staff to attend meetings or just to come in and review the day-to-day legal issues.

MAYOR MASTERS: So I'm -- let me kind of press that point. So what you're saying is as an interim attorney, law firm, you're not really dealing with us on a day-to-day basis unless needed?

CHRISTY GODDEAU: Well, the way we've done it in the past -- let me make sure I'm answering your question. The way we've done it in the past is whatever needs you have, we will be there for you. We typically set up a set schedule with staff, so everybody knows when we're going to be at City Hall. But, at times, other issues come up. At night, phone calls, e-mails come up. And we address them and try to make sure that we're there for you at any time you need us.

MAYOR MASTERS: Okay. You said that's the way you've done it in the past. Have you given any thought as to any modifications of that moving forward since we're looking for, I would think, a full-time interim city attorney that's in the office every single day.

CHRISTY GODDEAU: If -- if that's what the City desires --

MAYOR MASTERS: I don't know. That's what I'm -- I'm just -- I don't know. That's just me.

CHRISTY GODDEAU: Right. If that's what the City desires, we can make it happen. But I think in the past, for the interim, we've always just provided what seems to work best with everybody's schedule. But we're certainly happy to entertain the idea of being there 24/7 or during business hours.

MAYOR MASTERS: Okay. During business hours. Could you suggest or could you tell me at minimum would that be -- let's just say we know that you're going to be there three hours a day or for at least four hours a day. Is that -- would you come up with some type of measurement for it?

CHRISTY GODDEAU: It's whatever -- right. Whatever works out best for the Council, because, of course, we'd be serving at the pleasure of the Council, and whatever works out best for staff, whether that is from 8:30 in the morning to 5:30 plus the Council

meetings and other meetings, or whether that's a shortened time frame. We sort of open it up to you to what's going to work best for you.

MAYOR MASTERS: Thank you.

CHRISTY GODDEAU: You're welcome.

CHAIRPERSON DAVIS: Thank you. Any other members of the board have any questions for the Torcivia Law Firm?

COUNCILPERSON PARDO: Yes, I do.

CHAIRPERSON DAVIS: Madam.

COUNCILPERSON PARDO: Hi. Can you tell us how long, um, the Torcivia Law Firm has been in practice?

CHRISTY GODDEAU: The firm was started in 1989 when Glen Torcivia left the County Attorney's Office. He was with that office for about four years. And one of his first clients was the City of Riviera Beach, along with the healthcare district. And they -- that's when he started it.

COUNCILPERSON PARDO: Okay. And what other municipalities in Palm Beach County do you represent?

CHRISTY GODDEAU: Currently in Palm Beach County we are the City Attorney for the City of Lake Worth, the City of Belle Glade, Highland Beach and Ocean Ridge. There's other cities that we represent, much like the City of Riviera Beach, on special projects or different issues.

COUNCILPERSON PARDO: Okay. And --

CHRISTY GODDEAU: Oh, and let me add Village of Palm Springs.

COUNCILPERSON PARDO: Okay. And, um, I don't know if this is for you or Miss Ryan, how many cases are you currently handling for the City?

CHRISTY GODDEAU: I think just two that I'm aware of.

COUNCILPERSON PARDO: Okay. And then you also act as the attorney for one of the labor unions, correct? Or our attorney when they sit down with the unions, correct?

CHRISTY GODDEAU: For two of the unions, correct.

COUNCILPERSON PARDO: And which are they?
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CHRISTY GODDEAU: The -- the Fire Rescue and I believe it's PMSA.

CITY ATTORNEY RYAN: Correct.

COUNCILPERSON PARDO: Okay. And when did you guys first started doing business with Riviera?

CHRISTY GODDEAU: It was in 1989 when Glen first opened the office.

COUNCILPERSON PARDO: Okay. All right. Thank you.

CHRISTY GODDEAU: Thank you.

CHAIRPERSON DAVIS: Any other -- members of the Board, any questions before we move on to the next candidate?

MAYOR MASTERS: Mr. Chair?

CHAIR PRO TEM MILLER-ANDERSON: Um, yes. I do have another question.

CHAIRPERSON DAVIS: Vice Chair, go ahead.

MAYOR MASTERS: Well --

CHAIR PRO TEM MILLER-ANDERSON: I'm sorry. Not another question but a question. You said that you -- those municipalities that you represent, um, you -- you said something about Riviera Beach, it's only -- what did you just say a few minutes ago?

CHRISTY GODDEAU: It's -- it's sort of special projects. We -- we're not obviously your city attorney, so it's by assignment as --

CHAIR PRO TEM MILLER-ANDERSON: So those that you listed are just by assignment or you had -- you said you had a few others that you do --

CHRISTY GODDEAU: Right. Right. There -- there's other cities --

CHAIR PRO TEM MILLER-ANDERSON: -- but are just by assignment.

CHRISTY GODDEAU: -- that we represent for litigation or for special matters that we're not technically the in-house or the city attorney.

CHAIR PRO TEM MILLER-ANDERSON: So are you all equipped in terms of employees to have us, basically, like on a full-time basis and not just on project-by-project?

CHRISTY GODDEAU: Absolutely. It -- and that's what we've done in the past, and whatever your pleasure is in terms of how that schedule should work out, we're prepared to -- to meet that schedule.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Thanks.

CHAIRPERSON DAVIS: All right. Before we move on, do you have any other questions, Mayor?

MAYOR MASTERS: Yes, I do. I notice on page 414, "Mr. Torcivia has, as special counsel, represented the City of Riviera Beach since 1989 in a diverse variety of matters including defending claims of employment, discrimination, defending police officers in unlawful use-of-force cases," etc., etc. Could you tell me over the past year or two years how many cases that you think that you've represented for the City of Riviera Beach?

CHRISTY GODDEAU: Um, since Mr. Torcivia took over in 1989, it really has changed our representation of the City. He used to do a lot of insurance defense. And when he first representing the City, that was a main part of his practice. It now developed more into local government. So I'm not exactly sure over the last two years exactly how many cases we've had. It hasn't been a lot. Because we typically come in to handle litigation that's not covered by your insurance. So it's those odd cases that pop up that we kind of come in with sort of our local government experience on how to handle those cases.

MAYOR MASTERS: I guess what I'm really asking, the cases that you've handled for us, what is your track record -- has been as far as winning or losing?

CHRISTY GODDEAU: Our track record?

MAYOR MASTERS: That's what I need to know.

CHRISTY GODDEAU: I think our track record is -- is we're -- we're doing pretty good. You know, we did represent you on some of the early Fane Lozman cases with public records and Sunshine. And I think most --

MAYOR MASTERS: "Pretty good" means what?

CHRISTY GODDEAU: I think we're winning a majority of the cases or having them dismissed as a beneficial matter for the City.

MAYOR MASTERS: Thank you.

CHRISTY GODDEAU: You're welcome.

MAYOR MASTERS: Thank you, Mr. Chair.

COUNCILPERSON HUBBARD: Mr. Chair? I -- I neglected to disclose that Mr. Torcivia has represented me, also.

CHAIRPERSON DAVIS: I don't have any questions. Um, so what we'll do is we'll start to call each individual law firm as it follows. Thank you for your time.

CHRISTY GODDEAU: Okay.

CHAIRPERSON DAVIS: And then at that time we'll deliberate on how the Board wants to move forward. But thank you so much.

CHRISTY GODDEAU: Thank you again for the opportunity.

CHAIRPERSON DAVIS: Okay. Um, Attorney Smith, did you want to present or -- okay. DeGraffenreidt?

ANDREW DEGRAFFENREIDT: Yes, sir.

CHAIRPERSON DAVIS: Take your time. Tell us a little something about your history and -- and how you're the best person for the City of Riviera Beach, whether or not, give or take.

ANDREW DEGRAFFENREIDT: Since this is a governmental job, I'd start with that type of experience. I started working in government as a law clerk for Mr. Caldwell who is the city attorney in the City of Fort Lauderdale. That would be back in 1970. I moved on to work for Gaylord Wood who was the attorney for Bill Markham who was the property appraiser -- this is while I'm in law school -- for a couple of years.

And then I worked as an assistant county attorney under Betty Lynn Lee until my dad ran for Congress and it created a nepotism problem. And I was hired by the City of Hollywood, which was one of my fondest jobs because I was the deputy city attorney. It involved pretty much representing the City in court. It did not involve being a public official. That came later. I think it was about 1988 that I became the city attorney of Hollywood, and I stayed there about six years until I was hired by Arthur England's firm -- he was our former Supreme Court Justice -- Fine, Jacobson, Nash, Block & England, and they had primarily a municipal government practice that was based in Miami. We operated the Fort Lauderdale office.

Had a brief stint on private practice, which I enjoyed immensely. Government can get a little tedious. And I came to Riviera Beach about 1989. While I was with Fine, Jacobson, Block & England and that crew, that's when I met Glen Torcivia, and I need to make a public disclosure: Glen's my friend. We were working together on a case that involved Leonard Briscoe, and I forget the name of the complex, but it's the apartments on --

UNIDENTIFIED SPEAKER: That's Wedgewood.

ANDREW DEGRAFFENREIDT: Wedgewood was -- which it was. Yes, it was. And there were some issues about funding and misappropriation of money and things of that nature.

CHAIRPERSON DAVIS: Uh-huh.

ANDREW DEGRAFFENREIDT: And Gary Brandenburg was the county attorney at the time, and Glen got the call. And we litigated that case together. And he started his firm in 1989, because we talked about it. And he did work for the City since 1989 because I hired him. And we are close today. Visit all the time. Go to his house. He comes to my house. I was at his dad's funeral. We talk about things, like brothers. So -- but we represent our clients effectively. We have crossed swords and we've prayed together for each other before we cross swords. So there's no issue there. In terms of what I think I can offer you --

CHAIRPERSON DAVIS: (Inaudible).

ANDREW DEGRAFFENREIDT: -- to be candid, you know, I -- I'm at a point in my life where I had a lot of fun being a lawyer. You know, ask the question, who have I represented? More important question, who have I not represented in this community? You know? And I'm not really trying to build a major practice, candidly. So in terms of addressing what you need, I'm available.

CHAIRPERSON DAVIS: Uh-huh.

ANDREW DEGRAFFENREIDT: You know, I -- I can give you my full time. There are a couple of cases in federal court that have not been transferred to other firms, and Mr. Gary's picked up a lot of them because I told him I was trying to get out of the business. I got two that I need to address maybe in October if they don't settle, but I don't see any conflicts. In terms of fee, it's negotiable. We can sit down and talk about it.

CHAIRPERSON DAVIS: Okay.

ANDREW DEGRAFFENREIDT: I looked at your budget. You spend a substantial amount of money on legal fees. You know? And -- and that's something I'm willing to look at and see if there's some adjustments that can be made in how that is done. I need to be candid with you about another thing.

CHAIRPERSON DAVIS: Uh-huh.

ANDREW DEGRAFFENREIDT: You're gonna have to make a decision. Trial lawyers can't be at City Hall holding your hand. If you want me to do trial work, I won't be there. But if you give me the staff, I promise you I can train them, and they'll be good. And I'll be there, and they'll represent you in court.

CHAIRPERSON DAVIS: Okay. All right.

ANDREW DEGRAFFENREIDT: There's some things that have to be thought through. I cannot come and give you today a panacea because I ain't educated on what the lay of the land is. But I think my experience and background gives me the infrastructure to address it positively according to your directives. I'm prepared to answer any questions you have.

CHAIRPERSON DAVIS: Okay. Any members of the Board, any questions?

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON DAVIS: Mayor.

MAYOR MASTERS: Mr. DeGraffenreidt.

ANDREW DEGRAFFENREIDT: Yes.

MAYOR MASTERS: Good afternoon.

ANDREW DEGRAFFENREIDT: Hey.

MAYOR MASTERS: Good to see you.

ANDREW DEGRAFFENREIDT: How you doing, sir?

MAYOR MASTERS: I saw you in court recently, and let me just say for the record, you did a great job. You were outstanding. And I was very -- I should not have been impressed because I've -- I've always known that -- that you have been a good attorney. But to see you in action, I was greatly impressed --

ANDREW DEGRAFFENREIDT: Thank you for being kind.

MAYOR MASTERS: -- of -- of -- of how you, um, cross-examine the witnesses. You did a great job and let me just say that. Let me also thank you for being my attorney when I needed one, and I'm pretty sure it was pro bono because I didn't have no money at the time. Probably still don't. So if I owe you anything, please let me know.

ANDREW DEGRAFFENREIDT: No, sir.

MAYOR MASTERS: Let me say a couple of things. Very kind of you to mention your relationship/friendship with Glen Torcivia, who I have great respect for and admire his legal abilities. Can you foresee any time that the two of you may work together, and it may be something that you may want him to do along with you if that arises?

ANDREW DEGRAFFENREIDT: Professionally, that depends upon what directives you give me. Personally, I'd love to work with Glen. Make a great team.

MAYOR MASTERS: Yeah, I believe that. Thank you.

ANDREW DEGRAFFENREIDT: Yeah. Yeah. Yes, sir.

MAYOR MASTERS: Um, the -- when you were attorney for the City of Riviera Beach, how many -- I think you mentioned -- I think 1989, how many years did you work at the city attorney?

ANDREW DEGRAFFENREIDT: Roughly about 10, I believe. It was from '89 to about '99, somewhere in there. I know my son was born in '95. It's just, like, several years after that. My guess would be somewhere between eight and nine years. I don't specifically recall.

MAYOR MASTERS: So you -- you have worked for different councils, basically?

ANDREW DEGRAFFENREIDT: Oh, yes. Yeah, sure.

MAYOR MASTERS: You worked for a council that day.

ANDREW DEGRAFFENREIDT: Yes, sir.

MAYOR MASTERS: You worked, you know -- you've done things now.

ANDREW DEGRAFFENREIDT: Yes, sir.

MAYOR MASTERS: Okay. That's it.

ANDREW DEGRAFFENREIDT: Okay.

MAYOR MASTERS: Thank you.

ANDREW DEGRAFFENREIDT: Thank you.

CHAIRPERSON DAVIS: Any questions from the other members of the Board?

COUNCILPERSON HUBBARD: Yeah. Can I --

COUNCILPERSON PARDO: Oh, yeah. Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am?

COUNCILPERSON PARDO: Okay. I don't know if this is a question. I think it's more of a comment. I sincerely appreciate Mr. DeGraffenreidt coming up here and, you know, applying for this position. But I was under the assumption that it was just short-term

until we went out and did a search. Either, you know, a local search or a national search. And it just seems to me the way the conversation is going that, um, you know, if we hire Mr. DeGraffenreidt or someone else, we are making the decision on our long-term city attorney. So can someone clarify that?

ANDREW DEGRAFFENREIDT: I'd like to gladly clarify that. Did you get the opportunity to read my proposal letter? It was sent over to the Council on July 7.

COUNCILPERSON PARDO: I read it all.

ANDREW DEGRAFFENREIDT: You did? There was a section in there that specifically addressed my intentions to assist you in developing and formulating your search for a permanent attorney. If that would be the case --

COUNCILPERSON PARDO: All right, sir. I didn't get an attitude with you.

ANDREW DEGRAFFENREIDT: No. I'm sorry. Please forgive me. I didn't mean that to come out that way.

CHAIRPERSON DAVIS: No apology needed.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON DAVIS: Just speak into the mic.

ANDREW DEGRAFFENREIDT: I -- I was merely saying --

CHAIRPERSON DAVIS: Just speak into the mic.

UNIDENTIFIED SPEAKER: (Inaudible) the mic. Oh, yeah.

ANDREW DEGRAFFENREIDT: I was merely saying that your concern had previously been addressed. I never intended that that would be permanent. I don't know how the discussion is being perceived by you. My point was if the letter indicated that I was prepared to assist you to find someone else, it would give an indication that I was not trying to be your permanent attorney. That was my only point.

CHAIR PRO TEM MILLER-ANDERSON: Chair -- Chair Davis.

CHAIRPERSON DAVIS: Hold on.

CHAIR PRO TEM MILLER-ANDERSON: After you.

CHAIRPERSON DAVIS: Councilperson Pardo, you have another question?

CHAIR PRO TEM MILLER-ANDERSON: I'm (inaudible) gonna be next. Oh, I'm sorry.

CHAIRPERSON DAVIS: because she had the floor.

CHAIR PRO TEM MILLER-ANDERSON: Yes, she does.

COUNCILPERSON PARDO: I have no other questions.

CHAIRPERSON DAVIS: Okay. Vice Chair?

CHAIR PRO TEM MILLER-ANDERSON: I -- I think I did make that very clear when we brought this up at our last meeting that this would be short term, and we would be looking for a permanent person, doing a search.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM MILLER-ANDERSON: So that's where I am with that.

CHAIRPERSON DAVIS: Well, you know --

ANDREW DEGRAFFENREIDT: And that was understood.

CHAIRPERSON DAVIS: -- to -- to be clear, I think we all received the same proposal.

ANDREW DEGRAFFENREIDT: Yes.

CHAIRPERSON DAVIS: And in reading that proposal, it was very clear, and that was the intent in the last meeting that this was a short-term, um, position, interim position.

CHAIR PRO TEM MILLER-ANDERSON: But he's welcome to apply. Uh-huh.

CHAIRPERSON DAVIS: Until this Board decide on what they want to do. Any other questions?

MAYOR MASTERS: Yes, one more, Mr. Chair.

CHAIRPERSON DAVIS: Go ahead, Mayor.

MAYOR MASTERS: Mr. Attorney DeGraffenreidt.

ANDREW DEGRAFFENREIDT: Yes, sir.

MAYOR MASTERS: We have in our packet, um, a letter from you regarding my alleged conflict of interest in representing the City. Just for the record, since the -- the viewing public may not have the benefit of -- of seeing the -- the letter, would -- would you state why, um --

well, you quote Rule 4-1.7. Would you like to state on the record what that rule is?

ANDREW DEGRAFFENREIDT: Yes, sir. It was in response to an inquiry that was raised by your city attorney. I believe she addressed that issue at the Council meeting that she did not perceive a conflict, but she asked me to write something with respect to that issue. And I went and cited that rule which is the Florida Bar Rule that controls conflicts. And basically it says I cannot represent in a situation where one client's interests may be adverse to another. Okay? And I called the Board's attention to the fact that I don't work for you individually.

MAYOR MASTERS: Uh-huh.

ANDREW DEGRAFFENREIDT: I work for you collectively. There cannot be a conflict when all my directives come from a majority of you. That's in terms of me representing you sitting in the chair of the city attorney. There are potentials for conflicts when you direct me to do litigation. And that comes in those rare occasions where I've got two or more public officials or employees involved in the same incident. And each of them may bear their own culpability. Then I can't represent all of them.

Or in a situation where an individual representing the City does something that is outside that scope of authority or with wanton and willful neglect for human safety or property rights. In that instance, 768.28 says the City coffers are not on the hook for those. And I'm required to make that defense on your behalf. And that puts me adverse to the person acting on behalf of the public corporation.

MAYOR MASTERS: Thank you, Mr. Attorney.

CHAIRPERSON DAVIS: Okay. Any other questions by any Board members? Attorney DeGraffenreidt, thank you for your time.

ANDREW DEGRAFFENREIDT: Thank you, sir.

CHAIRPERSON DAVIS: Okay. So we've heard -- okay. Miss Booker's not here. Attorney Booker's not here. Anyone else that's a lawyer that wanted to submit a resume before we deliberate, or want to practice law?

UNIDENTIFIED SPEAKER: No, thank you.

CHAIRPERSON DAVIS: Not today. All right. Let's go back to the board now. So we've heard from two of the -- two of the -- the law firms, and of course Attorney Smith had submitted his --

CITY ATTORNEY RYAN: Did you -- did you let the public speak yet?

CHAIR PRO TEM MILLER-ANDERSON: The public comments.

CHAIRPERSON DAVIS: Oh. Oh. Let's go now. Mr. Sloser, then we go Shepherd.

MICHAEL SLOSER: Good afternoon. Michael Sloser, 4100 N. Ocean Drive, Riviera Beach, Florida. Uh, I don't have a long question. But it is a question, and it comes to mind as you all made your disclosures about any involvement you might have with legal matters. I wonder if in hearing from lawyers or law firms that would be representing us on an interim basis, whether we've asked them if they're involved with anybody that we may be or currently are involved in legal matters. I think that's something if I was sitting there -- if I were sitting there I'd want to know are they, in fact -- have they experience with people that we're currently or we have been involved in that we should be aware of? Not as a disqualifier, but just as something that we should know as a board. And that's it.

CHAIRPERSON DAVIS: Thank you. Miss Shepherd? Miss Margaret Shepherd.

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. While I -- I heard Mr. DeGraffenreidt very well, I think he does an excellent job in what he does. I do get butterflies in my stomach because that's what he did. He represented members of -- of Council very well. And so I ask myself a question, Will he be on that basis with you all? Because he is very friendly with you. I mean, I kind of watch a little bit. Or will he pull back and do business of the City?

So I have great reservations, and I think Mr. DeGraffenreidt did a great job. I remember when my cousin Clara was the -- the mayor here. I -- I would often here her speak very fondly of him. So that's some of the things that kind of bother me. With Tucerne [phonetic] -- what is it, Tercernia [phonetic]?

MAYOR MASTERS: Torcivia.

CHAIRPERSON DAVIS: Torcivia.

CHAIR PRO TEM MILLER-ANDERSON: Torcivia.

MARGARET SHEPHERD: You know who I'm talking about. I -- I watch him. I mean, he come in. He do the business that he's gifted to do, then he leave. I don't see him really -- unless he do it behind closed doors -- interact. And I'm -- I'm not saying it's nothing wrong with interact. This City is in a fight for its life. They need someone, measure up to Mrs. Ryan on her thinking ability. I said to her today, "When you don't trust your attorney, it's time to go." They don't trust her, and she made that decision to go. And that -- that's a good thing. That's a good thing.

But I ask you, Council, to please understand one thing: That we need your undivided attention. And that's with the business of the City. That's my only concern. As Mrs. Hubbard say, she was in a historical

movement this year in her election. And Mr. DeGraffenreidt was very, very, you know -- I mean, he did a great job. What can I say? So I just ask you all please when you make your decision, take all of that in. Are we going to do business of the City or are we going out for cocktails? Thank you.

CHAIRPERSON DAVIS: Thank you. All right. That's the end of Public Comment. We just had two comment cards, but before we move further, if anyone that walked in late, I will allow this one time as a courtesy to take a public comment card. Okay. Attorney Smith, you got something you want to say?

COREY SMITH: Yes.

CHAIRPERSON DAVIS: Come on up.

COREY SMITH: Good afternoon, Council members. I put my name in.

CHAIRPERSON DAVIS: Yes.

COREY SMITH: Because I wanted you all to --

CHAIR PRO TEM MILLER-ANDERSON: Pull his mic up.

CHAIRPERSON DAVIS: Put your mic --

COREY SMITH: -- I wanted y'all to understand that it --

CITY MANAGER JONES: State your name for the record.

COREY SMITH: Corey Smith, 1009 Center Stone Lane, Riviera Beach. Um, I put my name in not for the interim position so I wanted that to be clear so that when you all take a vote of this for the interim position so my name shouldn't be considered in that respect. So I just wanted y'all, like -- let -- let you all know that I put my resume in for a position in the office, not necessarily on the interim -- on an interim basis.

CHAIRPERSON DAVIS: Okay.

COREY SMITH: So --

CHAIRPERSON DAVIS: Thank you.

COUNCILPERSON PARDO: Thank you.

CHAIRPERSON DAVIS: It's good to see you.

COREY SMITH: You, too.

CHAIRPERSON DAVIS: It's okay to be nice to people in Riviera Beach, right?

UNIDENTIFIED SPEAKER: Absolutely (inaudible).

CHAIRPERSON DAVIS: All right. Um, let's -- let's go ahead and get to why we're here. We've heard from all three parties. One stating that he would like to potentially work for either firm if suggested by him being a resident from Riviera Beach and with his experience he's presented before us. So at this time, how would you all like to deliberate, one firm versus the other? Both firms obviously are qualified. I made no comments up until now. Torcivia Firm, like she stated before, represented Highland, Belle Glade, Lake Worth, Riviera Beach, Ocean Ridge and Palm Springs.

Attorney DeGraffenreidt represented the City of Fort Lauderdale Property Appraisals, Assistant County Attorney, City of Hollywood and was the -- back in 1989 at the time of Torcivia's law firm birth, he hired Glen Torcivia. So we have two people who are extremely qualified and great experience and come with great credibility. And we're going to make a business decision at that time. And I hope that people --

COUNCILPERSON PARDO: Mr. --

CHAIRPERSON DAVIS: -- keep it as a business decision. Um, one person's going to win; one person's going to lose. But the way I look at it, we'll find out. So I'm going to hear from the Board and suggest how y'all would like to go at this time before anything happen.

COUNCILPERSON PARDO, look like you -- you got something to say?

COUNCILPERSON PARDO: Yeah. I do have something to say. I think at this point where we are right now I would feel very comfortable bringing the Torcivia Law Group in to help us out on an interim basis. They've been -- like they said, they've been representing the City of Riviera Beach for quite a number of years. They're involved with our unions. They've represented us on several cases and they're also involved in Palm Beach County municipal government. I feel extremely comfortable with them. So at this point I'd like to make a motion to hire the Torcivia Law Firm on an interim basis until we find a full-time, uh, city attorney.

CHAIRPERSON DAVIS: Okay. There's a motion on the floor. Do we have a second? Do we have a second? One more time. Do we have a second? Lack of a second.

CHAIR PRO TEM MILLER-ANDERSON: Chair Davis, I -- I -- I would --

CHAIRPERSON DAVIS: Vice Chair?

CHAIR PRO TEM MILLER-ANDERSON: -- like to finish the comments before I approve any seconds, give any seconds or anything on anybody until we all can --

CHAIRPERSON DAVIS: As of right now did -- you got any recommendations?

CHAIR PRO TEM MILLER-ANDERSON: Well, no. I just -- well, I do want to -- um, just looking at the two, they both obviously have worked for the City. They've done business with the City and they've been with the City just as -- just as long with each other. I know one of the public comments was in regards to whether or not Mr. DeGraffenreidt would, you know -- it's a friendly situation. But I -- I think we do need to point out that there's also a friendly situation in terms of Torcivia's group. So that to me is not an issue because if we're hiring you to do a job, we're hiring you to do the job, and it should not be anything else.

And -- and one thing we should point out is that Miss Ryan is retiring, and she's also going to work for Torcivia. So clearly there was a relationship there, too. So I think that needs to be in the back of everyone's mind, as well, so we don't, you know, ostracize one over the other. The other thing I -- I thought we cleared up. Did we not get a clear understanding of what a conflict consisted of?

Because I just want to make sure that, you know, if -- if there's some kind of conflict that's here, we need to make sure that it is disclosed and we're clear that there is no conflict with us in terms of Mr. DeGraffenreidt representing someone or that type of thing. And I think with the e-mails that we received in -- in regards to what a conflict is, um, I thought it was very clear that there was none. So I just wanted to point out those two things.

I can -- you know, I'll wait until we get through the line, whoever else wants to make a comment. I just wanted to clear those couple of things up. They look equal, but at the same time they -- you know, there is a -- I mean, at some point we have to decide which one we want. But, you know, the issue of Miss Ryan, well, now she's retiring from us. But at the same time, now she's getting ready to work for the firm, if we choose them, and it's almost like she's still there. So I mean, you might as well stay here.

CITY ATTORNEY RYAN: No. Madam -- Mr. Chair?

CHAIRPERSON DAVIS: Hold -- hold on. Are you finished with your comments before we go any further?

CHAIR PRO TEM MILLER-ANDERSON: I mean, that is what, you know -- there was a comment that was made in the e-mail from -- was it Miss -- Miss Christy? Someone from the law firm referred to --

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM MILLER-ANDERSON: -- Miss Ryan being an employee there now. So she could give input on some of the cases.

CITY ATTORNEY RYAN: Only backup. It has been very clear that when I leave the City of Riviera Beach, I will be working on Mr. Torcivia's firm's other clients. I will not be working -- you will not have to worry about seeing my --

CHAIR PRO TEM MILLER-ANDERSON: But how -- how do we -- do we control that or they control that part of it?

CITY ATTORNEY RYAN: -- my face. I'm -- I'm telling you that, that that -- I will not -- but that was always the case.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: Also, I just want to make the comment just so that the public knows, there is no conflict but it should be said that there are a couple of cases that Mr. DeGraffenreidt was involved in that he will not participate in as it relates to other people who have filed suits against the City. Those suits are still pending.

I think Mr. DeGraffenreidt's letter reflected a conflict with the Council. And I'm stating that I don't believe that there is a conflict with those other matters; however, I sent you all the e-mail. I want to be clear because I want the public to be clear on what I've given the Council. From one of the attorneys that -- because of Mr. DeGraffenreidt's prior involvement, that he would be out -- not included in the case. So I just wanted to make that clear.

CHAIR PRO TEM MILLER-ANDERSON: So he basically recuses himself from that particular --

CITY ATTORNEY RYAN: Correct. That we'll have to go through the insurance company.

CHAIRPERSON DAVIS: (Inaudible).

CITY ATTORNEY RYAN: But let me be clear and -- that Pamala Ryan will not be continuing on City of Riviera Beach assignments when she leaves.

CHAIRPERSON DAVIS: Any others --

CHAIR PRO TEM MILLER-ANDERSON: That's -- that's it.

CHAIRPERSON DAVIS: -- any other members of the Board, any questions, concerns?

COUNCILPERSON DAVIS JOHNSON: Yeah. I have a --

CHAIRPERSON DAVIS: Councilperson Johnson?

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: So what I am unclear in my mind about is what is the sense of urgency for us to make an immediate and unprecedented decision? What is so urgent that we have out there that is pending that we need to bring someone on the interim basis that needs to be addressed right now? Can someone lay that out to me? I know we got a listing of, um, all of the attorneys and what services they are providing to us. So I am looking for someone to clarify to me what this sense of urgency is in moving forward in such a manner as this.

What is not clear to me is also the term. What I -- I feel that if we are to do anything, we should be commencing the search. And those that are interested can submit their resumes, and as a board we select it. Um, Attorney DeGraffenreidt outlined in his, um -- in his letter, some of the things, some of the measurable criteria that we should be considering. So we should -- we should know exactly what it is that we are looking for as it relates to the services of a -- of a city attorney.

And so I am of the opinion that the search is what we should be talking about as it relates to identifying a qualified city attorney with the relevant and specialized experience in municipal government. I am -- I just -- I -- I just need to understand this sense of urgency. And if someone can enlighten me, I -- I'm willing to listen. But I think that, you know, rather than looking to hire someone, uh, interrimly [sic] and then we need to determine what those fees and costs are going to look like, that has not -- that subject has not been touched upon at all. Um, but that -- that's the direction that I -- that's my -- that's my position that I'm standing in right now because I just -- I don't understand it. And, um, anybody can tell me what -- what's the urgency? Mr. Chair?

CHAIRPERSON DAVIS: I think I stated my position in the last meeting that we had and I -- my position hasn't changed, with all due respect.

COUNCILPERSON DAVIS JOHNSON: Pardon?

CHAIRPERSON DAVIS: With all due respect, I stated in my -- the last meeting my position as stated that I started thinking about this decision quite a few weeks ago and this is just the route I just chose to make -- to go. But if anybody else want to do something different, I'll more than listen to what they have to say.

COUNCILPERSON HUBBARD: Well, um, for me, the sense of urgency is that we are a municipality with a lot going on on the City

and the CRA side, and all kinds of things in between. And we need to have some legal advice or legal representation to keep ourselves out of harm way. That would be my reasoning for thinking we need some legal representation now.

COUNCILPERSON DAVIS JOHNSON: Do we not have legal representation on all matters that are affecting the City or CRA side as it stands based on the listing of firms that are -- that were presented to us?

CHAIRPERSON DAVIS: As of now we do. As of today.

CHAIR PRO TEM MILLER-ANDERSON: I'm -- I didn't understand. What --

CHAIRPERSON DAVIS: She was asking, right now, are those services being provided at this time. Is that correct, Councilperson Johnson?

COUNCILPERSON DAVIS JOHNSON: That was my question, sir.

CHAIRPERSON DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Chair?

CHAIRPERSON DAVIS: Hold -- hold on.

CHAIR PRO TEM MILLER-ANDERSON: Chair?

CHAIRPERSON DAVIS: (Inaudible) waiting.

CHAIR PRO TEM MILLER-ANDERSON: Well, they can't talk any --

CHAIRPERSON DAVIS: No. I was just telling them to hold on. That's all I want.

CHAIR PRO TEM MILLER-ANDERSON: Well, I mean, if that is the case -- I thought at the last meeting we discussed --

CHAIRPERSON DAVIS: Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Well, first of all I thought that there were a few Council people who spoke with Miss Ryan in regards to a transitioning plan.

CHAIRPERSON DAVIS: Yep.

CHAIR PRO TEM MILLER-ANDERSON: And we --

UNIDENTIFIED SPEAKER: That's what we hear.

CHAIR PRO TEM MILLER-ANDERSON: -- I know I wasn't one of them. I can honestly say I -- I did not meet with her in regards to a

transitioning plan. But there were a couple of Council members that said that they did. And so apparently there was a concern about the lack or the -- the gap between Miss Ryan leaving and actually conducting the search and then bringing someone on. Um, so now are we saying that we really -- we can do without having legal counsel, period, interim -- Miss Ryan's position, basically? So are we saying we don't need a person in her position --

CHAIRPERSON DAVIS: Right.

CHAIR PRO TEM MILLER-ANDERSON: -- at this time because we have the Torcivia group covering so many different cases? Is -- I mean, is that what I'm saying -- hearing?

CHAIRPERSON DAVIS: It's all -- this is --

COUNCILPERSON HUBBARD: No, that's not what we're saying.

CHAIRPERSON DAVIS: -- this is -- no, that's not what we're saying. It's about who we want.

COUNCILPERSON HUBBARD: That's not what I'm saying at all.

CHAIR PRO TEM MILLER-ANDERSON: Oh. Oh.

CHAIRPERSON DAVIS: It's about -- it's about -- yeah.

CHAIR PRO TEM MILLER-ANDERSON: That's why the -- no, no, no.

CHAIRPERSON DAVIS: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: I'm -- I'm talk -- that was really for Miss --

CHAIRPERSON DAVIS: Oh, you -- oh. Oh.

COUNCILPERSON HUBBARD: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: Because I was just trying to clarify.

COUNCILPERSON DAVIS JOHNSON: I -- I -- I simply asked what's the -- what's the -- what's the sense of urgency? When I said that I met with Miss Ryan, it was she relayed to me that she would be leaving. I knew that there was no succession plan in place, so there was no dedicated plan that was laying anywhere on a shelf or otherwise that would talk about how we would transition moving forward.

CHAIRPERSON DAVIS: You --

COUNCILPERSON DAVIS JOHNSON: Did we drop the ball? Yes.

CHAIRPERSON DAVIS: -- but you -- but you know what that bothers me -- bothers me more than anything? The last retreat we just had back in mid-June, correct? And just a couple of days after the retreat, we received a letter, and that could have been discussed in that retreat. So that's a whole 'nother issue as it regards then. That -- that issue should have been discussed in the retreat.

COUNCILPERSON DAVIS JOHNSON: But how -- how --

CHAIRPERSON DAVIS: But --

COUNCILPERSON DAVIS JOHNSON: -- how -- how do we make a decision for a person as to how they want to, um, exit or -- or not? I mean, yes, she could have. Was the environment such that it could have been received? It could have been. But I'm not talking about -- at this particular point, I'm not talking about the what-ifs. And I -- I respect you being upset over the fact that, you know, a couple of days later you -- you got the notice. We all got the notice. Would it have been better for us to have received information? Absolutely. But we did not get the information. But again, I am asking a question. If I don't get the answer, I'm good. But I'm just asking --

CHAIRPERSON DAVIS: I -- I'm -- I'm prepared to answer.

COUNCILPERSON DAVIS JOHNSON: -- for my decision- making.

CHAIRPERSON DAVIS: Okay. With all due respect, I'm fixing to pass the gavel to the Vice Chair. Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go.

CHAIRPERSON DAVIS: I'm just waiting to speak. So you need to --

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

CHAIRPERSON DAVIS: I'm prepared now to put a motion on the floor to hire Attorney DeGraffenreid's law -- law firm as the temporary city attorney.

COUNCILPERSON HUBBARD: Second.

CHAIR PRO TEM MILLER-ANDERSON: I'm sorry. I'm -- I -- I gotta get my mind right that I have a gavel. I'm still over here. We have a motion on the floor. Miss --

CHAIRPERSON DAVIS: We have a second, as well.

CHAIR PRO TEM MILLER-ANDERSON: Yeah. We have a second from Miss Hubbard.

COUNCILPERSON HUBBARD: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Any discussion? Okay.
Miss Anthony?

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: No.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: That motion is approved with
Councilperson Davis Johnson and Councilperson Pardo dissenting.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Are we doing any
comments or closing comments?

CHAIRPERSON DAVIS: No, that's --

CHAIR PRO TEM MILLER-ANDERSON: So we're going with an
adjournment?

COUNCILPERSON DAVIS JOHNSON: Oh, no. No.

MAYOR MASTERS: Madam --

CHAIRPERSON DAVIS: Um, Madam Chair? Madam Chair?

COUNCILPERSON DAVIS JOHNSON: Are you -- are you saying
anything (inaudible)?

CHAIR PRO TEM MILLER-ANDERSON: I'm -- I'm -- he's talking to
me. I'm sorry. I am so not -- not with the gavel here.

CHAIRPERSON DAVIS: I apologize.

CHAIR PRO TEM MILLER-ANDERSON: You want to take the gavel
back?

CHAIRPERSON DAVIS: No. I'm putting another -- I want to put another motion on the floor.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Go ahead.

CHAIRPERSON DAVIS: That we haven't discussed the terms of the -- the agreement. I -- the motion is to -- as we hired Attorney DeGraffenreidt, his compensation is the same as the current city attorney.

COUNCILPERSON HUBBARD: Second.

CHAIR PRO TEM MILLER-ANDERSON: Do we have any discussion?

COUNCILPERSON PARDO: Yeah. Um, for the record, can someone tell us what it is?

MAYOR MASTERS: What? I didn't hear that.

CITY ATTORNEY RYAN: I don't know.

CHAIRPERSON DAVIS: You don't know what you make, Attorney Ryan?

CITY ATTORNEY RYAN: You know what you make an hour?

CITY MANAGER JONES: No. Yes, it's on the check stub.

CHAIRPERSON DAVIS: You get paid that for the last 20 years. You don't know what you make?

CHAIR PRO TEM MILLER-ANDERSON: Hold on. Remember, we're still in a meeting. I know we finished the retreat and we're back in mode -- business mode. So make sure we still stay with the --

CHAIRPERSON DAVIS: Yeah. You're right. I'm in the retreat mode.

CHAIR PRO TEM MILLER-ANDERSON: -- Robert's Rules.

CITY ATTORNEY RYAN: I'm looking at the Finance Director. It is not a lot. I think it's between 73 and \$75 an hour.

MICHAEL SLOSER: Whoa.

CITY ATTORNEY RYAN: You think that's a lot, Mr. Sloser?

MICHAEL SLOSER: I wish I went to law school.

CITY ATTORNEY RYAN: Come see me in private practice.

MICHAEL SLOSER: (Inaudible).

CITY ATTORNEY RYAN: But I -- yeah, I think it's around 3,200 a week. The salary.

CHAIRPERSON DAVIS: That's something we already budgeted for, so (inaudible).

CITY ATTORNEY RYAN: Putting my business out in the streets. You know exactly what you make?

UNIDENTIFIED SPEAKER: (Inaudible).

CITY ATTORNEY RYAN: See, there isn't one. (Inaudible). (Inaudible).

MAYOR MASTERS: We're on dead time now. We're dead time.

CHAIR PRO TEM MILLER-ANDERSON: Um, while we're waiting on that I know we've got a motion on the floor.

CHAIRPERSON DAVIS: Yeah. I was gonna say --

CITY ATTORNEY RYAN: Because you want to see how much I make.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Well, I'll wait. I'll wait, then.

CHAIRPERSON DAVIS: Hold on. You don't know what you make?

CITY ATTORNEY RYAN: Well, the -- the -- the issue -- I know what I make, but I have longevity so that's why I can't tell you. Um, under my contract, I make 145 but I have longevity.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: So I'm assuming you meant the -- plus the longevity amount?

CHAIRPERSON DAVIS: Yeah. Whatever you make, yeah.

CITY ATTORNEY RYAN: If you don't need the longevity amount, I make 145,000. That's my salary.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: But then with longevity added it's a different rate and that's why I don't know off the top because I don't --

CHAIRPERSON DAVIS: Okay. Well, I'll just wait to see what, um --

CITY ATTORNEY RYAN: What the longevity rate is.

CHAIRPERSON DAVIS: With the longevity.

CITY ATTORNEY RYAN: Now that everybody knows all my business.

MAYOR MASTERS: Miss Chair, while you're waiting?

CHAIRPERSON DAVIS: I'm -- I'm -- I'm prepared to, you know --

CHAIR PRO TEM MILLER-ANDERSON: Yes. Well, we have -- we have a motion --

CHAIRPERSON DAVIS: No, I'll let --

CHAIR PRO TEM MILLER-ANDERSON: Hold on.

CHAIRPERSON DAVIS: Madam Chair, go ahead.

COUNCILPERSON DAVIS JOHNSON: Would the maker of the motion also consider including what the time frame is?

CHAIR PRO TEM MILLER-ANDERSON: We might have to come with another motion.

CHAIRPERSON DAVIS: I'll come back with a -- I'll come back with another motion.

CHAIR PRO TEM MILLER-ANDERSON: Because -- come back with another motion because we already have a second.

MAYOR MASTERS: Do we have comments? I got a couple comments to make at the end. I just -- nice comments.

CHAIRPERSON DAVIS: (Inaudible).

MAYOR MASTERS: No. Just say to (inaudible).

CHAIR PRO TEM MILLER-ANDERSON: He said to come back.

UNIDENTIFIED SPEAKER: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Do we need to take a recess?

UNIDENTIFIED SPEAKER: I was looking for --

MAYOR MASTERS: Madam Chair, while they're doing that.

CHAIRPERSON DAVIS: And, Madam --

CHAIR PRO TEM MILLER-ANDERSON: Yes?

CHAIRPERSON DAVIS: May I make a comment?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: Until they're ready. First I just want to compliment the Chair on the process today, and the procedure. He's - - he's done a good job today and I want to say that I'm very thankful. He and I are going to go toe to toe on the warehouse, but on this, I -- I really think the Chair did a good job on his presentation of this special meeting.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Thank you.

CHAIRPERSON DAVIS: Thanks, Mayor.

CHAIR PRO TEM MILLER-ANDERSON: Do we have it?

CITY ATTORNEY RYAN: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CITY ATTORNEY RYAN: I -- I was correct. It -- it's, um, \$73 and plus longevity makes it \$80, and it's \$3,200, 3,212 a week.

CHAIRPERSON DAVIS: A week.

MAYOR MASTERS: What do you mean by "longevity"?

CITY ATTORNEY RYAN: Because I've been here for 20 years, um, every four years, general employees get an additional 2 percent a year so -- added to their salary. So I've been here for 20 years. It's 10 percent.

MAYOR MASTERS: Point of clarification. So is the motion to give an -- the interim attorney the -- the -- the same salary including the longevity, those 20 years that -- or is it --

CHAIRPERSON DAVIS: Yes.

MAYOR MASTERS: -- the base salary?

CHAIRPERSON DAVIS: No. Everything. What -- whatever she making is what he's making.

MAYOR MASTERS: Hmm.

CHAIRPERSON DAVIS: Uh-huh.

MAYOR MASTERS: Really?

CHAIRPERSON DAVIS: That's the --

COUNCILPERSON DAVIS JOHNSON: What -- what -- I'm sorry.

CHAIRPERSON DAVIS: My -- my motion -- I was very clear on my motion --

CHAIR PRO TEM MILLER-ANDERSON: Go ahead. (Inaudible).

COUNCILPERSON DAVIS JOHNSON: Point of clarification.

CHAIRPERSON DAVIS: -- about -- and I want to make sure I put -- we discuss an effective date, as well, in that motion.

MAYOR MASTERS: Huh?

CHAIRPERSON DAVIS: Because Miss -- Attorney Ryan, your last day of working is what day?

CITY ATTORNEY RYAN: It's going to be July 22nd. The Mayor's birthday. I messed that up last time.

CHAIRPERSON DAVIS: What's the --

CITY ATTORNEY RYAN: July 22nd.

MAYOR MASTERS: Okay. I appreciate that.

CITY ATTORNEY RYAN: You won't be suffering.

MAYOR MASTERS: Not that you messed it up the last time.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Let's -- let's stay on task, please.

CHAIRPERSON DAVIS: Okay. My motion still stays the same that --

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: -- the -- including the longevity pay.

CITY ATTORNEY RYAN: And Mr. Chair, just for clarification, when do you -- you didn't -- you said a time frame, but you didn't say when you want it to start. Do you --

CHAIRPERSON DAVIS: Legally, when could he start?

CITY ATTORNEY RYAN: Well, you know, one of the things that you and I discussed was a transition period.

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: So I think in that discussion it was your intention that he start immediately, so that I can turn over cases. And also if there are a lot of contracts, there are a lot of meetings that I've been trying to defer with staff.

CHAIRPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: Because I don't want to give them my opinion -- and the manager knows we -- I talked about it in a staff meeting. So that we can go ahead and start scheduling those meetings now if that's something you wanted to do. Or he can just -- he can come the day I leave.

CHAIRPERSON DAVIS: No. I -- I -- I -- I'll add the date since, you know -- we'll do it that way. Um, July 12th, which is tomorrow.

CHAIR PRO TEM MILLER-ANDERSON: So can we have the whole motion?

CHAIRPERSON DAVIS: The motion to -- the motion is to -- we already put the motion on to hire DeGraffenreidt. That has been approved, correct? So this motion is to --

CHAIR PRO TEM MILLER-ANDERSON: You're amending your --

CHAIRPERSON DAVIS: No. That was the first motion. So this motion, I'll make sure I'll be clear. So this motion --

MAYOR MASTERS: Second separately.

CHAIRPERSON DAVIS: -- was to -- that Attorney DeGraffenreidt to get paid the same compensation --

CHAIR PRO TEM MILLER-ANDERSON: Wait. Hold on. Hold on.

COUNCILPERSON DAVIS JOHNSON: Point of order.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair, your motion was to pay Mr. DeGraffenreidt at the current rate of --

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON: -- the city attorney. If you're going to do the effective date, you need to amend your motion.

CHAIRPERSON DAVIS: Okay. I will amend my motion as hiring Attorney -- Attorney DeGraffenreidt for the effective date as of --

CITY ATTORNEY RYAN: July 12th.

CHAIRPERSON DAVIS: -- July 12th, getting paid the same compensation as the Attorney Ryan, including longevity.

MAYOR MASTERS: Not ready. Madam Chair?

CHAIRPERSON DAVIS: No. We got -- we got to have a second on the motion.

CHAIR PRO TEM MILLER-ANDERSON: Does your second still stand?

COUNCILPERSON HUBBARD: Second. Second.

MAYOR MASTERS: Not ready. Um, Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: Just -- just -- I just don't think it's fair, personally, and I'm just speaking for me. I don't think it's fair to bring anyone in and give them the same amount of pay. And that pay is wrapped up in 20 years, and to give that person the same amount, to me, it doesn't seem fair. And that's all I have to say on that. Thank you. And I'm good.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON DAVIS: Hold on. Hold on. Hold on.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Hold on. Hold on. Hold on.

CHAIRPERSON DAVIS: (Inaudible).

CHAIR PRO TEM MILLER-ANDERSON: I know.

COUNCILPERSON DAVIS JOHNSON: Somebody?

CHAIR PRO TEM MILLER-ANDERSON: We -- we're both confused right now. I know.

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Did you want to say something, Miss Hubbard?

COUNCILPERSON HUBBARD: Yes. With all due respect to the -- to the Mayor, the reason that I don't have a problem with it is this: Even though Miss Ryan attained that salary by her tenure and longevity, it's not like we're bringing in an unseasoned attorney. He has the wherewithal, the knowledge of the City, the track record, the resume to command that or more per hour.

The -- all of the attorneys at Mr. Torcivia's law firm is younger than Mr. Torcivia and Mr. DeGraffenreidt, and they started out together. And as the young lady stated to you from the beginning, they come at 195 an hour. So that's why I don't have a problem paying Mr. DeGraffenreidt \$80 an hour. I have never set twice with an attorney that charged me \$80 an hour. They give you them five minutes for free consultation, and it's a wrap. So you won't be back for \$80 an hour. So I don't have a problem with that because he's well worth it or more. He's put in the time. He has the years. He has the resume, as I said. And he has already proven himself equally for the City of Riviera Beach. And that's why I feel comfortable with that, sir.

MAYOR MASTERS: No problem. I -- I just --

CHAIR PRO TEM MILLER-ANDERSON: I do have a question for the attorney.

MAYOR MASTERS: I'm good.

CHAIR PRO TEM MILLER-ANDERSON: So, um, with I guess the way the motion was made, um, to say including longevity pay, is that a term we need -- it needs to be removed?

CITY ATTORNEY RYAN: Well, you're saying that now, but when we do the contract, whatever my rate is what we put -- we're gonna put the number in. We're not going to say the rate plus -- no. We're just saying that because you all asked how much I made, and I couldn't give you a number because of the longevity.

But the actual document that I present him with, which will be very similar to what I did with Michael Brown, it will have the number in it. And it's going to be -- it's around \$3,200. Whatever that -- I'm gonna - - we'll break it down to the exact amount. And we will say, um, per week, because you're not paying him by the hour as you would have done with the Torcivia Law Firm. You're paying him by the -- by the week. That's what I'm understanding. So that's how much he's going to be paid to be a full-time -- I'm assuming a full-time city attorney for the City on the interim basis. I think that's the understanding. Mr. DeGraffenreidt's nodding his head.

ANDREW DEGRAFFENREIDT: That's my understanding.

CHAIRPERSON DAVIS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

ANDREW DEGRAFFENREIDT: (Inaudible).

CHAIRPERSON DAVIS: Um, let me ask you a question, Attorney Ryan. On any typical week how -- how much time do you normally put in for the City as the city attorney, on a typical week?

CITY ATTORNEY RYAN: On a typical week?

CHAIRPERSON DAVIS: A typical week.

CITY ATTORNEY RYAN: Um, 50 plus. I mean, last Wednesday I worked a full day, and then we worked a full night. And then we had to be back here for the full day the next day, and ready for staff meeting with a smile with the manager. So it is -- it won't just be 40 hours a week.

CHAIRPERSON DAVIS: Okay. And the -- the reason I ask that question because I'm calculating. I just did 50 hours.

CITY ATTORNEY RYAN: Yeah. You calculating my real salary.

CHAIRPERSON DAVIS: Exactly.

CITY ATTORNEY RYAN: Yeah.

CHAIRPERSON DAVIS: That's 9,700 a week.

CITY ATTORNEY RYAN: 9,700?

CHAIRPERSON DAVIS: Uh-huh. Unless my calculator broke. The City need to get another phone.

UNIDENTIFIED SPEAKER: It broke.

CITY ATTORNEY RYAN: No. Because I can only be paid for \$80 -- 80 -- I can only be paid 40 hours a week.

CHAIRPERSON DAVIS: I -- I know. Okay. So when you go back to 40 hours --

CITY ATTORNEY RYAN: Right. I just do 40 hours.

CHAIRPERSON DAVIS: -- times 195 which was suggested by the Torcivia Firm --

CITY MANAGER JONES: You can't be paid any more.

CHAIRPERSON DAVIS: -- that is, well, 7,800 a week. So -- and he's talking about --

COUNCILPERSON HUBBARD: One-third of it.

CHAIRPERSON DAVIS: Yeah. Exactly. And their -- their -- their recommendation was 7,800 -- 7,800 a week. And we're talking about 30 some hundred on DeGraffenreidt, and that's not fair?

COUNCILPERSON HUBBARD: (Inaudible) more -- who's more senior than him.

CHAIRPERSON DAVIS: That's double.

MAYOR MASTERS: If -- if -- if it's --

CHAIRPERSON DAVIS: So, you know, if y'all don't want to do that, we can go to an hourly rate.

CHAIR PRO TEM MILLER-ANDERSON: Hold on. Hold on. Hold on.

MAYOR MASTERS: If it's calculated.

CHAIR PRO TEM MILLER-ANDERSON: Who has -- he has the floor.

CHAIRPERSON DAVIS: If y'all want to go to an hourly rate, we can do that, as well. It's -- it might -- it might cost us more money. If that's what you want to do.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Any other questions? Comments?

CHAIRPERSON DAVIS: (Inaudible).

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: No.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: That motion is approved with Councilpersons Pardo and Davis Johnson dissenting.

CHAIR PRO TEM MILLER-ANDERSON: Um, now I still have the gavel, but do we -- did that information that we just discussed include

benefits or we're not talking about benefits, and also the other thing of what is the amount of time we're talking about keep -- bringing him on or should I just go -- someone make a motion as to what amount of time we're talking about having him on until we can, I guess, put the job out there and search?

CHAIRPERSON DAVIS: I -- I suggest we -- we can put this on the next City Council meeting's discussion on -- on the time frame, whether we want to discuss moving forward.

CITY ATTORNEY RYAN: You can do that, but --

COUNCILPERSON HUBBARD: Well, we can do that in negotiations.

CITY ATTORNEY RYAN: Right. But you all have already made a decision that he will work -- I thought the motion was --

COUNCILPERSON HUBBARD: (Inaudible).

CHAIRPERSON DAVIS: Yeah.

CITY ATTORNEY RYAN: -- starting tomorrow --

CHAIRPERSON DAVIS: Yeah.

CITY ATTORNEY RYAN: -- until you do your selection. I'm --

CHAIRPERSON DAVIS: Uh-huh. Exactly.

COUNCILPERSON HUBBARD: Yes.

CITY ATTORNEY RYAN: Okay.

CHAIRPERSON DAVIS: And he's going to assist in that selection process.

CITY ATTORNEY RYAN: Right. But --

CHAIRPERSON DAVIS: So I -- Madam Chair?

CITY ATTORNEY RYAN: -- but I thought are you asking --

CHAIR PRO TEM MILLER-ANDERSON: Well, I mean, okay. Let's just think about this now. We have -- we had our Human Resource Department director position vacant for over a year.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM MILLER-ANDERSON: Utility District is going on three, four months now. Um, Parks & Rec, a year -- almost a year. So I mean, are -- are we getting ready to follow that same pattern and

-- and have him interim for another year and, you know, where do we want to --

CITY ATTORNEY RYAN: Oh, you want -- you want to talk about processes.

CHAIR PRO TEM MILLER-ANDERSON: -- put the -- do we want to immediately go out and -- and -- well, come up first of all with what we're looking for in an attorney, and then start the search and hopefully put a timeline as to when we want to have the permanent person in place. So that's kind of what I was thinking about in terms of the term.

CHAIRPERSON DAVIS: And -- and that's -- and Mr. Chairman?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

CHAIRPERSON DAVIS: And that's something I was going to do by the next meeting is just kind of sit down and figure out what are some of the things we -- at least on my end, that -- do some research on what we may be looking for so we come back to another meeting, that we can discuss that at that time. And then everyone can put in their input on what they want, and then we go from there.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So can we have that added to the July 20th's meeting and Miss Ryan will still be here?

CHAIRPERSON DAVIS: Yeah. Yeah, that's fine.

CHAIR PRO TEM MILLER-ANDERSON: Oh, okay. Just have that added. I mean, I know you two do the adding of the agenda.

CHAIRPERSON DAVIS: Well, you -- well, she's going to be transitioning with him, so I don't know who's going to be sitting in the meeting at that time. If -- he very well might be sitting in that meeting.

CITY ATTORNEY RYAN: Whatever the pleasure of the Council.

CHAIR PRO TEM MILLER-ANDERSON: You tell us what's the appropriate thing to do.

COUNCILPERSON PARDO: Madam -- Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead. I'm sorry.

COUNCILPERSON PARDO: All right. So I'd like to make a comment. You know, we talked about the Public Works and Rec -- Parks & Rec and stuff. That has nothing to do with this City Council.

UNIDENTIFIED SPEAKER: Right.

COUNCILPERSON PARDO: The City Council is responsible for hiring a city attorney. So we don't even, you know, really have to sit with the city manager or anything and --

UNIDENTIFIED SPEAKER: No.

COUNCILPERSON PARDO: -- and say, Okay. You know, when do you think we should go out? We can make this decision on the 20th. Everyone start thinking about it. We can make the decision on what kind of attorney we're looking for and what we want the criteria to be. Do we want to hire an outside agency to help us with the search? And then we can set, you know -- we can put all the criteria together -- we can put the criteria together and, you know, my hope is to have someone in place at the start of the next fiscal year, which is October 1st. And I think, you know, if we all get on the same page, I think that is extremely doable. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Okay. So do I hear we're going to put this on the agenda for July 20th to discuss --

CHAIRPERSON DAVIS: To just -- just discussion.

COUNCILPERSON HUBBARD: A comment, Miss Chair? Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead. I'm sorry. Go ahead.

COUNCILPERSON HUBBARD: I think that, um, we have -- we -- we're bringing Mr. DeGraffenreidt in immediately so that he can do a transition with Mrs. Ryan. And as he stated, he was going to be assisting -- and I'm sure they will be discussing the criteria that is needed for a full-time attorney and what that RFQ will look like. So I don't think that we need to waste our money when we have two learned attorneys capable of drafting an RFQ to come in and help us put out a request for a -- for an attorney -- an attorney.

And I think what we should do to our -- we should not stifle our self-closing this on the end because we know it'll be done before she leaves. She's leaving in two weeks. So I don't think we need to worry about closing that gap because we will -- we -- we -- it wouldn't give us -- it will give us a rushed amount of time to find somebody. And if we don't want to do our self a disservice, I think we should leave it open-ended. And again, I'd just reiterate the fact that Miss Ryan and Mr. DeGraffenreidt will be both working on that document. Who knows our city better?

CHAIR PRO TEM MILLER-ANDERSON: Okay. So what I'm hearing is that we're going to bring it to the July 20th meeting for discussion and deliberation?

COUNCILPERSON HUBBARD: About bringing --

CHAIR PRO TEM MILLER-ANDERSON: About --

COUNCILPERSON HUBBARD: -- which agenda?

CHAIR PRO TEM MILLER-ANDERSON: -- anything that you -- the terms or do we need to not have it on there or you want to just leave it open? What are you saying?

COUNCILPERSON HUBBARD: Well --

CHAIR PRO TEM MILLER-ANDERSON: Just --

COUNCILPERSON DAVIS JOHNSON: (Inaudible) this microphone.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

COUNCILPERSON DAVIS JOHNSON: Um, do we typically do RFQs for hiring?

CHAIRPERSON DAVIS: Yeah. You can.

COUNCILPERSON HUBBARD: What would you do with a firm if you wanted a firm?

CHAIR PRO TEM MILLER-ANDERSON: I don't hire. Go ahead, Miss Jones. Miss Jones?

COUNCILPERSON DAVIS JOHNSON: Oh, you're saying for the firm, not for the hiring -- the actual hiring of the attorney?

COUNCILPERSON HUBBARD: No.

CHAIR PRO TEM MILLER-ANDERSON: Hold on. Miss Jones?

CITY MANAGER JONES: Thank you, Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: (Inaudible).

CITY MANAGER JONES: I think one of the things that you might want to think about between now and your meeting on the 20th and that is what process you want to use. Because if you determine your process, then that will help you out. Do you want it such that you hire an executive search firm and they get the charge to go out, identify, bring you a short list of candidates for you to interview? I would say that unless you're going to hire a person to handle this project for you, I would recommend you do a search firm. The volume is generally such that even with our current positions, H.R. being able to handle this, generally they're not done in house. They're done with search firms.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Anything else?
Have a motion to adjourn the meeting?

VI. ADJOURNMENT

CHAIRPERSON DAVIS: So moved.

COUNCILPERSON HUBBARD: So moved.

UNIDENTIFIED SPEAKER: I'm sorry. Can you --

CHAIR PRO TEM MILLER-ANDERSON: Huh?

COUNCILPERSON HUBBARD: Second.

UNIDENTIFIED SPEAKER: You -- you --

CHAIR PRO TEM MILLER-ANDERSON: Did I miss something?

UNIDENTIFIED SPEAKER: All right. I just want (inaudible) --

CHAIRPERSON DAVIS: Motion to --

CITY ATTORNEY RYAN: She said she wasn't done.

CHAIR PRO TEM MILLER-ANDERSON: No, no, no. Hold on. You --

COUNCILPERSON DAVIS JOHNSON: No, no, no I -- it was on an unrelated matter. Are we just not dealing with anything --

MAYOR MASTERS: (Inaudible) motion to carry?

CHAIRPERSON DAVIS: I already did it already.

COUNCILPERSON DAVIS JOHNSON: -- else beyond this?

CHAIR PRO TEM MILLER-ANDERSON: Well --

MAYOR MASTERS: (Inaudible).

CHAIR PRO TEM MILLER-ANDERSON: -- isn't this the only thing we can address or no? Miss Ryan?

CITY ATTORNEY RYAN: Well, I mean, you all can bring up things in your City Council comments, but if you want to make final decisions on issues, and it's -- I would have an issue bringing it up if you didn't let the public speak about it, because of the law. In the old days you could have brought up anything and talked about it. But because of the new law that says the public has a right to speak on any decision before you make a final decision, which means that they don't have to do it throughout the process, but if you're going to make a final decision, like at this special meeting, it should be an issue that they've -- have an opportunity to speak at today or you've given them an opportunity at some point.

COUNCILPERSON DAVIS JOHNSON: Um, it was -- well, let me just -- it was the -
- it was requesting -- it was going to be a request for an organizational retreat that
we set aside some time.

CITY ATTORNEY RYAN: Oh, yeah. You can do that.

COUNCILPERSON DAVIS JOHNSON: That we set aside eight hours to talk about
what our protocol, our rules, our function, because, you know, we understand that
we have transitioned from a -- a different Board, and we have not had an
opportunity to have that conversation. We've been doing more of the briefings with
the -- with staff on both the City and the CRA side. So I wanted to make a motion
that we set aside eight hours, identify some time that best suits the schedule of the
Council, so that we can have that organizational-type meeting, so that we can have
conversation.

COUNCILPERSON PARDO: Second.

CHAIR PRO TEM MILLER-ANDERSON: We're going to take a vote on it?

CHAIRPERSON DAVIS: Madam -- Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: I mean, was that a comment or a
motion?

COUNCILPERSON DAVIS JOHNSON: No, that was a motion.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS: While we may go through our calendars at this time to
figure it out, could we take the -- all this in consideration and be prepared with some
optional dates to send to staff and be prepared to announce something in the very
next City Council meeting for an effective date?

CHAIR PRO TEM MILLER-ANDERSON: Well --

CHAIRPERSON DAVIS: Because we've been -- because our -- with our
schedules, it's been extremely difficult to come up with this time, because I know we
don't have -- we have another meeting getting ready to happen. And I don't know
how long this conversation's going to take. And we have this 5:30 meeting. It's
5:24 now at this time.

CHAIR PRO TEM MILLER-ANDERSON: Well, I think --

CHAIRPERSON DAVIS: So --

COUNCILPERSON DAVIS JOHNSON: So --

CHAIR PRO TEM MILLER-ANDERSON: -- and hold on.

COUNCILPERSON DAVIS JOHNSON: So can I just --

CHAIR PRO TEM MILLER-ANDERSON: I think she's just asking --

COUNCILPERSON DAVIS JOHNSON: -- amend it then to say --

CHAIRPERSON DAVIS: Yeah. Go ahead.

COUNCILPERSON DAVIS JOHNSON: -- that we -- we, um, schedule a date setting aside eight hours at our July 20th meeting for our --

CHAIRPERSON DAVIS: That's fair.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

COUNCILPERSON DAVIS JOHNSON: -- City Council organizational retreat?

CHAIRPERSON DAVIS: That's fine.

COUNCILPERSON PARDO: My -- my second stands.

CHAIR PRO TEM MILLER-ANDERSON: All right.

CITY ATTORNEY RYAN: Make sure you put that in the agenda.

CHAIR PRO TEM MILLER-ANDERSON: Any other questions?

MAYOR MASTERS: Yeah, Madam Chair. The July 20th meeting, who's going to be the attorney? Is -- is Attorney Ryan going to be sitting there in her seat on July the 20th? The meeting that we're talking about, the City Council meeting.

CHAIR PRO TEM MILLER-ANDERSON: Unless she's off, right?

MAYOR MASTERS: Okay. Because she's still getting paid. I don't want her to -- I want her to work till she ends.

CHAIRPERSON DAVIS: Earn your keep.

MAYOR MASTERS: Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MAYOR MASTERS: She's gotta earn her last dollar.

CHAIR PRO TEM MILLER-ANDERSON: Okay. We have a motion on the floor. Go ahead.

CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

CITY CLERK ANTHONY: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

CITY CLERK ANTHONY: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

CITY CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

CITY CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Motion to adjourn?

CHAIRPERSON DAVIS: Move.

COUNCILPERSON HUBBARD: Second.

MAYOR MASTERS: Third. Why not?

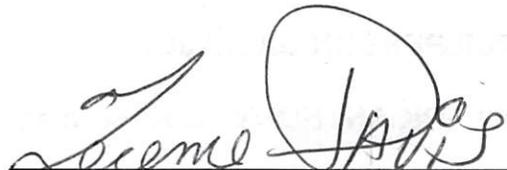
There being no further business, the meeting was duly adjourned at 5:25 p.m.

(CONCLUSION OF SPECIAL CITY COUNCIL MEETING)

APPROVED:



THOMAS A. MASTERS
MAYOR



TERENCE D. DAVIS
CHAIRPERSON

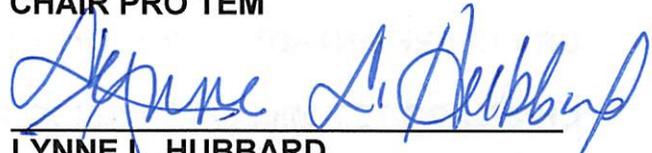
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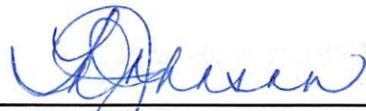
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

~~ABSENT~~

KASHAMBA L. MILLER-ANDERSON
CHAIR PRO TEM



LYNNE L. HUBBARD
COUNCILPERSON



TONYA DAVIS JOHNSON
COUNCILPERSON



DAWN S. PARDO
COUNCILPERSON

MOTIONED BY: T. DAVIS JOHNSON

SECONDED BY: L. HUBBARD

L. HUBBARD AYE

K. MILLER-ANDERSON ABSENT

T. DAVIS JOHNSON AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: September 8, 2016