CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
THURSDAY, SEPTEMBER 8, 2016 AT 5:30 P.M.

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

[Before meeting chatter]

[Gavel]

CALL TO ORDER

CHAIRPERSON DAVIS: At this time, we're gonna call the September 8th, Regular City Council meeting to order.

ROLL CALL

CHAIRPERSON DAVIS: Madam Clerk, roll call, please.

DEPUTY CITY CLERK BURGESS: Mayor Thomas Masters?

MAYOR MASTERS: Present.

DEPUTY CITY CLERK BURGESS: Chairperson Terence Davis?

CHAIRPERSON DAVIS: Here.

DEPUTY CITY CLERK BURGESS: Chair Pro Tem Kashamba Miller Anderson? [Pause]. Councilperson Lynne Hubbard?

COUNCILPERSON HUBBARD: Here.

DEPUTY CITY CLERK BURGESS: Councilperson Tonya Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Here.

DEPUTY CITY CLERK BURGESS: Councilperson Dawn Pardo?

COUNCILPERSON PARDO: Present.

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 Andrew Degraffenreidt?

CITY ATTORNEY DEGRAFFENREIDT: Here.

DEPUTY CITY CLERK BURGESS: We have a quorum.

CHAIRPERSON DAVIS: Thank you.

INVOCATION

PLEDGE OF ALLEGIANCE

CHAIRPERSON DAVIS: Now, we will have a moment of silence and the Pledge will be led by the, the Mayor.

[Moment of silence]

MAYOR MASTERS: Shall we pledge?

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

Additions, Deletions, Substitutions

CHAIRPERSON DAVIS: Madam Manager, do we have any additions, deletions or substitutions?

CITY MANAGER JONES: Yes, sir. For your consideration tonight, there are three additions. Item 18A for on the Regular Agenda and that is a Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida supporting the Southeast Florida Public Market Fair Association commemoration of the City of Riviera Beach 94th Anniversary and providing an effective date.

There are two additions under Community Benefit. Both of them are from Councilperson Tonya Davis Johnson. The first one is to Festival Community Outreach Ministries, $750 for their fall festival and community health fair. Also, $750 to save the African-American Youth for their mentoring program.

And those are the three additions to this Agenda.

CHAIRPERSON DAVIS: Alright.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON HUBBARD: I have an addition.

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON HUBBARD: Okay. I would like to have the Item I placed on the Agenda moved from the Discussion and Deliberation to the Regular Agenda where I originally placed it. Moving my Item, Ms. Jones, shows a disrespect of you, the City Manager for me and the thousands of persons that elected me. I'm tired of every Item I place on the Agenda…

CHAIRPERSON DAVIS: Ho'…

COUNCILPERSON HUBBARD: …being moved under Discussion. I have no confidence that you, as a City Manager, understand the importance of my Items on this dais and the effect that these issues have on the lives of the persons we serve. I want my Item moved from the Deliberations and Discussions to the Regular Agenda, please.

Thank you.

CHAIRPERSON DAVIS: Let, let me…

UNK: Inaudible.

[Inaudible comments]

CHAIRPERSON DAVIS: Well, that wasn't Ms. Jones. That was an Item that need'.., that we did in workshop so, as the Chair, I asked Ms. Jones to put it under Discussions and Deliberations so you still… I heard you speak.

COUNCILPERSON HUBBARD: Well, I'm waiting…

CHAIRPERSON DAVIS: [Stammer].

COUNCILPERSON HUBBARD: …for you to finish.

CHAIRPERSON DAVIS: As the Chair, I thought it was appropriate to put it under Discussions and Deliberations so that we can discuss the Item and the proposed information that's been discussed with Staff because, when it was under the Regular Item, there was some backup information that we needed that was not there. So, we had to.., we couldn't wanna put it on the Agenda like that so we put it under Discussion and Deliberation until all this backup information was provided. And, a lot of this backup information didn't really happen until late last night, if not today.

COUNCILPERSON HUBBARD: Mr., Mr. Chair, with...

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON HUBBARD: ...all due respect and a point of order, please. I, from the time I've been elected, my Items have been placed on Discussions and Deliberations. You, as the Chair, it's big of you to cover to say that you moved my, my Items under the, um, un'.., from Regular to Discussions and Deliberations, the necessary information that it took to do what I was asking to be done, which is voted up or down based on whatever I present to you, how inadequate it might be, the information I present tonight, that's... And, and if you feel that it's not enough, then vote it down but to constantly move my stuff from the Regular Agenda to the Discussion and Deliberation is just not professional or nor do I deserve that level of disrespect.

CHAIRPERSON DAVIS: Well, with all due respect, as I do respect all my colleagues on this Board, specifically you as well, and any Item that may hit this.., that hit any Agenda and if I was to do it and you was to be the Chair, and if there was some backup information that I should have provided, I would hope that, you know, you, as Chair, I trust your leadership that, for some reason, the best and the benefit of this meeting, that you would make a, a professional decision to help me get me to where I need to be on my specific Item and I will respect you in the decision that you made. That Item has some information that can.., that the public would need to review. Uh, that would not be fair to the colleagues to put this on the regular Item without the information.

Now, if that's something that you want me to do in the future, I will make sure that we put it up here and we can go through this.., the questions...

COUNCILPERSON HUBBARD: What I would like to be done in the future, Mr. Chair...

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON HUBBARD: ...if, by any chance, you miss and think that something that I have put on the Agenda does not have the necessary information to have the City Manager contact me and ask me to provide the additional information, not to just move my Item without any, um, without any knowledge to me or any consideration for the fact that I took my time and put it on the Agenda myself through the Novus system that we now have in place.

CHAIRPERSON DAVIS: So, so next time that you have an Item, we will make sure that the City Manager contact you to make sure that that happens. Okay?

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Okay. So I think, just to be fair across the Board, I see that we have an addition to the Regular Agenda tonight, Item 18 and the only thing

that was provided to us was a Resolution. There's no backup. So, you know, I'm just wondering…

CHAIRPERSON DAVIS: We can put it…

COUNCILPERSON PARDO: …you know…

CHAIRPERSON DAVIS: …under Discussions…

COUNCILPERSON PARDO: …why…

CHAIRPERSON DAVIS: …and Deliberations if you wanna be fair.

COUNCILPERSON PARDO: Well, I'm just… And I'm asking because it showed up, you know, as an addition under the Regular Agenda. So, I think, you know, we need to be consistent.

CHAIRPERSON DAVIS: Like I just stated…

COUNCILPERSON PARDO: That's all I'm saying.

CHAIRPERSON DAVIS: Like I just stated, it will go under Deliberations and Deletions. So, let's make sure we move that Item because I treat all my colleagues the same, I'm not singling no one out.

COUNCILPERSON PARDO: Well, I'm just showing you where…

CHAIRPERSON DAVIS: Yeah. I know about…

COUNCILPERSON PARDO: …we got this a little while ago.

CHAIRPERSON DAVIS: Listen, we're gonna conduct a business meeting. We're not gonna do business as usual in fu'.., in the past.

COUNCILPERSON PARDO: Yeah.

CHAIRPERSON DAVIS: Ms. Jones, let's make sure that we put Item No. 18 under.., just right behind Ms. Hubbard's Item, under Deliberations, under Discussions and Deliberations. Let's do that.

UNK: [Inaudible].

MAYOR MASTERS: Mr. Chair.

CITY MANAGER JONES: So that makes that No. Item 20A…

CHAIRPERSON DAVIS: Yes.

CITY MANAGER JONES: ...instead of 18A?

CHAIRPERSON DAVIS: Yes, ma'am.

MAYOR MASTERS: Mr. Chairman?

CHAIRPERSON DAVIS: Yes.

MAYOR MASTERS: Just two things briefly. We.., I think we all got a memo that KaShamba Miller-Anderson will be about an hour late due to open house at her school, she's the Assistant Principal. I just wanted that on the record.

But, I, I do want to ask you, or whoever can answer this, and I'm trying to understand this, that one Item 18 without backup is, is there but then the other Item, No. 20, it's under Discussion. Well, how can one get under Discussion and the other one get on the Regular Agenda when neither one have backup or whatever is... I'm just trying to understand...

CHAIRPERSON DAVIS: I, I don't know if you did not just hear the...

MAYOR MASTERS: I heard you but I'm, I'm...

CHAIRPERSON DAVIS: Well, you asked the question so let me answer as the Chair.

MAYOR MASTERS: I heard you. Go ahead.

CHAIRPERSON DAVIS: Okay? We solved that problem. So, and the problem was that anytime that there's, there's not enough information, we all agreed as a Board to make sure that those Items go under Discussion and Deliberation so we can discuss what's not there and what is there and what should be there.

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: And that, that situation was addressed.

MAYOR MASTERS: My question is this, and maybe I need to ask a different way, if Councilwoman Lynne Hubbard has an Item that she wants to be placed on the Regular Agenda and if you feel that there's not enough information or backup, then you're going to rule that it goes under Discussion and Deliberation...

CHAIRPERSON DAVIS: Well...

MAYOR MASTERS: ...from my understanding.

CHAIRPERSON DAVIS: Well, the perception is, as, you know.., we, as colleagues, should not be having any discussion be'.., without.., within the s'.., without being in the Sunshine. And I don't wanna be accused of potentially violating Sunshine, even though we're not, if we wanna discuss an Item that's being placed on the Agenda. So, what I will do, which Ms. Hubbard stated she was right, that any changes or any modifications that.., I will let Ms. Jones know, she will have a discussion to make sure that they understand why and then they can move appropriately there because she could maybe had a chance to put her information on there as well. So, too, understand that we.., I hope I answered your question, Mayor.

MAYOR MASTERS: Yeah. Thank you, Mr. Chair.

CHAIRPERSON DAVIS: Yes. Thank you. Alright. So we got Items 20A under Discussions and Deliberations. Alright.

Adoption of Agenda

CHAIRPERSON DAVIS: Do we have a motion to adopt the Agenda?

COUNCILPERSON HUBBARD: So moved.

CHAIRPERSON DAVIS: Thank you.

COUNCILPERSON DAVIS JOHNSON Second.

CHAIRPERSON DAVIS: Properly moved and second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CONSENT AGENDA

CHAIRPERSON DAVIS: Now we have the Consent Agenda. Do we have any Items that may need to be pulled from Consent?

COUNCILPERSON HUBBARD: Yes.

CHAIRPERSON DAVIS: Yes, Councilperson Hubbard.

COUNCILPERSON HUBBARD: Okay. Let's start at the beginning. 4.

CHAIRPERSON DAVIS: 4.

MAYOR MASTERS: 4.

COUNCILPERSON HUBBARD: 7.

CHAIRPERSON DAVIS: 7.

COUNCILPERSON HUBBARD: 9.

CHAIRPERSON DAVIS: And 9.

COUNCILPERSON HUBBARD: Uh, hold on. [Pause]. 10. [Pause].

CHAIRPERSON DAVIS: And 10?

COUNCILPERSON HUBBARD: One second.

CHAIRPERSON DAVIS: That's the end of Consent there.

COUNCILPERSON HUBBARD: [Inaudible].

CHAIRPERSON DAVIS: 4, 7, 9 and 10.

COUNCILPERSON HUBBARD: Okay.

CHAIRPERSON DAVIS: So we have, so we have 5, 6 and 8. Are there any of those Items? [Pause].

COUNCILPERSON HUBBARD: No. Um, 6, 7 and 8 is fine.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: 5, 6, 7 and 8 is... No. We pulled 7. I'm sorry, sir.

CHAIRPERSON DAVIS: Pull 7 as well?

COUNCILPERSON HUBBARD: We pulled 7. Let me read 'em again. 4...

CHAIRPERSON DAVIS: 4, 7, 9 and 10.

COUNCILPERSON HUBBARD: 7, 9 and 10, please.

CHAIRPERSON DAVIS: Okay. Are there any other Board Mems have any Items they need to be pulled? [Pause]. Do we have a motion to approve Consent with Items 4, 7, 9 and 10 being pulled?

COUNCILPERSON DAVIS JOHNSON Motion to approve.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

ORDINANCES ON FIRST READING

CHAIRPERSON DAVIS: Now we have to go.., because we public noticed this meeting for 5:30, we're gonna go now to Ordinances in First Reading. Item No. 14. That's correct, Ms. Manager? Okay.

DEPUTY CITY CLERK BURGESS: 14. ORDINANCE NO. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY, FOR

FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 FIXING THE MILLAGE RATE OF 8.4520 MILLS THEREON FOR SAID YEAR; THAT THE MILLAGE RATE OF 8.4520 IS 8.46% HIGHER THAN THE ROLLED BACK RATE OF 7.7929; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

COUNCILPERSON HUBBARD: So moved.

COUNCILPERSON DAVIS JOHNSON Second.

CHAIRPERSON DAVIS: Properly moved and second. Mr. Sherman?

FINANCE DIRECTOR SHERMAN: Yes, thank you and good evening. Randy Sherman, Director of Finance Administrative Services. Hang on one second while I call that up. Yeah. You have Items 14, 15 and 16 all have to do with your budgets. These are all Ordinances and all here on first read. The first Item is up is Item 14 which City Clerk has read having to do with the millage rate. The millage rate is.., in the budget that has been presented is at 8.452 mills for fiscal '27. That is the same rate that we use for FY 2016. As it said in the, in the Resolution, the millage rate is 8.46% higher than the rollback rate. And again, just so everybody knows that the rollback rate is the rate that would generate the same amount of tax revenues that we had the previous year.

Major factors impacting the millage rate this year, our values went up $385,000,000 but our expenses went up $1,000,000 for pay as you go capital. Uh, $2.8M in salaries and benefits and a $0.7M increase in debt service. Back on August 29th, we talked about the possibility of a millage rate reduction. Uh, what was discussed that night was a .25 reduction. What this table does, on the first line, it shows where we are today with no change at 8.452 and then we put out three alternatives there with a .1 reduction, a .2 reduction and then the .25 reduction. Hopefully, you all got the transmittal last week about how we would adjust the budget if the Council so chose to reduce the millage rate, put out two scenarios. We could reduce the capital funding by up to a $1,000,000. Even though we have $5,000,000 in pay as you go capital this year, it's in the CIP Plan, the Capital Plan which is Item 16. We actually only program $4,000,000 of that, again, to kinda hold back a $1,000,000.

The second option would be to delay filling some vacant positions. We have a number of vacant positions going into this year. And, if we held back all of those positions, um, until [stammer] January 2017 hiring, that would generate sufficient funds to cover the millage reduction as well.

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON PARDO: Okay. So, Mr. Sherman, if.., how many police positions are in the unfilled positions?

FINANCE DIRECTOR SHERMAN: I believe there were four officers that we had unfilled.

COUNCILPERSON PARDO: Okay. And then what about fire?

FINANCE DIRECTOR SHERMAN: Fire, um, it was just the new positons. So it was the fire inspector and the training captain or battalion chief, however you wanna term it.

COUNCILPERSON PARDO: Okay. Thank you.

CHAIRPERSON DAVIS: Mr. Sherman?

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIRPERSON DAVIS: Please list the other positons that won't be filled.

FINANCE DIRECTOR SHERMAN: There's.., let's see if I have that list here. [Pause]. Ah, shoot. [Sigh]. Uh, shoot. Do you have the list? Uh-uh. Okay. I'm gonna have to, I'm gonna have to go by memory here. Um, there are a number of, of Parks positions so there are some, um, Parks program aides. If I go through the departments, there are a couple legislative aides which we actually backed out of the equation.

CHAIRPERSON DAVIS: Legislative aides?

FINANCE DIRECTOR SHERMAN: There are.., even though…

UNK: Legislative...

FINANCE DIRECTOR SHERMAN: …there's two vacancies…

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: …we, we took those out of the equations.

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: IT, all the new positions that we had. So we had a GIS and a, uh, IT tech position and a senior, um, programmer. And I apologize for not having this list with me. Do you have the list?

UNK: I have it.

FINANCE DIRECTOR SHERMAN: Thank you. [Chuckle].

[Inaudible comments]

FINANCE DIRECTOR SHERMAN: How am I doing so far? Good?

UNK: You're doing great.

FINANCE DIRECTOR SHERMAN: [Laughter]. Let's see, we had the small business administrative position, a senior procurement specialist, um, the evidence supervisor, the program aides I talked about, a library assistant. Um…

CHAIRPERSON DAVIS: Totaling…

FINANCE DIRECTOR SHERMAN: And again, when we went thr'.., when we went through all of the positions, the total salaries and benefits of the positions actually exceeded $3,000,000.

CHAIRPERSON DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: And our feeling was that if we delayed those until January, we would have sufficient dollars [cough], excuse me, to cover the, the millage rate change.

CHAIRPERSON DAVIS: Okay. So, delay it to January.

FINANCE DIRECTOR SHERMAN: And, and the important thing.., excuse me, let me add the important thing, um, we were trying to find cuts that wouldn't impact operations. And because those positions are already vacant and we're kinda, you know, working without them, some of them are more cru'.., are more crucial…

CHAIRPERSON DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: …than others. For example, the police officers possibly, if you get somebody in but we actually had enough capacity within there. We had about $250,000 more than we needed so that would actually allow the Manager to make the decisions to hire or not hire those critical positions.

CHAIRPERSON DAVIS: Do any one, uh, what would be the impact on us potentially with the negotiations and the things that we got going on now with the negotiations with the different unions?

FINANCE DIRECTOR SHERMAN: I don't think it would, would impact that at all.

CHAIRPERSON DAVIS: Not at all?

FINANCE DIRECTOR SHERMAN: You know, again, they're, they're vacant positons. It's not that we're eliminating and we're reclassifying and, you know, trying to save money. They're just vacant. Um…

CHAIRPERSON DAVIS: So…

FINANCE DIRECTOR SHERMAN: …and even if you approve a new position, it's not available 'til October 1st to advertise. By the time you go through the process, maybe you could get somebody in December but to push that back to January wouldn't be a… Oh, there's the whole list.

CHAIRPERSON DAVIS: [Inaudible].

FINANCE DIRECTOR SHERMAN: I just wanted to see if I have a couple that, uh, they mi'... Okay. There is a.., there are two fire captains, I apologize. There are some communication operator positions, a couple code enforcement positions.

CHAIRPERSON DAVIS: So, how many code enforcement positons?

FINANCE DIRECTOR SHERMAN: I have three on the list.
[Pause]

CHAIRPERSON DAVIS: Anyone's got any questions?

COUNCILPERSON HUBBARD: The, um…

CHAIRPERSON DAVIS: Ms.., Commiss'.., Councilperson Hubbard.

COUNCILPERSON HUBBARD: Mr. Sherman?

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON HUBBARD: On…

CHAIRPERSON DAVIS: Please talk into the mic, bring it down.

COUNCILPERSON HUBBARD: Okay.

CHAIRPERSON DAVIS: For the record.

COUNCILPERSON HUBBARD: On, on the.., while we're on positions, we have some positions that we are elevating and, uh, we talked about those.., some of those positions when we were in our, our budget hearing. For example, in Public Works, where we're moving one.., we wanted to reclassify a senior staff assistant to the.., to an executive assistant and, um, my, my question on that particular position was this as I, as I asked before, that person would, w'.., I mean, that position [clears throat], that position would

come in at more than persons that are 1) serving in higher positons and actually supervising some people and also that position would be more than, um, people that are actually office managers or executive assistants. So, that's, that, that's something that we didn't justify in my mind as far as 1) the salary and 2) the, um, the level of increase on that particular positon. So, [pause], if we.., I.., that, that's wh'.., there will be a savings 1) if we leave that as what it is and let the increase take place as everybody else is getting their raises but how many people do this pers'.., this position actually supervise?

FINANCE DIRECTOR SHERMAN: Over at Public Works, I, I'm not aware of how many.

CHAIRPERSON DAVIS: What position…

FINANCE DIRECTOR SHERMAN: I don't know…

CHAIRPERSON DAVIS: ...is it again?

FINANCE DIRECTOR SHERMAN: …if Mr. Johnson can answer that or not.

COUNCILPERSON DAVIS JOHNSON [Inaudible]…

COUNCILPERSON HUBBARD: Let, uh…

COUNCILPERSON DAVIS JOHNSON …to an executive assistant. [Inaudible] pre-classification. Is that [inaudible]?

[Inaudible comments]

PUBLIC WORKS DIRECTOR JOHNSON: Good evening, Council. Brent Johnson, Director of Public Works. That particular position, um, they don't dire'.., they don't necessarily manage other people but they oversee other Staff members. The reason for this reclassification is because this particular position just so happens, does quite a bit more than what the current job function calls for. I didn't bring my notes to, to go through those one at a time but they do perform duties far outside of the current job classification given the nature of the work that we do.

COUNCILPERSON HUBBARD: Whatever the duties are that they perform, um, it couldn't equate to a number of other people in those positons with more seniority, more responsibility that are making less. So, I thought.., so, we went o'.., we started the conversation, we went over it in our, I guess, retreat and budget hearing but I see nothing, you know, was adjusted or brought back to justify why we are, are trying.., why we are trying to do that. I understand your answer. It's not that I don't understand you, it's just that I don't agree with the rationale. But, I don't think this is, um, a justifiable increase or change or reclassification unless, unless we're willing to go across the board and do the same for everybody that fits into this category. And I'm talking about

people that are performing outside of the duties that their job description state' and are actually managing people under them and also have the, at least, the level of seniority that this person has.

So, if you can break that down, then, you know, let's do it.

MAYOR MASTERS: Mr. Chairman? Go ahead. [Inaudible].

PUBLIC WORKS DIRECTOR JOHNSON: Oh, um [stammer], I'm not sure, Ms. Hubbard, but I believe that the last time you mentioned it, it was classified as an office manager which was a mistake. Now it's been correctly changed to executive assistant. So, I believe, in the, one of the previous budget meetings it was incorrectly classified as office manager which was, you're correct, was substantially high but that was incorrect, it was executive assistant which wasn't as much.

COUNCILPERSON HUBBARD: This particular increase.., give me one minute since you reclassified it and…

PUBLIC WORKS DIRECTOR JOHNSON: Okay.

COUNCILPERSON HUBBARD: …I will consult the…

CHAIRPERSON DAVIS: Mr…

COUNCILPERSON HUBBARD: …the document that you just gave me.

CHAIRPERSON DAVIS: Mr. Johnson, okay, this is our first reading, correct? So, we can always come back at the second reading and you give that very detailed information to all the Council and make sure that we understand before we approve the final Item that we have all these things in place, understand the responsibilities of this reclassification so we can move forward with this meeting.

COUNCILPERSON DAVIS JOHNSON Mr. Chair?

MAYOR MASTERS: Mr. Chairman, I have a question for Mr. Johnson.

CHAIRPERSON DAVIS: Councilperson Johnson, then the Mayor.

COUNCILPERSON DAVIS JOHNSON Is HR in the room? The question that I have as it relates to reclassifications and changes in pay, is that determined, um, does that person then go to the base salary of the position that's being reclassed to or is there a process by which we determine percentages in order to determine what that increase in salary would be?

HUMAN RESOURCES SULLEN: Marie Sullen, Human Resources Risk Manager. When a positon is reclassified, once the reclassification will occur, that person goes to that base salary of that reclass, not a percentage.

COUNCILPERSON DAVIS JOHNSON Okay. Thank you.

MAYOR MASTERS: Thank you, Mr. Chair. Mr. Johnson, would you come back to the mic? I just have a quick question for you. I need your, your analysis and wisdom here.

COUNCILPERSON HUBBARD: [Inaudible background comment].

PUBLIC WORKS DIRECTOR JOHNSON: Yes, sir.

MAYOR MASTERS: Explain for me… You, you mentioned that person oversees, doesn't manage. Explain to me the difference between a manager and a person that oversees others. What is.., is there a difference?

PUBLIC WORKS DIRECTOR JOHNSON: Well, she does.., like I…

MAYOR MASTERS: Please explain that to me.

PUBLIC WORKS DIRECTOR JOHNSON: Yeah. Like I said, she doesn't necessarily directly supervise 'em, she just sort of delegates certain tasks, make sure that certain work is being done according to the, the department's policies and procedures, um, things of that nature. So, not th'.., she's not necessarily watching to make sure that, you know, people are coming in on time and, you know, all that. That, that's my job. So, like I said, she's just sort of taking the work that I give to her and sparsing that work out to make sure that it happens. That's all.

MAYOR MASTERS: Okay. I guess the better question would be, who does she.., who do the, the people report to? To the overseer or to the Manager?

PUBLIC WORKS DIRECTOR JOHNSON: They report to me.

MAYOR MASTERS: You're the Manager?

PUBLIC WORKS DIRECTOR JOHNSON: Yes.

MAYOR MASTERS: She's the overseer?

PUBLIC WORKS DIRECTOR JOHNSON: Yes.

MAYOR MASTERS: Thank you.

PUBLIC WORKS DIRECTOR JOHNSON: [Chuckle]. You're welcome.

[Inaudible background comments]

CHAIRPERSON DAVIS: Mr. Sherman.

FINANCE DIRECTOR SHERMAN: And, and just again, just so everybody understands the process, um, once all the positions are in the budget and the budget is adopted, positions like this reclassification, HR actually brings back a Resolution with all of the personnel changes. So that would really be the opportunity for you to pick one or, you know, [inaudible] and say, 'We don't wanna do those,' but, um, this, this change here is, just so you know, it's about $16,000. And…

COUNCILPERSON DAVIS JOHNSON Mr. Chair.

FINANCE DIRECTOR SHERMAN: ...and that include' all…

CHAIRPERSON DAVIS: Yes.

FINANCE DIRECTOR SHERMAN: …the benefits that go along with it.

COUNCILPERSON DAVIS JOHNSON And within the budget, you have placed in the study that we asked to be conducted of all positions, correct? So that…

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON DAVIS JOHNSON …if there is a need to do an across the board reclassification of various positons or the salaries based on the study that will be conducted, we would then make those adjustments?

FINANCE DIRECTOR SHERMAN: Correct.

COUNCILPERSON DAVIS JOHNSON Okay.

CHAIRPERSON DAVIS: So, Mr. Sherman, so, are we done with this millage rate of… So the.., did we do the one with how it looks with a quarter reduction?

COUNCILPERSON DAVIS JOHNSON It's at the bottom.

FINANCE DIRECTOR SHERMAN: Again, the, the letter that we sent out last week was addressing how we could fund the quarter reduction and the reduction of, um, the CRA payment. So combined, those two would be about $2.3M dollars.

CHAIRPERSON DAVIS: So, currently, this millage rate hasn't been adjusted yet?

FINANCE DIRECTOR SHERMAN: Correct. Right now, the millage rate in front of you is the 8.452.

CHAIRPERSON DAVIS: So you're asking us to approve it as is?

FINANCE DIRECTOR SHERMAN: Yes. That, that, that's where the current budget stands.

CHAIRPERSON DAVIS: But it, it can't go up but it only can go down or it can stay where it's at?

FINANCE DIRECTOR SHERMAN: Correct.

CHAIRPERSON DAVIS: I just wanna hear what my colleagues have to say before I say anything.

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON PARDO: Okay. I'd like to make a motion to approve the budget as is.

COUNCILPERSON DAVIS JOHNSON I will second.

MAYOR MASTERS: No. 14, right?

CHAIRPERSON DAVIS: Any questions?

COUNCILPERSON HUBBARD: One, Mr. Chair.

CHAIRPERSON DAVIS: Councilperson Hubbard.

COUNCILPERSON HUBBARD: The.., do you know the average increase, the tax increase that most people will experience or will it stay the same because I, I remember you saying that it is about where it was last year?

FINANCE DIRECTOR SHERMAN: Yeah. That the millage rate is the same.

COUNCILPERSON HUBBARD: Mm.

FINANCE DIRECTOR SHERMAN: So it all depends on the value of the home and…

COUNCILPERSON HUBBARD: Of course.

FINANCE DIRECTOR SHERMAN: …that's why we put in the, in the letter a $100,000 assessed value home, um, [pause], depending on where they were last year.

COUNCILPERSON HUBBARD: Mm.
FINANCE DIRECTOR SHERMAN: I mean, because assuming they're the same pla'.., wouldn't see any change in, in their increase. If you took it down that quarter, it would save 'em about $12.50.

COUNCILPERSON HUBBARD: Okay. Thank you.

FINANCE DIRECTOR SHERMAN: Now again, that's $100,000 home and, you know, the math obviously goes up from there but...

COUNCILPERSON HUBBARD: Thank you.

CHAIRPERSON DAVIS: So we're appro'.., so we approving budget as is with the millage rate staying the same as it was last year?

FINANCE DIRECTOR SHERMAN: This, this motion that's on the table is to keep the millage rate at the 8.452.

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: Item 15 is the actual budget.

CHAIRPERSON DAVIS: Okay. Cause the motion was to approve the budget. So.

COUNCILPERSON PARDO: Mr. Chair, I'd like to amend my motion. My new motion is to approve the millage rate at 8.452 mills.

CHAIRPERSON DAVIS: That's a change?

COUNCILPERSON DAVIS JOHNSON No.

FINANCE DIRECTOR SHERMAN: No. That's the same.

COUNCILPERSON DAVIS JOHNSON That's the same.

CHAIRPERSON DAVIS: Oh, okay. Okay. Okay.

FINANCE DIRECTOR SHERMAN: That's the same.

CHAIRPERSON DAVIS: Alright. Thank you. Do we have a second?

COUNCILPERSON DAVIS JOHNSON My second remains.

CHAIRPERSON DAVIS: Okay. Madam Clerk.

FINANCE DIRECTOR SHERMAN: Uh, no. Again, I don't know if there's any public comment cards cause this is a public hearing.
CHAIRPERSON DAVIS: No. This is only f'...

FINANCE DIRECTOR SHERMAN: None? None...

CHAIRPERSON DAVIS: No.

FINANCE DIRECTOR SHERMAN: ...on this one? Okay.

CHAIRPERSON DAVIS: Cause this Item 14, correct?

UNK: Yeah.

FINANCE DIRECTOR SHERMAN: Okay.

COUNCILPERSON HUBBARD: It's a public hearing.

CHAIRPERSON DAVIS: Well, they turned it in late. I, I'll hear this one person. He turned it in late? Okay. Well, it was late. Alright. Madam Clerk.

COUNCILPERSON HUBBARD: For, for the public hearing?

[Inaudible background comment]

CHAIRPERSON DAVIS: Yes. He can't.., it was late.

COUNCILPERSON HUBBARD: I mean, for the, for the...

CHAIRPERSON DAVIS: For the millage.

COUNCILPERSON DAVIS JOHNSON Millage.

COUNCILPERSON HUBBARD: For the millage?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON HUBBARD: And the budget.

CHAIRPERSON DAVIS: No, the millage.

[Inaudible background comment]

FINANCE DIRECTOR SHERMAN: This is just...

CHAIRPERSON DAVIS: Item 14.

COUNCILPERSON PARDO: This is just...

COUNCILPERSON DAVIS JOHNSON Yeah.

COUNCILPERSON PARDO: ...the millage.

FINANCE DIRECTOR SHERMAN: Just the millage.

[Inaudible background comments]

CHAIRPERSON DAVIS: Madam Clerk.

[Inaudible whispering]

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Item No. 15.

DEPUTY CITY CLERK BURGESS: 15. ORDINANCE NO. _____ AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MAKING APPROPRIATIONS AND ESTABLISHING A BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30,2017; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

COUNCILPERSON PARDO: So moved.

CHAIRPERSON DAVIS: Do we have a second?

COUNCILPERSON HUBBARD: Second.
CHAIRPERSON DAVIS: Properly moved and second. So, this will be Mr. Sherman again.

FINANCE DIRECTOR SHERMAN: Yes.

CHAIRPERSON DAVIS: Oh let's.., before we go.., let's go to public comment card. Ms. Gray.., Ms. Gaye.

MS. D. GAYE: Ms. Gaye.

CHAIRPERSON DAVIS: And Mr. Lozman.

MS. D. GAYE: Thank you.

CHAIRPERSON DAVIS: Thank you. You're welcome.

MS. D. GAYE: Ms. Gaye, 720 West 6th Street, Riviera Beach. I was about to say I was about to be overlooked or stated that it was late, however, it was given on time. My comment to No. 14, as stated there, having to do…

CHAIRPERSON DAVIS: [Inaudible].

MS. D. GAYE: …with an approved budget…

CHAIRPERSON DAVIS: [Inaudible].

MS. D. GAYE: …that I just heard given. It does speak to the fact that you have approved a budget without being approved with…, from the Utility Department with our…

UNK. AUDIENCE: [Inaudible].

MS. D. GAYE: Uh, right. And so, what we're lookin' at now, you just assumed and started to use the budget.., approved it without input from us as landlords, so I'm back at the task I was doing a year ago. It has been continuously looked over by landlords, you look over the resident' of Riviera Beach, you look over anybody, the citizens that has anything to do with this financial report that is always given and approved. That means my taxes, my revenue or whatever it is with the City of Riviera Beach continuously goes up without anyone making recognition or lettin' someone stand and give continuous amendments ap'.., without approval.

So, I find that to be very deplorable. It is an understatement that I am continuously overlooked as a group of landlords, as a citizen who pays taxes here or as anyone who lives in the City of Riviera Beach. It continues to be that you continue to beats up the

citizens, you continue to deplore us and I, I wanna go with that terminology whether it's abuse or it's, I call it, harassment or any terminology you want to use. It is continuously.., after a year ago, talking the same road, doing the same thing. We' back at the same exodus even though nothing took place. We had discussions, we had everything. So, I find it really upsetting. I don't care how you say it with any terminology you wanna use. This is a continuous problem with the City of Riviera Beach. You have people who are sittin' in positons that continuously overlook us. Continuously state that they are about the business of the City of Riviera Beach and it's a great place to live. These words can be, uh, looked at as very combative. I consider it to be none of.., it's really offensive that I have to continuously come back with the same dialogue.

[Beep]

CHAIRPERSON DAVIS: Thank you. Mr. Lozman.

MR. F. LOZMAN: Fane Lozman. I don't have an address but the property appraiser is gonna be filing a lawsuit against the City to get me one. Thank you very much. Um, and that's an expense that not only the county taxpayer's gonna have to absorb but the City is gonna have to pay to defend a lawsuit from the county property appraiser. Now how ridiculous is that and I gave the Mayor a letter where the City have not even had the courtesy to respond to Mr. Nikolits' letter. So the Staff that not responded to them, in your capacity as Mayor, you should say, 'We should respond to a county property appraiser when he sends a letter and that has not been responded to.' But don't take my word for it, call up Mr. Nikolits yourself.

I have looked at the budget and I am disappointed. Why am I disappointed? I'm disappointed in the City Manager that would bring a budget to you that shows a 9.3% increase in the general fund budget. Now, why.., 9.3% is an awful big increase. 9.3%, inflation hasn't gone up 9.3%. Inflation.., if you look at fuel, they're having record profits in the airline industry because fuel expenses have come down. Fuel used to be $4.00 a gallon. Now it's $2.20 a gallon when you go fill your car. So, why is that budget going up?

Now, where is objective? Objective evidence means a third party, not me saying something, not the Council saying something, who's an objective third party? An objective third party is the Office of Inspector General, they're third party to objectively look at fraud and waste. The Office of Inspector General reviewed the City Manager's performance a few years ago and found over $800,000 in waste just for a limited look at the City and Ms. KaShamba Miller, she ran on a campaign where she actually had a direct mailing that talked about the $800,000 some odd dollars in waste. So, when you have a third party that has looked at the performance of the City Manager at a prior budget and now she comes in with a 9.3% increase in the general fund budget when there's a history of poor management performance in the prior budgets, how can you approve this budget without getting a new city manager to review this first? Why should we trust her with our tax dollars when it's already been independently shown that she presided over a prior City budget that had all this fraud and waste in it. You know, we,

as taxpayers do not have to put up with her performance. You know, two of you voted twice.., two of the people on the Council voted twice not to renew her contract. That's in the record. That's a matter of public record that you voted not to renew her contract. So, two of you don't have confidence in her to do her job. The OIG found misconduct and yet, she's bringing us a budget at 9.3%. We need to put her aside and have Danny Jones or somebody...

[Beep]

MR. F. LOZMAN: ...else bring a budget but not Ruth Jones.

CHAIRPERSON DAVIS: Thank you. Ms. Jones, this is your Item so go ahead.

CITY MANAGER JONES: Thank you so much, Mr. Chair. And I hope everyone sees what Mr. Lozman is trying to do and I won't dignify that anymore. But what I will say, is that we have held four budget workshops open to the public and this is the exact same budget that we discussed in the two workshops during the month of August and at no time, prior to then, have there been any comments about this particular budget. Unfortunately, Mr. Lozman did not want to give you that information that the residents, Council, department heads, everyone have had the opportunity to talk about this budget. But let me be real clear, this is not about me. It's about the budget for the City of Riviera Beach.

Thank you.

CHAIRPERSON DAVIS: Mr. Sherman.

FINANCE DIRECTOR SHERMAN: Yes.

CHAIRPERSON DAVIS: Presentation, please.

FINANCE DIRECTOR SHERMAN: Okay. What you have in front of you tonight, the general fund budget is at $71.197M and then you have the four enterprise fund budgets, the Utility Special District at just over $25,000,000 which will also be discussed at the Utility Special District meeting. The Marina budget at $1.8M which is the number that was provided to us from Seven Kings. The storm water budget at $3.3M.

CHAIRPERSON DAVIS: Hold.., could you, could you...

FINANCE DIRECTOR SHERMAN: Yes?

CHAIRPERSON DAVIS: ...please...

FINANCE DIRECTOR SHERMAN: Sure.

CHAIRPERSON DAVIS: ...go through the Marina budget since this is the first time we've done this portion with Seven Kings?

FINANCE DIRECTOR SHERMAN: Sure. Um, again, Seven Kings took over in May and we initially brought forward a budget based on the information we obviously had from historical operations. Seven Kings ran their finances through July before they decided, you know, that they felt comfortable enough to, to try to make a budget. The 1.845 [pause], $1.854M budget they submitted does include their administrative fee. It does include certain rate increases that, you know, that they have been trying to implement or plan to implement down at the Marina. And it also includes the lease payments that.., and the payments for the CAM charges to the CRA for the office space and maintenance of the Upland property, including the, um, the waterfront along the, uh, the seawall.

Is there anything specific you'd, you'd like me to address on that or is...

CHAIRPERSON DAVIS: No. I just wanted to hear...

FINANCE DIRECTOR SHERMAN: Okay. Okay. Again, the storm water budget, 3.3, it's the same level as it was last year and the refuse budget, which is your trash collection, is 4.1 and that's based on the contract that you approved with Waste Management last year.

Highlights of the general fund budget. Again, as I mentioned earlier, there's $5,000,000 in pay as you go capital. We do have full funding for all of the salaries and benefits and let me just kinda spell that out. The IFF is your firefighters. There's a 5% step and a 3% COLA included in this budget. This is the last year of their three-year contract. PBA, which are your police officers and police sergeants, uh, we really have a mark to market adjustments. We talked about earlier about doing the comp study plan for all the City employees. What we're trying to do with the PBA contract that's currently being negotiated is really kinda mark their salaries to where the current market is today. And then you have the SEIU, the PMSA, admin and any other non-union positions such as crossing guards and, and the like. We've budgeted a 3% COLA. Uh, SEIU is the only one currently that has a, a signed agreement.

As we discussed earlier, there is funding for the Compensation Plan. We have a small business program being initiated. The aftercare program at Parks is now fully funded. Funding for the Civil Service Board, security at the library. We did process a transfer of Code Enforcement and moved it over to Community Development. And again, I think it's very important to, uh, to recognize that we did not use any reserves to balance this budget. This is a, you know, a revenue based budget.

We did have a couple requests come in since our last hearing. We had a request come in from the City Attorney whose only been on board for, what do we got, 60 days now? Mr. Degraffenreidt? Asked for...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible] that many.

FINANCE DIRECTOR SHERMAN: It's not that many? [Chuckle].

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible] many.

FINANCE DIRECTOR SHERMAN: An upgrade for the Assistant City Attorney, the legal assistant and the paralegal. We estimate those costs to be about $24,000. And then the Mayor's office also submitted an upgrade request for his legislative aide to, uh, classify as a Chief of, of Staff at an estimated cost of $14,500.

CHAIRPERSON DAVIS: And this is not a final decision?

FINANCE DIRECTOR SHERMAN: No. These are not included in the budget. If you want us to include these in the budget, you'd have to let us know between now and the second reading...

CHAIRPERSON DAVIS: These are some...

FINANCE DIRECTOR SHERMAN: ...we would, we would make...

CHAIRPERSON DAVIS: ...recommendations that you all just... Okay.

FINANCE DIRECTOR SHERMAN: We would make the adjustment.

COUNCILPERSON HUBBARD: Mr... Is this.., is this where we interject?

FINANCE DIRECTOR SHERMAN: Yes.

CHAIRPERSON DAVIS: Yeah. Go ahead.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Hubbard.

COUNCILPERSON HUBBARD: Okay. I'm gonna start from the bottom with the Mayor's office and the legislative aide to Chief of Staff. We do know that our, our Chief of Staff or the Mayor's Chief of Staff does a lot more than the legislative aides do because we know how active our Mayor is and she has to do a lot more. So, definitely I think when she got the title, it would've been well if she could've gotten the salary at that time but she, um, was patient to continue to do the work, to step in and help any new Council people and to do work for us when we had no legislative aides and to train, or to help our other, um, our other legislative aides that are just coming on. So, I think, you know, that she definitely deserves to finally get the pay for the title that she had been given and the work that she's been doing. And Mr. Mayor, I know you didn't ask me but...

CHAIRPERSON DAVIS: Mayor, did you have a presentation?

MAYOR MASTERS: Uh, if you, if you, if you're requesting one, yes.

CHAIRPERSON DAVIS: Yeah. I'd like.., I mean…

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: …it's your Item.

MAYOR MASTERS: Ms. Debbie Leblanc Isaacs, come to the mic, please. Bring your research or whatever you, you've done the research.

[Inaudible comments]

CHIEF OF STAFF ISAACS: You have it, Ms. Jones?

MAYOR MASTERS: This was prepared by the Chief of Staff so I would prefer her, Mr. Chairman, to make the presentation because she is the applicant for it and she does the work and I want the public to know what.., what and why she's asking for this upgrade [inaudible].

CHAIRPERSON DAVIS: Hold on. So, you want your Staff Member… Okay.

CHIEF OF STAFF ISAACS: [Inaudible].

CHAIRPERSON DAVIS: You ready?

CHIEF OF STAFF ISAACS: [Inaudible]. I'm…

CHAIRPERSON DAVIS: Or Mayor?

CHIEF OF STAFF ISAACS: …prepared. Yes.

CHAIRPERSON DAVIS: Mayor? Now, normally our department heads make their presentations for their Staff, a recommendation. I don't wanna.., I don't wanna put… Unless Ms. Leblanc.., if you're ready. I don't have no problem allowing you to do this. I mean.., but usually all the department heads make presentations for their departments on what they want. So, you wanna wait 'til the next meeting so you can do it or you feel more comfortable allowing her to do it?

MAYOR MASTERS: She's really, she's really my department head so, I'm comfortable with her making…

CHAIRPERSON DAVIS: Okay. So…

MAYOR MASTERS: ...[inaudible]. She's comfortable.

CHAIRPERSON DAVIS: You're the new Mayor. Go ahead.

CHIEF OF STAFF ISAACS: Oh Lord.

[Laughter]

MAYOR MASTERS: [Inaudible]. We know who really runs the office so.

[Inaudible background comment]

CHIEF OF STAFF ISAACS: [Chuckle]. Well, I've been with the... Debbie Isaacs, Mayor's Chief of Staff.

[Chuckles and inaudible comment]

CHIEF OF STAFF ISAACS: I've been with Mr. Mayor since 2011 and then I, I left for a brief moment. I ca'.., returned in 2014. But from the initial onset of me taking this positon, I was given the title without the salary for his Chief of Staff. I have a whole list of other job descriptions of what I do for the office and have been doing since the beginning. But I, I would just rather read the letter that I, um, drafted up for the Mayor in justification for my position increase.

CHAIRPERSON DAVIS: Hold on. Excuse me, Ms. Isaac. With all due respect to you and the process...

CHIEF OF STAFF ISAACS: Mhmm.

CHAIRPERSON DAVIS: I'm just.., I wanna make sure I don't make a mistake as a legislating body. I would think it would proper for you to submit that letter to all of us to review it for the next meeting.

CHIEF OF STAFF ISAACS: I...

CHAIRPERSON DAVIS: And I think that's the proper thing to do and I don't wanna make that mistake and put you in that position because, if that's the case, we'd have all.., the people in the City, they should be coming to the podium doing the same thing. And I don't wanna put.., I wanna make sure we set precedent. You get what I'm saying?

CHIEF OF STAFF ISAACS: Yes, I do.

CHAIRPERSON DAVIS: And, and...

CHIEF OF STAFF ISAACS: I, I...

CHAIRPERSON DAVIS: ...with all due respect to you, let.., make sure all of us get a copy of that letter. We can review it for the next meeting, with all due respect to the work that you do.

CHIEF OF STAFF ISAACS: That's fine.

CHAIRPERSON DAVIS: But thank you for the work that you do do.

MAYOR MASTERS: Madam.., excuse me, Mr. Chair? Go right back. In addition to the letter and what the Chair says...

CHAIRPERSON DAVIS: Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON He's not finished.

MAYOR MASTERS: I'm.., I got the mic.

COUNCILPERSON DAVIS JOHNSON No. He's not...

MAYOR MASTERS: Oh, I couldn't hear. Is your mic on?

MAYOR MASTERS: I don't know. I have a cold so...

CHAIRPERSON DAVIS: Oh.

MAYOR MASTERS: ...I'm not talking very loud. Is there anything else you would like to say, uh, in the.., other than the letter? While you're here?

CHIEF OF STAFF ISAACS: Well, I can go step by step. I have 21 items.

MAYOR MASTERS: Hold on. I prefer... I, I guess that probably should come with the letter when it's read as well...

CHIEF OF STAFF ISAACS: Yes.

MAYOR MASTERS: ...[inaudible] Chair say. But, just for the public knowledge at, at this point...

CHIEF OF STAFF ISAACS: Mhmm.

MAYOR MASTERS: I want the public to know that we have a lot of people in and out of the office, it's not just Ms. Isaac being the legislative aide to me but as Chief of Staff, we have senior volunteers that deal with our seniors, we have the veteran person that deal' with the veterans, we have all kinds of things and...

CHIEF OF STAFF ISAACS: Disability.

MAYOR MASTERS: ...programs and pro'...Disability person that comes in and deals with the disabled community. So that is why she sort of, as Mr. Johnson said, oversees and manages as well...

CHIEF OF STAFF ISAACS: Mhmm.

MAYOR MASTERS: ...these different people who are doing work on behalf of, of the Mayor but, but more importantly, on behalf of the entire City, our seniors, volunteers, disabled and the veterans. Those are the volunteers who come on a day to day basis, just about and they serve the community. But we will, uh, wait, Mr. Chair, if that's your pleasure and present it to everybody else.

CHAIRPERSON DAVIS: Yeah. That way we all can review the letter.

MAYOR MASTERS: That's fine.

CHAIRPERSON DAVIS: And.., because, cause...

MAYOR MASTERS: That's fine.

CHAIRPERSON DAVIS: ...someone can come from Recreation/Library and come before the Board and say, 'Hey, you know what? I'd like to see my position classified and this is the reasons why.' And I don't wanna put Ms. Isaacs in that type of position. You know? I wanna make sure we do it a certain way, unless someone choose to do something different.

MAYOR MASTERS: Thank you.

CHAIRPERSON DAVIS: I don't wanna... Thank you though. We do respect the way she do her work but I don't wanna make that mistake. Any other questions?

COUNCILPERSON DAVIS JOHNSON I just have a question. I'm a little perplexed because this is the same action that was just presented for Public Works and we had a concern with how that places a disparity or inequity against other people in that particular title. So, when you think in terms of.., and, and this is no.., this is no indication or, um, reference to the work that you do because I believe that you do a wonderful, a magnificent job representing the Mayor but I'm just looking at how we, um, how we just address the issue of a reclassification in one department and we [pause], we readily decide that we want to do it for another. So there needs to be some consistency in the application of process.

CHAIRPERSON DAVIS: Mm.

COUNCILPERSON DAVIS JOHNSON And I am just wondering how we di'.., how we make the…

CHAIRPERSON DAVIS: She's right.

COUNCILPERSON DAVIS JOHNSON How we discern the difference in how we determine who does what amount of work in what specific department. And I do believe that, at some point, we have to recognize the level of expertise that our department directors and managers have and look at what it is that they are doing and believe, at some point, that they do have an ability to manage their Staff and they understand what the undertakings are. So I'm just a little concerned about the disparity or the difference in treatment of policy.

CHAIRPERSON DAVIS: And, and to fo'.., and to follow that, does Human Resource have a.., I'm sure we have a policy, a process with, with how we do our reclassifications through HR, correct? Is that how it goes? Ms. Jones, I don't know.

CITY MANAGER JONES: There is a process. The legislative aide.., currently the title is legislative assistant.

COUNCILPERSON DAVIS JOHNSON Right.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON Legislative assistant.

CITY MANAGER JONES: It's not legislative aide.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: There is a position in the classification system for legislative aide which is higher than the legislative assistant and what the Chief of Staff, however, is a new title and when you have a new title, HR must go through and they must, um, assess the position, determine its classification, determine its salary range.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: So there is a process. The legislative aide position currently exists. The job description I saw had the position being the legislative ai.., the Mayor's legislative aide. And so, it was using the legislative aide title…

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: ...not a Chief of Staff title.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: If we're going to be looking at a Chief of Staff title, that is a completely new title and would have to go through the complete classification process.

COUNCILPERSON DAVIS JOHNSON So, if we've not gone through the complete classification process, how did we arrive at the $14,500 figure?

CITY MANAGER JONES: Using the legislative aide.

COUNCILPERSON DAVIS JOHNSON That's the salary of the legislative aide?

CITY MANAGER JONES: Using the legislative aide classification.

COUNCILPERSON DAVIS JOHNSON So we may potentially be doing her a disservice going with the legislative aide if we are creating a position in the compliment of Chief of Staff and, based on the duties and the experience that is required, that could very well be at a higher rate.

CITY MANAGER JONES: In a classification study, it could be at a higher rate. Yes.

MAYOR MASTERS: But, uh, M'…

COUNCILPERSON HUBBARD: Mr. Ch'…

CHAIRPERSON DAVIS: [Inaudible] Councilperson Hubbard then I'll go to the Mayor.

COUNCILPERSON HUBBARD: The, um.., two things, two things that I want to say. The, the ran'.., there, there's always gonna, there's always gonna be a range when, um, one thing, when.., I remember when the title Chief of Staff came about. At that point, that's when the due diligence should've done because, I mean, I remember our previous Attorney say that, 'Okay. You're gonna get the title as if the work had been done but you're not gonna get the raise right now.' So, if that is the case, one would assume that the Staff, that the document had run the gambit, it had been signed off on and that the, that the position itself had been, uh, cla'.., classified. Do you remember, Ms. Isaacs? At the… Do you remember that conversation at that time?

CHAIRPERSON DAVIS: Which meeting [inaudible].

COUNCILPERSON HUBBARD: That you got the salary.., you were gonna get the title and not the salary?

CHIEF OF STAFF ISAACS: Right.

COUNCILPERSON HUBBARD: [Stammer]…

CHAIRPERSON DAVIS: Which…

COUNCILPERSON HUBBARD: The…

CHAIRPERSON DAVIS: …which meeting?

COUNCILPERSON HUBBARD: At that time, when they.., when, when she, when she was being changed to Chief of S'.., Chief of Staff. Let me go back just.., you, you don't remember?

CHAIRPERSON DAVIS: Uh-uh.

COUNCILPERSON HUBBARD: Okay.

CHAIRPERSON DAVIS: Is, is that recently?

[Inaudible background comments]

COUNCILPERSON HUBBARD: No. I'd say that it was when we had our previous Attorney but even more…

CHAIRPERSON DAVIS: Is it 20'…

COUNCILPERSON HUBBARD: …important, Mr…

CHAIRPERSON DAVIS: This, this fiscal year that happened, Ms. Isaacs?

CHIEF OF STAFF ISAACS: When I joined his Staff.

CHAIRPERSON DAVIS: Oh, this 2000 like, what year was that?

CHIEF OF STAFF ISAACS: 2011.

[Inaudible background comment]

CHAIRPERSON DAVIS: 2011 this conversation...

MAYOR MASTERS: I, I…

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: …can clear that up.

COUNCILPERSON HUBBARD: This.., Ms… He was gonna clear it up he said.

CHAIRPERSON DAVIS: Okay.

MAYOR MASTERS: I can…

COUNCILPERSON HUBBARD: Mr. Chair, what I wanted, um, the, the, the more important point that I wanted to make is the difference between the reclassification of the position in Public Works, Mr. Johnson's department and this particular reclassification and position. As Mr. Johnson sta'.., stated, his, his person does not.., does.., just.., does, does not supervise these people, she make.., they.., she makes sure that they get their work done. But, in this position, we have three volunteers that are there to execute tasks that are assigned and given by the Mayor so she is supervising and make sure that what veteran project we have, like we were all here for, for Veteran's Day, she ma'.., she does the work, ma'.., you know, made that happen. So, therein line is the difference. Those.., the other.., it's, based on Mr. Johnson's description, their roles are totally different. There's actual supervision and in most, and in most job classification, before you can be a.., considered a supervisor or whatever, you have to have 'X' amount of people that you're actually, um, supervising.

So, she actually works in these categor'.., with these categories, for the Mayor, to make sure his three unpaid personnel get their, um, get his tasks initiated. So that's, that's the difference that I see in my eye.

CHAIRPERSON DAVIS: Well, well…

MAYOR MASTERS: Chair, let, let me just clear that up a little bit.

CHAIRPERSON DAVIS: Go ahead, Mayor.

MAYOR MASTERS: Let me just add a little bit. I've called her that, Chief of Staff, because of the volunteers.

CHAIRPERSON DAVIS: [Inaudible].

MAYOR MASTERS: It's just a matter of principal. When I come in, 'Chief of Staff,' and it's.., and I promote the idea because it's more than just one person. But I'm sure we can strike that, uh, Chief of Staff and just with the legislative aide. She's just asking for an upgrade and the upgrade is legislative aide but, in principal, for me, she is the Chief of everybody in that office cause you got several different people. So, I don't think Ms. Isaac would have a problem with striking of the language if, if it's gonna create a personnel [stammer] deal. But if it's just legislative aide, that is one.., is that.., that's already there and that's one step higher. Is that right, Ms. Isaacs? So…

CHIEF OF STAFF ISAACS: I included that option in the [inaudible]…

MAYOR MASTERS: Okay. So we'll wait and table it until we bring it back.

CHAIRPERSON DAVIS: Well, not table it. It, it's coming back.

MAYOR MASTERS: Well, well I mean…

CHAIRPERSON DAVIS: Yeah.

MAYOR MASTERS: …when it comes back.

CHAIRPERSON DAVIS: Yeah, yeah.

MAYOR MASTERS: …and then she'll.., we'll proceed.

CHAIRPERSON DAVIS: Okay. Alright. Let's…

MAYOR MASTERS: Move on with…

CHAIRPERSON DAVIS: Thank you.

MAYOR MASTERS: …that then at that time.

CHAIRPERSON DAVIS: Mr. Sherman, back to your, your platform.

FINANCE DIRECTOR SHERMAN: No. I'm done, this is your discussion p'.., questions.

CHAIRPERSON DAVIS: No. We're just…

FINANCE DIRECTOR SHERMAN: Further questions.

CHAIRPERSON DAVIS: Well, we're just gonna wait until…

FINANCE DIRECTOR SHERMAN: Wait.

CHAIRPERSON DAVIS: …the next meeting

FINANCE DIRECTOR SHERMAN: We'll wait.

CHAIRPERSON DAVIS: And then there'll be some backup information provided so we can go through it so we can just save time.

[Inaudible background comments]

CHAIRPERSON DAVIS: Yes. All due respect to the process.

MAYOR MASTERS: Thank you, Mr. Chair.

FINANCE DIRECTOR SHERMAN: So again, the Item before you is, is the Res'.., you know, the Resolution, the Ordinance for the, uh, for the budgets on, on first read.

And again, if there are changes between now and the second read, we can, we can accommodate that.

CHAIRPERSON DAVIS: So, are there any changes now that.., between now and the last time we met?

FINANCE DIRECTOR SHERMAN: Uh, there are. We added…

CHAIRPERSON DAVIS: What are those changes?

FINANCE DIRECTOR SHERMAN: … the additional $5,000 for the job fair, that we had talked about. I took out the $20,000 that we kinda [inaudible]...

CHAIRPERSON DAVIS: Where is that at?

FINANCE DIRECTOR SHERMAN: Oh, not on here. Back in, back up in the, uh, $71,000,000 and I added $50,000 to cover the discussion that we had on Fire Works and an education program. So that is now in there. Other than that, the'.., nothing's changed since the…

CHAIRPERSON DAVIS: Educ'…

FINANCE DIRECTOR SHERMAN: …29th.

UNK: [Inaudible].

CHAIRPERSON DAVIS: Education.

FINANCE DIRECTOR SHERMAN: Uh…

CHAIRPERSON DAVIS: Counc'…

FINANCE DIRECTOR SHERMAN: Councilwoman Miller-Anderson…

CHAIRPERSON DAVIS: Oh yes.

FINANCE DIRECTOR SHERMAN: …had asked to…

CHAIRPERSON DAVIS: That's right.

FINANCE DIRECTOR SHERMAN: …set aside.

CHAIRPERSON DAVIS: Okay. I remember now. I remember now.

FINANCE DIRECTOR SHERMAN: So what I did is I tri'.., I, I…

CHAIRPERSON DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: ...put an additional $50,000 into the contingency account.

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: And then it can be spent how...

COUNCILPERSON DAVIS JOHNSON To be det'...

FINANCE DIRECTOR SHERMAN: How you...

CHAIRPERSON DAVIS: To be determined.

FINANCE DIRECTOR SHERMAN: ...determine...

COUNCILPERSON DAVIS JOHNSON To be determined by us.

FINANCE DIRECTOR SHERMAN: To be determined. Right.

CHAIRPERSON DAVIS: Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON Yes. I, I wanted to make sure that the allocation was made because, in the discussion that we had previously, we were going to reach out to the various schools and we have done that. And so, we have a better idea of what that cost should look like for tutoring and remedial studies in an effort...

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON DAVIS JOHNSON ...to bring our schools up to par. So, thank you for making that allotment and we will, as a Board, discuss...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON DAVIS JOHNSON ...how those dollars will be disbursed.

FINANCE DIRECTOR SHERMAN: Good.

CHAIRPERSON DAVIS: Alright.

MAYOR MASTERS: Mr....

CHAIRPERSON DAVIS: Any other questions from the Board Members?

MAYOR MASTERS: Yes. Mr....

CHAIRPERSON DAVIS: Mayor.

MAYOR MASTERS: I know we had talked about, uh, previously, about the.., and I think there was some discussion… I've been a little ill with this cold but there was some discussion on the, the monthly, um, entertainment social that we've been doing for the community which has been basically free and.., so, is that next week?

CHAIRPERSON DAVIS: Everything [inaudible] bring it before the next meeting, of next read.

MAYOR MASTERS: Next week?

CHAIRPERSON DAVIS: Next reading. Yes.

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: Yes.

MAYOR MASTERS: Very good. I'll wait.

CITY MANAGER JONES: Do you want it in there for the next reading? Cause we need to…

CHAIRPERSON DAVIS: I mean, just carve it out for now.

CITY MANAGER JONES: Yeah. The budget that we actually needs to.., need to bring you has to include all of your changes. So, do you want us to include additional money for the monthly events…

[Inaudible background comments]

CHAIRPERSON DAVIS: Well…

CITY MANAGER JONES: …now, so when you get it, it's already in there?

CHAIRPERSON DAVIS: We can't do it at that time?

CITY MANAGER JONES: You can.

CHAIRPERSON DAVIS: Well, let's just wait.

CITY MANAGER JONES: But I just didn't know how much you… Okay.

CHAIRPERSON DAVIS: We'll just wait. Because I don't.., we don't wanna be funding money back and forth. Let's make a decision and stick to it, whatever we decide to do it at that time.

MAYOR MASTERS: Thank you.

COUNCILPERSON DAVIS JOHNSON Do...

CHAIRPERSON DAVIS: Nothing's happening.

COUNCILPERSON DAVIS JOHNSON Okay.
CHAIRPERSON DAVIS: Yeah. Nothing. We'll save it for the next meeting.

COUNCILPERSON DAVIS JOHNSON Okay.

CHAIRPERSON DAVIS: [Chuckle]. Mr. Sherman?

FINANCE DIRECTOR SHERMAN: That's...

CHAIRPERSON DAVIS: Is that it?

FINANCE DIRECTOR SHERMAN: That's it.

CHAIRPERSON DAVIS: That was fast. [Pause]. Alright. Do we have a motion to approve this Item?

UNK: [Inaudible].

UNK: [Inaudible].

COUNCILPERSON DAVIS JOHNSON This is the [inaudible]?

UNK: Uh-uh.

COUNCILPERSON DAVIS JOHNSON Approval of budget Ordinance.

CHAIRPERSON DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: This is the budget Ordinance.

MAYOR MASTERS: 15.

FINANCE DIRECTOR SHERMAN: It'.., Item 15.

COUNCILPERSON DAVIS JOHNSON Okay.

CHAIRPERSON DAVIS: Do we have a motion?

COUNCILPERSON DAVIS JOHNSON So moved.

COUNCILPERSON HUBBARD: So moved.

COUNCILPERSON DAVIS JOHNSON Second.

CHAIRPERSON DAVIS: Got two motions and one second.

[Laughter]

MAYOR MASTERS: That means they're…

CHAIRPERSON DAVIS: That a mo'…

MAYOR MASTERS: …on their job, Mr. Chairman.

CHAIRPERSON DAVIS: …motion by Hubbard…

MAYOR MASTERS: That's all.

CHAIRPERSON DAVIS: …and Councilperson Davis Johnson with the second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Item No. 16.

DEPUTY CITY CLERK BURGESS: 16. ORDINANCE NO._____AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MODIFYING AND UPDATING THE CITY'S FIVE YEAR CAPITAL PROJECTS PLAN FOR FISCAL YEARS 2016-2017 THROUGH 2020-2021; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

COUNCILPERSON HUBBARD: So moved.

COUNCILPERSON DAVIS JOHNSON Second for discussion.
CHAIRPERSON DAVIS: Okay. We have.., first, public comment. Ms. Dorothy Gaye and then Mr. Fane Lozman.

MS. D. GAYE: Dorothy Gaye. 720 West 6th Street. Again, with the jog and expression, which will remain the same, that I've stated, uh, we use the terminology loosely. Now we're going from severability, we've also used loosely modifying and we continue to accept.., we accept anything that's placed before us. We accept anything that is given and it's always approved. If we ever get to, uh, calling it as it is, and you should be able.., when you're.., it's nothing personal, as they say, it's about business and the City of Riviera Beach should be about business. And what we have here will be continues to delay of a situation that should be taken care of. It's a continuous flow and as I get these two terminology of modification, uh, each one of these terms, loosely made, however it's stated in terminology that most of the public do not understand and from the g'.., uh, really, when you read each one of these, even with the public hearing, even though you've had it a year ago and it was read three times, that does not give the right to continuously, uh, not listen to the citizens where I pay taxes, uh, whether I'm living fiscally here. The citizens are due more respect. I consider myself, regardless of whether I'm living here, I am paying taxes.

And I find it absurd that you continuously listen to what is brought before you. And also approve regardless of taking a stand. And, as I stated before, when we got the dais completely filled again, that it has to be a new turnaround. It has to be a new day. It cannot continue to be same as because, when you have the same situation given by the same cit'.., uh, personnel, you get the same results, nothing changes.

CHAIRPERSON DAVIS: Mr. Lozman.

MR. F. LOZMAN: Fane Lozman. When you sit up there you should look at factual evidence. You shouldn't say, 'Oh, Fane, that's his opinion,' or, 'that's another resident...' Look at the facts and the facts are that, when you look at municipalities around Florida, and I just did this sitting in the.., outside in the, the chairs out there, Williamsburg, Virginia, 2.75% increase in general fund, Jamesville, 3.6%, Alexander'.., Alexandria, Virginia, 3.9, uh, Greensburg, North Carolina, zero. Here, 9.3% in general fund. Triple a cursory review of the national average. So, how does that apply to Item

No. 16? Five year capital improvement? What that tells me, if you objectively look at how much the general fund budgets have increased in other cities around the country and Florida, I haven't found anybody that's gone up more than 3.9%. But this lady here, Ruth Jones, is coming up with a 9.3% increase in general fund and then she's telling you to accept her word for it cause this is some pretty complicated stuff, this five year Capital Improvement Plan, saying that I believe that this Capital Improvement Plan represents the best allocation of available resources to meet the City's capital needs.

I am telling you, if you objectively look at how much the general funds have increased for representative cities around the country, they increased less than 4%. She's done 2 ½ times that and we are supposed to take her word on the Capital Improvement Plan? Why? The same woman who the OIG said had no control over $800,000 in funds? It doesn't matter I went to budget workshop. My floating home was sunk one week because you wouldn't give me an address to get electrical service. And you just think it's a big joke. I am a taxpayer, lady. I expect to have an address, to have electrical service for surveillance cameras, I expect to have a City Manager that's going to do a professional job.

Empirically, coming in with a general budget that's over twice the highest for municipalities around the country tell me.., tells me that we cannot accept her five year Capital Improvement Plan. That's not my opinion, that's looking at s'... I majored in mathematics. I have a bachelor's degree in mathematics. Okay? And I, I took masters works in statistics. I've looked at the facts. Her performance, bringing in that general fund at 9 point some odd percent [chuckle], should say, 'Why? Why did you do that? Why are you tw'.., more than twice what other cities are?' You know, the'.., that money is coming out of people's pockets. This is a poor city. You know, I have no, absolutely no confidence in this five year Capital Improvement Plan. Two of you had no confidence in her ability to be City Manager cause you twice voted not to renew her contract. Two of you sitting up there.., now, KaShamba Miller wasn't up there and...

[Beep]

MR. F. LOZMAN: ...and some [inaudible]. But, the point is, you need.., you have 'til the end of the year to do this. Replace the City Manager and have the new city manager come back in December with this.

CHAIRPERSON DAVIS: Mr. Sherman, um, that's the end of comment cards for that. Is your presentation for this Item?

FINANCE DIRECTOR SHERMAN: Sure. Again, this.., we are adopting and required, as a City, to adopt a five year Capital Plan. The first year of the Capital Plan includes 32..., about $6,000,000 of capital projects, general fund type projects. And then we have some special revenue funds which would be any grants that the City is receiving. And then at the bottom on this slide we have a Utility Special District capital budget. Again, this is first year of $29.7M. Again, I believe that'll be discussed at the Utility meeting. And then the Marina, $355,000 and then the storm water budget capital

budget's $11.6M. Most of that $11.6M is the street projects that matches up with the capital projects under the general government.

COUNCILPERSON HUBBARD: Two things, Mr. Chair.

FINANCE DIRECTOR SHERMAN: Oh...

CHAIRPERSON DAVIS: Well, Counc'...

COUNCILPERSON HUBBARD: Oh...

CHAIRPERSON DAVIS: Go ahead.

FINANCE DIRECTOR SHERMAN: [Inaudible].

CHAIRPERSON DAVIS: [Inaudible] Hubbard.

COUNCILPERSON HUBBARD: Sorry. Go right ahead.

FINANCE DIRECTOR SHERMAN: Okay. As I said, it's a five year budget. So again, in the first column here, you see the same first year budget we just had in the prior slide. But this is actually $114,000,000 five year budget. So, you got $74,000,000 in the first year and $114,000,000 over the five years. So, you're spending another $40,000,000 in years, um, two through five. And these are all of the funded projects. I believe we passed, you should have at, at your desk, all of the unfunded projects. We had talked about those, uh, on August 29th. Those need to be.., will be placed in the [inaudible] for the second read and then as we move ahead, possibly with the sales tax, then we can, you know, address some of those unfunded projects.

The highlights of the general government capital projects, we should be wrapping up that Marina District project, uh, the CRA should be wrapping up that contract with the City's contributions. As I mentioned, we still have the street improvement projects that should be kicking off shortly. We put a lot of money into, again, the neighborhood projects, radios and body cameras for the police officers are budgeted. And then, we put a lot of money into public facilities this year. Again, we've been carrying the public safety, Public Works money along to determine how.., what we're going to do with those two projects. Uh, but the budget does also include money for the library, the new library, City Hall, fire stations, specifically designated for Station 2 is our top priority there and then again the, um, Community Center...

CHAIRPERSON DAVIS: Mr....

FINANCE DIRECTOR SHERMAN: ...on the south...

CHAIRPERSON DAVIS: Mr. Sherman?

FINANCE DIRECTOR SHERMAN: Yes.

CHAIRPERSON DAVIS: What was the price.., why were the radios so high?

FINANCE DIRECTOR SHERMAN: Radios were about $890,000 and then the body cams are a couple hundred thousand dollars.

CHAIRPERSON DAVIS: So...

FINANCE DIRECTOR SHERMAN: But the.., the, the radios...

CHAIRPERSON DAVIS: Why were...
FINANCE DIRECTOR SHERMAN: ...[stammer] I don't have the bid or the quote in front of me. I wanna say it's almost $5,000 though per officer by the time you outfit them with everything they need for, for a radio. It, it's, it's a...

UNK: Costly.

CHAIRPERSON DAVIS: Oh.

FINANCE DIRECTOR SHERMAN: It's a big venture. But again, it gives you the ability to communicate. Um, I think that we're going to the P25 which should give you the ability to communicate not only with the other agencies around you but even with, like, the Coast Guard and, and others.

CHAIRPERSON DAVIS: Okay.

[Inaudible background comments]

FINANCE DIRECTOR SHERMAN: And that's...

CHAIRPERSON DAVIS: Keep going. I just...

FINANCE DIRECTOR SHERMAN: Nope. That's...

CHAIRPERSON DAVIS: That's it?

FINANCE DIRECTOR SHERMAN: Questions.

CHAIRPERSON DAVIS: Any questions by...

MAYOR MASTERS: Yes.

CHAIRPERSON DAVIS: ...the Board?

MAYOR MASTERS: Mr. Chair. The Commu'... Mr. Chair?

CHAIRPERSON DAVIS: Yeah.

MAYOR MASTERS: The Community Center, that's over there on the south side?

FINANCE DIRECTOR SHERMAN: Yes.

MAYOR MASTERS: Okay. What's the status of.., is this gonna complete the project or this…

FINANCE DIRECTOR SHERMAN: The, well.., I don't know. Ms. Jones, you wanna.., or Mr. Jones, is around, do you wanna talk about the Community Center? Or Mr. Johnson?

CITY MANAGER JONES: It's my understanding, as it relates to the documents that were placed on the street, the actual cost of the construction came in higher, however, we've had the opportunity to do some value added work. When we look at what they were costing out for the kind of floor, we wouldn't put that expensive of a floor in a facility like this. So there are areas, after you go back and value engineer it, and look at the best estimates of what you really wanna use. I don't know how much that's going to reduce it but it would be one of the areas cause I wanna say it came in, like, a million two, a million three.

FINANCE DIRECTOR SHERMAN: Yeah. It came in a million two.

CITY MANAGER JONES: A million two, was how it came in. The additional $300,000 or so, we anticipate, as we go through our discussion about the one cent surtax…

MAYOR MASTERS: Mhmm.

CITY MANAGER JONES: …that, that may be a project. Otherwise, we will build to what we have.

MAYOR MASTERS: Thank you. I do, I do wanna add, Mr. Chair, that I want to thank this Council and the Manager for pressing on towards putting.., getting the body cams. As you know, a few years ago I travelled to the Justice Department and talked to them about grants and help for body cams for Riviera Beach and I know Councilwoman Dawn Pardo has gone and has done the same thing as it relates to body cams, along with, I know KaShamba Miller-Anderson went and also talked to our congressmen and the Florida.., well, the Palm Beach County delegation particularly that covered Riviera Beach. And I'm pleased that, uh, it is in the budget. Hopefully, we'll get the grant but, if not, we, we have a backup. This brings Riviera Beach really into 2016 cause most every City, major city in Palm Beach County, now are getting or has gotten or is getting body cams and I was happy to see Sheriff Bradshaw finally understand that the Sheriff's Department needs them. And he's agreeing now. He was the last holdout and he he's agreeing to some measure of body cams as well.

Thank you, Mr. Chairman.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON The, the question that I have, Mr. Sherman, was ...

FINANCE DIRECTOR SHERMAN: Yes.
COUNCILPERSON DAVIS JOHNSON ...regarding the operating.., the, um, operating costs for that Center. I'm concerned that, that it's been valued somewhat low and then I wanted to also address Ms., Ms. Jones with regards to going back to do the value engineering because, in having conversation at our last meeting with regards to the cost of the overall Center, I got a chance to look at the plans and to see where a lot of the costs were, were coming in at. And so, we really need to look at the redesign.., look, look.., we need to look at redesigning the front because that, that was one of the main costs. And we wanna just make sure that we give our citizens a great Center but we also need to make sure that it is a fiscally responsible and sound Center.

So, as the opportunity presents itself, I would certainly like to be included in that process of review to just take a look at what it is that we were ultimately looking to design.

COUNCILPERSON HUBBARD: Mr. Chair?

COUNCILPERSON DAVIS JOHNSON Ms. Jones.

CHAIRPERSON DAVIS: Ms. Jones?

COUNCILPERSON HUBBARD: That was me.

COUNCILPERSON DAVIS JOHNSON No. I was...

CHAIRPERSON DAVIS: No. She was just trying to...

COUNCILPERSON DAVIS JOHNSON ...just making sure [inaudible]...

COUNCILPERSON HUBBARD: Oh.

CHAIRPERSON DAVIS: ...making sure she got...

COUNCILPERSON DAVIS JOHNSON ...included me.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON Okay.

CHAIRPERSON DAVIS: Okay. Councilperson Hubbard.

COUNCILPERSON HUBBARD: Okay. Mr. Sherman, a couple things. On the capital projects that we were doing, I remember bringing up the irrigations for, for the swales areas inside the interior streets that make our communities look aesthetically pleasing. Sidewalk to sidewalk, is the City's responsibility and because it's not maintained, that doesn't overflow into the community homes along those streets. And I believe that it's, as I said before, it's infectious. When we see the City using our tax dollars to maintain our neighborhoods and sidewalk to sidewalk is aesthetically pleasing, you notice that the homeowners adjacent to those areas start to take more care of their homes. So, every time there's two areas specifically that I asked about irrigation and we want.., we, we, we're sitting on $3,000 right now, um, for plants for a particular area that we worked with re'.., with the county to get. So, because the area has no irrigation, the landscaping in those areas, we didn't.., we couldn't go forward with but the problem was always told to me, 'Well, we can't get any irrigation there. Who will we tap that water line to?' What would happen? How do we water everything else, in the medians and things like that? And those are the excuses that I won't sit by for anymore. In the communities on our interior streets, we need to figure out how we can add irrigation to, to our, to our communities.

And the other thing that I would like to say, a couple pages back on your presentation about the capital budgets. We see here, we have $32.6M budgeted. That's a lot of money. Those are capital projects. We got street pro'.., street projects as well. So I say that to say this, those are the type of projects I.., and I know that there are some technical, very technical, very specialized capital projects as far as Utility is concerned in some area. But I.., between the Purchasing Department and the rest of the Staff, this is where we can put.., we can actually put people to work. Say, for example, when we bring a big company here, we need to say then, at that time, 'This is where you use our laborers, this is where you use our heavy equipment operators, this is where you use our guys.' Now, if there is something so technical and so specialized that everybody don't do anywhere, then I understand that, I get that. But, what I'm saying is, whatever we can do, we need to make sure that we, um, use.., we put people to work and we leave our money home.

And the other thing I wanna say about that is this. All the j'.., all the things that we are outsourcing, when we come back the next time, I would like to see the dollar figure for the different things that we're outsourcing. For example, the garbage, of course, we're outsourcing. We have people doing our utility bills that we're outsourcing. Things of that nature, things that we have a chance of bringing back in-house and putting people to work. I really would be curious to see, um, that dollar amount when we return on the second reading, please.

FINANCE DIRECTOR SHERMAN: Absolutely.

CHAIRPERSON DAVIS: Um...

COUNCILPERSON HUBBARD: Thank you.

CHAIRPERSON DAVIS: And as far as that utility.., not ut'.., yeah, the water billing, with the company that's in Orlando, that's been something that's been discussed for the last three years.

FINANCE DIRECTOR SHERMAN: Right.

[Inaudible background comments]

FINANCE DIRECTOR SHERMAN: With the change of banks though…

[Inaudible background comments]

FINANCE DIRECTOR SHERMAN: …it's, it's coming, it's coming back to…

UNK: Riviera Beach.

[Inaudible background comments]

FINANCE DIRECTOR SHERMAN: The facility, I believe is on Australian. The new lockbox facility that'll be used.

[Inaudible background comments]

CHAIRPERSON DAVIS: Alright. But what's the cost…

[Inaudible background comments]

CHAIRPERSON DAVIS: …associated with that versus us doing it, that's all? Yeah.

FINANCE DIRECTOR SHERMAN: [Sigh].

[Inaudible background comments]

CHAIRPERSON DAVIS: I mean, we don't have to do it right away…

FINANCE DIRECTOR SHERMAN: Yeah. I…

CHAIRPERSON DAVIS: …but, at some point…

FINANCE DIRECTOR SHERMAN: [Stammer]…

CHAIRPERSON DAVIS: …cause I know you got a lot you're doing.

FINANCE DIRECTOR SHERMAN: It's a fraction of the cost that…

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: For us to do it.

[Inaudible background comments]

CHAIRPERSON DAVIS: Anybody else got any questions in regards to the capital budget?

COUNCILPERSON DAVIS JOHNSON It's just a question on utility billing.

FINANCE DIRECTOR SHERMAN: Sure.

COUNCILPERSON DAVIS JOHNSON We generate the bills here?

FINANCE DIRECTOR SHERMAN: We process the bills here, we print them outside…

UNK: We print them…

CHAIRPERSON DAVIS: Cause we don't have a print…

COUNCILPERSON DAVIS JOHNSON We don't have an…

FINANCE DIRECTOR SHERMAN: …[inaudible]…

COUNCILPERSON DAVIS JOHNSON …internal printer.

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON DAVIS JOHNSON Okay.

FINANCE DIRECTOR SHERMAN: Right. And then, we ha'.., we operate with a lockbox with our...

COUNCILPERSON DAVIS JOHNSON The lockbox had everything to do with the bank.

FINANCE DIRECTOR SHERMAN: With the bank, correct.

COUNCILPERSON DAVIS JOHNSON So, no positions were removed for, for that particular piece of…

FINANCE DIRECTOR SHERMAN: Correct.

COUNCILPERSON DAVIS JOHNSON Okay.

FINANCE DIRECTOR SHERMAN: Correct.

COUNCILPERSON HUBBARD: What... So, how.., so now that we're with TD Bank, we will be..., when you say out'.., we will be bringing them back?

FINANCE DIRECTOR SHERMAN: Well, TD Bank has an operation on Australian.

COUNCILPERSON HUBBARD: So, so we will be...

FINANCE DIRECTOR SHERMAN: So that'll be the...

COUNCILPERSON HUBBARD: ...bringing back that service?

FINANCE DIRECTOR SHERMAN: ...facility where the bills will be processed. Yes. Or the payments will be processed.

CHAIRPERSON DAVIS: So we have a...

COUNCILPERSON HUBBARD: So the...

CHAIRPERSON DAVIS: ...faster turnaround?

COUNCILPERSON HUBBARD: ...processing were done in Orla'.., in Orlan'...

FINANCE DIRECTOR SHERMAN: Well, BB&T's processing center was in Orlando and BB&T was your bank so we used their lockbox and...

COUNCILPERSON HUBBARD: And their people. In Orlando?

FINANCE DIRECTOR SHERMAN: And their people in Orlando.

COUNCILPERSON HUBBARD: Okay.

FINANCE DIRECTOR SHERMAN: Yep.

COUNCILPERSON HUBBARD: [Inaudible].

CHAIRPERSON DAVIS: So we're anticipating a faster turnaround with the bills?

FINANCE DIRECTOR SHERMAN: Yeah. Yeah, actually.

CHAIRPERSON DAVIS: Okay. Any questions by the Board before we approve the capital bud'., um, budget?

COUNCILPERSON HUBBARD: And this is first reading?

CHAIRPERSON DAVIS: Yes, it is.

COUNCILPERSON HUBBARD: Of the capital budget?

CHAIRPERSON DAVIS: It's first reading.

COUNCILPERSON HUBBARD: Okay. Just making sure we can come back.

CHAIRPERSON DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Thank you. Now, we're gonna go to Item No. 17.
[Inaudible comments]

CHAIRPERSON DAVIS: But we have to do 17 before we go to 4, right?

[Inaudible comments]

UNK: Uh-uh.

CHAIRPERSON DAVIS: Okay.

UNK: You can go back [inaudible].

CHAIRPERSON DAVIS: Alright. We're gonna go to Item No. 4 now.

DEPUTY CITY CLERK BURGESS: 4. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF RIVIERA BEACH, FLORIDA AND ALCALDE & FAY, LTD., TO PROVIDE LOBBYIST REPRESENTATION AT THE FEDERAL LEVEL ON BEHALF OF THE CITY OF RIVIERA BEACH IN THE AMOUNT OF $5,000 PER MONTH AND REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED FOR TWO (2) YEARS COMMENCING OCTOBER 1, 2016 TO SEPTEMBER 30, 2018; THE SAME TO BE PAID FROM THE PROFESSIONAL SERVICES–OTHER ACCOUNT NO. 001-0203-519-0-3106; AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON PARDO: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Moved by Councilperson Pardo and second by Councilperson Hubbard. Mr. Man'.., Madam Manager.

CITY MANAGER JONES: What you have here is a renewal for our federal lobbying services. These have been two year contracts. They have been quite successful in helping us to get federal money. If you call at the last minute and need appointments to see our congressional representatives, they also assist us with grants. We can send them the draft, they monitor and follow through on getting those grants. We've been quite successful, particularly in the police department, uh, in receiving the grants as the Ch'.., as the Mayor mentioned. We are.., they are still working our body cam grants which are still in the process…

CHAIRPERSON DAVIS: Are the'.., let me ask you a question. Are they leveraging our Port relationship with the body cam grant?

[Background recording]

CITY MANAGER JONES: Are they leveraging…?

CHAIRPERSON DAVIS: I know a lot of times we have an entity like the Port in West Palm Beach with those numbers, the Port.., the, the body cams as it relates to Homeland Security and all of those issues. Will that play a role?

CITY MANAGER JONES: If we were to try to secure a Homeland Security grant but body cams…

CHAIRPERSON DAVIS: Our body cams aren't.., okay.

CITY MANAGER JONES: …I don't.., I.., out of Justice…

CHAIRPERSON DAVIS: Mhmm.

CITY MANAGER JONES: ...rather than out of Homeland Security.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: They have been informed that they, um, we will be going out on the street for the next round. We've had them and so they understand that it is time for us, after this contract, to go back out on the street.

CHAIRPERSON DAVIS: Who made that decision?

CITY MANAGER JONES: [Stammer] I kinda look and, if we've had anybody more, uh, 10 years or so...

CHAIRPERSON DAVIS: No. But who... So, you made that decision?

CITY MANAGER JONES: To go back out on.., for procurement. Yes. In two years.

CHAIRPERSON DAVIS: Are they here?

CITY MANAGER JONES: Oh, no. They're in Washington.

UNK: [Inaudible].

COUNCILPERSON PARDO: In their session.

CITY MANAGER JONES: They're in session, yes. So, if you don't wanna go back out in.., when this one expires or before it expires...

CHAIRPERSON DAVIS: We, we have to make...

CITY MANAGER JONES: ...you can let me know...

CHAIRPERSON DAVIS: ... a decision at that time.

CITY MANAGER JONES: ...and, and we won't go back out but right now, they understand that there's a possibility that we will be going back out on street and, of course, by all means, they are...

CHAIRPERSON DAVIS: See what the market has to offer.

CITY MANAGER JONES: ...capable and would have the opportunity to submit a proposal.

CHAIRPERSON DAVIS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: One of my concerns is how long is that we have had them for an extensive amount of time. I think we had them since 1999 when...

CITY MANAGER JONES: Something like that...

COUNCILPERSON HUBBARD: ...something about...

CITY MANAGER JONES: They were here when I got here, yes.

COUNCILPERSON HUBBARD: 1999. And it, you know, and we, we should, I think by now, go back out on the street. That was one of my concerns. And, this Item, I think, should not, should not have been on the Consent Agenda because of the mere fact it is a renewal. Their contract and their extension have expired and is expiring and this.., if we wanted to go back out, this would be the opportune time for us to do so. I don't think, you know, when a contract is expiring, it should be on Consent Agenda. It should be brought back to us to determine, or to decide, whether we want to, uh, to go out. Their contract and their extension is expiring based on the backup in this document.

The other thing is that, a lot of the services in the backup that they provide, is what they provide for the county, that we all benefit from. We're not an entitlement City. So, for example, like CDBG dollars. We get that through the county, who they also, who they also work for. So certain things, like, for example, the tax exempt municipal bond that they go after, that's all ta'.., that's all municipalities that are gonna, you know, be.., keep that in play. In looking at what we pay them as opposed to a lot of the other cities, we pay more. We, we pay more for them and a lot of [stammer], we pay them more than a lot of other municipalities that are larger than us and a lot of the services are duplications. So, those are, are, are some of the things that we need to look at. I'd like to find out and to know, what are some of the grants, what are some of things that they've been successful in helping us to get. I understand you said with the police department, they have been successful in helping us, as well as they are still working on a project for the body cam. That's good. But, you know, for the $60,000 a year, I'd like to see what more and hear more about what they are, you know, actually bringing to the table.

Also, did we submit to them a.., our own federal agenda this year or did they just let us know about things that they thought we would be interested in and things that were actually a'.., available?

CHAIRPERSON DAVIS: Madam Manager? That question.

CITY MANAGER JONES: The federal agenda, very similar to our state agendas, recommendations come from departments from elected officials of what we would like for them to pursue. They send to us on a regular basis, the grant information, all the federal grants and opportunities that are available and then we follow back up with them

to let them know which ones we think are appropriate for our City and then we proceed in that manner.

COUNCILPERSON HUBBARD: Okay. For example, in doing the federal grants now, you basically, they.., you know, they basically tell you, you know, don't call your federal legislation.., legislators and have them contract this department about your grant or you might be excluded from the process altogether. So, you know, even with that limitation, I'm sure that they've been in the game long enough to figure out how to lobby that but we need to look back at 1) what we're paying 'em, 2) the duplication of services and 3) to determine what is it about us that makes us pay more than larger municipalities.

CITY MANAGER JONES: Ms. Hubbard, I definitely will be looking and seeing what other municipalities, uh, may be paying them and I will also look to see whether they are the only lobbyists for the municipality. Some cities have more than one and, therefore, the amount they pay is less because they're hiring more than one firm. With the county, they are paid to lobby for the county not for the respective municipalities and so, in order for us to get the benefit of direct allocations to the City that don't have to go through the county, they have not been out... Only thing that they do.., have done with CDBG is when they were trying to change the legislation. They made sure that we had our letters in but we recognize that that allocation comes back to the county and then so under their.., if.., I don't know if they are, uh, the only lobbyist for the county on a federal level cause I know they have some that they use but I would have to research all of the other places where they are actually the federal lobbyist in order to be able to, um, get the answers to your questions. But, I don't want us to be duplicating services but they worked.., they work for the entity that pays them and, if we're wanting them to work for Riviera Beach, I don't believe they will do that under a contract with the county.

COUNCILPERSON HUBBARD: And, nor is that what I'm suggesting or that I'm s'.., that I'm asking. I, what I, what I'm saying is, if we have direct services that we need them to provide, our.., we have our federal agenda and things that affect us and that we qualify for that we want them to do. Of course they're gonna have a direct contract with us for direct services. Now, because we're not an entitlement city, there are some services that we will never get outside of the county funneling them to us.

CITY MANAGER JONES: Correct.

COUNCILPERSON HUBBARD: So those.., so when they go to work for the county to bring back the millions and millions of CDBG funds, we still have to wait until we go through the county to get what we're going to get. So they're not going up there for individual municipalities, the county is saying go up there, bring us back some money so that we can parcel it out to our municipalities. That's what I'm saying. I'm not saying that they're.., I'm not asking or suggesting that they [stammer] doing something for the county and they're doing it for us, I'm saying the service.., some of the services that they provide for the county will never benefit us unless we go to the county and the county has already commissioned and paid them for that particular, particular service.

CHAIRPERSON DAVIS: Excuse me. Let the record reflect, Vice Chair Miller-Anderson has, um, here on the Board. So, anybody else got any questions pertaining to Item No. 4? [Pause]. So, do you have.., so, do you have a list of all the things... Have they submitted anything showing what they've done at least over the last year?

CITY MANAGER JONES: They submit to us a legislative report at the end of the year with all of their contacts and it kinda corresponds with the change of the sessions.

CHAIRPERSON DAVIS: Mm.

CITY MANAGER JONES: So that once they get through the session, they do provide electronically to each of you, uh, as well as all the grants, their report.

COUNCILPERSON DAVIS JOHNSON So... Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON So the legislative.., the federal legislative priorities that are listed in this Agenda Item, is based on what the previous Council set as specific in issue.., initiatives?

CITY MANAGER JONES: Yes.

COUNCILPERSON DAVIS JOHNSON So, I.., the question for me would be, is there anything in here that this particular body, um, is, is pleased with, with the continuation of, because I know that there are specific grants out there that go to cities, you know, that have urban blight or whatever. So, if they are looking to address those issues, I'm wondering, you know, if there is a continued need for it because we have economic development initiatives that are coming up. We have, you know, the whole new market tax credits but we wanna make sure that the agenda, the federal agenda matches the desires of this particular Council and we've not had a discussion as it relates to what the federal initiatives of, of this body are.

CHAIRPERSON DAVIS: And, and to piggyback off that, I'd definitely like to see a copy of all the grants they've applied for, at least over the past year or two. At least the ones that apply and showing a record of what we received and what we haven't and their, um, I guess, notes, explaining why we didn't get it so we can understand and what some of the things they were seeking. And, and whatever we didn't get, what do we need to do to improve upon to get those, um, be in a better position to receive those grants.

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

COUNCILPERSON PARDO: Okay. So, Ms. Jones, I think you need to make it clear that they don't write grants for us. What happens is, the City, a department head will write the grant and then they will send it to whatever agency in the federal government and then also give a copy of it to Maurice. Right? Maurice is the one that Alcalde & Fay that represents us, and then he goes around and he lobbies. He gets, um, letters of support from our delegation and, you know, he goes over to the department and lobbies and, you know, blah, blah, blah. But he doesn't write the grant, they don't write the grants for us.

COUNCILPERSON DAVIS JOHNSON That information is generally contained in the weekly update that we get from Al'.., Alcalde…

COUNCILPERSON PARDO: Right.

COUNCILPERSON DAVIS JOHNSON …& Fay as it…

COUNCILPERSON PARDO: Correct.

COUNCILPERSON DAVIS JOHNSON …relates to what it is that they're doing. So, I believe that we all should be clear on the fact that they're not a grant writer for us, they…

UNK: Right.

COUNCILPERSON DAVIS JOHNSON …just simply lobby on behalf.., and what they do do based on what I've read, is that they look at the grant application and if there.., if there is an opportunity for them to shore up any of the language in there, that is what they do to strengthen it and to help us move it forward. But they are not…

COUNCILPERSON PARDO: Grant writers.

CITY MANAGER JONES: Correct. They are not our grant writers.

COUNCILPERSON HUBBARD: And I too am very clear, clear on that as, um, Councilwoman Davis Johnson just stated that they [stammer] they aren't grant.., grant writers. So, my, my question in summary, in my statement and summary is this, 1) the legislative agenda.., the federal legislative agenda that they should be putting forth should be one that matches the desires and the wishes of the representatives of the constituents in the City of Riviera Beach. Secondly, prior to us signing this two year agreement, since we have time and it doesn't expire and we have another meeting, I think that what we should do is to, to look at 1) what's, what's a duplication, 2) the reasoning why we pay more than most municipalities and bring that back and then approve that, not just.., because they've been here since 1999 so, you know, I'm sure they trust us enough for us to have a.., an opportunity to review this and to get those questions answered properly, if you will. So, I would like…

CITY MANAGER JONES: Will do.

COUNCILPERSON HUBBARD: ...if once…

CITY MANAGER JONES: Will do.

COUNCILPERSON HUBBARD: I would like to make a motion that… You wanted to give someone else a chance to speak?

CHAIRPERSON DAVIS: No. I was waiting to hear what [inaudible]…

COUNCILPERSON HUBBARD: Okay. Yes. What I did.., I wanted to make a motion that we bring this back to our next meeting with the questions answered, um, prior to proceeding to sign this particular contract.

CHAIRPERSON DAVIS: You, you have a motion on the floor. Do we have a second?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIRPERSON DAVIS: Properly moved and second. Questions? [pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

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

CHAIRPERSON DAVIS: Now we have Item No. 9.., not.., No. 7.

CITY MANAGER JONES: 7.

DEPUTY CITY CLERK BURGESS: 7. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, IN SUPPORT OF THE 2013 LAKE WORTH LAGOON MANAGEMENT PLAN.

COUNCILPERSON DAVIS JOHNSON So moved.

CHAIRPERSON DAVIS: We have a motion by Johnson, do we have a second?

COUNCILPERSON PARDO: Second.

CHAIRPERSON DAVIS: We have a second by Pardo. Madam Manager.

CITY MANAGER JONES: Yes. This Item is before you as a result of our.., of the City being made aware of some grant opportunities and in order to apply for the grant, you have to approve the Lake Worth Lagoon Plan. And so, what this is doing is giving us the opportunity to approve the plan so that we can move through the process of getting a grant as it relates to the outfalls and cleaning the outf'.., being able to, um, make sure less debris goes into the outfalls in the Lake Worth Lagoon. But in order to be able to apply and get the grant, you must approve this plan from 2013. And so, this request is for us to approve that plan so that we can apply for the grant.

COUNCILPERSON HUBBARD: The gra'.., the, um, this plan was constructed by whom? I, you know, I.., so far, you know... I know it's a good project and I know, um, Councilwoman Pardo would, would agree with me because she does follow this but I think.., I, I was just trying to find out a little bit more about it. We hadn't had any information on it at all. So, I wanted to get a little more information about what we were.., what we were being required to do and what, um, and what we were signing on to.

UNK: Brent. Mr. Johnson.

COUNCILPERSON PARDO: Okay. Mr. Chair?

CHAIRPERSON DAVIS: Councilperson Pardo.

COUNCILPERSON PARDO: Okay. So, I can tell you a little bit about the Lake Worth Lagoon Initiative Steering Committee. The Steering Committee was formed back in, I believe, in the 1990's. And, uh, it consists of five members. It consists of a representative from the Florida Inland Navigation District, a representative from South Florida Water Management District, a representative from DEP, a representative from the County Commission and a representative from the Florida League of Cities. No, I'm sorry, from the Palm Beach County League of Cities. In 2009, they decided that they

needed to update their plan. I believe they update their plan every 10 years. They had a Charrette with the community and then they presented their plan to the community and scientists and all kinds of wonderful people in a all day presentation at FAU. And I believe that was toward the end of 2009. And the goal, the ultimate goal of this Committee, is to clean the Lake Worth Lagoon. When you go up and down the Lagoon right now, you'll notice in West Palm, in the Town of Palm Beach down by Lake Worth, they've created, through Palm Beach County Environmental Resource Management, they've created little islands. We have Snook Island down in Lake Worth and... So, we have all these great little islands and people can kayak around them but they've also put, um, oyster beds in there and they clean the water. And we have found, over the years, since the, you know, these agencies have been investing in the Lagoon, the Lagoon is getting much cleaner.

So, and going back again, in the 1990's and early 2000's, the, um, this agency, the county, they would give out money to municipalities to do projects in their city with the goal of cleaning the water. When, you know, the market collapsed in 2008, they stopped investing in the program. Well, there's money available again and, with everything that's going on with the Lagoon north of us, the county had decided, 'Okay, we're gonna start funding this program.' And that's how we got to where we are today. So, the county, the county went out and they said, 'Okay. We have some money and if you want to apply for this grant program, you need to approve the Resolution.' And the Resolution is very general and it just says, you know, really that, you know, we're on board with the cleaning the Lagoon. It doesn't, um, you know, it doesn't tie our hands, it doesn't.., there's nothing in there that says, 'Okay, Riviera Beach. You have to commit, you know, so much money.' It's just, we understand what the county and all these agencies are trying to do. We understand that the goal is to clean the Lagoon.

So that's, you know, that's a summary of the whole plan. And, if you...

COUNCILPERSON HUBBARD: Mr. Chair?

COUNCILPERSON PARDO: ...and I, I believe in my office, I have a copy of the entire plan. It's, like, a 600 page...

COUNCILPERSON HUBBARD: But this summary...

COUNCILPERSON PARDO: ...plan.

COUNCILPERSON HUBBARD: ...is quite...

COUNCILPERSON PARDO: I'm more than... Yeah.

COUNCILPERSON HUBBARD: ...[stammer]...

COUNCILPERSON PARDO: I'm more than...

COUNCILPERSON HUBBARD: This summary's quite, um…

COUNCILPERSON PARDO: Okay.

COUNCILPERSON HUBBARD: …appropriate that…

COUNCILPERSON PARDO: So, that's really…

COUNCILPERSON HUBBARD: …[stammer].

COUNCILPERSON PARDO: …what it is. And just, you know, and I'll, you know…

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: The project.

COUNCILPERSON PARDO: …tell everyone that I am, um, I've been on this Committee for a long time. I'm the appointment from the Florida League of Cities.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Yes, please.

COUNCILPERSON HUBBARD: Thank you, Ms. Pardo. The, um, Mr. Johnson, the funding request application. The.., what, um, I didn't understand was, when they say the total project cost and then the Lake Worth.., the Lake Worth Lagoon request, the total project was $5,000,000 and the grant request is $1,200. Now, the proposed local match is $4,000,000. Tell me about those figures.

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: Wh'.., what's the $5,000,000, where it's coming from, what represents the $4,000,000 and I'm clear on the fact that we're asking a grant from the Lake Worth Lagoon of $1,200,000.

PUBLIC WORKS DIRECTOR JOHNSON: Yes, ma'am. Brent Johnson, Director of Public Works. Sort of back to Councilwoman Pardo's comments, that is pretty much what it is for is to clean the Lagoon and reduce total suspended solids, the total maximum daily loads, things of that nature. Um, also reducing your, um, total nitrogen and phosphorus and things like that.

COUNCILPERSON PARDO: Nutrient [inaudible].

PUBLIC WORKS DIRECTOR JOHNSON: Exactly. Nutrient reduction. So, to your, to your question, the total project we're estimating at around $5,000,000. The grant we requested was $1.2M and so we're saying we have another $4,000,000 for the project.

That money is coming from the bond issuance that the City did. It's coming from the bond issuance from both the City side, the Utility side and the storm water side. So all of those funds, collectively, make up that $5,000,000 for the [inaudible].

COUNCILPERSON HUBBARD: Tell us about the project. Because...

PUBLIC WORKS DIRECTOR JOHNSON: [Stammer].

COUNCILPERSON HUBBARD: ...what's gotten.., what's kind of convoluted for one that would sit here, one would sit here and think that what we're talking about is just signing on to the Master Plan for the cleaning up of the Lake Worth Lagoon.

PUBLIC WORKS DIRECTOR JOHNSON: Okay.

COUNCILPERSON HUBBARD: What we also have attached to this Item is a re'.., a grant request to finish a $5,000,000 project. So, even for me reading it and going back, trying to figure out what is going on, that was just about as clear as much.., so, if you could tell us all about the project, how.., and the funds that they are.., Ms. Pardo mentioned that they are now putting money on the street. So, of course, that's a good thing if we are in the middle of a project but tell us about the project we're in the middle of.

PUBLIC WORKS DIRECTOR JOHNSON: Okay. Basically, although the plan is very voluminous in nature, it's fairly simple. And it goes through all those things that I mentioned, including public outreach. The project itself already encompassed most of those items. As with most of the street projects that are occurring in all the other districts, it's a complete roadway reconstruction. It's the replacement of the water, the sewer, the drainage. As a part of the drainage, we're doing water quality improvements in all of the districts, which sort of allowed us to apply for grants in other districts as well. So, when we installed drainage, for example, we do what they call exfiltration trench which holds the water and slowly releases it back into the, into the ground water. So, things like that, um, improve water quality, you know, sediment basins where the water's allowed to sit for a little bit longer so that the sediments fall out.

So these.., this project was already planned. All of the things that encompass this particular grant were already in the plans for this project. So, we're not doing anything different or anything special to meet the requirements of this grant. And that's pretty much the gist of it.

COUNCILPERSON HUBBARD: Okay. Just, not, not so much that we would be doing anything special or different, we wouldn't know different from what because we didn't know what the $5,000,000 was for, what it was allocated to and that we needed a, um, a re'.., the remainder of the $1,200, um...$12,000,000...

PUBLIC WORKS DIRECTOR JOHNSON: Point 2.., $1.2M.

COUNCILPERSON HUBBARD: ...$1.2M to complete the project. So that's what, um, that's, that's my reasoning for, for questioning that. But, other, other than that I'm fine with it. I just wanted to get a little more explanation because shoving stuff on the Consent Agenda with no backup and no opportunity to ask questions, I think is a, you know, is a problem on it's face.

CHAIRPERSON DAVIS: Um...

COUNCILPERSON HUBBARD: Thank you.

CHAIRPERSON DAVIS: I have a question. As it relates to the project on S Avenue and 34th Street, and, and we talked about money in the budget that we didn't have for that at this time. How much was the money for that to do that roadway? You know, there's some issues going where the water was flooding and settling on them people's property and we didn't have money in the budget, is this where this money...

PUBLIC WORKS DIRECTOR JOHNSON: Oh, I think you mean 36th Street.

CHAIRPERSON DAVIS: 30.., was it 36th?

PUBLIC WORKS DIRECTOR JOHNSON: 36th.

UNK: 36th.

CHAIRPERSON DAVIS: 36th Street.

PUBLIC WORKS DIRECTOR JOHNSON: 36th [chuckles]. I'm...

CHAIRPERSON DAVIS: Yeah. [Inaudible].

PUBLIC WORKS DIRECTOR JOHNSON: I'm very familiar with the, the issues. Um, that project is, as I mentioned before, is a part of what we're classifying as Phase II. What we're doing as a part of these projects, is we're designing Phase I and Phase II as a part of Phase I. Although it's [inaudible] a little bit in design because we have to wrap up Phase I, they're being designed at the same time. We don't have funding for Phase II but, what doing the design does, is it allows us the opportunity to speed up the process once we do get funding. So, we get to shave about a year and a half, two years off the schedule by doing the design ahead of time but, uh, that particular roadway isn't scheduled until what we're calling Phase II.

CITY MANAGER JONES: [Inaudible].

CHAIRPERSON DAVIS: So this Item is what, in Phase I or Phase II?

COUNCILPERSON PARDO: One.

PUBLIC WORKS DIRECTOR JOHNSON: Which Item?

CHAIRPERSON DAVIS: The one we're discussing now.

PUBLIC WORKS DIRECTOR JOHNSON: The Lake Worth Lagoon?

CHAIRPERSON DAVIS: Mhmm.

PUBLIC WORKS DIRECTOR JOHNSON: Well, as far as that particular district...

CHAIRPERSON DAVIS: Mhmm.

PUBLIC WORKS DIRECTOR JOHNSON: ...that's Phase I. But every district has a Phase I and a Phase II.

CHAIRPERSON DAVIS: Okay.

PUBLIC WORKS DIRECTOR JOHNSON: This is the Phase I for that District.

CHAIRPERSON DAVIS: So how much money are we spending in that District?

PUBLIC WORKS DIRECTOR JOHNSON: Um, approximately, about the same as all the others, five, $5,000,000 roughly, 6.

CHAIRPERSON DAVIS: So, it's about $5,000,000 in each district?

PUBLIC WORKS DIRECTOR JOHNSON: Yeah. Roughly.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: Talk about [inaudible]...

PUBLIC WORKS DIRECTOR JOHNSON: [Stammer]. Yeah. We, we, we have met with Mrs. Bullard and her husband, along with Councilwoman Hubbard and we promised her a, a, a temporary fix within the next few months and, and we still plan on holding to that so, we're aware of the issue and we're trying to address it.

CHAIRPERSON DAVIS: So, when it.., as it relates to the $5.5M, has that money already been determined on how it's being spent or?

PUBLIC WORKS DIRECTOR JOHNSON: For all the districts? Yes.

CHAIRPERSON DAVIS: No. For that.., for this Item here?

PUBLIC WORKS DIRECTOR JOHNSON: Yes. That's for the Phase I road projects for that district, yes, that's been determined.

CHAIRPERSON DAVIS: Okay. Any other questions? [Pause]. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIRPERSON DAVIS: Item No… No. Public comments. We're passed 7:30.

CHAIRPERSON DAVIS: Public Comment should be restricted to issues, matters, or topics pertinent to the City of Riviera Beach. Please be reminded that the City Council has adopted "Rules of Decorum Governing Public Conduct during Official Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker or attendee removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

CHAIRPERSON DAVIS: Were gonna start off with the Sickle Cell Foundation. You wanna talk about your event? Please do and then we're gonna have the Neighborhood Cleanup. Then we'll go [inaudible]…

MS. S. WARREN: Good evening. My name is Shalanda Warren. I'm the CEO of the Sickle Cell Foundation of Palm Beach County and Treasure Coast.

COUNCILPERSON PARDO: Good evening.

MS. S. WARREN: September happens to be Sickle Cell Awareness Month and I am very happy to say that we are having our second walk in Riviera Beach on September 17th. Registrations begins at 8:00 a.m. The walk'll begin at 9:00 a.m. We're looking forward to you all coming out to support the walk, support the event, support the Foundation. It is very necessary that we all work together in order to raise awareness about Sickle Cell disease.

CHAIRPERSON DAVIS: Thank you so much.

MS. S. WARREN: Thank you.

CHAIRPERSON DAVIS: And now, Neighbors United.

CHAIR PRO TEM MILLER-ANDERSON: Well, you still have the gavel.

CHAIRPERSON DAVIS: [Inaudible]. I'm sorry.

[Chuckles]
MS. S. WARREN: May I.., excuse me. May I say one more thing?

CHAIR PRO TEM MILLER-ANDERSON: Yes, go ahead.

MS. S. WARREN: You, you can sign up through www.sicklecellpbc.org, that's S-I-C-K-L-E-C-E-L-L-P-B-C, as in Palm Beach County dot org and you can also contact the office at 561-833-3113.

Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Next, Ms.., hold on. Did he.., did he call [inaudible]?

[Inaudible discussion]

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MS. B. WOOTEN: Good evening. Mayor Masters, Councilpersons, Ms. Jones and everyone else on the dais. I am Bernice Wooten along with Mrs. Havener on behalf of Neighbors United, one of the oldest organizations in the City of Riviera Beach. Thank you for this opportunity of standing before you this evening. We are very grateful to Councilperson Davis and State Representative Bobby Powell for pa'.., for partnering with us on behalf of International Coastal Cleanup which is scheduled Saturday, September 17th from 8:00 a.m. to 12:00 noon. We know we always support our M'.., uh, we always have the support rather of our Mayor and other Council Members and Mr. Brent Johnson and Mr. Jeff Gagnon, when he's available. Registration for the cleanup will be held at the Monroe Heights Park, Avenue M and 25th Street. We are here with a special appeal to all middle and senior high school students to support this cleanup.

Each volunteer will earn community service hours. Supplies will be available for, for your use. Pick up tools, gloves and bags. And each volunteer will receive a beautiful t-shirt. Following the cleanup, lunch will be served to all volunteers, hamburgers, hot dogs, baked beans and coleslaw. Parents, we need your help. Please encourage your children to participate. Every child under 18 must have a parent or guardian consent. To register, please call 561-309-3370.

Thank you and we're looking forward to seeing you on Saturday the 17th.

CHAIR PRO TEM MILLER-ANDERSON: Thank you so much. Yeah. Were you gonna speak too, Ms. Havener? Or you all were just…

MRS. HAVENER: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: You were together? Okay.

MRS. HAVENER: I am a member of Neighbors United. I help. I take care of the t-shirts.

CHAIR PRO TEM MILLER-ANDERSON: Okay. That's important.

[Chuckles]

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Ms. Margaret Sheppard. [Pause]. And then it'll be Lloyd Brown.

MS. M. SHEPPARD: Margaret Sheppard, Riviera Beach. I was so glad to hear you guys discuss the Community Center over on 4th Street for Riviera Beach Heights. This year, I just wanna give a report for Ms. Dawson. They had 31 children over there and they had a full house. So, of course, Ms. Davis, she's looking forward for this beautiful building. They [stammer], they worked outta her house and being a senior citizen, you know, lights, gas and water, she sustained it all but, you know, she was very happy to just have the children there. But she's even more happy to make sure that the building is gonna be constructed. So we know that this Council is gonna work hard to make sure that building go up. I hope it's not a cost of $1,000,000. Was, was that what it was, Ms. Jones? $1,000,000? Wow. That's gonna be a beautiful building, isn't it?

CITY MANAGER JONES: Yeah.

[Laughter]

MS. M. SHEPPARD: Listen to her. Wow. You sound excited, Ms. Jones.

CITY MANAGER JONES: Oh, it'll be nice.

MS. M. SHEPPARD: Thank you, Ms. Jones. That's all I wanna hear on tape. So, we thank you for that. And, you know, we have a cleanup also on the 17th over at Southside Coalition. Same time, 8:00 o'clock in the morning and, of course, I've seen you walk the bridge, Ms. Davis. I know you're gonna be over and help walk us through that cleanup. I always sit down up under the little thing, you know. I don't do t-shirts, I just sit there and direct. But we're looking for everybody to come out and we do enjoy one another and we hope that you come and be a part of us because, uh, we are a, a cleanup. Uh, in that neighborhood, we try to keep it clean and we, we do thank Nehemiah Spence for coming over, uh, that was directed by Mr. Brown I understand, to cleanup and fix up and, I tell ya, Nehemiah did a wonderful job.

And with this, I thank you. And I wanna go on record by saying one thing. This past week, people were asking me about Mr. Brown and I wanna make a statement, a clear statement. I don't wanna get involved in anything that be a hindrance or a slap to this Board. I wanna make sure that I don't get into anything with the Chair, Vice Chair, no one. I try to stay consistent with telling you what the people are talking about. And they are talking about, they wanna see this City move forward. The building over at the Marina is beautiful. That's all I wanna say. I want to enjoy it. I was there for Ms. Wade's birthday on the top and, I mean, it was beautiful. I wanna stay consistent with saying that I am a resident of Riviera Beach. I enjoy living in the City. My granddaughter enjoy living in the City…

[Beep]

MS. M. SHEPPARD: …and I will not be a part of harming this City. Thank you very much.

CHAIR PRO TEM MILLER-ANDERSON: Thank you so much, Ms. Sheppard. Mr. Brown and then Fane Lozman.

MR. L. BROWN: How ya doin'? My name's Lloyd Brown and, uh, there's a lotta things that I don't trust. Like, I don't trust bald head tires, I don't trust women that cheat on you and then I really don't trust this Council after I've been coming here for many years trying to get my point across. So, like, what you wanted me to do, is you want me to accept what you wanna do but I have my own demands because, for one thing, what I really want… I, Lloyd Brown, on this day, September the 8th, 2016, before I agree with any of your requests, I have demands of my own. What I need, as far as the home that I am, I need names of those inspectors that impo'.., that perform each and every inspection, dates and times of the inspections and when they were completed. Also, any supervisor or someone from the City Manager's office signature saying that they vouch for these individuals, that they believe that these individuals, that I have named, completed the inspections properly. And for each and every inspection, test or whatever, from the foundation to the completion of the building of my home, also the companies, [stammer], that completed them. Like, I'm talking about special tests, dates and procedures. Also, if these inspections and procedures were not done, the persons will be held responsible, you know, for their failure to do the following codes and

procedures. Also, to the City and County, I mean, there are other government programs that make homes, homeowners... Are there any, I wanna know, I'm asking this, are there any other programs in the government that would ever make a homeowner do labor because they made me do some things that I wasn't supposed to do.

And then, until these demands are met, I, Lloyd Brown, refuse to pay property taxes or follow any City Codes...

[Inaudible background comment]

MR. L. BROWN: ...so said, September the 8th, 2016 at this City Council meeting. And I have some.., I mean, I have, I have turned in some letters upstairs telling them about my situation. It's been years and years. Now you want me to jump and you say, 'Well, jump.' Well, I'm supposed to say, 'How high?' No. You're gonna fill my demands. I want those people who failed to do their job, just like you'll prosecute these citizens for failure to follow codes, then these guys who work in the building department, or wherever, who supposed to do these inspections, I think they should be prosecuted or reprimanded or whatever. I'm not a guy with big words but you understand what I mean. Until you do what I want, don't tell me to jump and how high.

Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Thank you, Mr. Brown. Mr. Lozman and then...

COUNCILPERSON HUBBARD: Before Mr. Lozman, could I.., Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

COUNCILPERSON HUBBARD: Mr. Spradley, do you think we can get those documents together for Mr. Brown so that he won't have to come time and time again?

MR. D. SPRADLEY: Good evening, ladies and gentlemen. Deandre Spradley. Yes, ma'am. I will make sure that they are ready for the next Council meeting.

COUNCILPERSON HUBBARD: Thank you so much.

CHAIR PRO TEM MILLER-ANDERSON: Thank you. And after Mr. Lozman, we'll have Moselle Jackson.

MR. F. LOZMAN: Fane Lozman. Pursuant to Robert's Rules of Order, I had asked this legislative body to have a motion of censure against Dawn Pardo. The State Attorney's office has produced the discovery in the case of Florida v. Guyton. Bruce Guyton was criminally charged with violating the Sunshine Law. In this 86 page document, you get the palmbeachsun.net under the Fane Lozman Reports and there's

emails that Dawn Pardo sent on her personal Bell South account to Cedrick Thomas on his Bell South account and Bruce Guyton on his Bell.., Bell South account. And the detective and the state attorney, assistant state attorney, talked to Thomas because, why was Pardo using her private email and discussing City business instead of using the City accounts and Thomas responded that maybe the City email would be public. And he added that, City Staff can look at your City email. If you don't want people to know what you're saying, then you use your private email. So, these documents are public. You can look at the Palm Beach Sun, you can go ask the State Attorney for a copy of this document. So we had three elected officials, one now a police officer, conducting public business behind closed doors. That's illegal. Guyton got criminally charged. They gave Cedrick Thomas immunity. They asked Pardo to come down and give a statement, she's refused to cooperate. It would not surprise me if she's criminally charged herself at one point in time.

My floating home sunk, uh, week and a half ago. Uh, somebody came forward and said they saw a boat anchored the evening before, at 11:00 o'clock, with someone getting in the water with lights going towards my floating home. Some hatches were removed from my floating home. Uh, it wa'.., when it sunk, it was stuck in the muck, we couldn't pull it up. It was destroyed. Two excavators and a barge went out there and destroyed it. There's no insurance on plywood floating homes. The value's probably 150 to $200,000 that I had to eat. I asked the City for years now, along with Gary Nikolits, the property appraiser, to give me an address. If I had an address, I could've got an FP&L light pole and put up closed circuit surveillance cameras. Dawn Pardo, Tonya Davis Johnson were very adamant to continue litigating not to give me an address for my property. Gary Nikolits is gonna sue the City here, in the near future, to give me an address. That is ludicrous that the taxpayers are going to fund a defense not to give me an address when other property owners in the same Lagoon area have an address.

I am going to do everything I can to convince the state attorney and federal prosecutors to criminally charge Pardo, as they did Guyton, and get her out of office. The Palm Beach Sun and myself, are also offering a $100,000 reward for information involving Pardo and any information regarding illegal payoffs and bid rigging. I hold Pardo responsible for the two and half year nightmare that I've had over in the Lagoon area. I have emails from her where she's used City Staff to harass me in the Lagoon area. And again, when it comes to her conducting public business…

[Beep]

MR. F. LOZMAN: …go get a copy of this from the Palm Beach Sun website or from the state attorney's office and you will be disgusted what you see.

CHAIR PRO TEM MILLER-ANDERSON: Thank you, Mr. Lozman. Moselle Jackson and then Tommy Walker.

MS. M. JACKSON: Good evening.

CHAIR PRO TEM MILLER-ANDERSON: Good evening.

MS. M. JACKSON: My name is Moselle Jackson. I reside at 1302 West 25th Street in Riviera Beach. I'm here to say that the failure on the part of a City Manager to notify the residents about the water still bothers me to no end. The fact that Ms. Jones, our City Manager, didn't think enough of the ci'.., res'.., citizens or residents to notify us about the problem with our water says, to me, again, she doesn't care about the wellbeing, our wellbeing. Councilman Miller-Anderson, in her presentation, showed that Ms. Jones knew since 2010 that there were water issues. Not only did she know but tried to discuss the paying of the fine under professional services. Of course, this took the assistance of Finance Director, Randy Sherman. Ms. Jones doesn't seem to feel that there is not enough qualified applicants for any jobs in leadership in Riviera Beach. We need a city manager that we can have trust in and that believe in the residents of Riviera Beach. It's time for a change.

CHAIR PRO TEM MILLER-ANDERSON: Thank you, Ms. Jackson. Mr. Walker, you had a little note up here. Am I supposed to be calling other people? You have some others coming with you?

MR. T. WALKER: Yes. I have two.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Just tell them to come on up, whoever they are.

MR. T. WALKER: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: You all are gonna share your three minutes? Um...

MR. T. WALKER: No. I need my three by myself.

CHAIR PRO TEM MILLER-ANDERSON: Oh okay. Well, they...

MR. T. WALKER: Please.

CHAIR PRO TEM MILLER-ANDERSON: ...need to put in a card then. Are they gonna speak too?

MR. T. WALKER: I think they...

CHAIR PRO TEM MILLER-ANDERSON: Or no?

MR. T. WALKER: ...have a card.

CHAIR PRO TEM MILLER-ANDERSON: They're just gonna stand for support?

UNK: Ya'll got cards in?

CHAIR PRO TEM MILLER-ANDERSON: Okay. Alright.

MR. T. WALKER: Tommy Walker, 1582 West 9th Street. The lady before me took most of my stuff. We've been playin' like a black city. I'mma say it again, we've been playin' like a black city. The City Manager is in charge of our power structure. So, as of right now, I'm gonna hold the City Council accountable for everything Ms. Jones does or does not do. You see, there's a pattern that's been created and the young lady just spoke about it, as if there are no black qualified people to take on department he'.., department heads job. Now we have people that's been here for 20 years.

UNK. AUDIENCE: Mhmm.

MR. T. WALKER: They go and they get trained and they get looked over for that spot. I don't.., if it's the City Manager's decision to do that or if it's the Council decision to do that but right now, I'm holding the Council responsible. It's as if they could spend 20 years in a job, get qualified and when that position comes up, somebody from outside the City gets that job. We're gonna have to stop this. I know Ms. Jones is from Atlanta but I'm, I'm, I'm here to tell ya that, this very spot that I'm standing here right now, as a teenager, I couldn't even come across the tracks to stand right here. And this does'.., have to, have anything to do with Mr. Sherman being white or the Purchasing Manager being white or even Mr. Blankenship being white. It has everything with them being black. We' gonna have to get it right. And, as of now, the brotherhood, we, we' gonna be holding ya'll responsible.

Let me tell ya [pause]. We got $8,000,000 been sittin' over there for three years. $8,000,000. We got the Water Department, we got bad water. [Pause]. I think it's time that you find cause. And this is not personal against Ms. Jones. In order for our City to grow, in a direction that the people want it to go, I think Ms. Jones has to go. And I got the testicle, fortitude the City and tell ya, I'll put it on my back. But, in order for us to go places, we are going to have to look at this. And we' gonna have to look at this soon, very soon. Ms. Jones is a very nice person, a good person but the direction that I would like this City to go and the brothers would like to see this City go, it's time that we part ways.

[Beep]

MR. T. WALKER: Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Mr. Ezekiel Edmonds and then Mr. Amon Yisrael.

MR. E. EDMONDS: Good evening.

CHAIR PRO TEM MILLER-ANDERSON: Good evening.

UNK: Good evening.

MR. E. EDMONDS: I'm gonna slide this to the side a little bit. Okay. This is my first time I'll be speaking in the Council so, some of you all I know and some of you I don't know. My name is Ezekiel Edmonds the III. [Clears throat]. Now, there's three things that I'd like to report on today and that's the educational climate, the social climate and the power structure. Someone was talking earlier, I heard 'em over the, um, the television saying, you know, she doesn't wanna harm this City but there are people who seem to be in place who seem to be among us that are harming the City. And it's time for us to, um, learn to speak truth to power. So, when we, when we talk about the educational climate, and I have to commend Councilwoman KaShamba for having the educational forum where the district had the opportunity to be transparent. And, in this City, um, I think it's important for us to reiterate the fact that, out of four of our elementary schools here, they have.., two have zero students on grade level. Zero students on grade level. And outside of, outside of that, when we look at the high school, when we look at the high schools, the main high schools that, uh, our students are feeding into, Palm Beach Gardens, Palm Beach Lakes and also Dwyer, 86% of those students.., 86% of the students failing at their.., those schools come from Riviera Beach. So, the educational climate is one that needs to really be, um, uh, examined, placed to the front of your priority and make sure that, um, we really take care of our babies. This is at the elementary school level.

[Clears throat]. The second issue is the social climate. And I don't have to tell you all about the negative stuff and the bad stuff that exists here, the problems and the challenges that we have as a community, but what I would like to tell you is that we do have solutions. It's time for us to reeducate our community into the understanding of how to influence people and institutions where our children are having these experiences. Uh, [clears throat]. I, I would like to also, you know, say real briefly that this is a re'.., a serious problem. I get emotional about this because these are our children. And when we start thinking about the future, our children are that. And you're seein' zero percent... Two schools in this, in the City, zero percent kids on level. This is a tragedy. And this is something that we, as a community, have to really look at. Now, when we talk about the power structure, we have to stop allowing people to come into our existence where our children and our elders are depending on us to take care of them and take control over the power structure.

[Beep]

MR. E. EDMONDS: We have outsiders who are coming into our communities and they are literally creating a shell of a community when it comes to our power. And that is, that's, that's outta control. And I just wanna, just really appeal to you all, those of you who understand this community, with it being a black community and saying, 'Listen, it's time.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

MR. E. EDMONDS: It's time, man. I mean, it's like, we gotta stop playing these games. We have to stop playing these polished tricks that we call politics. And I, I'm really.., you know, and I understand the time and I [stammer]...

CHAIR PRO TEM MILLER-ANDERSON: Yeah. We gotta...

MR. E. EDMONDS: ...I'm gonna respect that.

CHAIR PRO TEM MILLER-ANDERSON: Appreciate that.

MR. E. EDMONDS: But, um, we would like to also invite you all out to a class that's taking place at Inlet Grove. It's Monday, from 6:00 to 8:00 and we'll, we'll highlight a few of these, uh, issues.

CHAIR PRO TEM MILLER-ANDERSON: I'll talk a little...

MR. E. EDMONDS: I appreciate you.

CHAIR PRO TEM MILLER-ANDERSON: I'll add that on to my comment at the end.

MR. E. EDMONDS: Thank you very much, KaShamba.

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

MR. E. EDMONDS: Thank you very much.

CHAIR PRO TEM MILLER-ANDERSON: The other thing I did wanna point out is the zero percent, just to correct it cause we don't wanna get the wrong thing put out there. It's the kindergarten, kindergarten readiness for those two schools has zero percent.

MR. E. EDMONDS: Okay. And, I...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

MR. E. EDMONDS: ...I'd really like for us to examine the other...

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

MR. E. EDMONDS: ...um, students and where they're performance is...

CHAIR PRO TEM MILLER-ANDERSON: Yes.

MR. E. EDMONDS: ...because, in the district, we're only 25% at...

CHAIR PRO TEM MILLER-ANDERSON: Right.

MR. E. EDMONDS: ...the 10th grade level.

CHAIR PRO TEM MILLER-ANDERSON: Right.

MR. E. EDMONDS: So, and we're graduating these kids, functionally illiterate.

CHAIR PRO TEM MILLER-ANDERSON: Exactly. And that's why we're trying to work on that.

MR. E. EDMONDS: Thank you...

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

MR. E. EDMONDS: ...very much.

CHAIR PRO TEM MILLER-ANDERSON: ...so much.

MR. E. EDMONDS: Thank you very much.

CHAIR PRO TEM MILLER-ANDERSON: Mr. Amon and then next is Ms. Mary Bram.

MR. A. YISRAEL: Good evening. [Clears throat]. Chair, Council.

COUNCILPERSON PARDO: Good evening.

MR. A. YISRAEL: My name is Amon Israel, Riviera Beach, Florida. My sentiments are pretty much the same but I like to come from a biblical perspective. And this is a scripture, is 1 Timothy 5:8. And it says, 'But those who do not provide for his own household, is worse than an infidel.' And an infidel is an ungodly person. [Pause]. We have to understand that, as a community, we have to work to build our community and make it what it is. I'd like to share another scripture which is Saint Matthews 7:15. Because a lot of times when we say our own, I wanted to be clear, because all the blame in our community, is our responsibility. It's because what we did or did not do. In that scripture in Matthews it says, 'That wolves come to us in sheep's clothing.'

[Inaudible audience]

MR. A. YISRAEL: That mean' they look just like us and we need to realize, as a community, don't judge a person simply on how they look. Now, it's referred to them as raven wolves and wolves destroy sheep. And we have to understand when we.., when you destroy something, it also means to kill and kill, we look at from a physical perspective but kill means to deprive or neutralize, to prevent or hinder the livelihood of

someone. So, if we, as adults, are participating in killing, then what do you expect our youth to do? I interviewed about 20 different youths and I asked them what do they think about the adults. And all of them said, not lacking one out of the 20, we're not preparing a future for them. And they feel that this is a separation between the youth and the adults. Anytime you separate the adults or your seniors for the [stammer], separate your seniors from the youth, your community is gonna fall. It's impossible to grow. And right...

[Beep]

MR. A. YISRAEL: ...now that's how they're feeling, is there's just a total separation. And we must bridge that gap.

Thank you.

CHAIRPERSON DAVIS: Mary Bram. [Pause]. Then Mr. White, Steve White after Mary Bram.

MS. M. BRAM: Good evening, City Councilman.

CHAIRPERSON DAVIS: Good evening.

COUNCILPERSON PARDO: Good evening.

MS. M. BRAM: Chair. This may be bittersweet but please listen to me. Any manager, any staff, any department head, anyone that volunteers on these boards, P&Z Board, anyone that is pushing any more dollar stores in this City, I'm gonna tell you to be careful because we have had enough. And if anybody up there is pushing these dollar stores, I would advise you to be careful and walk a tight line. Ms. Bram and others will not stop. We did it with the junkyard and other things that impeded this community. We already have a dollar store over there. This City is an eight mile stretch here and it's shameful, it's disgraceful. Anybody that is implored, sits on these boards anywhere that resides in this City here, either they be fired or either they resign and they be not appointed to any board in this City here. We can do better. We just put a dollar store over there on Broadway when you already have the Family Dollar Store over there. One is across Congress over there. So, if you are getting monies and if you are getting kickbacks, cause Ms. Bram is straightforward now, because we're watching this. Stop this. Stop this travesty. This City was incorporated in September 29, 1922, it's time for us to move out. So take heed now, don't make us angry. Take heed. Stop this foolishness. If those, that were up there on the Board, did not win a seat, leave it alone now. Leave it alone. Conduct the positive business that we desire and elected you to do.

I do not wish for this Board to get bogged down. You have some have two years and some have three years. I made a statement over at the budget workshop, the things that we can do, let us do 'em. The things that we cannot do, sometimes we can't win all

the battles, let us do these things here. We took 20.., $10,000,000 from our storm water for the complex over there on 13th Street. Now, that was supposed to've been our reserve money now. That was supposed to've been our reserve money. So if it's not gonna work over there and if you can't get it up off the ground, leave it and build and do the things that we can do because it's time out for playing these games here. The residents are tired. The residents have spoken and once, when the residents speak, listen. Listen to us. We're not coming here in vain. It is not our desire to be here all, all the time to put you on, on guard here. So sometime' we have to bite the dust and let's move on because there's always something positive that will come out.

The residents are complainin' about their water bill. That storm water money was supposed to've been the reserve. We went from $4.50 to $9.00. So come on now, let's make it work here. Do the things that we can do and let's move on.

The, uh, the tenants that lives in our City, the homesteaders, if you can resolve that, resolve that and let's move on. Either it's aye or nay. You said that you was gonna deal with the exemptions, let's do that. Stop just procrastinatin'. Step out, be strong leaders. Ms. Brabham bold. Everybody that I know are bold peoples and these are challenges that, that faces us. But you must take these challenges and you are incorporated to do right and not be misled by others that have their own agenda. I said that this was a good Board. I have no regret, I come with no animosity. But I, as well as my children have to live in this City. We should all be appalled at the status of our schools in this City here. Ms. Bram attended that workshop and I'm appalled. The 33404, this is a zip code. Our kids here have had more ex'.., suspensions and everything in this zip code. They are not reading. Yes, we have to go after the K and the 3's, that's when we get them because the reading is detrimental. Councilpeoples, I'm challenging you, Ms. Pardo, Tonya Johnson, Lynne Hubbard, everybody up there, let us help our City achieve those goals for our kids so that our City can say that we are the best and we're none less. Let us do whatever we could do to help our children in this City here. I've, I've said it two years ago when I was in the Council here, what's wrong with posting signs or, or getting those signs that say, 'Riviera Beach is on the move for reading.' We have to be captivating. We have to be the doors for our children here, as well as our City here.

So do the things, move the things, don't get bogged down and don't be afraid. Don't be afraid. You cannot be leaders if you're afraid. So let's do these things that our City has elected you to do and let's move forward because I know that we can move forward. Nothing is gonna stop, it will only stop if we stop.

[Beep]

MS. M. BRAM: And it will only stop if we continue to wheel and deal and you can't wheel and deal because eventually you will get caught.

Thank you.

CHAIRPERSON DAVIS: That you. Mr. Steve White.

MR. S. WHITE: Good evening. Steve White. What I think is important that we identify problems but I also think it's important that we also identify solutions, so it's appropriate that what has been discussed do far.., I'm here to talk to ya'll about, uh, the Young Lions Reading Club which is held at Bethune Elementary here in the City of Riviera Beach. And what the Young Lions Reading Club is, is simply a club where we ask for men in the City of Riviera Beach to volunteer to spend 30 minutes a week reading with and to 3rd grade boys at Bethune Elementary. So that is a solution. Okay? Uh, so we know that reading is, is very, very important for our children to have, uh, success educationally. And so again, what we're asking is that men, here in the City of Riviera Beach, to volunteer 30 minutes a week to come into Bethune Elementary, read with 3rd grade boys, spend that quality time with them, be that positive role model that they need to see and touch on a, on a regular basis. And so, if you're interested in doing that, I will give you my direct phone number that you can contact me which is 561-841-4990. Also, it's late notice for some but we're having a meeting tomorrow morning at the school at 8:30 where we're actually gonna have a reading coach come in and actually work with the volunteers so that you'll be very qualified and capable to work with these little boys.

So again, we know what the problems are but I'm asking you to, to be a part of the solution. So, we really want to challenge the men. And, and let me say, uh, also, I'm hoping that the City Council and, and Ms. Jones that you will encourage the, uh, men who work for the City to get involved as well, that, that you will somehow, you know, make it possible that they can find 30 minutes a week to come over to the school and spend this quality time reading with 3rd grade boys at Bethune Elementary and then, ultimately, we'll spread it to other schools as well. Okay?

MAYOR MASTERS: Mr. Chair? Mr. White, I have a question for you.

MR. S. WHITE: Yes, sir.

CHAIRPERSON DAVIS: Next we have Derrick Paul.

MAYOR MASTERS: While you're there. Um, I, I want to volunteer, 30 minutes…

MR. S. WHITE: Okay.

MAYOR MASTERS: …a week?

MR. S. WHITE: Yes, sir.

MAYOR MASTERS: Get with my Chief of Staff and tell her on Thursday, put me 30 minutes.

MR. S. WHITE: Okay.

MAYOR MASTERS: Thank you.

MR. S. WHITE: Alright. We appreciate it.

MAYOR MASTERS: Every Thursday. Alright.

MR. S. WHITE: Thank you, sir.

MAYOR MASTERS: Thank you.

MR. D. PAUL: Uh, good evening to the Manager and Council and Mayor.

MAYOR MASTERS: Good evening.

COUNCILPERSON PARDO: Good evening.

MR. D. PAUL: I have a few ideas that I would like to share with you pertaining to lowering the water bill and, uh, you may decide to workshop it, if you like my ideas. Okay? As we know, the storm water rate is $9.00 a month, trash is $11.32. Uh, with both of those, it's $20.32 a month. Uh, what I would like to share with you is that there's different ways we can pay that bill which is quarterly, which would, which would turn out to be $60.96 a month. Another way you can pay the bill is semi-annual, if you decide to do both of 'em which will be $121.92 a month. And, what I'm talking about here, I'm only referring to homestead properties only. Homestead properties only. I, I need to make that very clear, uh, to try to help the homeowners out if, in fact, they would like to lower their water bill.

Now, I went further to check with other cities and look at their, uh, water bills and, and their tax statement. You take Palm Beach Garden, North Palm Beach and Lake Park, on their tax statement they have, the, uh, garbage and trash, garbage service and collection and storm water. They place that on the taxes. Okay? That's what they did in that area. Uh, what that does, the taxpayers can benefit from that because it's on their income tax form, okay? What West Palm Beach did, they put the garbage service, fire and the, uh, maintenance fee on their tax statement. And I do have [stammer], the detailed breakdown for each one of 'em, if you want to hear all of that but I'm trying to do what I can do here in three minutes, if I can. Uh, and on their monthly bill, they have $16.00 for the garbage and trash and recycle, they have $2.85. Storm water, they have $10.00. I checked with Boynton, they have, on their tax statement, they have garbage service and they have fire, on the tax statement. But what they did, they have the storm water on the monthly bill. So I'm saying that to say this too, there's two ways you can do this. You can put both of 'em on there which is the $20.32 on the tax statement, if you choose to do that or workshop it. I would like to say workshop it with the citizens to see what they would like to do, to try to lower the water bill or, you can do like Boynton did. You can put one or the other on there. You could put the storm water for $9.00...

[Beep]

MR. D. PAUL: ...or you could put the, uh, trash on there for $11.32. But, of course again, this would need to be workshopped. I would suggest with the citizens to see if they would like to save $9.00 a month or $11.32 a month.

CHAIRPERSON DAVIS: Thank you, Mr. Paul.

MR. D. PAUL: Just my idea. Thank you.

CHAIRPERSON DAVIS: Thank you.

MAYOR MASTERS: Mr. Chairman?

CHAIRPERSON DAVIS: Mr. Ernest.., Ms. Ernestine Gordon.

MAYOR MASTERS: Mr. Paul. Excuse me, Mr. Paul. While she's coming. You were the former Utility director...

MR. D. PAUL: [Inaudible], yes.

MAYOR MASTERS: ...at.., how many years?

MR. D. PAUL: Uh, I believe it was eight years.

MAYOR MASTERS: Eight years. So, you know what you're talking about then, don't you? Thank you.

MS. E. GORDON: My name is Ernestine Gordon. I live at 1138 West 23rd, here in Monroe Heights.

MAYOR MASTERS: Good evening.

MS. E. GORDON: What I'm calling.., what I'm here for is about the water. Now, the water we.., the water was bad water and then you turn around and wanna charge us, uh, increase the, the money.., or increase our bills for the money. [Pulled mic down]. I'm, I'm sorry. Okay. My na'.., did you hear my name was Ernestine Gordon. I live on... Okay.

CHAIRPERSON DAVIS: Yes, ma'am.

MS. E. GORDON: What I'm here is that, for the water. First of all, the water was bad and then you turn around and wanna increase the water bill. I think you can find another procedure, something else that.., where you can get your revenue from and, and, and leave our water alone.

MAYOR MASTERS: Mhmm.

MS. E. GORDON: And the next thing I was, uh, I was talking about by the complex, moving the complex. I really think we, we, we need.., we wanna stay where we are.

MAYOR MASTERS: That's right.

MS. E. GORDON: Why don't you ask the citizens what they want. Not a handful of people making our decision. Ask us. We pay your salary, we are the people live here. We would like for this to remain here. If you wanna move something, move the fire department. You can move it out on Broadway somewhere.

MAYOR MASTERS: [Chuckle].

MS. E. GORDON: Anyway, let us, let, let the complex stay here. We've been here for years and it's, it's on the main drag, so to speak. And we wanna stay here.

And the next thing I wanna talk about is our Manager. It's that, anything.., about the water, we wasn't notified about. We don't ha'.., we don't have trust in her and we don't have no confidence in her. So, I, I, I really think we need a new manager. Someone that have.., gon' respect the people and do what's right for the people.

I thank you.

[Clapping]

CHAIRPERSON DAVIS: Thank you. Just for the record, we have ULI that's meeting with the residents, you would get a, an opportunity to discuss all of the City properties but, for some reason, a few individuals have been walking around the City talking about this facility. But these meetings are public meetings for the public to make these decisions, not this Council. And you will get information that will be promoted before Staff so you can come and give your input about what you want to be discussed and determine the vision of your City. Cause, like you said, this is your City. Um, Ms. Bullard.

MS. D. BULLARD: Good evening. Dorothy Bullard.

CHAIRPERSON DAVIS: Good evening.

MS. D. BULLARD: 1620 West 36th Street.

COUNCILPERSON PARDO: Good evening.

MS. D. BULLARD: I had some questions for our City Manager but she stepped out but, uh, for the record, um, I wanted to ask her about our policy that all department heads

are supposed to live within the City and I'd like to know how many lives within the City and why does she continue to hire people who do not live in the City? Do she not respect our policies out here?

And, uh, another point, at our town hall meeting on September 1, 2016, we were told, starting at the Monroe Heights and going up to Silver Beach Road, that our streets, it's a Phase I and a Phase II and I learned I'm in Phase II, but anyway, that we will have one way streets to accommodate our drainage and everything. And, uh, we were told that 90% of the citizens from our former Commi'.., Colngre'.., uh, former Councilman said we agreed to it. I never even heard about it. And if our present Councilman has asked our City Manager to delay this process so that she could have a chance to meet with her constituents, why is our City Manager not listening to her, uh, about this problem? And, uh, but she refused to and why?

You're back, Ms. Jones. I had some questions for you. Maybe you could answer them but I had a couple of other things. I had one about, to Councilman Pardo. I am for community policing. We used to have it. At the Bullard's house, we knew all the policemens in our area cause they came up and down our streets. They used to stop and get food and we always cook, black, white, all of 'em. They all knew us. Now, I don't even think they come anywhere other than Silver Beach Road, except one. We do have one and that's Patrolman Edwards. He does do community policing. Why? And you stated in a budget meeting the other night that we.., you wanted $500,000 for the policeman to take cars home. 95% of our policemens don't even live in Riviera Beach. Why should we give them cars to take to Port St. Lucie, Fort Lauderdale, Loxahatchee, Royal Palm Beach and everywhere else, when they don't live in our City? They're protecting other communities. Our Chief doesn't want it. The ma'.., the f'.., the fleet maintenance man doesn't want it, why do you want it? The citizens don't want it either.

[Beep]

MS. D. BULLARD: Thank you.

CHAIRPERSON DAVIS: Thank you. Ms. Bessie Brown.

MS. B. BROWN: Good evening. Bessie Brown. I had a question about the storm water. It, it did double. My thing is, is that if it's doubling, we need to, uh, we need to actually keep a.., this.., the Council [stammer] have the Manager keep an eye on what we're actually earning and how much and where that money's going and what you're gonna do with it. Also, the water increase. We have a water increase ordinance that was in place for 10 years. Does anyone up there know when it's gonna end? [Chuckle]. That's the only thing. And, and…

CHAIRPERSON DAVIS: '19.

MS. B. BROWN: And basi'.., and, and it was a.., it's an Ordinance for 10 years. Does anyone know when's the last year?

CHAIRPERSON DAVIS: The 19th. '19.

MS. B. BROWN: '19?

CHAIRPERSON DAVIS: 2019.

MS. B. BROWN: 2019?

CHAIRPERSON DAVIS: Yes.

MS. B. BROWN: Well, you know, if, you know, we, [stammer], I don't think we could take too many more increases cause people can't even pay their water bills now almost. It's really, really harsh. And, uh, what's the status of the, of the water currently, to drink? Um, on the website, the last thing I saw was that, um, the last update was, like, April, 2016. Do we have anything else that's.., we should know about? Because [chuckle], I was kinda surprised that it was April 2016.

And, we were talking about the water bills. The water bills, um, were actually generated in-house. I used to, um, I used to get the quotes for 'em to purchase 'em and we had a machine because they were prefolded. I, I don't see why we can't bring it back in-house again, now. It's only a sheet of paper. It's only a sheet of paper with writ'.., you know, writin' on it and, and, and, and an envelope. [Chuckle]. It really shouldn't' cost that much. I don't see why it left in the first place because, just like, if they coulda.., if anybody.., somebody else could do it, we should be able to do it.

And, and I have, and I have a problem with posting these meetings. You all have been have been having meetings after meetings after meetings and I really feel for you cause I don't even wanna come to all of 'em. I, I, I don't even wanna come. But, basically, it would be nice if these meetings are posted so that the citizens can find them. And, we went onl'.., we went on.., I was on yesterday, come to find out that this meeting was changed to tonight and then we have a meeting today at 4:00 o'clock. I don't think we should have any meetings at 4:00 o'clock pertaining to public participation because most of 'em are working. And, and, and I would hope that you would give them the information tonight and don't wait until the end of the meeting that there's another meeting tomorrow at 5:30. And I.., these, these are the things I'm talkin' about. But those things could be actually posted out there on, on those, on our windows and they could actually be put on Channel 18, more than one day, find out today, find out tomorrow. [Inaudible] that's ridiculous. I, I, I think that's really ridiculous and I really feel for you all that you had to have all these meetings. I do feel for you. But, you know, you, you must consider the public. You know, you all, we've been, I've been complain' for about the last five years how there's no public, uh, participation because our other Council didn't care if we knew or didn't know. You know what I'm sayin'? And, and, and they, and they specif'.., and they specifically ignored us, at that time. [Chuckle].

[Beep]

MS. B. BROWN: And only other thing I was sayin' is that, I would like to say is that, FPL is proposing an increase of $20. I would really love to have one, one, all of you find out how.., are you in agreement with this and find out how is this going to affect us and then who, who's considering spraying for the Zika mosquitos?

CHAIRPERSON DAVIS: Okay. Thank you. Derrick Dorsett. And then Jessie Gray after Mr. Dorsett. Jessie Gray.

MR. D. DORSETT: Good evening.

CHAIRPERSON DAVIS: Good evening.

MR. D. DORSETT: Derrick Dorsett, 1449 West 30th Street, Rivera. God's Loving Hands, Feeding the Homeless, d/b/a Kangaroo House Subs & More. This is about my fifth time coming to the Board in reference to the Dairy Belle. I assume, from what I've heard from Scott, that you guys are gonna go ahead and knock it down. That has already been decided, um, so, now I'm asking you all to help me find another location along the Broadway corridor so I could still do another second Kangaroo House Subs so I can start employing my people. I'm not getting anywhere with the Board, I've been here, like, five times. Like other people do. We keep comin' and comin' and nothing is going on.

CHAIRPERSON DAVIS: Have you met with Staff?

MR. D. DORSETT: Met with who?

CHAIRPERSON DAVIS: Our Staff?

MR. D. DORSETT: No. I...

CHAIRPERSON DAVIS: That would be...

MR. D. DORSETT: ...one or two people have reached out to me. I've sent you all a package.

CHAIRPERSON DAVIS: Mhmm.

MR. D. DORSETT: Nothing coming back.

CHAIRPERSON DAVIS: See...

MR. D. DORSETT: It's like...

CHAIRPERSON DAVIS: See, what happens is, you meet with Staff, Staff bring what you like to the Board and we make a decision on it.

MR. D. DORSETT: Okay.

CHAIRPERSON DAVIS: So, we'll [inaudible]…

MR. D. DORSETT: Well, I was told to go to Scott in reference to Dairy Belle. Dairy Belle.., he told me that's what ya'll plan is to knock it down.

CHAIRPERSON DAVIS: Okay.

MR. D. DORSETT: And make it a parking lot for the pawn shop.

CHAIRPERSON DAVIS: So now you're lookin' for another, um, location?

MR. D. DORSETT: So now I'm looking for another location. I hear…

CHAIRPERSON DAVIS: [Inaudible]...

MR. D. DORSETT: …you have empty property along, uh, in the CRA District, along Broadway.

CHAIRPERSON DAVIS: Do… I don't think we have any property that has a structure on it. Do we? Nothing that has a building.

CITY MANAGER JONES: [Inaudible].

CHAIRPERSON DAVIS: It's just vacant land.

CITY MANAGER JONES: [Inaudible] City or CRA [inaudible].

CHAIRPERSON DAVIS: Well, we'll have Staff loo'.., research and to find out what properties have actually structure on it.

MR. D. DORSETT: Okay.

CHAIRPERSON DAVIS: Alright?

MR. D. DORSETT: Cause I keep coming back…

CHAIRPERSON DAVIS: And we'll make sure…

MR. D. DORSETT: …to the same thing.

CHAIRPERSON DAVIS: Yeah. We'll make sure we do that.

MR. D. DORSETT: Um, I would have loved to put Kangaroo House Subs & More in the City, our first one in this City but I had to go to your sister city, Lake Park and they welcomed me with open arms and it's sad that I had to go outside of my City to find a location.

CHAIRPERSON DAVIS: So where are you located in [inaudible]?

MR. D. DORSETT: 1400 10th Street.

CHAIRPERSON DAVIS: 10th Street?

MR. D. DORSETT: Next to the old Cash A Check.

CHAIRPERSON DAVIS: Okay.

MR. D. DORSETT: Been there about, a little…

CHAIRPERSON DAVIS: [Inaudible].

MR. D. DORSETT: …over nine months now.

CHAIRPERSON DAVIS: Okay.

MR. D. DORSETT: Yeah. Um, the other thing…

CHAIRPERSON DAVIS: I've been there.

MR. D. DORSETT: …is, um…

CHAIRPERSON DAVIS: [Chuckle].

MR. D. DORSETT: …I need to find out about the noise ordinance in the City, what's the decibel levels for music. I'm having a problem with my next door neighbor. She's saying I'm playing my mus'.., my gospel music too loud. So, she's called the police on me three times and I've turned it down but I'm not gonna turn off what I've been playing for years. She's just a renter. I own property. I don't mind gettin' along with people but, um, when you.., when I have a problem with you coming to my door and cursing me out on my property, then now, I have a problem.

The other thing is, I just found out.., we tried to do a mobile kitchen in the City, tried to get one, um, uh, registered. And I was told that it's almost impossible to get it done. Now, I come to find out two months ago that ya'll approved one over on, um, on, on Military, Long Pine Golf.

CHAIRPERSON DAVIS: Mm.

MR. D. DORSETT: There's a Dr. G's...

[Beep]

MR. D. DORSETT: ...a Mr. G's Barbecue. And he's not in compliance but he was given a, uh, a license. I have nothing against that brother, whatever he's doing but, if he can get a license, I wanna be approved to get a license. And I'm not only speaking for myself, I'm speaking for others who have come before and put an application and got denied, for whatever reason but you have a gentleman just two or three months ago just got approved to...

CHAIRPERSON DAVIS: What's the name of it again?

MR. D. DORSETT: I think it's Mr. G's or something barbecue over at Long Pine. And, from what I was told, the reason why he was given that license...

CHAIRPERSON DAVIS: Mm.

MR. D. DORSETT: ...is because they needed some type of, uh, something to bring the people in. Activity.

CHAIRPERSON DAVIS: We'll have Staff research that.

MR. D. DORSETT: So they were approved.

CHAIRPERSON DAVIS: Thank.., thank you for bringing that to our attention.

MR. D. DORSETT: Yeah.

CHAIRPERSON DAVIS: We'll have Staff research that.

MR. D. DORSETT: Thank you.

CHAIRPERSON DAVIS: Alright. Jessie Gray, Ms. Jessie Gray.

MS. J. GRAY: Good evening.

MAYOR MASTERS: Good evening.

CHAIRPERSON DAVIS: Good evening.

MS. J. GRAY: Mayor, Council.

MAYOR MASTERS: Good evening.

MS. J. GRAY: Chair. I'm here about my water bill. It's continuously going up. And also, about the, uh, fact that you gu'.., you guys approved or some kind, we have approved to have the streets one way in Riviera Beach, in Monroe Height. Now, there is always another solution because I don't believe there were 90% of the people that voted to have the streets one way. You're talking about me losing 5' of my property. That won't happen. Find another solution for drainage and fix the streets without taking people's property and forcing things on them that they don't want. I've been here 54 years, I do not plan to go anywhere but, the way things are happening in Riviera Beach, we, we, we older folks don't have a chance.

MAYOR MASTERS: Hmm.

MS. J. GRAY: Thank you.

CHAIRPERSON DAVIS: Thank you. Willis Williams, then Corey Dixon.

MR. W. WILLIAMS: Good evening. Willis Williams, 1690 West 26th Court. Forgive me for not standing this afternoon because I've just gotten out of the hospital but I found it very pertinent that I be here tonight after going to the September the 1st meeting in regards to the one way streets in Monroe Heights. My parents bought property in that area back in the 60s. In fact, we still own that property on 25th Street, 1237. I find it very appalling that, when you say 90% of the people in that area agreed to have the streets turn one way when I didn't get a notice on it. I don't believe in reinventing the wheel. The drainage seemed to be very [inaudible] in, in Monroe Heights, it has been that way for years. I say if we need to leave.., certain things just need to be left alone. One way streets, there is not a one way street in Riviera Beach, that I know of and I've been here some 60 years. So, we need to just forget about that.

Also, in the meeting, uh, on the September 1st, we asked for a vote of confidence on Mrs. Jones. Ms. Jones, this is nothing personal but out of 40 people that was in that room, not one stood up and said they would like for you to stay. That's very disturbing. The water issue came up several times in regards to why you did not respond and let the people know, in due time, that the water was bad or you were making adjustments or nothing. Nothing of that nature occurred. For that alone, was enough to allow you to be gone but they decided to give you a suspension. We will never move this City forward unless we change the direction of the Staff that we have onboard. We voted, the City voted, the residents voted for a change. The change has not come yet. We need a change and we need it now. It's just that simple. We need to immediately either let Ms. Jones go immediately or let her understand that, in the very near future, whatever it may be, she has to go.

Thank you.

CHAIRPERSON DAVIS: Corey Dixon.

MR. C. DIXON: Good afternoon. Corey Dixon.

UNK: [Inaudible].

UNK: Good afternoon.

MR. C. DIXON: 1133 West 32nd Street. I have spoke with the City outside attorney about a case that I have with the City and I gave him a settlement offer that he was supposed to give to the City Manager and the City Manager have not got back in contact as it was supposed to be. I finally just got contacted the other day and the lawyer said that the City Manager was not gonna go to the Board with it and I just wonder why it wasn't brought to the Council.

[Pause]

CHAIRPERSON DAVIS: Thank you, Mr. Dixon. If you have no other comments, we'll.., Mr. Manag'.., Ms. Manger will respond to any questions, suggestions at the end of public comment.

MR. C. DIXON: Thank you.

CHAIRPERSON DAVIS: Unless something.., you wanted to say something now to him, Ms. Jones? Or you wanna wait?

CITY MANAGER JONES: No. I was trying to find the email to the attorney where we all agreed to it so I could tell Mr. Dixon the exact date and time that I responded to the attorney. Mr. Sherman responded, I responded, we all got back to the attorney.

CHAIRPERSON DAVIS: Okay. Ms. Wilder, Felicia Wilder, Ms. Felicia Wilder, Wilder, I'm sorry.

COUNCILPERSON HUBBARD: While.., while she's coming…

CHAIRPERSON DAVIS: And then Mami Kisner.

COUNCILPERSON HUBBARD: While she's coming, Ms. Jones, he said that the attorney told him that you weren't gonna bring it forward to us. Could you respond to that?

CITY MANAGER JONES: Well, the.., it was under the signature authority. So, it would not have been necessary on settlements that come through legal, if they're under the signature authority. So it was that amount. But, that is not true about not responding. If you want now for all settlements to come to the City Council, I'm sure Mr. Degraffenredit would…

CITY ATTORNEY DEGRAFFENREIDT: Would recommend against that.

CITY MANAGER JONES: Okay.

[Inaudible background comments]

COUNCILPERSON HUBBARD: That might very well be so but we said that, um, you know, we, we get one story one time and then we get another story another time. We said that any legal matters, and it never was a dollar figure associated with it, we were told that any legal settlement matters that we go into close executive session to discuss whether we want to settle. Let me say this, it's not always about the money. Say, for example, if it was a frivolous, or we felt it was a frivolous lawsuit or.., and we say, 'Hey, we don't want to pay the $24,999. This guy has got to be kidding, he only stomped his toe out there in the yard and everybody saw him, playing basketball all week.' So, I'm saying that we're.., we have always been told that the [pause] settlements discussions have to take place in closed executive sessions and there has never, ever been anybody, be it attorney or manager that said there was an exception to that rule depending on the amount of that. So, I'm sure you responded, I'm sure Mr. Sherman eventually responded and you eventually responded but the most.., the piece about it not coming to us is the problem.

CHAIRPERSON DAVIS: Well, well...

CITY ATTORNEY DEGRAFFENREIDT: I think that's incorrect. What happened was, the decision to settle it was made, there was a delay in terms of getting the settlement check and, when I found out from opposing counsel, the settlement had been reached as approved by the Board and there was a delay in the payment. We tried to expedite that as fast as possible. It was not that we made a decision without the involvement of the dais.

COUNCILPERSON HUBBARD: That wasn't the...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible]...

COUNCILPERSON HUBBARD: ...previous discussion just now. The whole discussion that we.., based on your statement, based on his statement and based on what you're saying [pause]. No, we weren't talking about delay of check or delay of payment. I asked a question about, um, bringing the settlement to us. Now, we're jumping to the fact that that wasn't the case, then, then say that that wasn't the case.

CITY ATTORNEY DEGRAFFENREIDT: That's what I'm saying.

COUNCILPERSON HUBBARD: If we, if, if we're talking about...

UNK: [Inaudible].

COUNCILPERSON HUBBARD: ...if we're talking about the.., that ya'll agreed, they agreed, his attorney agreed and it was just a mere problem in getting the check in a

timely manner, then state that because he's under the impression that, that the settlement itself was not going to be brought to us or brought forward. So that means there was a gap in, um, disseminating information back and forth.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: So I, so, so that's what I'm saying because, when we started this conversation, we were only talkin' about whether or not the money came up here.., I mean, the settlement re'.., came up here. Now we're talkin' about, yes, there was a settlement that was agreed upon and the issue is how timely the check was disbursed. So, we got to, you know, we gotta get on, on the same page and, and, um...

CHAIRPERSON DAVIS: Excuse me, [inaudible]...

COUNCILPERSON HUBBARD: ...be clear.

CHAIRPERSON DAVIS: We have public comment. We'll entertain this conversation once we get through all our public comment cards cause it's inappropriate to go back and forth until we...

COUNCILPERSON HUBBARD: [Stammer]...

CHAIRPERSON DAVIS: We got Ms. Wilder...

COUNCILPERSON HUBBARD: Point of order, Mr. Chair. Point of order.

CHAIRPERSON DAVIS: I will recognize...

COUNCILPERSON HUBBARD: I was finishing...

CHAIRPERSON DAVIS: ...your point of order. Okay.

COUNCILPERSON HUBBARD: I was just fi'.., as you saw, I was finishing up my comment when you made that comment. I was just waiting to tell.., to, you know.., we.., sometimes we have to respond to our constituents cause that leaves a bad taste in the rest of everybody's mouth out in the audience because we're on TV and it looks like we are talking about.., we're tellin'.., we're not tellin'.., it looks like we're not telling the truth and I don't wanna leave that on the table if the mere fact is we just didn't mail out the check. Maybe that was the case and maybe it wasn't. Madam, I apologize and, um, to have you standing but, um, please come and take the floor.

CHAIRPERSON DAVIS: Anytime we have public comments, we wanna try and wait until they are done so that our Staff can answer each question, of each person, but it's not fair to people like Ms. Wilder to stand and wait and have to sit back down and get back up. We all have our own needs that need to be address but I do respect your positon. Ms. Wilder.

MS. F. WILDER: Good afternoon to everyone in their respectable places. My name is Felicia Wilder. I reside in Riviera Beach.

MAYOR MASTERS: Good afternoon.

MS. F. WILDER: And I am here to address an issue that has been going on, it's going on the second year in reference to the building and permits and hiring people to come out who are not.., who don't have license, just tore up my whole house.

UNK: Hmm.

MS. F. WILDER: I have one tub and air condition. Can't live in it and I got funded through the VHPP program, very disgusting. I had to have the contractor removed. All kind of shabby work. I have over 2,000 pictures. Nobody's listening. I called Washington, Tallahassee, they did an investigation. They did catch one of the guys, Built Solid Construction. I, I call names. My God Jesus. And the same thing about Mr. Brown, same people. When I mentioned David Schwartz, just flew off the handle. I'll call names. We need to do what's right. I've been fighting, I'm a warrior and I'm gonna continue to stand for what's right…

[Inaudible background comment]

MS. F. WILDER: And I thank you, Ms. Miller-Anderson for your support. Don't hide your face. [Chuckle]. I thank you too, brother.

MAYOR MASTERS: Thank you.

MS. F. WILDER: [Chuckle]. And I thank everyone who supported me. I've been calling Washington all over the place to try to get help. And I think the Public Works.., nobody knows who does what, 'Uh, we don't know who do this, they don't do that, that, that…' And you got 10 guys ridin' in the car, the only two on the side can wait cause the other one got to nod their head cause there ain't enough room in there to wait. That make no se'.., that's just makin' money and they just ridin' the streets of Riviera Beach. We need to straighten up our acts. Something is wrong. And then, when you got two men working today, only had four from, I think they're from Public Works, workin' themselves just trynna clean out some…

UNK: [Inaudible].

MS. F. WILDER: The back alley behind our homes. Nobody wanna claim no property. The City closed up the, the canal. You put sand in it and then you tell me it's mine. It ain't mine, I ain't close it up. Take care of your responsibility. Now, we're gonna try to maintain that property since they came out and was very responded to the emails that were sent out and I just thank God for it. But we need to do something about these contractors. Pete and all the rest of 'em. I don't know what's being done

but when I go to people and I need help, Mr. Danny Jones, he's been very supportive and I still thank him for it whenever I ask him to come out. This man was bringing used stuff to my house with tar on it. The same thing that happened to Lloyd Brown. Lloyd is fighting. I don't care how you don't like him.., you may not like the way he look, you may not like the way he talk, you may not like the way I look either, I don't care. But just like I told them today in a meeting down to the county, you are entertaining an angel unaware.

MAYOR MASTERS: Mm.

MS. F. WILDER: Oh, and there's some payback. Ha. Hallelujah.' But let me tell ya somethin', I've done nothin' to nobody. All I ask for help. When I pour out my cry to you and you don't listen [chuckle], God, you're accountable to God. You know, I poured it out to you and you wanna sit there and play with it, you just keep playin' with it and you're going down. I've already said…

[Beep]

MS. F. WILDER: …in the comment, 'Babylon is coming down.' I just need some support to help me at 541 Silver Beach Road. I only have one tub and a air conditioner in two years. Uh, uh, unit that's worth $34,000 is now up to ninety six thou'… Man, you coulda built me a house and I'm attached to somebody. Somethin' wrong.

CHAIRPERSON DAVIS: Excuse me.

MS. F. WILDER: Money is gone.

CHAIRPERSON DAVIS: Thank you, Ms. Wilder.

MS. F. WILDER: It needs to be addressed.

CHAIR PRO TEM MILLER-ANDERSON: Ms. Wilder…

CHAIRPERSON DAVIS: Um…

CHAIR PRO TEM MILLER-ANDERSON: …was the…

CHAIRPERSON DAVIS: …Ms. Kisner.

CHAIR PRO TEM MILLER-ANDERSON: …easement cleaned out like you needed it to be?

MS. F. WILDER: Oh, thank you, sweetie.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Appreciate it.

MS. F. WILDER: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Thank you, Mr. Brent and Mr. Perry, and Ms. Jones.

MS. M. KISNER: Good evening. Mami Kisner. I don't live in Riviera Beach. I make…

MAYOR MASTERS: Good evening.

MS. M. KISNER: …that clear every time I speak, uh, but I have told you many times, many of the seniors have asked me to speak for them. Tonight, we have heard from the people. You've heard it many, many times. I wanna thank all of you for your service but you must make some hard decisions. The people are crying out and they are speaking and they are saying they are tired. You cannot keep doing business as usual with these types of crisis. I have been here at least five to six years talking about this water. Yet, I don't see anybody up there, or any Staff, drinking a glass of water out of these water fountains. So, if water is not an issue, then let's do away with the bottled water for Staff and everybody in Riviera Beach and do what the residents are having to do who cannot afford to buy bottled water. And let's stop looking at bottled water that doesn't come from Riviera Beach if the water is okay. And someone said to me, 'Yellow water is okay.' I have to disagree. Our babies and our seniors, many of them don't have a choice. They cannot afford to buy water. All of our employees may not even be able to buy water. So why are we drinking water that is not Riviera Beach's water, if it's okay? There is a crisis. They did not listen to the people in Flint and they have, some of them, gone to jail. We need to be clear that water is life and there is a crisis, still, in my personal opinion, when someone tells me that you can drink yellow water. So the next meeting, let's have Riviera Beach water for everybody to drink and not bottled water.

The people have spoken and the landlords who are paying, solve that problem. I don't know how many meetings I've come and heard the same thing. Whatever the solution is, let's solve it and move on. Work with the people who have elected you. There is a management problem that needs to be corrected and you can figure that out from yourself but you are elected by the people, for the people.

We have babies who need attention in the education and I heard someone say, 'Well, it's just kindergarten.' Well, I was as kindergarten teacher. The first three to five years of a child's life, they learn more than they ever in their lives. So let's focus on education and let's start with our babies who are the future of Riviera Beach. And let's not keep separating our people for what needs to be done. When you…

[Beep]

MS. M. KISNER: …are looking at the budget, think about the people and the needs of the people that they need right now.

CHAIRPERSON DAVIS: Thank you.

MS. M. KISNER: Thank you and…

CHAIRPERSON DAVIS: Thank you, Ms. Kisner.

MS. M. KISNER: …God bless you.

CHAIRPERSON DAVIS: Eh, Ms. Jones, maybe at some point, Mr. Polk, Polk…

MAYOR MASTERS: Are we at the comment.., at the end of the comment?

CHAIRPERSON DAVIS: Was that his name?

MAYOR MASTERS: Derrick Paul.

CHAIRPERSON DAVIS: Pau'.., Derrick Paul? At some point, let's.., Staff sit down with him cause he's the ex-Utility Director. Maybe there's some suggestions he can do to assist us out, if he's gonna…

CITY MANAGER JONES: Yeah. And I was very glad to hear him say about the water.., puttin' it on the tax bills…

COUNCILPERSON PARDO: Discuss it.

CITY MANAGER JONES: …because we had been talking about that and after the budget, that was…

CHAIRPERSON DAVIS: Oh.

CITY MANAGER JONES: …one of the things to bring…

COUNCILPERSON PARDO: Right.

CITY MANAGER JONES: ...to place it on the tax bill.

CHAIRPERSON DAVIS: Yeah. Let's sit down with him. Welcome back home. Go ahead, Mr. Paul.

MR. D. PAUL: One other brief thing. [Clears throat]. I'm sorry. One other brief thing I didn't say was that, uh, you know, you can file that on your income tax if you decide to take that avenue. Okay?

CHAIRPERSON DAVIS: Okay.

MR. D. PAUL: Alright. It's a...

CHAIRPERSON DAVIS: Tha'...

MR. D. PAUL: ...benefit.

CHAIRPERSON DAVIS: Thank you. We gotta do this again, but in...

MAYOR MASTERS: [Chuckle].

CHAIRPERSON DAVIS: ...in a private meeting. Alright.

MAYOR MASTERS: Are we done?

CHAIRPERSON DAVIS: Alright. We gotta now go back to Item No. 9.

MAYOR MASTERS: Mr. Chair, excuse me. Point of order. You said at the end of the public comments...

CHAIRPERSON DAVIS: We...

MAYOR MASTERS: ...that.., that's what you said, at the end of public comments that people up here, if they had a comment or question, they could do it then or you gonna...

CHAIRPERSON DAVIS: No. We...

MAYOR MASTERS: ...do it later?

CHAIRPERSON DAVIS: We wanna try to get through this Agenda because we got the Port waiting here, we got a couple presentations that we got and they've been waitin' all night.

MAYOR MASTERS: Then we can come back?

CHAIRPERSON DAVIS: Yeah.

MAYOR MASTERS: Okay.

CHAIRPERSON DAVIS: Yeah. Item No. 9.

DEPUTY CITY CLERK BURGESS: 9. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY, LLC, ALL ABOARD FLORIDA – OPERATIONS, LLC, AND THE CITY OF

RIVIERA BEACH, FOR IMPROVEMENTS TO A RAILWAY CROSSING LOCATED AT WEST 13TH STREET, WHICH IS COVERED BY AN EXISTING CROSSING LICENSE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion?

COUNCILPERSON PARDO: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Madam Manager, you have a presentation or anything?

CITY MANAGER JONES: Well, what I would.., at this point, I would like to ask Eric Aaronson, the representative from All Aboard Florida, to come forward, um, that made the request as to why we have to do this agreement as it relates to that project.

CHAIRPERSON DAVIS: Hello, sir.

MR. E. AARONSON: Good evening, everybody. Eric Aaronson from the law firm of Arnstein & Lehr, representing All Aboard Florida. Um, can you please restate the exact question that you have regarding this issue?

CITY MANAGER JONES: Well, there really isn't a question. If you could give us some background as to what is being asked for…

MR. E. AARONSON: Oh, okay.

CITY MANAGER JONES: …within this agreement, is what they nee'.., would like to know.

MR. E. AARONSON: So currently, there is a license agreement with the City and Florida East Coast Railway for the existing railway that exists today and every so.., every so long, ev'.., let's say, like, five years for example, the City is required to perform maintenance on the railway. What this new license agreement does, is it allows All Aboard Florida to come in and install their new track and upgrade the existing rail lines. What would happen then is, and I like to view this as sort of a timeline, let's say that the City is in year four and in year five they have to.., you guys have to, uh, upgra'.., excuse me, not upgrade but do maintenance on the rail lines. What would happen is, when All Aboard Florida comes in now in year four, they would end up with their improvements basically doing all the maintenance for you and you would shift back to year one, basically saving a year of having to do maintenance.

Did I, did I make mys'.., is that clear? It's kinda of like an example.

CHAIRPERSON DAVIS: So, let me ask you a question, um, Attorney Degraffenreidt.

CITY ATTORNEY DEGRAFFENREIDT: Yes.

CHAIRPERSON DAVIS: As it regards to this agreement, does this limit us or restrict us from having any comments about the process, All Aboard Florida moving forward in the future or are we restricted, once we agree to this, to not make any suggestions or?

CITY ATTORNEY DEGRAFFENREIDT: I don't think it limits you in any way addressing those issues.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: What this is saying is they're going to put in improvements for the railway at their expense. Am I co'.., incorrect?

MR. E. AARONSON: That is correct.

CITY ATTORNEY DEGRAFFENREIDT: Alright.

CHAIRPERSON DAVIS: At their expense. And the maintenance will, for how long? When...

CITY ATTORNEY DEGRAFFENREIDT: I, I don't know how long but they are bearing the expense of the improvements to make it happen.

CHAIRPERSON DAVIS: Okay. That's...

MR. E. AARONSON: The.., we bear...

CITY ATTORNEY DEGRAFFENREIDT: That does not address...

MR. E. AARONSON: ...the initial improvements... The expense of the initial improvement are on us.

CITY ATTORNEY DEGRAFFENREIDT: Yeah.

COUNCILPERSON DAVIS JOHNSON Mr. Chair?

COUNCILPERSON DAVIS JOHNSON Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON Okay.

[Inaudible background comment]

COUNCILPERSON DAVIS JOHNSON ...so, the initial maintenance is at your expense?

CHAIRPERSON DAVIS: Yeah.

COUNCILPERSON DAVIS JOHNSON But when you go back to the existing licensing agreement, it tells us that the City shall pay…

CHAIRPERSON DAVIS: Mhmm.

COUNCILPERSON DAVIS JOHNSON …for any annual maintenance beyond that point.

MR. E. AARONSON: That is, that is correct. W'…

CITY ATTORNEY DEGRAFFENREIDT: As it relates to our licensing agreement and the reasons we use the right-of-way and that relates primarily to the pipes and things we have going underneath. I don't think our licensing agreement with the railway that preexisted this one, creates an obligation on us to maintain functions that have come only with relation to this project. I don't think that's within the scope of it.

UNK: Hold on. I [inaudible].

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Do you need a minute?

COUNCILPERSON DAVIS JOHNSON No, no. So, Attorney Degraffenreidt, based on.., as I looked at the initial agreement, we talked about the annual li'.., licensing fee and then we also talk about, um, maintenance. So, when we maintain it, will that not cover the tracks that are being laid down?

CITY ATTORNEY DEGRAFFENREIDT: No. We're only maintaining it for our licensing purposes of using the railway's property not the.., not, not the new railway…

COUNCILPERSON DAVIS JOHNSON We're talking about the existing?

CITY ATTORNEY DEGRAFFENREIDT: Yes.

COUNCILPERSON DAVIS JOHNSON Only the…

CITY ATTORNEY DEGRAFFENREIDT: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON …existing?

CITY ATTORNEY DEGRAFFENREIDT: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON And so, we were gonna cover those costs anyway but…

CITY ATTORNEY DEGRAFFENREIDT: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON …as it relates to All Aboard Florida's track, who maintains that?

CITY ATTORNEY DEGRAFFENREIDT: They do.

UNK. AUDIENCE: No.

MR. E. AARONSON: I am not sure if that's correct.

[Inaudible discussions]

UNK. AUDIENCE: That is not correct.

MR. E. AARONSON: I believe the City…

UNK: That's not what's in here.

MR. E. AARONSON: …would maintain, in the future, the entire rail line.

COUNCILPERSON DAVIS JOHNSON That's what it says.

CITY ATTORNEY DEGRAFFENREIDT: Well, that is not part of the agreement.

COUNCILPERSON DAVIS JOHNSON I'm looking for it.

CITY ATTORNEY DEGRAFFENREIDT: That.., I didn't see it in it…

COUNCILPERSON DAVIS JOHNSON I'm looking for it in the.., oh, I, I remember seeing that in the license agree'.., agreement that we…

UNK: Yes.

COUNCILPERSON DAVIS JOHNSON …would be responsible.

COUNCILPERSON HUBBARD: And that's the reason I pulled it…

CITY ATTORNEY DEGRAFFENREIDT: We would be…

COUNCILPERSON HUBBARD: …because that's the case. Yeah.

COUNCILPERSON PARDO: We're responsible.

CHAIRPERSON DAVIS: And…

COUNCILPERSON DAVIS JOHNSON Okay. So, here, here…

COUNCILPERSON PARDO: [Inaudible] coming up a while now.

COUNCILPERSON DAVIS JOHNSON Item 3.8…

[Inaudible comments]

COUNCILPERSON DAVIS JOHNSON …budget estimates in…

CITY ATTORNEY DEGRAFFENREIDT: Let me pull that up.

COUNCILPERSON DAVIS JOHNSON Okay. In the, in the agreement, the crossing agreement, under 3.8 Budget Estimates, it says that, um, 'To accommodate City statutory budget process of fiscal year October 1st through September 30th, referred to as government…

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON DAVIS JOHNSON …fiscal year, the, uh, Florida East Coast Railroad agrees to utilize commercially reasonable efforts to provide the City no later than April 1st, the list of crossings scheduled for maintenance during the upcoming fiscal year, along with an estimate of any and all costs or expenses for which City will be responsible for under the licensing,' uh, 'under the licensing.., the license agreement during such government fiscal year and that the City acknowledges the emergency and unanticipated repairs that may be necessary at crossings periodically and FEC.., FECR may not be able to provide normal advance notice thereof.'

So, if you could clarify that for me… Because that was what held me up in the Item.

MR. E. AARONSON: It is from understanding that once All Aboard Florida makes the improvements to the rail lines, the City is responsible for all the rail lines once the, the new period would come to fruition.

COUNCILPERSON DAVIS JOHNSON So, can Staff tell me what has been the annual maintenance cost…

COUNCILPERSON HUBBARD: [Inaudible] thousand.

COUNCILPERSON DAVIS JOHNSON …of the railway? [Pause].

COUNCILPERSON HUBBARD: 5,000 and some change.

CHAIRPERSON DAVIS: Mr. Sherman?

CITY ATTORNEY DEGRAFFENREIDT: When is it that we've actually maintained the railways? We have maintained our easements [inaudible background comments].

UNK: Yeah. That's what it is.

CITY ATTORNEY DEGRAFFENREIDT: It, it's the easements we maintain...

PUBLIC WORKS DIRECTOR JOHNSON: Brent Johnson...

CITY ATTORNEY DEGRAFFENREIDT: ...not the railway.

PUBLIC WORKS DIRECTOR JOHNSON: ...Director of Public Works. Um...

COUNCILPERSON DAVIS JOHNSON Sure but...

PUBLIC WORKS DIRECTOR JOHNSON: Yeah. We don't, we don't actually maintain the railway itself. We pay...

UNK: Right.

PUBLIC WORKS DIRECTOR JOHNSON: ...for maintenance as it relates to the crossing arms, um, and everything else because I, I've talked to FEC extensively in the past and, basically, what it was, was, uh, they explained it that because the crossing arms are there for our benefit, for our beneficial use to get, you know, through the City, that's why they're there. So we pay for the cost of maintenance of the signal arms, the signal.., the signals themselves, uh, any maintenance that they perform on the roadway related to the tracks, things like that, we have to assist. And there was a while back where we had to pay like a thirty, $30,000 bill because they came in and did some maintenance to the roadway, um, at their tracks so we had to split that cost with them.

COUNCILPERSON DAVIS JOHNSON So then, the budget estimates that's in this agreement for them, speaks only to the crossing arms, the lighti'.., the lights that we currently maintain? This is.., you're saying we don't do anything with...

PUBLIC WORKS DIRECTOR JOHNSON: [Stammer]...

COUNCILPERSON DAVIS JOHNSON ...the tracks? And it's not going to be anything additional, above and beyond what we currently maintain?

PUBLIC WORKS DIRECTOR JOHNSON: You're referencing the current agreement that we have with them?

COUNCILPERSON DAVIS JOHNSON No. I'm looking at the new agreement and the language that's under, uh, Budget Estimates versus the language that's in the original

agreement which talks about us being responsible for maintenance. So, if, if in fact, you are saying to me that the.., that the maintenance fees are only covering the cost of what we currently maintain, which is our crossing arms and the flashing lights…

PUBLIC WORKS DIRECTOR JOHNSON: Mhmm.

COUNCILPERSON DAVIS JOHNSON …then that would make sense but it just brought pause to me when I read that, in connection with it and I wasn't sure if it was anything that we were paying maintenance on that All Aboard Florida would be introducing into our area.

COUNCILPERSON HUBBARD: Mhmm.

PUBLIC WORKS DIRECTOR JOHNSON: Nah, I can't…

UNK: [Inaudible]…

PUBLIC WORKS DIRECTOR JOHNSON: …say that it's… I mean, I think they're gonna be introducing probably more lights, more cro'.., cause it's a higher speed train, probably more lights. Um, and I think at that point, by the time it goes through here, it'll be at a higher speed so I think more crossing arms but, other than that, I mean…

COUNCILPERSON DAVIS JOHNSON So that would enc'.., that would cause…

PUBLIC WORKS DIRECTOR JOHNSON: We would incur…

COUNCILPERSON DAVIS JOHNSON …us to increase…

PUBLIC WORKS DIRECTOR JOHNSON: …those costs.

COUNCILPERSON DAVIS JOHNSON To incur an additional cost with more arms and more lights?

PUBLIC WORKS DIRECTOR JOHNSON: Possibly.

COUNCILPERSON DAVIS JOHNSON And do we have that budgeted and what was the annual licensing fee? Does anybody…

PUBLIC WORKS DIRECTOR JOHNSON: I don't…

COUNCILPERSON DAVIS JOHNSON …have that…

PUBLIC WORKS DIRECTOR JOHNSON: …I don't…

COUNCILPERSON DAVIS JOHNSON …figure?

PUBLIC WORKS DIRECTOR JOHNSON: ...know the fee, no. I know currently we pay about anywhere from seven to.., I can't.., off the top of my head I can't remember. It's about seven to $10,000 a year, roughly. Off the top of my head but, um... And that's for multiple crossings too. It's not just for one. You have...

COUNCILPERSON DAVIS JOHNSON Not just that...

PUBLIC WORKS DIRECTOR JOHNSON: ...13th Street, you have Blue Heron, you have different crossings...

COUNCILPERSON DAVIS JOHNSON Okay.

PUBLIC WORKS DIRECTOR JOHNSON: ...throughout the City. So I wanna say it's a total of maybe $10,000, roughly.

COUNCILPERSON HUBBARD: [Inaudible].

COUNCILPERSON DAVIS JOHNSON Madam Manager, I would like to see, um, a, a.., just a quick overview of what we actually paid in annual, annual fees and maintenance fees and how often we are maintaining. Is it, is it every six months, is...

PUBLIC WORKS DIRECTOR JOHNSON: Well, we don't, we don't maintain [inaudible].

COUNCILPERSON DAVIS JOHNSON No, no.

PUBLIC WORKS DIRECTOR JOHNSON: They do.

COUNCILPERSON DAVIS JOHNSON The maintenance for...

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON DAVIS JOHNSON I'm talking about for the crossing arms and that which we pay.

PUBLIC WORKS DIRECTOR JOHNSON: Right. They, they maintain it. I don't know how often they maintain it. They...

COUNCILPERSON DAVIS JOHNSON We pay.

PUBLIC WORKS DIRECTOR JOHNSON: ...maintain it, we just pay it. Right.

COUNCILPERSON DAVIS JOHNSON But how often is that maintenance...

COUNCILPERSON HUBBARD: Maintained?

COUNCILPERSON DAVIS JOHNSON ...occurring?

PUBLIC WORKS DIRECTOR JOHNSON: Oh, I...

COUNCILPERSON DAVIS JOHNSON Is what I'm asking.

PUBLIC WORKS DIRECTOR JOHNSON: That's.., yeah. We'd have to...

COUNCILPERSON DAVIS JOHNSON Do we know?

PUBLIC WORKS DIRECTOR JOHNSON: ...[inaudible] from FEC.

CHAIRPERSON DAVIS: Do you have a schedule?

COUNCILPERSON DAVIS JOHNSON Can we get that from FEC?

PUBLIC WORKS DIRECTOR JOHNSON: Yeah. We'd have to get it from FEC.

COUNCILPERSON DAVIS JOHNSON And before we move off of that, I wanna talk about this quiet zone. That's another concern of mine because, you know, we, we, you're saying.., because this is going to go through a community.

PUBLIC WORKS DIRECTOR JOHNSON: Mhmm.

COUNCILPERSON DAVIS JOHNSON And, we need to make sure that the FEC respects this community.
UNK: Yes.

COUNCILPERSON DAVIS JOHNSON And that quiet zone that is set for a quiet zone, because I live where there's supposed to be some quiet zone and I hear the train. I can tell ya the schedule. Right? So, we need to make sure, moving forward, that the quiet zone is honored with no infractions because that would be such an inconvenience to our residents. And we understand the need for the high speed rail, we understand the need for the additional tracks to go down but All Aboard Florida, you are put on notice, right here today, that that quiet zone will be respected and honored or whatever recourse we have, we're comin' for you because it's just.., it's, it's important. We need to be able to have quiet enjoyment and I don't know how often.., I've not seen a schedule of the train at this particular point but the one thing that I do know is it's probably going to be a rela'.., relatively quick process of going through but we still need to make sure that that's honored.

But I, I wanna know about the maintenance and all of that, please. [Pause]. Yeah. It's gonna be coming several times and, and the thing of it is...

COUNCILPERSON HUBBARD: [Inaudible].

COUNCILPERSON DAVIS JOHNSON ...is we need to be able to understand...

COUNCILPERSON PARDO: Right.

COUNCILPERSON DAVIS JOHNSON ...and have our...

COUNCILPERSON PARDO: 32 times a day.

COUNCILPERSON HUBBARD: [Inaudible].

COUNCILPERSON DAVIS JOHNSON 32 times a day?

COUNCILPERSON HUBBARD: 15 trips a day.

COUNCILPERSON DAVIS JOHNSON So...

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Yes. Councilperson Hubbard?

[Inaudible background comment]

COUNCILPERSON HUBBARD: Okay. The, the reason I pulled this Item, there was a.., some of the reasons that, that have been af'.., aforementioned. Now, while we're on the quiet zone, the problem with this is, what we have to understand, they're saying they'll put in a quiet zone for us but we would have to pay for it. See, these are the kind of things that we need to negotiate a bit better and we need.., you're coming in here to make millions off a high speed rail. They're putting down tracks for All Aboard. We already have a, um, a agreement with, with, with the railway. Now, the railway has given them a contract or authority to put in another set of tracks and then the railway's gonna allow them to put more burden on us. So the railway don't have the right to allow them to put that burden on us. They have the right now because nobody negotiated from a position of strength. Okay, we're, we're paying for the rail'.., the, the maintenance that's up there right now. Now you come in because you got a big project that you wanna do that you.., that's gonna burden us financially and now we have to pay for it. Somebody should've been negotiating for us to say, 'Hey, we're already paying FEC which is another crock. That's their railroad track, that's their train and there's certain responsibilities that they should behold.' If you have a car, it's your responsibility to have insurance on it, they require you to have a driver's license, you can't even park your inoperable car in your yard without license, so.., without insurance. So, if they're doing business in the City and they wanna do trains, they.., we have arms and.., and I know they lobbied, they got big money, they went up to Tallahassee or the federal government or wherever and got all of these, um, allowances and now it's supposed to be a problem for us, a financial problem for us. I don't think that we should just lay down for this. Whatever the difference is, we need.., they need to pay it. A quiet.., you're comin' in our.., you're comin' to disrupt the quality of life for us, you need

to pay for that to come through here. We need, we, we need somebody... This is where those lobbyists come in. This is where people need to be going to say, 'Hey, Riviera Beach has a problem with th'.., with this and that Riviera Beach wants certain considerations and set aside.' This is where all.., you see that list this long of lawyers that we pay for this, that and the third? This is where they need to be earning their money at because we should not have to pay for this. Also, in the document it said, if they tear up the road, there's a certain amount of footage that they will repair the striping. It never said, 'Whatever we tear up, as far as striping, we're gonna go back and repair it.' They...

CHAIRPERSON DAVIS: Excuse me.

COUNCILPERSON HUBBARD: ...have a set amount...

CHAIRPERSON DAVIS: Get back to.., your mic, your mic.

COUNCILPERSON HUBBARD: They have a set amount of footage that they're going to repair. These are the things that, that bother me. These are the things why we shouldn't sign this, these are the things that we need to get anybody that we' payin' that, um, to, to go and do whatever it needs to do to let them know that we're not satisfied with this. This is ridiculous. I mean, this just don't make no sense. Who would do this?

CHAIRPERSON DAVIS: So, so what are we suggesting? That, that we postpone this Item until...

[Inaudible background ground]

CHAIRPERSON DAVIS: ...they come back with a scheduling of what the maintenance is, um, been conducted over the last two years so we can review the cost associated with the scheduled maintenance?

COUNCILPERSON HUBBARD: No. That's not wh'... Well, that's one of the things and that's it, you know, if that's...

CHAIRPERSON DAVIS: Because...

COUNCILPERSON HUBBARD: ...what you wanna put on the table, then that's fine. What I'm saying'.., what, what I am pointing out and what I'm saying is to show the public that this.., that this is, this doesn't just have to be so. It may end up being so but I think that we need to look into this and not just say, 'Hey, you got a mu'.., a, a, a billion dollar project comin' here, ya'll gonna be making money hand over fist and you got the audacity to say, 'Ya'll gon' pay for the railroad crossing and the maintenance thereof.' I don't...

UNK: [Inaudible]...

COUNCILPERSON HUBBARD: ...think that we should just take that layin' down. So, I'm gonna make a motion, at this point, that we do not sign this, that we get with our, uh, Attorney and he get with our attorneys in the field and find out what can we do to offset some of this cost because we don't need to pay it. If the federal government or the state legislators allowed them to do this, they shoulda put some grant money on the street to cover these expenses. You know, they're going up there, lobbying, lobbying, lobbying and getting in all these things and coming back making us pay for it. That makes absolutely no sense. I think that we shouldn't.., we should fight it, call, write, go and let 'em know, if ya'll, if ya'll doin' favors, if ya'll lettin' them, All Aboard come through and put all of this on people, then ya'll need to put some money out here to cover those expenses and you need to 'em cover monthly, annually or however often you expected us to cover them.

UNK: [Inaudible].

COUNCILPERSON HUBBARD: I don't think we should, we should, um, stop there. So again, I think we... I, I move that we do not sign this, direct our Attorney and Staff to do whatever it takes to find out what options we have.

COUNCILPERSON DAVIS JOHNSON Let's ask a question. Your name again, sir?

COUNCILPERSON HUBBARD: [Inaudible].

MR. E. AARONSON: Eric.

COUNCILPERSON DAVIS JOHNSON Yes. Last name, please?

MR. E. AARONSON: Aaronson.

COUNCILPERSON DAVIS JOHNSON Mr. Aaronson. So, let me ask you this, do you have some flexibility in which to go back and lo'.., or discuss with your client the concerns that we have as it relates to the cost of the quiet zone? Because again, this is at a benefit to you, is there room for you to go back and discuss with your client, um, our concerns with regards to what is torn up and how it will be replaced?

MR. E. AARONSON: So, two responses. One, to the quiet zone, it is from my understanding that once we do the necessary upgrades to the crossing, that gets it to 85 to 90% of what it needs to be technical wise to become a quiet zone. From that point, the MPO pays the other 10 to 15% to get it to quiet zone status. To the second point, is regard is.., to regard to the tearing up of the street, uh, this agreement right here was the work of two years of negotiation with the League of Cities. Multiple other cities have already signed this agreement, Delray, Lake Worth, West Palm, Boynton, Palm Beach Gardens and the county itself.

COUNCILPERSON DAVIS JOHNSON Mhmm.

CHAIRPERSON DAVIS: What about Tequesta?

UNK: No.

MR. E. AARONSON: I do not have Tequesta here.

CHAIRPERSON DAVIS: [Chuckle].

MR. E. AARONSON: If I said yes, I don't wanna give you false information.

CHAIRPERSON DAVIS: [Chuckle]. Cause I know you had an issue up there with, um, with the Mayor up there.

CHAIR PRO TEM MILLER-ANDERSON: Chair?

COUNCILPERSON PARDO: And, yeah. I...

CHAIRPERSON DAVIS: They're fightin' for...

COUNCILPERSON PARDO: ...have a comment.

CHAIRPERSON DAVIS: ...the same issues that we're discussing now. So...

CHAIR PRO TEM MILLER-ANDERSON: I have a question.

CHAIRPERSON DAVIS: Hold on. Councilperson Johnson, did you get, did you get your question answered before I go to the Vice Chair?

COUNCILPERSON DAVIS JOHNSON I... The second part of the question, for me, wasn't answered. However, I would, I would support us going back and having conversation to find out.., and I understand what you said as it related to the quiet zone but, as it relates to the maintenance and the.., or the repair of what may be, uh, disheveled.

MR. E. AARONSON: The only answer I could give you is [stammer]...

COUNCILPERSON DAVIS JOHNSON I appreciate...

MR. E. AARONSON: ...if, if you could...

COUNCILPERSON DAVIS JOHNSON ...what you gave.

MR. E. AARONSON: ...if you table this issue, we can certainly look at it. That's, that's all I can say.

COUNCILPERSON DAVIS JOHNSON Then I will second the motion, to postpone it to the next meeting.

COUNCILPERSON HUBBARD: [Inaudible].

CHAIRPERSON DAVIS: Uh, discussion, question is for Councilperson…

CHAIR PRO TEM MILLER-ANDERSON: Yes. I just had a question in regards to the quiet zone, aren't there several ways of creating a quiet zone, it's not just not to blow the horn? There are a number of ways you all create a quiet zone, right?

MR. E. AARONSON: I do not wanna speak about quiet zones cause I don't have the full information about quiet zones and I wouldn't wanna give you anything false. I concede I'm not the main attorney from the law firm on this issue. My boss, Neil Shiller is the one that usually handles All Aboard but, due to a conflict, he couldn't be here tonight so I'm trying to fill in to the best of my abilities but I wouldn't wanna say anything about quiet zones that could potentially be untrue.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So along with that, I wanna make sure that they bring back the different options of, um, creating the quiet zone because just saying a quiet zone, it doesn't mean that they're not gonna blow the horn.

[Inaudible background comments]

CHAIR PRO TEM MILLER-ANDERSON: You know? It's, it'll still be noisy…

UNK: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: …so we need to understand clearly what the different choices are for quiet zones.

CHAIRPERSON DAVIS: Okay. Alright. Have any…

COUNCILPERSON PARDO: Mr. Chair?

CHAIRPERSON DAVIS: …questions?

COUNCILPERSON PARDO: Yeah. And…

CHAIRPERSON DAVIS: [Inaudible] Pardo.

COUNCILPERSON PARDO: …I have a comment. So, someone brought up the MPO. So, the MPO, I believe, received $10,000,000 from the state in 2005, uh, 2015 and that was for the, um, the quiet zones, up and down the coast. Just, an FYI.

MAYOR MASTERS: Mr. Chair? Point of order and clarification. The motion that I heard that the Councilwoman Lynne Hubbard made was that we would not sign it and that, um, we would advise our legal, and whoever else, to, to go and…

CHAIRPERSON DAVIS: Negotiate.

MAYOR MASTERS: Negotiate and research this.

UNK: [Inaudible].

MAYOR MASTERS: But then the second I heard was to table. So…

COUNCILPERSON DAVIS JOHNSON I said postpone, I didn't ask to…

MAYOR MASTERS: Postpone?

COUNCILPERSON DAVIS JOHNSON …table. So, I…

MAYOR MASTERS: I thought…

COUNCILPERSON DAVIS JOHNSON Postpone.

MAYOR MASTERS: …you said table.

COUNCILPERSON DAVIS JOHNSON No, I said postpone.

MAYOR MASTERS: Okay.

COUNCILPERSON DAVIS JOHNSON So, I wou'.., I would request the postponement so that we can get the additional information and the backup so that we can make a decision that is fiscally responsible, a benefit to the citiz'.., citizens and a benefit to the City.

MAYOR MASTERS: So the…

COUNCILPERSON HUBBARD: Well, let me restate my motion.

MAYOR MASTERS: Yeah. Cause there's a little…

COUNCILPERSON HUBBARD: Ambiguity.

MAYOR MASTERS: …confusion with me on that.

COUNCILPERSON HUBBARD: I move that we do not sign this contract…

MAYOR MASTERS: That's what I thought you said.

COUNCILPERSON HUBBARD: ...tonight. That we direct our Attorney...

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: ...to get with other attorneys that have.., that we have on.., that we use in this line of work. This, I'm sure, have been litigated, as the gentlemen pointed out for the last two years, or discussed or worked. Our Attorney needs to let them know what Riviera Beach's concerns are and find the attorneys that, um, do.., that can handle that, that we have. That, that have been working on this, that are working for us or what have you. Contact those lobbyists in Tallahassee, let them know... Just, if everybody.., every municipality around us signed this, it's still ludicrous. And it doesn't make any sense just, you know, just because they signed it. I want.., I move that we have our Attorney contact their attorney and we beef ourselves and get ready to let them know, we do not want this particular, um, we, we, we, we're not in agreement with this. Not that just.., not that we want somebody... I'm saying, just for me, it's not that I want any additional information from their office. I'm saying, based on this agreement, it is not one that we, we should sign. We should try to force a new document.

CHAIRPERSON DAVIS: I gotta ask the question. And the question is, for.., you're stating that our Attorney contact their attorney and.., at what point do they get the information to figure out what position they wanna take before they go to the meeting? Cause it has to come back to us before they go to them so we can approve what they wanna take to them.

COUNCILPERSON HUBBARD: No, I'm, I'm sure to get certain questions answered, he's going to have to call, to call them as the gentleman said, the, uh, the guy that's on this case was.., just had a conflict.

CHAIRPERSON DAVIS: Right.

COUNCILPERSON HUBBARD: So, in calling and contacting that attorney, he may very well have some of the information. If the information does not meet that they're willing to change any of the responsibility from our backs to theirs, then, that's when our Attorney needs to try to figure out how we can go and defend ourselves against this.

CHAIRPERSON DAVIS: So, you're saying for the two attorneys to get together and negotiate a better positon for the City and get the questions answered?

COUNCILPERSON HUBBARD: Not, not really negotiate a, a...

CHAIRPERSON DAVIS: What, what they gonna discuss then?

COUNCILPERSON HUBBARD: They're going ...

CITY ATTORNEY DEGRAFFENREIDT: I understand [inaudible]...

UNK: [Inaudible]...

COUNCILPERSON HUBBARD: The document, the document and the concerns that are had within the document. For example, let me give you a couple of examples of the things that I have...

CHAIRPERSON DAVIS: No. I, I got you on your...

COUNCILPERSON HUBBARD: ...concerns...

CHAIRPERSON DAVIS: ...on your examples. But I'm trying...

COUNCILPERSON HUBBARD: Oh, you were asking...

UNK: [Inaudible].

COUNCILPERSON HUBBARD: ...me what were they gonna discuss?

CHAIRPERSON DAVIS: No. My issue is, if they're, if they're discussing something, that's negotiating.

UNK: Yes.

CHAIRPERSON DAVIS: Please help me understand. If I'm wrong, somebody correct me.

COUNCILPERSON HUBBARD: What...

COUNCILPERSON DAVIS JOHNSON So...

COUNCILPERSON HUBBARD: ...discussing... No. It's not negotiating but we can use that terminology if you want to...

COUNCILPERSON DAVIS JOHNSON I...

COUNCILPERSON HUBBARD: ...negotiating...

[Inaudible comments]

CHAIRPERSON DAVIS: Okay. Councilperson Johnson?

CITY ATTORNEY DEGRAFFENREIDT: Your concerns, as I understand it, so correct me if I'm wrong, are the cost of maintenance of the improvements, like, the crossing...

The cost of the improvements that are going to be made to the crossings as well as the cost of implementing the quiet zone proceeding?

COUNCILPERSON HUBBARD: Yes. [Inaudible].

COUNCILPERSON DAVIS JOHNSON No.

CITY ATTORNEY DEGRAFFENREIDT: Is there another one?

COUNCILPERSON HUBBARD: The continuum…

COUNCILPERSON DAVIS JOHNSON No.

COUNCILPERSON HUBBARD: …maintenance… My conc'…

COUNCILPERSON DAVIS JOHNSON Not for me.

COUNCILPERSON HUBBARD: Okay. For my.., for me…

CITY ATTORNEY DEGRAFFENREIDT: Okay.

COUNCILPERSON HUBBARD: For me, my concern is the cost.., the additional cost… Okay, we're already paying FEC one cost, All…

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: …Aboard comes along, we get an increase in cost. Let's start, at least, at the difference between the two…

CHAIRPERSON DAVIS: Excuse me.

COUNCILPERSON HUBBARD: We do'…

CHAIRPERSON DAVIS: Before [stammer], I'mma ask you a question. Do you wanna discuss this in front of them now? Because, what if our position's gonna be of strength, they don't need to know it in a public meeting.

UNK: Right.

COUNCILPERSON HUBBARD: Well, he, he…

CHAIRPERSON DAVIS: So, what…

COUNCILPERSON HUBBARD: …already kn'…

CHAIRPERSON DAVIS: ...what, what we might need to do, is to.., all of us give our information with the Attorney in, in a, in a one on one so he can take all that information back but let's not discuss this and, and negotiate publicly...

COUNCILPERSON HUBBARD: I'm n'.., and, and..

CHAIRPERSON DAVIS: ...and then [stammer]...

COUNCILPERSON HUBBARD: ...again, I said I was not talking about negotiating...

CHAIRPERSON DAVIS: But what [sigh]...

COUNCILPERSON HUBBARD: ...and we're not.., I'm not giving any strategy to the Attorney...

CHAIRPERSON DAVIS: We're talking now. This is...

COUNCILPERSON HUBBARD: I'm not giving...

CHAIRPERSON DAVIS: ...strategy.

COUNCILPERSON HUBBARD: Thi'.., no, this is not strategy. This is a list of concerns...

UNK: Okay. Um...

COUNCILPERSON HUBBARD: ...that, um, that are listed in this document that's for the public that everybody has and all I'm sayin' again, we.., these are the concerns that I have and these are the concerns that I suggest that we ask our Attorney to look into and to let them know, 'Hey, my Board will not sign this document because they have these concerns,' and let them respond. And if it's not favorable for us, then let's move forward. That's all...

COUNCILPERSON DAVIS JOHNSON Mr. Chair?

COUNCILPERSON HUBBARD: ...I was saying.

CHAIRPERSON DAVIS: Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON I would like to withdraw my motion, my second and, um [pause] and, and, and state to you what my position was for the postponement. Providing the postponement of this Item, there is no signature, there's no authorization that gives us an opportunity to go back and do the very things and have the discussion as it relates to our concerns. Our concerns regarding the additional maintenance cost, our additional concerns with the cost of a quiet zone and getting the information so that, as a, uh, elected body, I want to be able to see what we have paid in the past as it

relates to our licensing agreement fee, our maintenance fees and other associated costs. So, that was the reason behind my request for postponement because that gives us an opportunity to do what you are requesting.

COUNCILPERSON HUBBARD: Not signing this [stammer], Mr. Chair. Not signing this, this agreement will postpone whatever we were going to do tonight. But, what I was listing was the reasons and the, and, and the things that, that I have a problem with. Having Mr. Degraffenreidt to move forward with that, with that law firm to say that th'.., these are the issues that need to be resolved prior to Riviera Beach signing. So, we can use the language and the terms and the different, uh, things that we're, that we want to. Basically, we're saying.., we're, we're, we're saying the same , we're saying the same thing.

CHAIRPERSON DAVIS: Ms....

COUNCILPERSON HUBBARD: That we're not gonna sign it until we find out, do we have a leg to stand on to not pay any of those costs.

CHAIRPERSON DAVIS: Attorney Degraffenreidt?

CITY ATTORNEY DEGRAFFENREIDT: Yes, sir.

CHAIRPERSON DAVIS: So, would you be able to look at the minutes and watch the meeting, the notes that was suggested from all the colleagues about what they'd like to see happen, go back and negotiate with their attorney then bring something back to the Board? Based upon the information that's been recommended by each person today?

CITY ATTORNEY DEGRAFFENREIDT: I believe so. Yes, sir.

CHAIRPERSON DAVIS: Okay. So we don't really need a motion for that. We can just move forward.

MAYOR MASTERS: So that's a directive to the Attorney?

CHAIRPERSON DAVIS: But we can just have a motion to postpone.

[Inaudible background comments]

CHAIRPERSON DAVIS: We just need a motion to postpone this Item so Degraffenreidt can sit down and keep everything in consideration so when he.., can go back to their attorney, he knows what to do based upon information that's been explained in this meeting.

COUNCILPERSON DAVIS JOHNSON Mhmm.

CHAIRPERSON DAVIS: Do we have a second.

CHAIR PRO TEM MILLER-ANDERSON: Second. To postpone right?

[Inaudible background comment]

CHAIRPERSON DAVIS: To just postpone this meeting til that happens.

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIRPERSON DAVIS: Do we have a motion?

CHAIR PRO TEM MILLER-ANDERSON: Oh, I thought you already had a motion.

COUNCILPERSON DAVIS JOHNSON We just [inaudible]…

CHAIRPERSON DAVIS: We did have a…

COUNCILPERSON DAVIS JOHNSON …[inaudible]..

CHAIRPERSON DAVIS: ...motion for the postponement.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible] second.

CHAIR PRO TEM MILLER-ANDERSON: I said second.

CHAIRPERSON DAVIS: Second. Okay. Any questions?

DEPUTY CITY CLERK BURGESS: I'm sorry. Who made the first motion cause I didn't hear it?

CHAIRPERSON DAVIS: Ms. Hubbard made the first motion.

CHAIR PRO TEM MILLER-ANDERSON: Is, is that the motion… Is she agreeing to that?

COUNCILPERSON DAVIS JOHNSON I withdrew my second.

MAYOR MASTERS: She withdrew [inaudible]…

CHAIRPERSON DAVIS: [Stammer].

[Inaudible background comments]

CHAIRPERSON DAVIS: Okay. Well, let's go back to the…

CHAIR PRO TEM MILLER-ANDERSON: Well…

CHAIRPERSON DAVIS: ...motion of this Item, to disburse this Item. Do we have a motion to postpone this Item so that Staff can go back and negotiate the terms that everyone on this Board has already agreed to they'd like to see happen?

CHAIR PRO TEM MILLER-ANDERSON: Well, is that what you...

CHAIRPERSON DAVIS: No. I'm just asking...

CHAIR PRO TEM MILLER-ANDERSON: No, no. [Inaudible]...

CHAIRPERSON DAVIS: ...for a motion...

CHAIR PRO TEM MILLER-ANDERSON: But she has a motion on the floor though.

CHAIRPERSON DAVIS: No. The motion...

COUNCILPERSON DAVIS JOHNSON She has a motion with no second.

CHAIRPERSON DAVIS: ...motion.., the second's been removed. There's no second.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIRPERSON DAVIS: It's not there no more. So, I'm asking for a motion to po'.., just postpone...

COUNCILPERSON DAVIS JOHNSON So moved.

CHAIRPERSON DAVIS: ...this Item. Do we have a second to postpone this Item?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIRPERSON DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Councilperson Hubbard dissenting.

MR. E. AARONSON: Thank you.

CHAIRPERSON DAVIS: Thank you, sir. Item No., 10.

DEPUTY CITY CLERK BURGESS: 10. RESOLUTION NO._____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING AUTHORIZATION TO NEGOTIATE THE PURCHASE OF AN ENTERPRISE RESOURCE PLANNING SOFTWARE SOLUTION FOR THE CITY WITH TYLER MUNIS PUBLIC SECTOR; AND PROVIDING AN EFFECTIVE DATE.

CHAIRPERSON DAVIS: Do we have a motion? [Pause]. No motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON HUBBARD: So moved.

CHAIRPERSON DAVIS: Do we have a second?
COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Okay. Moved by Vice Chair and seconded by Councilperson Hubbard. So, this Item was pulled by Councilperson Hubbard. You have questions?

CHAIRPERSON DAVIS: We got about 35 minutes before the meeting…

COUNCILPERSON HUBBARD: [Stammer]. We have, um.., what I wanted to find out about the Tyler Munis is, we were talking about and as I… As I sent, um, an email out, I wanted to find out, is this just for the internet service or the software that will cover the finances that we were talking about? Exactly which piece.., because we have 10 and 17 and I wanted to see how they, uh, see if you could explain what's happening with both of them and how they both go.., will work together.

FINANCE DIRECTOR SHERMAN: Sure. This... Randy Sherman, Director of Finance and Administrative Services. This Item in front of you is really almost totally unrelated to the SunGard Item, I think you...

COUNCILPERSON HUBBARD: 17.

FINANCE DIRECTOR SHERMAN: ...said 17. This Item is for the Enterprise Resource Program system. What this software will do is it'll integrate all of the City services and all of the software that, you know, we currently use. We'.., you know, multiple systems will go away, we will now have one system. So, it'll cover Human Resource, Community Development, Finance, you know, it, it's going to be a very broad system. It'll allow us to do, um, you know, mobile reporting, online reporting, much more transparency than, than we've ever had before. It'll do self-service. So, not only can our employees do self-service on HR, customers can do self-service, vendors can do self-service, you'll be able to schedule.., excuse me, schedule inspections online.

UNK: Okay.

FINANCE DIRECTOR SHERMAN: This is a overall entire enterprise wide account'.., uh, again, not accounting system but resource system.

COUNCILPERSON HUBBARD: So, will this, will this, um, Item interface with the software that we were talking about for financial purposes?

FINANCE DIRECTOR SHERMAN: Yeah. Finance is one of the components. Um, which again, includes all your receivables, your payables, your purchasing. Um, you know, we, we will integrate with Parks & Rec. Integrate with Utilities. I mean again, it's, it brings all of those...

COUNCILPERSON HUBBARD: Together.

FINANCE DIRECTOR SHERMAN: ...systems that we have and it's now one system.

COUNCILPERSON HUBBARD: Right. And that's what we talked about in the...

FINANCE DIRECTOR SHERMAN: Correct.

UNK: Workshop.

FINANCE DIRECTOR SHERMAN: Correct.

COUNCILPERSON HUBBARD: ...in the retreat so that we could bring everything in, um, together and everybody could use and be on the same type of program. Let me ask you this, did we.., the external auditors made some comments about our, our systems and mostly they were talking about the CRA systems and how we record information and

how we process. Did we, did we engage them in this as, as we choose... Say for example, Finance, for example, the component for Finance that we're choosing, did we engage these external auditors? Because we asked them when they were standing there and.., about the different vendors and we.., and they, um, I remember they told us.., you named Tyler Munis, they said that that one was a, a good one but did we engage them in the components that we are buying because this is a very large ticket Item and I was just wondering did we get any, um, advice...

FINANCE DIRECTOR SHERMAN: Yeah. No.

COUNCILPERSON HUBBARD: ...from the external auditors?

FINANCE DIRECTOR SHERMAN: And, their, their concern was more with the CRA than with the City. Again, the City was able to produce financial statements. The CRA wasn't able to do that. Uh, we didn't.., they're not allowed to consult when they're our auditors. The group that I did talk to though is GFOA which is the Government Finance Officers Association. I went to them and asked them about the software, get references, we talked about our needs assessment that had been done and, you know, the City profile, what services we provide and they came down to the, pretty much, the same two companies that our consultant recommended which was Tyler Munis and SunGard. So we proceeded to analyze both of those software. And, you know, this is where we are, two years later we're, you know, would like to, you know, bring forth the ability to negotiate with, the Tyler Munis.

COUNCILPERSON HUBBARD: Okay. And who were the three? It was, um, who were the other three.., who were the three vendors that it...

FINANCE DIRECTOR SHERMAN: It, it was...

COUNCILPERSON HUBBARD: ...came down to?

FINANCE DIRECTOR SHERMAN: ...it was Tyler Munis, it was SunGard and it was a group called New World and New World ended up being acquired by Tyler Munis along the way. During the two years, when we were [chuckle] doing the evaluation, one of them got swallowed up.

COUNCILPERSON HUBBARD: So, in the backup, you.., were it goes from department to department and each department head signs off on it, I noticed Purchasing didn't. Why did'.., Purch'.., what did Purchasing think it was too high, wasn't a fair price, what happened?

FINANCE DIRECTOR SHERMAN: No again, as I mentioned before, we, you know, we do have a steering committee meeting that everyone, um, again, I can run through them. We have Public Safety is on there, Public Works is on there, City Admin is on there, Purchasing does sit. But Purchasing is a non-voting member of, of that committee. Because again, as we go through and do, do contracts and the like, you

know, they wanna make sure that they maintain their independence but this is the same process. I will tell you that we did use, on Item No. 17, we went through the same process. We, we came back to the Council in March and that was, you know, before.., I think it was before one of the elections anyway, um, and asked again to negotiate, um, and bring it forward.

COUNCILPERSON HUBBARD: Another question. [Pause]. So, this is.., we, we stated that this was a comprehensive plan that would bring all the pieces together. In [pause], in the negotiations, it stated in the backup that you wanted to negotiate the buying of services. Well, is there a.., is there prices for the different components that you, you pick from their menu and you have the different prices that you're going to buy, what are we negotiating, what are we trying to buy. I see the departments that you want...

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON HUBBARD: ...to use in the backup but I didn't understand exactly what you were referring to.

FINANCE DIRECTOR SHERMAN: Well again, if, if, if.., one of the attachments was the entire price list that they had offered us.

COUNCILPERSON HUBBARD: Okay.

FINANCE DIRECTOR SHERMAN: And what we'll do is we will negotiate off of that downward. Um, there are a lot of, I'll call 'em modules, on that list that we may or may not need.

COUNCILPERSON HUBBARD: Right.

FINANCE DIRECTOR SHERMAN: And we, again, obviously, we will throw those out. And again, negotiate. We'll sit down when we're ready to negotiate, for example, the Human Resource portion. You know, we'll make sure Human Resource is there to find out, again, if they wanna use the applicant process, do they wanna use the training module, do they wanna use the online self-service? I mean, I think we, we found a lot of that when we went through and actually did the demonstrations, what everybody wanted. We found out a lot of that when we did the needs assessment. But now that we're coming down and, you know, to, to, you know, hopefully, to the end to be able to get a contract. We will go through each one of the items that they offer in each one of the areas to find out if it should be included or not.

COUNCILPERSON HUBBARD: Okay. And I guess that's why I was asking you about getting the external auditors involved or a consultant so that the modules that we choose and the modules that we buy would actually be modules that will produce a clean audit as the gentleman had, um, suggested earlier.

COUNCILPERSON DAVIS JOHNSON Mr. Chair?

FINANCE DIRECTOR SHERMAN: I'm sorry, Ms. Jones, I...

CHAIRPERSON DAVIS: Councilperson, um... Mrs. Jones, you had some'...

FINANCE DIRECTOR SHERMAN: Yeah. I'm sorry.

CITY MANAGER JONES: No. What I was asking him to talk about was that CRA.., the discussion with CRA about them using this financial system that might help...

FINANCE DIRECTOR SHERMAN: Right.

CITY MANAGER JONES: ...with next year's audit so we wouldn't have those problems.

FINANCE DIRECTOR SHERMAN: Right.

CITY MANAGER JONES: That's what I...

[Inaudible comments]

FINANCE DIRECTOR SHERMAN: ...[Stammer] Mr.., Mr. Evans...

COUNCILPERSON HUBBARD: And I understood what the gentleman from the audit team was saying about the fact that QuickBooks was not the product that anyone would use...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: ...that was managing that level of money. I was real clear on that.

CHAIRPERSON DAVIS: Qui'.., what happened?

COUNCILPERSON DAVIS JOHNSON When the auditor...

COUNCILPERSON HUBBARD: The, the auditor was saying that QuickBooks isn't something that anybody managing that kind of money should be using over in the CRA.

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: And we discussed...

CHAIRPERSON DAVIS: And so...

COUNCILPERSON HUBBARD: ...the fact that they need to use the same thing that we're...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: ...using...

CHAIRPERSON DAVIS: And s'...

COUNCILPERSON HUBBARD: ...so if somebody...

CHAIRPERSON DAVIS: ...and so, Ms. Jones...

COUNCILPERSON HUBBARD: ...dropped dead...

CHAIRPERSON DAVIS: ...you was...

COUNCILPERSON HUBBARD: ...over there, we could still know.

CHAIRPERSON DAVIS: So, you were just asking Mr. Sherman to...

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIRPERSON DAVIS: ...explain to us that...

FINANCE DIRECTOR SHERMAN: Well, one, one thing about...

CITY MANAGER JONES: To actually tell you about the discussions with...

CHAIRPERSON DAVIS: Between...

CITY MANAGER JONES: ...the CRA...

FINANCE DIRECTOR SHERMAN: Right.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: ...[stammer] about them using the same software.

FINANCE DIRECTOR SHERMAN: One...

COUNCILPERSON DAVIS JOHNSON So, [inaudible]...

FINANCE DIRECTOR SHERMAN: ...one of the pluses with Tyler Munis is you can run multiple entities in...

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: ...their system so it's as if there are two separate sets of books or three separate sets or how many ever entities...

COUNCILPERSON HUBBARD: Right.

FINANCE DIRECTOR SHERMAN: ...you wanna run. Uh, our discussions that we've had with Mr. Evans is, he's more than willing to come on, you know, if the City...

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: ...brings Tyler Munis on, he's more willing to, you know, run his books through, through that system.

CHAIRPERSON DAVIS: Cool. Councilperson Johnson.

FINANCE DIRECTOR SHERMAN: And then...

COUNCILPERSON DAVIS JOHNSON So le'...

FINANCE DIRECTOR SHERMAN: ...again, when we go to do the coffer, everything's in one system and we can just merge the information.

COUNCILPERSON DAVIS JOHNSON Let me tell you the concern that I have from the procurement process standpoint. I've read your document, I understand that we use ClientFirst as our consultant and it was a recommendation. However, what I do not see or understand is why we are treating this as if it's a single source situation. I would like to know why we didn't put this out on the street as an RFP as, you know.., at what point do you [stammer], at what point do you move away from your internal procurement process to go after what it is that you are seeking? I don't see that as a fair and equitable process because what you are doing, based on what I'm reading, is you are taking the recommendation of a consultant and moving forward to shift into negotiations on this particular contract. I, I am concerned based on the dollar value, I am concerned based on the fact that it should be going out, in my opinion, as an RFP and not as a single source. I understand that you did some, some, um, conversation with Wellington but Wellington hasn't even s'.., that haven't.., they have theirs out on the street as an RFP waiting to select their, their, their particular vendor.

So, can you tell me why we're treating this, in my mind, it's being treated as a single source and we did not go out for an RFP?

FINANCE DIRECTOR SHERMAN: Yeah. It's really not a single source. The, the consultant, as part of their role doing the study, when they did the needs assessment, they came back and they were asked to identify the software providers that fit our profile.

COUNCILPERSON DAVIS JOHNSON Mhmm.

FINANCE DIRECTOR SHERMAN: Okay? Um, so we then started with the three companies that they had identified and went through the selection process, the review process, the analysis with those three. When you're selecting software, and again, I mentioned, you know, we did if for the CAD system on Item 17, you're trying to find best of breed what, what fits. It, it's, you know, it's more like, you know, you're trying to find a partner, you're trying to find somebody you're gonna be, you know, married to for a long time here. You know, you don't buy software for a couple years so you wanna make sure that you have a good fit. So we went through.., again, this has taken us two years to get to this point, gone through, we can.., not only confirmed it or took the information that our consultant gave us, again, I met.., I also took it to GFOA and got them, them to, you know, have those discussions and then did our due diligence by sending people to the user conferences for all of the, the three software companies, doing all the demos.

The issue with Wellington is, is Wellington is a little bit further be'.., behind us but they wanted to sit in on all the demos because they actually have SunGard and they're looking to get rid of SunGard. So, the value of having Wellington in our, our demonstrations, was that we could get a good, strong comparison. They would see things on Tyler and say, 'Well, this is how SunGard does it.' When we saw it on SunGard, we had a, you know, a good idea on how to compare the two issues. My understanding and I, and, and I could be wrong, maybe they're a little bit further, um, I think they are just in the RFP process to do the needs assessment. So they.., again, they're, they're about 18 months, almost two years behind where we are.

COUNCILPERSON DAVIS JOHNSON And I appreciate all that you just said to me and I understand the timeframe but I am still concerned with us going against... You, you may have attended the user meetings, you may have had the hands on experience but if we don't put it out publicly, I mean, and there may be somebody else that's out there and I'm not necessarily pushing one over the other, I, I am talking strictly from a procurement standpoint and process. We are, in my mind, you're saying the Staff has gone through the review process and it has determined that Tyler Munis is it. But that was simply just a recommendation from the consultant. The consultant did what it was supposed to do which was to do the recomm'.., recommendation but we have a responsibility to put it out on the street and to bid it because someone may come back providing the similar service at a lower price but we will never know if we are just simply moving forward, in this vein, with Tyler Munis.

FINANCE DIRECTOR SHERMAN: I understand what you're saying and I'm not [chuckle], not trying [stammer], but the issue with software is it's not necessarily low price that you're looking for.

CHAIRPERSON DAVIS: Hold on.

FINANCE DIRECTOR SHERMAN: [Inaudible]...

CHAIRPERSON DAVIS: Excuse me.

FINANCE DIRECTOR SHERMAN: You're…

COUNCILPERSON DAVIS JOHNSON And I'm not suggesting that.

FINANCE DIRECTOR SHERMAN: You're looking for…

CHAIRPERSON DAVIS: [Inaudible] a question…

CITY MANAGER JONES: [Inaudible] saying it could've been an RFP…

CHAIRPERSON DAVIS: Attorney Degraffenreidt?

CITY ATTORNEY DEGRAFFENREIDT: Yes, sir.

CHAIRPERSON DAVIS: Is this legal?

CITY ATTORNEY DEGRAFFENREIDT: I do not know. Can you rephrase the question, I was…

CHAIRPERSON DAVIS: Okay. What's being recommended is that, based upon two years of research, Mr. Sherman…

CITY ATTORNEY DEGRAFFENREIDT: Mhmm.

CHAIRPERSON DAVIS: Is, request.., he's had a.., some recommendations by a consultant…

CITY ATTORNEY DEGRAFFENREIDT: Mhmm.

CHAIRPERSON DAVIS: …and I guess… Mr. Sherman, explain a little bit more than I [inaudible] cause I don't…

FINANCE DIRECTOR SHERMAN: Well, again [inaudible]…

CHAIRPERSON DAVIS: …wanna say the wrong thing.

CITY ATTORNEY DEGRAFFENREIDT: The question's whether or not what he proposes is legal?

CHAIRPERSON DAVIS: Through the procurement process. Do we, are we required to make this public? Does it satisfy?

CITY ATTORNEY DEGRAFFENREIDT: I don't think there's a requirement to do it, whether or not it's in the best interest of the City or whether you wanna procure that same course, that's up to you. Sometimes the legal question is not the best answer.

COUNCILPERSON DAVIS JOHNSON [Chuckle].

CHAIRPERSON DAVIS: Mhmm.

CITY ATTORNEY DEGRAFFENREIDT: The question you're asking me is whether or not there's a legal requirement we do it in a way other than Randy proposes.

CHAIRPERSON DAVIS: Correct.

CITY ATTORNEY DEGRAFFENREIDT: No.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: But you can determine that it, it's in the best interest, as the legislative body, to do something different than he proposes [inaudible].

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON Gentleman, I'm not looking for the lowest price.

FINANCE DIRECTOR SHERMAN: Okay.

COUNCILPERSON DAVIS JOHNSON When I came to this Board, I simply said to you all, if there is a process that we have in place, then we need to follow that process and if we have a process within procurement that we need to put an RFP on the street for this particular service, then we need to put the RFP out on the street. Again, you, you keep saying to me that, you know, you don't treat it as a single source but you're taking the recommendation of a consultant, whom we paid…

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON DAVIS JOHNSON …to give us a recommendation. Okay, they gave us the recommendation so we know who's out there, we know who has what components of the system that we need but you need to do a fair process, in my opinion, by putting it out. Tyler Munis may come out on top but I believe, personally, that there is a procurement process in place, that procurement process should be followed. And I don't need to, you know, have this repeated exchange, I'm, I'm stating, for the record, if there is a procurement process in place, based on the dollar value of this, we need to consider putting it on the street. Give them an opportunity to bid and give those others that may have an oppor'…

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON DAVIS JOHNSON …that, that may want an opportunity to bid.

FINANCE DIRECTOR SHERMAN: Understood. And I just.., if I can follow up on Attorney Degraffenreidt, the procurement code allows us [chuckle] to, to bring this forward and ask to negotiate. If the Council so desires that they don't want us to do that, you know, and you want us to go back another.., we'll go back and [chuckle] issue an RFP. I'm not saying, you know, we're not fighting then, I think, you know, that's what the Attorney has said. Again, and I, you know, and I just, my opinion I guess, is, you know, I think it, it was an absolutely fair process and we gave everybody a, you know, an opportunity that fit our profile and what they provided, an opportunity to present and…

CHAIRPERSON DAVIS: So, how, how…

FINANCE DIRECTOR SHERMAN: …and make their case.

CHAIRPERSON DAVIS: …many people…

COUNCILPERSON DAVIS JOHNSON Are there only…

CHAIRPERSON DAVIS: …responded?

COUNCILPERSON DAVIS JOHNSON …three... I'm sorry.

CHAIRPERSON DAVIS: [Inaudible] Go ahead.

COUNCILPERSON DAVIS JOHNSON Are there only three vendors out there that provide this service?

FINANCE DIRECTOR SHERMAN: There's three vendors that [stammer], there's three vendors that provide the type of service for our size community.

COUNCILPERSON DAVIS JOHNSON Only three?

FINANCE DIRECTOR SHERMAN: We're not… Yeah. Yeah. I mean, again, this is, this is what, again, not only did our consultant identify three, and actually it's not even the three anymore, GFOA recommended the same thing. This is what most people are using, SunGard or Munis in South Florida.

CHAIRPERSON DAVIS: Can…

FINANCE DIRECTOR SHERMAN: [Inaudible]…

CHAIRPERSON DAVIS: …can I hear from IT? Even though I…

FINANCE DIRECTOR SHERMAN: Sure.

CHAIRPERSON DAVIS: …respect your position as a numbers guy.

FINANCE DIRECTOR SHERMAN: Yep.

CHAIRPERSON DAVIS: I wanna hear from a software person.

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIRPERSON DAVIS: Young lady or young man, whoever they may be.

FINANCE DIRECTOR SHERMAN: Fix this because Deandre's gonna [inaudible]...

MR. E. MELLA: City of Riviera Beach, this is Elvis Mella, IT Manager.

CHAIRPERSON DAVIS: Okay.

MR. E. MELLA: Alright. To explain the ERP, okay? The most important thing to understand is it's not just a piece of software. The thing that we constantly look at, and it's also the same thing that a lot of municipalities look at, is software and saying, 'We're gonna buy a piece of software.' We're not. What we're really buying is partnership between us and the vendor. At the same time, and here's the most kicker, and the key indicator of this process was each vendor had to be able to perform a business analysis on each department. And here's the reason why, because we need to understand and document and diagram our business processes and then, after we've done that, then we have to go ahead, look at the new software that we're about to use and change those processes and make sure that they work based on those software recommendations. Of course, that's stuff that we would have to bring to Council. Say, for example, policies have to change due to the fact of software, things like that, but that's the main goal. The main goal is basically to have a unified software where you have every department understand every single business function within every department and it gives us more transparency and allows us to collaborate with one another. Cause we'll be able to understand that. Every five years we'll be able to update it, meaning that that business model can change and grow with the times and it'll allow us to go ahead and be more expansive towards our future. It's not just an app. It's more than that, it's more of a partnership and a collo'.., a collaboration between a vendor and us.

CHAIRPERSON DAVIS: So let me ask you a question so we can get to what we're trying to find out. Are there more than three vendors, or two now, that's been suggested by the consultant that's possibly out there that we maybe haven't even spoke to? Is that possible?

MR. E. MELLA: It could be possible because some companies can make different types of software. But here's where the kicker is...

UNK: [Sigh].

MR. E. MELLA: ...there's specifically the top three market trend customers, I mean, vendors that...

CHAIRPERSON DAVIS: Okay.

MR. E. MELLA: ...you'll need to look at as the main, that fits your role because they are the ones that have been experienced and have all the years of knowledge concentrating and building departments and understanding what they do and, and explaining to them how to use the software to fit them. So, it makes it a little bit harder for us to go ahead and say, 'Oh, there's a slew,' because there really isn't. And, not to mention, what you'll also get, is you'll get people coming in saying, 'Yes. You know what we can do this,' and then when you go through the s'.., you know...

CHAIRPERSON DAVIS: [Chuckle].

MR. E. MELLA: ...the, the Selection Committee, you find out they can't even do the regular business analysis. And it's the same thing with our process... The reason why we did this process is the exact same reason we did it for CAD and RMS because the one thing that we're really concentrated on, especially from an IT standpoint, is the business part. The one thing that I noticed, sitting with Staff and most departments, is that they need help with software and their business and how to put them together so they can be more productive and be able to be more transparent, provide you the reports and data's that.., and data that you need.

CHAIRPERSON DAVIS: Thank you for the IT lesson.

MR. E. MELLA: Yeah.

[Inaudible comment]

CHAIRPERSON DAVIS: Here's where I am. [Inaudible] talk all my colleagues here. Based upon what's been presented before us, our good Councilperson Johnson's right, that we do have three people that's been highly recommended but we do need to see what the market also has to offer because there may be somebody out there that may have been missed by this consultant. And, I mean, I support Councilperson Johnson for us to put this particular Item out for bid to see who else may respond that may be just as competitive. We won't know that unless we actually put it out there and that's why that process is in place.

MAYOR MASTERS: Mr. Chairman?

CHAIRPERSON DAVIS: I'll just hear... Go ahead, Mayor.

MAYOR MASTERS: I feel this Resolution should, in all due respect to IT and to the Finance, should be voted down and the process should go out to RFP. I think you're absolutely right and I think Ms. Tonya Davis Johnson's correct, we cannot, I don't wanna use the phrase, 'bend the rules,' but if that's our process, if it was two or three, it still should be followed for RFP.

CHAIRPERSON DAVIS: Yeah. Cause I would support it if it was just two or three available.

MAYOR MASTERS: Yeah.

CHAIRPERSON DAVIS: But, there's nothing they stated that there may not be others out there. And, you know, they don't have the time to search cause they've got other things to do in the City. And…

UNK: [Inaudible].

CHAIRPERSON DAVIS: …that was the consultant's job to do but, even with that, the consultant, you don't know what their relationships to these particular vendors and there may be others that… The consultant, not to say anything about the consultant, I just feel like we need to put it out there for the market and see what the market has to offer.

MAYOR MASTERS: Well, for me, even if it was two or three, I think we still should go with the process.

CHAIRPERSON DAVIS: If it was just three, then that'd be different. But there's more…

MAYOR MASTERS: But if you don't know…

CHAIRPERSON DAVIS: …and you…

MAYOR MASTERS: …[inaudible]…

CHAIRPERSON DAVIS: We don't know and that's why, at some point…

MAYOR MASTERS: Gotta go with the process.

CHAIRPERSON DAVIS: …we gotta find out. And that's the only way we can find out.

COUNCILPERSON HUBBARD: Question.

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON HUBBARD: Does other companies offer Tyler Munis or [inaudible] the, the Tyler Munis program or are.., do they just…

MR. E. MELLA: It's just them.

COUNCILPERSON HUBBARD: It's…

MR. E. MELLA: The, the Tyler…

COUNCILPERSON HUBBARD: …just them?

MR. E. MELLA: Yeah. Think, think of it as, uh, it's their proprietary software. Kinda like how…

COUNCILPERSON HUBBARD: Mm.

MR. E. MELLA: …SunGard had their proprietary software and New World has theirs but New World got bought by Tyler and that's why they were moved out of the equation.

UNK: Uhuh.

COUNCILPERSON HUBBARD: If you remember, what were the other two software products that the external auditor told us were, uh, his recommendation, outside of Tyler Munis?

MR. E. MELLA: Are you talking about the external auditor or the, the consultant, the IT consultant?

COUNCILPERSON HUBBARD: The external auditor.

MR. E. MELLA: They probably mentioned SunGard…

CHAIRPERSON DAVIS: Yeah. They did.

MR. E. MELLA: One Solution, which was the actual, um, competitor that we actually put in for it. So they were one of the top three, that were actually looked at.

COUNCILPERSON HUBBARD: Okay. I, I didn't remember the other two names, I remembered Tyler Munis and that they had rec'.., recommended them highly as, um, [inaudible]. But, okay.

Thank you.

MR. E. MELLA: Yep.

CHAIRPERSON DAVIS: Do, do we have a motion to.., do we wanna just give a directive to put this out for competitive bid?

COUNCILPERSON HUBBARD: I, I wanna know what we're, um, are we bidding on a price, are we bidding on a type of software or what?

CHAIRPERSON DAVIS: The most qualified respondent.

CITY MANAGER JONES: [Inaudible] program [inaudible]…

COUNCILPERSON HUBBARD: Is that, that…

CITY MANAGER JONES: And then you come back and negotiate the price.

CHAIRPERSON DAVIS: Right. Yeah.

COUNCILPERSON HUBBARD: So, the kind of product.., so, so you're saying you're interested in going with SunGard, Tyler Munis or One Source or something, you know, or so on and so forth?

CHAIRPERSON DAVIS: Right. As long as they can provide the responsibilities that was suggested by the IT gentleman here as it regards to programming related to, say business.

MR. E. MELLA: Yeah. Business analysis.

CHAIRPERSON DAVIS: Business analysis…

MR. E. MELLA: As long as we're getting a business analysis…

CHAIRPERSON DAVIS: Yes. [Inaudible]…

MR. E. MELLA: …on every single department, that's the key indicator.

CHAIRPERSON DAVIS: That's the key to it.

MAYOR MASTERS: So we just give a directive to the.., then we just send it out.

COUNCILPERSON DAVIS JOHNSON Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON So, as you prepare the RFP, you will be specific as to what it is that you are looking for. That business analysis would be in there…

MR. E. MELLA: Of course.

COUNCILPERSON DAVIS JOHNSON …and we would just put it out on the street and see who responds.

MR. E. MELLA: Exactly.

COUNCILPERSON DAVIS JOHNSON And you are very specific, specific and focused on what the actual services are that are needed in order for us to have a universal system that will allow us to be automated.

MR. E. MELLA: That is exactly correct. When we did the IT Master Plan, in 2015...

COUNCILPERSON DAVIS JOHNSON Mhmm.

MR. E. MELLA: ...we sat with each department to understand what their needs and assessments would be and then, after that, when we were introducing this, we actually sat with those project managers for each department, again to do all these demos. And that's how we came to these conclusions.

COUNCILPERSON DAVIS JOHNSON What was the timeframe of, of those reviews?

MR. E. MELLA: About, it was about, uh, three months, three to four months of the reviews. We had everyone at the Utility District, department by department, we asked them for all their major issues and what are their current concerns and what's the major problems that they're having. And then, uh, wrote that all down, created the Master Plan but, at the same time, this has also been with three years of me siting with each department member, understanding what is it that each department has a fault with.

CHAIRPERSON DAVIS: Okay.

MR. E. MELLA: And one of the key indicators is the software.

COUNCILPERSON DAVIS JOHNSON So this also gives us an opportunity to check back with those departments to see if they have.., if any of their needs have evolved.

MR. E. MELLA: Exactly.

COUNCILPERSON DAVIS JOHNSON Okay. So, motion to issue an RFP for these services.

COUNCILPERSON PARDO: Second.

CHAIRPERSON DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes. Um, at this time, we need to vote down this initial Item since we've already pulled it out.

[Inaudible comment]

CHAIRPERSON DAVIS: Yes. Okay. So let's vote this Item down, then we're gonna ask for the motion to extend the meeting.

MAYOR MASTERS: Yeah. [Inaudible].

CHAIRPERSON DAVIS: Madam Ch'.., Madam Chair. Madam Clerk. I apologize.

COUNCILPERSON DAVIS JOHNSON Where are we? No. 13?

CHAIRPERSON DAVIS: We still gotta vote this Item down. We just put a motion to put it out but we haven't dis'.., disposed of this Item yet.

COUNCILPERSON DAVIS JOHNSON Okay.

CHAIRPERSON DAVIS: Yeah.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON So, I need to be voting no?

CHAIRPERSON DAVIS: Voting no, yes.

COUNCILPERSON DAVIS JOHNSON No.

CHAIRPERSON DAVIS: She said…

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

CHAIRPERSON DAVIS: She said no for the record. [Chuckle].

COUNCILPERSON PARDO: I said no.

CHAIRPERSON DAVIS: No, yeah.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: No.

DEPUTY CITY CLERK BURGESS: That motion failed with all dissenting.

CHAIRPERSON DAVIS: Okay. So, we.., now we have about six Items left. We're gonna need a motion and, and be mindful of how much time we're really gonna need to really get through this without extending the meeting, hopefully. So just keep the.., be time sensitive.

[Inaudible background comments]

CITY ATTORNEY DEGRAFFENREIDT: Mr. Chair?

CHAIR PRO TEM MILLER-ANDERSON: Six minutes.

COUNCILPERSON PARDO: You need, like, another…

[Inaudible background comments]

CITY ATTORNEY DEGRAFFENREIDT: While we're…

COUNCILPERSON PARDO: …[inaudible] and a half.

CITY ATTORNEY DEGRAFFENREIDT: …working with, with the extension, I do need to make a public announcement for the special except'.., special executive session scheduled for September 14th.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: So, we need to…

CHAIRPERSON DAVIS: Go ahead.

CITY ATTORNEY DEGRAFFENREIDT: ...include that in the time period.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Some of these are gonna take long.

COUNCILPERSON PARDO: Yeah. We need a good hour and a half. Yeah.

[Background chatter]

COUNCILPERSON PARDO: I agree.

CHAIRPERSON DAVIS: So ya'll wanna extend this to.., an hour and a half?

UNK: I...

COUNCILPERSON HUBBARD: What time is it? It's...

CHAIRPERSON DAVIS: That's why [stammer], all the talking, that's what I be telling people.

CHAIR PRO TEM MILLER-ANDERSON: But that's...

CHAIRPERSON DAVIS: That's what happened to...

CHAIR PRO TEM MILLER-ANDERSON: But no, we just need to be mindful when we make this Agenda too, if we have heavy duty Items, we shouldn't load 'em up like that.

COUNCILPERSON PARDO: Agreed.

CHAIRPERSON DAVIS: Uhuh.

COUNCILPERSON HUBBARD: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: I wasn't here at the beginning, I don't why it moved so slow but it's some heavy duty Items...

CHAIRPERSON DAVIS: From...

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

CHAIRPERSON DAVIS: No. Some Items turned into hour discussions.

CHAIR PRO TEM MILLER-ANDERSON: So.

CHAIRPERSON DAVIS: And that's not…

UNK: That's what we here for.

CHAIRPERSON DAVIS: …that, that has no, that has no bearing for how long this, this is. Let's.., can I have a motion to extend the meeting one hour from 10:00 o'clock to 11:00 o'clock.

[Pause]

COUNCILPERSON DAVIS JOHNSON: One hour. Let's see. What do we have left? We have the Housing Authority?

CHAIRPERSON DAVIS: We have Housing Authority, we have Item 17. We have all…

COUNCILPERSON HUBBARD: [Inaudible]…

COUNCILPERSON PARDO: We have Port of Palm Beach.

CHAIRPERSON DAVIS: …Presentations and Community benefits.

COUNCILPERSON PARDO: We have a lot of stuff.

CHAIRPERSON DAVIS: Mhmm.

CITY MANAGER JONES: Housing Authority might [inaudible]…

CHAIRPERSON DAVIS: Housing Authority.., well, Housing Authority left so that.., so their gone.

CHAIR PRO TEM MILLER-ANDERSON: The Port [inaudible].

CHAIRPERSON DAVIS: The Port is still here. We wanna get to them.

COUNCILPERSON HUBBARD: [Inaudible] presentation.

[Inaudible background comments]

CHAIRPERSON DAVIS: Ethics.., is Bannon is here?

CITY MANAGER JONES: [Inaudible] he's still [inaudible].

CHAIRPERSON DAVIS: Where's he at?

COUNCILPERSON DAVIS JOHNSON: Right aback there.

CHAIRPERSON DAVIS: Where?

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

[Inaudible background comments]

CHAIRPERSON DAVIS: I don't see Bannon. Where?

COUNCILPERSON PARDO: I think Bannon was out [inaudible]...

CHAIRPERSON DAVIS: He's not here.

COUNCILPERSON DAVIS JOHNSON: Well, maybe he's gone.

CHAIRPERSON DAVIS: He's gone. No. That's not him. Okay. So those two are gone. So a hour should do. Hopefully. Can we get a motion to extend the meeting one hour and, hopefully, we can get done within that hour?

COUNCILPERSON HUBBARD: So moved.

[Inaudible comment]

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: It's been second by... Moved by Hubbard, second by Johnson. We're gonna make a very good effort. Alright. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

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

CHAIRPERSON DAVIS: [Laughter]. So, we'll go to Item 17. Is that correct?

DEPUTY CITY CLERK BURGESS: Wanna do 11? Awards and Presentation?

CHAIRPERSON DAVIS: Huh?

DEPUTY CITY CLERK BURGESS: 11?

COUNCILPERSON HUBBARD: 11.

CHAIRPERSON DAVIS: Let's do Awards and Presentations.

AWARDS AND PRESENTATIONS

11. INTRODUCTION OF PALM BEACH COUNTY COMMISSION ON ETHICS NEW EXECUTIVE DIRECTOR, MARK BANNON, AND THE CITY'S LIAISON/CONTACT PERSON FOR THE COMMISSION ON ETHICS.

CHAIRPERSON DAVIS: Number 11, let's do that. Yes.

UNK: [Inaudible].

CHAIRPERSON DAVIS: Introduction.., well, he's not here. The Ethics Commission.

COUNCILPERSON PARDO: Are we sure they're…

CHAIRPERSON DAVIS: Mark Bannon?

COUNCILPERSON PARDO: …not outside?

CHAIRPERSON DAVIS: He's not here. No he…

CITY MANAGER JONES: [Inaudible] outside?

CHAIRPERSON DAVIS: Why don't someone check outside and wake him up. If he's 'sleep. Is he out there? No. He's not out there.

[Inaudible background comments]

CHAIRPERSON DAVIS: Okay. We got Item. 11. Uh, let's go to the Port and we can always go back to 11 if he comes. Housing Authority's gone.

[Inaudible comments]

12. BRIEF PRESENTATION BY COMMISSIONER PEYTON MCARTHUR, PORT OF PALM BEACH ON THE CHANGES TO THE PORT CHARTER.

MR. P. MCARTHUR: Good evening. Peyton McArthur and Manuel Almira from the Port of Palm Beach. Thank you for letting us address you tonight, it's a pleasure to be here as always. We'd disseminated to each of you a, a copy of the proposed Charter changes. You'll notice all the changes are highlighted, underlined and struck thru. I think you'll find it's very easy to understand. Next Thursday, a week from tonight, at 3:30, we're gonna have our first public hearing on the proposals. We, we would...

CHAIRPERSON DAVIS: Where's that located?

MR. P. MCARTHUR: ...love for you all to join us, if you would like. Or, if you would like, we could have another...

CHAIRPERSON DAVIS: [Inaudible]?

MR. P. MCARTHUR: ...public hearing in the City of Riviera Beach. We could work with your Staff to set that up. I think you'll find, um, that there's nothing of any concern. The Port accepts the fact that the City of Riviera Beach has authority over zoning, building and that type of thing and, um, we look forward to working with you in all those regards. And, least you have any concerns, I want you to know I gave a copy to Ms. Bram and I'm sure she'll look it over and make sure there's nothing wrong. And Ms. Bram will be there next week.

With that, um, I'll let Mr. Almira tell you about the, the one specific change on the, Foreign Trade Zone which is.., was of some concern last year but I think we addressed all those. Manuel.

MR. M. ALMIRA: Sure.
CHAIRPERSON DAVIS: And, and please explain what the Foreign Trade Zone is.

MR. M. ALMIRA: I sure can. And also I'd like to add that there is a summary sheet in back of the, the booklet. Simply, a Foreign Trade Zone is nothing more than a designation by the U.S. Treasury Department. What that does it allows a region to be designated as an FTZ, Foreign Trade Zone, so that imported cargo can come in, not pay any duties, then changing the imported cargo and it goes back out to the United States or it goes back out internationally. So what it does is, it creates a zone where manufacturers, most likely, are the ones who take advantage of it, can import cargos and

change the dynamics of the cargo and thereby lowering the duties. The benefit of that, of course, is it creates jobs.

[Inaudible background comment]

MR. P. MCARTHUR: Excuse me. Let me explain one thing. This change has no impact whatsoever on the City of Riviera Beach.

MR. M. ALMIRA: Or zoning.

MR. P. MCARTHUR: And why? Because the, the Port already has that authority within the Port District. The City is within the Port District. This change only gives the Port the authority to create those designations outside of the Port [stammer] District. So, there's a, some issues in Port St. Lucie where they would like to take advantage of this so this is for them. But it has absolutely no impact whatsoever on the City of Riviera Beach.

CHAIRPERSON DAVIS: Thank you.

MR. M. ALMIRA: Just one more point, that's particularly towards zoning. We are not [chuckle] looking to change any zoning laws. We are still abiding by the City's, uh, Attorney rather, zoning.

CHAIRPERSON DAVIS: Thank you. And [stammer], MCAr'.., Peyton, Commissioner, could you explain when is the first public hearing again for the…

MR. P. MCARTHUR: Yes. The first public hearing will be at 3:30, a week from today at the Port [stammer].

CHAIRPERSON DAVIS: And, and thank you cause we had a discussion about making sure that we…

MR. P. MCARTHUR: And, uh, the.., also, these, these changes are available on the…

MR. M. ALMIRA: Website.

MR. P. MCARTHUR: …Port's website on the, the homepage and if you or your Staff have an opportunity, it's really not that bad because everything's highlighted. If you have any questions or anything, please share them with either Mr. Almira or myself and we'll be hap'.., more than happy to address them.

CHAIRPERSON DAVIS: And we discussed having a, a potential hearing here for our residents to come out if they missed the one next Thursday, here at Riviera Beach.

MR. P. MCARTHUR: Would you like the one in Riviera Beach to be held in a different location? Here or at the Port or?

CHAIRPERSON DAVIS: Mm. You're talking about after Thursday or are you talking about next Thursday?

MR. P. MCARTHUR: Afterwards, another future meeting.

CHAIRPERSON DAVIS: We can do it here, right here at this location.

MR. P. MCARTHUR: We'll do.., we'll accommodate whatever the City Council wishes.

CHAIRPERSON DAVIS: Unless the colleagues wanted to try something else.

UNK: [Inaudible].

CHAIRPERSON DAVIS: Hmm?

UNK: [Inaudible].

MR. P. MCARTHUR: We'll contact Ms. Jones and see what you…

CHAIRPERSON DAVIS: We have more space [inaudible]…

MR. P. MCARTHUR: …what ya'll…

CHAIRPERSON DAVIS: Yeah. Thank you, gentlemen.

MR. M. ALMIRA: Thank you.

CHAIRPERSON DAVIS: Alright. Thank you, Port of Palm Beach. Alright.

13. UPDATE ON THE RIVIERA BEACH HOUSING AUTHORITY BY EXECUTIVE DIRECTOR JOHN W. HURT.

CHAIRPERSON DAVIS: Housing Authority, Hurt. Let's…

MAYOR MASTERS: He's not, he's not here.

CHAIRPERSON DAVIS: …skip on to, um, and we'll get back. There's an Item here, I see Mr. Evans. That was under Presentations. 20? 19, is it?

CHAIR PRO TEM MILLER-ANDERSON: Did we do 17?

COUNCILPERSON PARDO: Wait. Item 17.

[Inaudible comments]

CHAIRPERSON DAVIS: Let's go to 17.

CHAIR PRO TEM MILLER-ANDERSON: Are we just picking stuff out the[inaudible]?

UNK: [Inaudible].

CHAIRPERSON DAVIS: Let's go 17. We can do...

DEPUTY CITY CLERK BURGESS: 17. ORDINANCE NO. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10, ARTICLE VI ENTITLED "TELECOMMUNICATIONS REGULATIONS" OF THE CODE OF ORDINANCES BY RENAMING THE ARTICLE TO "PLACEMENT AND MAINTENANCE OF FACILITIES FOR COMMUNICATIONS SERVICES IN RIGHTS-OF-WAY"; UPDATING DEFINITIONS IN CONFORMANCE WITH STATE LAW; PROVIDING FOR WIRELESS COMMUNICATIONS FACILITIES; UPDATING AND REVISING THE REGISTRATION AND PERMITTING PROCESS; REQUIRING DESIGN FEATURES FOR CERTAIN ABOVE GROUND FACILITIES; PROVIDING PLACEMENT PARAMETERS FOR WIRELESS TELECOMMUNICATIONS FACILITIES IN RESIDENTIAL RIGHTS OF WAY; REVISING ADMINISTRATION AND ENFORCEMENT PROCEDURES; PROVIDING REGULATIONS FOR "PASS THROUGH PROVIDERS" IN ACCORDANCE WITH STATE LAW; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON DAVIS JOHNSON: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIRPERSON DAVIS: Properly moved and second. Go ahead, sir.

MR. D. SPRADLEY: Good evening, ladies and gentlemen. Deandre Spradley, Principal Planner. And just to give a overview, this particular project, back in March 2014, Staff received an application from Crown Castle to install wireless communication facilities in different areas of the City. On May 7, 2014, City Council approved a one-year moratorium for the filing and receiving of wireless communication facilities and up to $30,000 for professional services. At the time, the City hired Keith Davis from Corbett, White & Davis, PA. On January 7, 2015, the second reading of the telecommunications Ordinance was denied by the City Council. On January 15 of 2015, Staff met with Crown Castle to address additional language in the Ordinance and then on January 21, 2015, the Council requested Staff to return the Ordinance with the updated changes. On May 6, 2015, the revised language was denied by the City

Council. Then, on August 6, 2016, Council requested Staff to return the Ordinance with the most recent changes. And that's what I will be discussing this evening.

Just give you a overview of the Ordinance, the original version. Basically, what we did is we created industry standard definitions, we established requirements for wireless communication companies to register with the City. We identified location and height requirements for any new antenna poles or boxes, planned to be placed within the City's right-of-way. [Pause]. Uh, it froze.

UNK: [Inaudible]. Keep talking. Keep talking.

MR. D. SPRADLEY: Yeah. I need to go to the... [Pause].

CHAIR PRO TEM MILLER-ANDERSON: Where's Walter?

[Inaudible comments]

CHAIR PRO TEM MILLER-ANDERSON: Where's Elvis.

CITY MANAGER JONES: Elvis, he just left.

[Pause]

[Inaudible background comments]

FINANCE DIRECTOR SHERMAN: I do. Do you wanna call him?

UNK: Yeah.

[Pause]

CHAIR PRO TEM MILLER-ANDERSON: Okay. Do we.., are we gonna... What else do we have? We anything else that we can probably just move ahead and come back [inaudible].

MR. D. SPRADLEY: But to, uh...

CHAIR PRO TEM MILLER-ANDERSON: Can you do your presentation without?

MR. D. SPRADLEY: You know, to keep going, the most important part of this here, there are some poles that are being planned in the City right now. I believe, if.., there are six currently that are built and a lot of these are right next door to residential areas and they are wood poles, um, and I believe there is about six or seven applications that are being proposed right now by the City. It's important to point out that the new proposal, they're proposing to go up to 120' which is, basically, almost about 12 story. If you think of a 12 story building, that's how high they're trying to go.

With the regulations, we, we did have regulations in place to say that they basically cannot go inside of a residential area. They're popping up all over the City in residential areas. Um…

[Inaudible comment]

MR. D. SPRADLEY: Okay.

FINANCE DIRECTOR SHERMAN: Is it working for you?

MR. D. SPRADLEY: Yep. Appreciate it.

[Inaudible comment]

MR. D. SPRADLEY: But, just to go back to the presentation, the changes.., it does define a notification area and then it also defines the term 'stealth design'. It requires the City Manager to notify the City Council of the proposed wireless facilities, it establishes a deadline for the applicant to meet with City Staff to resolve all negative comments or issues raised at public information meeting. It allows the applicant the capacity to permit multiple users when feasible, requires the City Manager to notify the City Council if an applicant is proposing more than six communication utility poles on one linear mile of a City block, requires a wireless communication facilities in the City to be graffiti and sticker free.

UNK: [Inaudible].

MR. D. SPRADLEY: Prohibits the installation of new wood poles and, um, you will see later on that the facilities that they are installing right now, that are currently installed, they are wood poles, it also requires the poles, associated with the wireless communication facilities to be decorative. At the time, this is what Staff was anticipating far as a stealth design. If you notice, most of them, they are incorporating the facility as a part of the actual light pole itself. Here's a photo of a existing facility. It's located at West 13th Street and Avenue R where the public safety complex is located. That is a wood pole.

UNK: Make 'em take it down.

MR. D. SPRADLEY: West 15th Street, my apology. This is the one right next to Sam Cooper Way. It's right behind the Stonybrook Apartments. This is a wood pole and, if you look to your left, right next to the pole, that is a single family house there. [Pause]. This is on Avenue U by the water plant and, again, this is a wood pole and just to give you a idea of the scale that the poles that are going up, that pole there is probably at about a good 20 to.., between 20 and 30' and the pole.., the, um, wireless telecommunication pole there is probably a good 40' up. And there is single family residents.., residential uses directly across the street from there. [Pause]. Here's one, West 15th Street, it's by the school. This is a concrete pole. Again, if you look at the

light pole there, most of the light poles in the City are between 30 to 35' and that particular facility is towering over the City's light poles.

The pending applications, uh, there.., there was a application currently in the Community Development Department at the northwest corner of West 11th Street and Broadway. The application was received on August 16th and, basically, they're trying to do a 79' pole there. Avenue I, across from Inlet Grove, uh, we received that application on August 8th and, again, they're trying to do a 79' concrete pole there as well.

CHAIR PRO TEM MILLER-ANDERSON: Go back for a minute.

CITY MANAGER JONES: Are, are all these the same company?

MR. D. SPRADLEY: These are different companies. A couple of them are the same but most of them are different companies. And remember, initially, we were working with Crown Castle and, um, Crown Castle, just today, they submitted for two co-location permits. And, it is my understanding that they will be submitting for additional permits. They're trying to do it prior to the second reading of the Ordinance. [Pause].

COUNCILPERSON HUBBARD: Excuse me. Can I interject here?

MR. D. SPRADLEY: Sure.

COUNCILPERSON HUBBARD: Ask a question? Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

COUNCILPERSON HUBBARD: Will they pulling up the ones that they put down near the residential areas where they aren't allowed?

MR. D. SPRADLEY: No, ma'am. They will be keeping those facilities...

COUNCILPERSON HUBBARD: But then we won't...

MR. D. SPRADLEY: ...and adding more.

COUNCILPERSON HUBBARD: ...then, then do you plan to approve their... Okay. Help me, I might be wrong. Did I understand you to say that they're not allowed to be by residential areas?

MR. D. SPRADLEY: That's what the proposed language that we're doing. Like, with the proposed language, basically, they will be on the principal arterials in the City, uh, Broadway, Blue Heron, Australian, Congress...

COUNCILPERSON HUBBARD: That's if we let them.

CITY MANAGER JONES: Let me…

MR. D. SPRADLEY: Go ahead.

CITY MANAGER JONES: Prior to, back in 2015 when this was proposed, we put those limitations in. However, the Ordinance did not pass which meant under FAA regulat'.., or is it FEC, what is it? FAA.., FEC. They can come in because they are a telecommunication company and can put them just about any place they wanted. So, what we wanna try to do now is limit anymore going forward. But because we did not have more stringent requirements in place, all of those that are already in, get to stay right where they are.

[Inaudible chatter]

COUNCILPERSON HUBBARD: You know, its…

COUNCILPERSON DAVIS JOHNSON: That's exactly why I brought it back.

COUNCILPERSON HUBBARD: Okay. Um [pause]. Okay, um.

[Chuckles]

COUNCILPERSON DAVIS JOHNSON: I know it's a tough one.

COUNCILPERSON HUBBARD: I'm tryin' to use my words. [Pause]. So, we have people roaming around our town doin' what they want or when they're ready, putting stuff up [pause]. Why didn't we call the police just to stop construction? Just to, just to make 'em stop. People do what they wanna do until you tell 'em that.., 'til you tell 'em that they can't. So, maybe they would've taken us to court. They probably would have. But my thing is, do we not have a decent case that we shouldn't be puttin' telecommunication poles right up… We do ev'.., we let everybody come and do anything to Stonybrook and its residents that they want to. I'm, but I'm just trying to see, going forward, with our new Ordinance, with, um, what we had in place. So, suppose we don't pass for them to put no more of their poles up in the City, then what?

CITY ATTORNEY DEGRAFFENREIDT: I think clearly, the statutory authority have.., precludes us from precluding any use of our public ri'.., right-of-way for telecommunications.

COUNCILPERSON HUBBARD: Well…

CITY ATTORNEY DEGRAFFENREIDT: I…

COUNCILPERSON HUBBARD: …let me say this, how many.., we have a whole lot, Mr. Degraffenreidt, that's already here. Kinda like the dollar stores. I'd like to see where they are in other communities and other municipalities. I mean, I just find it

absurd to come to somebody else's City and just do anything you think you're big enough to do and people do that because we let them. And I think that [pause] this is just going from the ridiculous to the sublime. You know? I want, you know... Where [pause]... We know now we don't want 'em anymore. We need to decide where it's gonna be okay with us for them to put 'em. We don't just want you to pick a right-of-way and put it there, we don't want you to just do, uh, God knows what. We want you to.., we'll look at our City and see where we want you to put these. You don't just wake up one day and determine where you want those poles to go. We have to operate from a position of strength and run our City and not let people tell us what they're gonna come here and do. Because, right next to.., if they had any decency, they would not of put it right by Stonybrook. Everybody goes to Stonybrook to do anything that they want to do. That's.., there's a whole lotta families that live in that complex. That wasn't right.

That's my two cents. Somebody else might like...

MR. D. SPRADLEY: Just to, um, show the rest of the, the pending applications...

COUNCILPERSON HUBBARD: I couldn't take it anymore.

MR. D. SPRADLEY: There's one, uh, this is one of the one's that's 120'. That's gonna be at West Blue Heron, it's right across from the VA Hospital. And, the reason why we put the dates, because, basically, we have a shot clock of 30 days where we have to respond...

[Inaudible background comment]

MR. D. SPRADLEY: ...to them in order to, basically, say, you know, either it's approved or denied. Um, at this point, you know, the building official did say that he had some concerns with it being 120' up in the air, especially when you're talking about hurricanes because, basically, it's like a flagpole that's way up in the air.

[Inaudible background comment]

MR. D. SPRADLEY: How do they plan on making it not fly [inaudible]?

COUNCILPERSON DAVIS JOHNSON: Mr. Chair? I have a question.

CHAIRPERSON DAVIS: Go ahead.

COUNCILPERSON DAVIS JOHNSON: So, is that 30 business days or 30 calendar days because it does make a difference? Because, if you're saying 30 days, today is the day.

CITY ATTORNEY DEGRAFFENREIDT: [Chuckle].

MR. D. SPRADLEY: Right.

COUNCILPERSON DAVIS JOHNSON: So, do we know if that's calendar days, is that business days?

MR. D. SPRADLEY: I'm not sure right now but, um, I do remember, you know, when it came before Council before, I do remember that there was a 30 day shot clock, uh, basically. The Assistant Director, he's the one that, basically, had these, these particular files for this long, so.

COUNCILPERSON DAVIS JOHNSON: Okay. I'd be interested to know that.

CITY ATTORNEY DEGRAFFENREIDT: It's [inaudible] 30 days…

MR. D. SPRADLEY: Another one that they're trying to do, a 120' concrete pole that's right across from the.., actually, in front of the TD Bank, right there on Congress and Blue Heron Boulevard.

COUNCILPERSON PARDO: [Inaudible] there already.

MR. D. SPRADLEY: Over on Singer Island, on North Ocean Drive, right in front of the Marriott, they're trying to do a 50' concrete pole there. [Pause].

At this time, this ends my presentation and if Council has any questions, I will be sure to answer them.

CHAIRPERSON DAVIS: Let's go to public comment before we take any other questions. We got one card, Fane Lozman.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible whisper].

MR. F. LOZMAN: Fane Lozman. I share Ms. Hubbard's, I would say, disgust, that all these poles are being put in the poor part of town. Now, all the properties on the Lagoon, where I have over 1,000 linear feet…

[Inaudible background discussion]

MR. F. LOZMAN: …from Pine Point Road up to McArthur Park, those property owners that own the land…

[Background conversation]

MR. F. LOZMAN: …where A1A is, on the west side of A1A, at one point in time they owned the land.., they owned the easement that went to the right side of A1A. There was a 20' strip of land. On the right side of A1A, that was owned by our guys, on our side. Some of our guys.., like, my guy, owned both sides. He owned from the Atlantic Ocean all the way to the Lagoon. But they put a utility easement on the east side of

North Ocean Drive. So I think, as one of the conditions, that anytime you put a, a pole over by Stonybrook, you put one on North Ocean Drive. You got a thousand and thousands of cellphones over there with the Singer Island crowd and they oughta have their fair share of putting poles up on a utility easement on North Ocean Drive. Now, we saw one pole they wanna put up about.., by the Marriott. But all those condos always complainin', they're usin' their cellphones. There's a utility easement that our guys, who owned our properties, gave to the City or, or however that worked, you know, 50 years ago and that utility easement, on the east side of Ocean Drive, there should be some telecom poles put there. It shouldn't just be on the poor part of the City. That's unfair.

Now, one of the questions that goes back to leadership, it's a ye'.., almost a year and a half gap from, I think, it was April of 2015 and now it's coming back tonight. Why the gap for a year and a half? That's a management leadership thing. They should say, 'You're gonna bring it back, you bring it back in a month, two months, three months, four months, six months.' You don't come back from April, 2015 [chuckle] to August or September of 2016. Look at all the damage that may have been done...

[Inaudible background comments]

MR. F. LOZMAN: ...with projects that came in there and they missed a 30 day shot clock. I mean, that, that's a leadership failure to let something go for a year and a half. You know, you're gonna say, 'Who's responsible? Is Gagnon responsible? Is the City Manager responsible?' Why a year and a half? When you say some'.., bring something back, it means in this lifetime. It doesn't mean a year and a half later, based on his PowerPoint presentation.

By the way, PowerPoint presentation, we don't need you to read the whole card. You're supposed to paraphrase what's on there.

Finally, let's talk about easements. It said you.., it said easements in the City's right-of-way. This City needs an outside surveyor to come in because it doesn't understand where it's right-of-way's are. And you say what am I talking about. There's a big scandal going on with Brent Johnson and I tried to address it at a public meeting last night. Well, the City Manager rudely, you know, called the police to try to intimidate me but I tried to address it that it has been determined that there are sidewalks and light poles on private property and we're suppo'.., and what the City thinks is their easement on North Ocean Dive, it isn't their easement. We need to have an outside surveyor identify where every easement is in this City...

CHAIRPERSON DAVIS: Thank you, sir.

MR. F. LOZMAN: ...based on what happened on North Ocean Drive.

CHAIRPERSON DAVIS: Alright. Mr. Deandre, sir. Let's get back. So, what's being proposed now on this Item?

MR. D. SPRADLEY: I'll say, basically, what it allows right now is that, if they, if any new applications does come in within the City, if, 1) they will have to do a notification process to the, to the residents or to the property owners within a certain distance of that particular pole.

CHAIRPERSON DAVIS: Mhmm.

MR. D. SPRADLEY: And then they have to do a public meeting or, basically, address any comments that the public may, um, you know, bring up.

[Inaudible comment]

MR. D. SPRADLEY: And then there's buffer requirements. I wanna say they are not allowed within, like, 2,000' of each other.

CHAIRPERSON DAVIS: Okay.

MR. D. SPRADLEY: It's.., it just will give more public involvement…

CHAIRPERSON DAVIS: Okay.

MR. D. SPRADLEY: …in the process. Like, right now…

CHAIRPERSON DAVIS: Just, they do what…

MR. D. SPRADLEY: …they just come thru…

CHAIRPERSON DAVIS: …they wanna do.

MR. D. SPRADLEY: Right.

COUNCILPERSON DAVIS JOHNSON: But it also provides… Mr. Chair?

CHAIRPERSON DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: [Inaudible], it also provides that we have a discussion about decorative poles.

MR. D. SPRADLEY: That's correct.

COUNCILPERSON DAVIS JOHNSON: Because there is something that's right on MLK between Avenue I and J that sits.., actually, in the middle of the wi'.., the road widening.

COUNCILPERSON PARDO: Mhmm.

COUNCILPERSON DAVIS JOHNSON: It is a metal box, a metal pole…

COUNCILPERSON PARDO: Mhmm.

COUNCILPERSON DAVIS JOHNSON: ...and, and I just found that to be unacceptable. And so, we need to be able to have teeth and, and then it is going to be Staff's responsibility to make sure that, as they come in, we nee'.., and we review those applications, we need to be clear as to how this needs to look...

[Inaudible comment]

COUNCILPERSON DAVIS JOHNSON: ...for our City.

MR. D. SPRADLEY: I agree.

COUNCILPERSON DAVIS JOHNSON: As Councilwoman Hubbard said, we...

[Inaudible comment]

COUNCILPERSON DAVIS JOHNSON: ...control the look and feel of our City. They do'.., we understand that, according to Attorney Degraffenreidt, that statutorily we cannot prevent it but certainly, from a leadership standpoint... And I could, you know, I could not, for the life of me, understand how the, how the previous Council didn't address it because it [stammer] it came before the Council but it was voted.., it, it was voted down. And I, I don't understand why but we now have an opportunity to get it right. So, we have this Ordinance...

COUNCILPERSON PARDO: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: ...we have the information, we have the language, let's move.

CHAIRPERSON DAVIS: But, at the time, we didn't have a, a clear legal position because it was to my understanding when I asked this that, if we stopped this, then I was told that they could sue us and...

COUNCILPERSON HUBBARD: So.

CHAIRPERSON DAVIS: ...at this time, I'm like.., I was trying to take a hard position not knowing they still was gonna be able to apply for permits and still push through and it was not clear, um, legally, presented before this Board because the'.., there was quite a few Board Members that was fightin' just as hard as we are now. And, and, and I [stammer] Councilperson Pardo was one of 'em. But, at least, I only speak for me, legally, the, the advice was not there to ma'.., make me understand that, hey, once we voted no, that this wasn't gonna happen. Cause, if so, that moratorium woulda been extended and we woulda worked through the process and would have deal with it today.

[Inaudible comments]

CHAIRPERSON DAVIS: I support this…

COUNCILPERSON PARDO: Yeah. No. What, um, the Chair said is absolutely correct. This came to us several times and the, um, the representative from Crown Castle kept telling us, 'Well,' you know, 'maybe we'll work with you but we don't have to. We can come in and do what we want to do because we're a utility.' And she kept emphasizing that. And, you know, that was just totally unacceptable. At one point, she showed us, I forget what street it was but, you know, she said, 'Well,' you know, 'we may put four or five of these poles on one street.'

CHAIRPERSON DAVIS: That was Broadway.

COUNCILPERSON PARDO: And then…

CHAIRPERSON DAVIS: Yeah.

COUNCILPERSON PARDO: …you know, everyone was up in arms and, you know, she said legally they could do it.

MR. D. SPRADLEY: I, I just remember that, when they initially came in, I think they were trying to do us, like, it was somewhere between, like, 50 or 60 poles in the City.

COUNCILPERSON PARDO: Right. Right.

COUNCILPERSON HUBBARD: Mr. Chair?

COUNCILPERSON PARDO: And then we also found out… I'm sorry, Ms. Hubbard.

COUNCILPERSON HUBBARD: No. Go ahead.

COUNCILPERSON PARDO: But we also found out that we were the first city in Palm Beach County that they approached.

CHAIRPERSON DAVIS: Mhmm.

COUNCILPERSON PARDO: We asked them, 'Did you go over to the Town of Palm Beach? Did you go to Palm Beach Gardens, Jupiter, Tequesta?'

CHAIRPERSON DAVIS: And how did they find us?

COUNCILPERSON PARDO: 'Not even West Palm Beach?'

COUNCILPERSON HUBBARD: [Inaudible].

COUNCILPERSON PARDO: But they had these poles down in Broward County and, um…

CHAIRPERSON DAVIS: Miramar.

COUNCILPERSON PARDO: …you know, 'Go to Riviera Beach. Let's,' you know, 'throw the crap there.'

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIRPERSON DAVIS: Yes, ma'am.

COUNCILPERSON HUBBARD: The, um.., okay. I think this Ordinance is a good start. We put it in place. I think we still should, with our new Ordinance, create a moratorium, lawsuit, moratorium, whatever it takes, do what, what we have to take.., what we have to do. I might not be willing to fight to keep somebody from gettin' an address, but I'm surely willing to fight to keep that much of a concentrated amount of poles, that can go up to 120', from being loitered all, all over our Ci'.., all over our City. I don't think that we should, um, we should 1) determine how many we want, in our City, where we want them and where we're willing to have them and that's that. And anything that exceeds that, impound their trucks and anything else we see them using to erect one until the fight is over so that we.., because we're not, because we're not s'.., we, we can't have that. We can't talk about redevelopment, creating an aesthetically pleasing City and attracting people that want to come here and, and live well.

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: And bring in a lot of stuff. So, I think this is where we fight. This is when we fight, this is where we use the resources and the wherewithal to fight for what we want in our City and not be told what we're going to have. And, you know, I could not have been here when the young lady told us she was gon'.., what she was going to do and how much of it she was going to do. [Pause].
CHAIRPERSON DAVIS: Okay. So…

COUNCILPERSON HUBBARD: I just could not have lived through that.

CHAIRPERSON DAVIS: So, we'.., we're gonna…

COUNCILPERSON HUBBARD: [Chuckle].

CHAIRPERSON DAVIS: …vote this Item as is, Mr.… Okay. Alright.

[Inaudible comment]

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: Yeah. [Inaudible].

CHAIRPERSON DAVIS: Madam Clerk?

COUNCILPERSON PARDO: Wait, wait, wat. So, what are we doing here?

CITY MANAGER JONES: [Inaudible] a motion…

COUNCILPERSON DAVIS JOHNSON: My motion…

COUNCILPERSON HUBBARD: Vote for this and then…

COUNCILPERSON DAVIS JOHNSON: …was to approve the…

COUNCILPERSON HUBBARD: …to create a moratorium.

COUNCILPERSON DAVIS JOHNSON: …, to approve, to approve…

[Inaudible comments]

COUNCILPERSON DAVIS JOHNSON: …the, um…

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON PARDO: Alright. That's fine.

COUNCILPERSON DAVIS JOHNSON: …Resolution.

COUNCILPERSON PARDO: Thank you.

CHAIRPERSON DAVIS: Okay. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Oh, yes. I was trynna…

[Chuckle]

CHAIRPERSON DAVIS: …I was trying to help you. Yeah. Excuse me. Item No. 18.

COUNCILPERSON HUBBARD: I think we better do our moratorium [inaudible].

DEPUTY CITY CLERK BURGESS: 18. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING AUTHORIZING THE MAYOR TO EXECUTE THE SOFTWARE LICENSE AND SERVICES AGREEMENT TO PROCURE THE SUNGARD PUBLIC SAFETY SOLUTION OSSI SOFTWARE FOR THE RIVIERA BEACH POLICE DEPARTMENT IN THE AMOUNT OF $1,148,510.84 FROM IT MASTER PLAN ACCOUNT #312-0243-516-0-6351; AND PROVIDING AN EFFECTIVE DATE

COUNCILPERSON PARDO: So moved.

CHAIRPERSON DAVIS: Do we have a second?

CHAIR PRO TEM MILLER-ANDERSON: Second for discussion.

ASST. POLICE CHIEF MADDEN: Good evening. Mike Madden, Assistant Police Chief.

COUNCILPERSON PARDO: Good evening.

CHAIRPERSON DAVIS: Good evening.

COUNCILPERSON PARDO: Almost good morning.

ASST. POLICE CHIEF MADDEN: What you have before you is the core business software for the Police Department. This handles everything from the beginning of the 911 call thru the police officer's reports thru all the functions in the Police Department for 195 sworn and non-sworn employees. Our current software we've had about 20 years. The software we're trying to purchase is used extensively in Palm Beach County by Palm Beach Gardens, Boca, West Palm, Jupiter, Delray, Juno Beach and Lantana. The software, the software gives us the ability to exchange data, in real time, with all of these cities thru a police department, two police department connection. You approved

us to negotiate several months ago and we worked through Purchasing and Finance to bring the agreement before you tonight.

CHAIRPERSON DAVIS: Okay. Any questions by the Board?

CHAIR PRO TEM MILLER-ANDERSON: Is this similar to…

[Chuckles]

CHAIR PRO TEM MILLER-ANDERSON: …the situation we just had…

COUNCILPERSON DAVIS JOHNSON: That's exactly where I was going.

[Inaudible comments]

COUNCILPERSON DAVIS JOHNSON: That's exactly where I was going.

CHAIRPERSON DAVIS: What do you mean similar? Same IT issue?

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

UNK: Yeah.

CHAIRPERSON DAVIS: It's a different type of system when…

COUNCILPERSON DAVIS JOHNSON: Same process.

CHAIRPERSON DAVIS: …you're dealing with police.

CHAIR PRO TEM MILLER-ANDERSON: It's the same thing though. And it was rejected by Dean as well.

[Inaudible comments]

CHAIRPERSON DAVIS: It was?

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

CHAIRPERSON DAVIS: Okay. So what do we…

CHAIR PRO TEM MILLER-ANDERSON: So it sounds like.., I mean, you all can discuss…

CHAIRPERSON DAVIS: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: …but it, I mean, it just sounds…

CHAIRPERSON DAVIS: So which…

CHAIR PRO TEM MILLER-ANDERSON: …the process…

CHAIRPERSON DAVIS: …which department…

CHAIR PRO TEM MILLER-ANDERSON: …is the same.

CHAIRPERSON DAVIS: Which department rejected it?

CHAIR PRO TEM MILLER-ANDERSON: Uh, Purchasing.

CHAIRPERSON DAVIS: Purchasing? Did he explain why?

ASST. POLICE CHIEF MADDEN: This Item was approved by Purchasing.

CHAIR PRO TEM MILLER-ANDERSON: Oh, no it wasn't.

COUNCILPERSON DAVIS JOHNSON: In the system, it was not.

CHAIRPERSON DAVIS: The system?

[Inaudible comment]

COUNCILPERSON PARDO: Mr. Mealy's back there.

CHAIR PRO TEM MILLER-ANDERSON: They're gettin' him?

UNK: [Inaudible].

COUNCILPERSON HUBBARD: That Mr. Mealy doesn't sign off on things because he's just allowed to sit in so he can be.., remain objective.

COUNCILPERSON PARDO: Hmm?

COUNCILPERSON HUBBARD: That's what Mr. Sherman said.

CHAIR PRO TEM MILLER-ANDERSON: What'd he say?

[Chuckles]

COUNCILPERSON HUBBARD: That Mr. Mealy does not sign off on the Items where he.., where they will have to come back, back to him.

CHAIRPERSON DAVIS: Oh, cause this when I.., that's where I asked…

COUNCILPERSON HUBBARD: That he is allowed to sit on the Committee but he doesn't get to sign off.

CHAIRPERSON DAVIS: But this is why we, we suggested, or I suggested, that we make sure procurement is separate from up under his department because of the same issue that, that we're having now.

COUNCILPERSON HUBBARD: I know.

CHAIRPERSON DAVIS: So…

ASST. POLICE CHIEF MADDEN: Our communications with Purchasing, it's our understanding that Purchasing approves of this process that was used for this Item. We've had that discussion with Purchasing.

CHAIR PRO TEM MILLER-ANDERSON: Well, on…

CHAIRPERSON DAVIS: [Stammer]…

CHAIR PRO TEM MILLER-ANDERSON: In the system, he rejected it.

CHAIRPERSON DAVIS: Mr…, Mr…

CITY MANAGER JONES: Well, he approved it on, on the 1st.

CHAIRPERSON DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Is there another one?

CHAIRPERSON DAVIS: Maybe there's some, maybe there's something that, that made it bounce back and then they made the adjustment.

COUNCILPERSON HUBBARD: [Inaudible].

CHAIRPERSON DAVIS: Was there something, Mr…

CHAIR PRO TEM MILLER-ANDERSON: He did come… Yeah.

[Inaudible comment.

CHAIR PRO TEM MILLER-ANDERSON: He did later.

CHAIRPERSON DAVIS: He did? Okay.

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS: Alright.

CHAIR PRO TEM MILLER-ANDERSON: But, it still doesn't change the fact that this is similar to what we just went through with the other IT, um…

CHAIRPERSON DAVIS: No. It's, it's a different issue because the… Well, I'll let you all explain, that's ya'll job. You all make all the money.

[Chuckles]

CHAIRPERSON DAVIS: Chief.

ASST. POLICE CHIEF MADDEN: I think there is a distinct difference in this software. We…

CHAIRPERSON DAVIS: [Inaudible] software.

ASST. POLICE CHIEF MADDEN: Our software.., this software is used by all of the surrounding agencies…

CHAIRPERSON DAVIS: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: But the process in, in which we acquired it.

CHAIRPERSON DAVIS: He's procuring it.

CHAIR PRO TEM MILLER-ANDERSON: We're going out…

ASST. POLICE CHIEF MADDEN: And this creates some, some single source requirements with the software that communicates with these other agencies within Palm beach County that no other agenc'.., no other software can do.

CHAIRPERSON DAVIS: Is this procuring out?

COUNCILPERSON DAVIS JOHNSON: So, why did we did not utilize a piggyback?

ASST. POLICE CHIEF MADDEN: Tho'.., the piggyback contracts were reviewed in this process. When we received authorz'…

COUNCILPERSON DAVIS JOHNSON: But you are saying…

ASST. POLICE CHIEF MADDEN: When we received authorization to negotiate, all of the information of other contracts, we had, in our possession, all of the recent

contracts from this vendor. And, as it's outlined in the Item, that we did.., we've neg'.., been negotiating for [stammer] almost four months.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

ASST. POLICE CHIEF MADDEN: And, we've received, in these negotiations, enterprise licensing which is... We will never have to buy another license from this vendor no matter how many users we wanna add in the future.

CHAIRPERSON DAVIS: Mhmm.

ASST. POLICE CHIEF MADDEN: Where, with, with our current vendor, every time we need to add a license, it costs us three to $4,000. So to receive enterprise licensing in our negotiations was a very valuable thing for the City.

COUNCILPERSON DAVIS JOHNSON: So SunGard currently provides services to Palm Beach County and other municipalities?

ASST. POLICE CHIEF MADDEN: Correct.

COUNCILPERSON DAVIS JOHNSON: They are currently under contract?

ASST. POLICE CHIEF MADDEN: Yeah. They ha'.., they have been providing for many years. So there are not recent contracts with, with these...

UNK: [Inaudible].

ASST. POLICE CHIEF MADDEN: ...uh, cities. You know...

COUNCILPERSON DAVIS JOHNSON: So there is no...

ASST. POLICE CHIEF MADDEN: Palm Beach Gardens has been using it for, uh, at least, probably 10 years. West Palm Beach, the same thing. All of these ve'.., all of those cities, had the product that we currently have, that we've had for 20 years. We are one of five remaining customers for our current vendor in the State of Florida and we're the largest. The other four are, like, 20 man departments.

COUNCILPERSON DAVIS JOHNSON: I, I understand that. So, they may have had them for 10 years but they have existing contracts, with [inaudible]?

ASST. POLICE CHIEF MADDEN: The have maintenance agreements which are, you know, their purchase agreements are 10 years old.

COUNCILPERSON DAVIS JOHNSON: So you...

ASST. POLICE CHIEF MADDEN: But we did review current purchase agreements from, uh, I believe, maybe Broward County Sheriff's office, uh, and a city in Georgia.

COUNCILPERSON DAVIS JOHNSON: It just appears to me that the same process by which we just discussed for the ERP, is similar to this process because ClientFirst was used as a consultant, correct?

[Inaudible comment]

COUNCILPERSON DAVIS JOHNSON: Hello?

ASST. POLICE CHIEF MADDEN: Yes.

COUNCILPERSON DAVIS JOHNSON: ClientFirst was used as a consultant to help us get to this point?

ASST. POLICE CHIEF MADDEN: That's correct.

UNK: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: Hmm?

CHAIRPERSON DAVIS: [Inaudible].

CITY MANAGER JONES: I think the only thing, Councilwoman Davis Johnson, that's a little different, the Cou'…

ASST. POLICE CHIEF MADDEN: On March six'… I'm sorry.

CITY MANAGER JONES: …the Council had already given them authorization to negotiate.

COUNCILPERSON DAVIS JOHNSON: When was that?

CITY MANAGER JONES: March 6th of this year.

ASST. POLICE CHIEF MADDEN: 16th.

CITY MANAGER JONES: 16th.

ASST. POLICE CHIEF MADDEN: March 16th.

CITY MANAGER JONES: So if, if they had.., we'd'a had this conversation then, we coulda sent them out on the street but they were given authorization on March 16th to go ahead and negotiate this contract.

COUNCILPERSON DAVIS JOHNSON: So on March 16th of 2016, we had a disc'.., uh, not this seated Board, but the previous Board, sat and gave authorization to negotiate?

ASST. POLICE CHIEF MADDEN: Yes.

COUNCILPERSON DAVIS JOHNSON: Without, without giving any due process or consideration to the procurement process of putting it out on the street, understanding that this particular company can give you your, um, your licensing that you talked about and, and everything that encompasses it. It's... Yes, ma'am?

CITY MANAGER JONES: No. I'm, I'm just waiting for you to finish.

COUNCILPERSON DAVIS JOHNSON: So, I, I... I am just concerned that, when the discussion and the direction that was given, was there any conversation about the procurement process and taking it.., putting it out on the street, giving this, this firm an opportunity... And that was why I was asking you about the existing contracts and then the, the.., having the opportunity to possibly piggyback. But you're saying that those are mainten'.., maintenance agreements and not necessarily contracts to provide the service?

ASST. POLICE CHIEF MADDEN: Yes. And the piggyback agreements were looked at, that was an option for us to pursue and those were reviewed by Purchasing as an option to procure this Item. The City negotiated a better price than piggyback pricing.

CHAIRPERSON DAVIS: So, so, can I ask a question?

COUNCILPERSON DAVIS JOHNSON: Go ahead.

CHAIRPERSON DAVIS: So, when you say Purchasing, the whole Purchasing Department reviewed it or just one, someone specifically? Who specifically...

ASST. POLICE CHIEF MADDEN: We have worked for...

CHAIRPERSON DAVIS: ...reviewed it from Purchasing?

ASST. POLICE CHIEF MADDEN: ...a year, closely...

CHAIRPERSON DAVIS: Okay.

ASST. POLICE CHIEF MADDEN: ...with the Purchasing Director.

CHAIRPERSON DAVIS: Okay. Just Mr. Sherman?

ASST. POLICE CHIEF MADDEN: Uh, the Finance Director.

CITY MANAGER JONES: [Inaudible].

ASST. POLICE CHIEF MADDEN: The IT Manager, we have negotiated in the same room, on the phone with the vendor and through many revisions of the contract, have continually pushed for the best price for the City which is better than piggyback pricing. Yes, we could've piggybacked but we would've spent more. Because nobody that we saw in the piggyback had enterprise licensing.

CHAIRPERSON DAVIS: So, we save money [stammer] we spend less money than a piggyback, that's what you're saying?

ASST. POLICE CHIEF MADDEN: And as of a month ago, we s'.., we continually shaved off additional dollars by [stammer]…

CHAIRPERSON DAVIS: So, the piggyback woulda cost more?

ASST. POLICE CHIEF MADDEN: Yes.

CHAIRPERSON DAVIS: Even in the process, this still, based upon the way this was done… I'mma ask this question again, is it legal?

[Sigh]

CITY ATTORNEY DEGRAFFENREIDT: It is legal.

COUNCILPERSON DAVIS JOHNSON: Mr.… [Chuckle].

CITY ATTORNEY DEGRAFFENREIDT: Whether or not that's the best course to follow…

CHAIRPERSON DAVIS: That's something [inaudible]…

CITY ATTORNEY DEGRAFFENREIDT: …is not my decision.

CHAIRPERSON DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: It is legal.

CHAIRPERSON DAVIS: I just wanna know what their mindset was as they was moving forward.

CITY ATTORNEY DEGRAFFENREIDT: It's legal.

CHAIRPERSON DAVIS: So, they understood it was legal. Okay. That's all I wanna know.

COUNCILPERSON DAVIS JOHNSON: So was SunGard on the piggyback?

ASST. POLICE CHIEF MADDEN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: Wa'.., was SunGard one of the, one of the vendors that we could've potentially piggybacked from? Or no?

ASST. POLICE CHIEF MADDEN: I don't.., I'm not sure I understand the question.

COUNCILPERSON DAVIS JOHNSON: My question is, when you looked at the piggyback from the other agencies that provide.., that get this service, was SunGard a vendor?

ASST. POLICE CHIEF MADDEN: Yes. Once we looked at all of the vendors that were recommended by ClientFirst and had the demonstrations and went through the process, we identified SunGard as the best fit for us. It was at that time, we ended up looking at the, the piggyback ability through other contracts that they had.

COUNCILPERSON DAVIS JOHNSON: So SunGard…

UNK: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: …when you looked at the.., at all of the providers on the piggyback, SunGard, at that time, was not providing an enterprise license'.., licensing option?

ASST. POLICE CHIEF MADDEN: Not to those other vendors.., not to those other customers.

COUNCILPERSON DAVIS JOHNSON: Not to those other customers?

ASST. POLICE CHIEF MADDEN: In the, in the contracts that we saw.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

ASST. POLICE CHIEF MADDEN: We could've, uh, in lieu of negotiating, brought back a piggyback contract but, instead, on March 16th, we brought a Item to the Board to request to negotiate. Purchasing felt that that was route to get the best pricing for the City. So, since March 16th, we've been negotiating. And we've been really pushing the issue and, uh, Purchasing has kinda pushed back on us, say, you know, 'Let's continue to negotiate,' and we've let the process play out and we feel that, you know.., and we've seen it over the last three months, the price has gone down and down and…

COUNCILPERSON DAVIS JOHNSON: Well, you know, when I think in terms of your comment about pricing going down, Mr. Sherman's comment was, you know, 'Yes, we

want to realize cost savings but price shouldn't always be the deciding factor.' So, you know, just wanna make that.., interject that particular position that we seem to, um, operate from. But, it just bear'.., it begs the question, we just put the ERP out for RFP... And, and I, and I understand that the former Council gave you that instruction but, here again, you know, we are continuing to not follow our own processes and start to put in, what I believe, are precedents by allowing a consultant to provide us with recommendations and then going out on our merry way. Of course, you had to do that under the direction of, of a previous Council but we've gotta look long and hard at our process. If we have.., we have a procurement process in place for a reason and, and I'm concerned that we are going against the grain and constantly doing our own thing, therefore, and thereby putting us in positions of later, down the line, be accused of identifying in'.., individual, uh, companies to do business with or we.., again, we don't know what the relationship is between ClientFirst and SunGard. You know, we, we just haven't vetted it out in the manner in which we should as it relates to our procurement process. And if we are going to do things that are contrary to our procurement process, we need to then start to request waivers of the policy. I mean, just keep it transparent, just keep it clear. Because it just always seems as if we are, you know, shifting and shaping things to fit what we actually want. And, and that may be best but, for me, being in small business, following the process, always keeps you safe.

ASST. POLICE CHIEF MADDEN: And it's our understanding that the.., when we got the original contracts from the vendor, from these other cities, even though that they were outside the State of Florida, the most current ones that, that our Code.., it's our understanding that our Code still permits us to piggyback off those contracts. So, in lieu of just taking that contract and bringing it back before you as a piggyback, which is I'.., in our understanding, and we've done it many times, legal under the Code, we in.., a'.., after our discussions internally for best pricing, decided not to do that but to get permission to negotiate which is a different step, and going, and really doing the most with the , with the mo'.., with the tax dollars in the City. I think we got a better price on something that we could've brought for'.., before you for a higher price. And it's a product used extensively in this county. I think we were going to end up with this product one way or another because of...

[Inaudible comment]

ASST. POLICE CHIEF MADDEN: ...it's heavy use in this county.

COUNCILPERSON DAVIS JOHNSON: And I think...

ASST. POLICE CHIEF MADDEN: We're the only one with what we have right now and...

COUNCILPERSON DAVIS JOHNSON: Yeah. So, my final comment on that, that may very well be true but, again, if we are going to do something that is outside of the procurement code, if we decided that we were not going to piggyback because we could identify and negotiate down, uh, n'.., negotiate a better price for the modules that we

needed, I simply would have preferred to have seen a request for a waiver of the procurement process. That's all that I am talking about. I...

ASST. POLICE CHIEF MADDEN: Okay.

COUNCILPERSON DAVIS JOHNSON: You know, I understand that we need the service and I, I get that but I'm s'.., I'm, I'm.., I don't know how many more times I can say this...

ASST. POLICE CHIEF MADDEN: I guess...

COUNCILPERSON DAVIS JOHNSON: There's a policy...

ASST. POLICE CHIEF MADDEN: ...it's just our.., I guess it's just our understanding that we are within the proc'.., procurement code.

COUNCILPERSON DAVIS JOHNSON: I, I'm going to disagree a little bit because I think that when the decision was made to tell you to negotiate, there was no discussion about asking for a waiver to go outside of the procurement.., procurement process because we don't just ordinarily negotiate based on a recommendation of a consultant. Or, at least, we shouldn't.

ASST. POLICE CHIEF MADDEN: Well, the consultant never identified SunGard solely as the product. They...

COUNCILPERSON DAVIS JOHNSON: But they...

ASST. POLICE CHIEF MADDEN: ...identified...

COUNCILPERSON DAVIS JOHNSON: ...gave you some recommendations, right?

ASST. POLICE CHIEF MADDEN: Correct.

COUNCILPERSON DAVIS JOHNSON: Didn't they provide that?

ASST. POLICE CHIEF MADDEN: Correct.

COUNCILPERSON DAVIS JOHNSON: So.., okay. So, I'm not that far off with, with that but I'm just saying, moving forward... And that's Citywide. Citywide.

ASST. POLICE CHIEF MADDEN: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: Follow your process.

COUNCILPERSON HUBBARD: Mr. Chair?

COUNCILPERSON DAVIS JOHNSON: And request the waivers.

COUNCILPERSON HUBBARD: Mr.... I understand what my colleagues are saying about the, um, our procurement process but, you know, I do see this as a, a little different. And I see this as the fact that all through most of the things, and a lot of the things that the Police Department buy, they use the piggyback process because of the nature of their industry and, and and what they do. As I said, I do understand what my colleague is saying but this, to me, is just a, a little different and, um, because our procurement code is what it is, the decision that they made sounds to me like it left them still within the realm of the procurement code and what they were allowed to do. Maybe something as, as a part of process, as Mrs. Johnson Davis said...

COUNCILPERSON DAVIS JOHNSON: Davis Johnson.

COUNCILPERSON HUBBARD: ...Davis Johnson said... It's late.

COUNCILPERSON DAVIS JOHNSON: I know.

COUNCILPERSON HUBBARD: And, uh, that maybe, um, if we feel we're gonna step out, we'll go.., come to the Board but I can understand why they did not feel that they were stepping outside of the Code because they had a choice.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON HUBBARD: They could piggyback but when they decided...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON HUBBARD: ...that they could get a better pri'... They did come back. They did come back and they said, 'Hey, we're not gonna piggyback, we wanna negotiate. Can we go ahead and do that?' So...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON HUBBARD: I think that that's a, um, I think that's, um, just a little...

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON HUBBARD: ...apples and oranges kinda gettin' mixed up there a little bit. So, um, I unders'.., you know, I, I, you know, I just wanted to put on the record I understand where they're coming from and how they got to where they are.

CHAIRPERSON DAVIS: Okay. So, we do have a waiver form, Ms. Jones?

CITY MANAGER JONES: No. There's not a waiver form. If I'm not mistaken, what Councilwoman Davis Johnson is recommending is that when you bring a Resolution

forward to negotiate, you also have a, a, one of the sections be that you waive the current process. Am I correct? In that same Resolution…

COUNCILPERSON DAVIS JOHNSON: Mhmm.

CITY MANAGER JONES: …that you get the waiver when you get the authorization…

CHAIRPERSON DAVIS: Could we…

CITY MANAGER JONES: …to negotiate.

CHAIRPERSON DAVIS: …could we go ahead and correct that in this process? Is it too late to add that in, in this process…

UNK: [Inaudible].

CHAIRPERSON DAVIS: …explaining why? Somewhere we should be able to explain why this, this was conducted in this manner.

[Pause]

CITY MANAGER JONES: I'm not, I know what we wanna do…

CHAIRPERSON DAVIS: Mm.

CITY MANAGER JONES: It's.., I think it…

CHAIRPERSON DAVIS: Mr.…

CITY MANAGER JONES: …might be appropriate…

CHAIRPERSON DAVIS: Mr.…

CITY MANAGER JONES: …as it…

CHAIRPERSON DAVIS: Mr. Mealy.

CITY MANAGER JONES: …relates to the motion.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: If, when the motion is made on this, that we include the words, 'waive,' but I.., is it totally waiving?

CHAIRPERSON DAVIS: Let me ask the procurement…

CITY MANAGER JONES: I don't know.

CHAIRPERSON DAVIS: ...director, this time, to help us out, the specialist.

PURCHASING MANAGER MEALY: Good evening, Council. Dean Mealy, Purchasing. Sorry. It'd be my recommendation that the language that Councilperson Johnson eluded to, as far as the waiver, would actually be included. It's the best practice that if you are not exactly adhering to all language within the Ordinance, or the, uh, in 16.5, is that we actually would state that the City finds it in the best interest to blank, blank, blank. So, that would be my recommendation to move forward.

CHAIRPERSON DAVIS: So, that would not be..,, need to be.., put, placed in the motion? That is...

PURCHASING MANAGER MEALY: It should...

CHAIRPERSON DAVIS: ...something Staff can just do?

PURCHASING MANAGER MEALY: I think, I think it needs to be put as part of the motion as well.

[Inaudible dais comments]

CHAIRPERSON DAVIS: Alright. So, state that again so our maker.., whoever our potential motion maker understand exactly what they need to do. Include the waiving pro'.., explaining why we're waiving....

PURCHASING MANAGER MEALY: It'd be my recommendation to the Council that we make a motion that we waive the procurement code, that in the best interest of the City in order to procure the software from the particular vendor, that we waive §16.5 and whatever particular article within that, is the part that we waive. I can look it up right now.

COUNCILPERSON DAVIS JOHNSON: Oh, I had it up. You need me to amend my motion to...

CHAIRPERSON DAVIS: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: Okay. So, I would amend the m'.., the motion... I didn't make a motion.

PURCHASING MANAGER MEALY: Actually, sir...

[Inaudible dais comments and laughter]

PURCHASING MANAGER MEALY: Sir, if you don't mind me. It's 16.5.63.

[Inaudible dais comments]

PURCHASING MANAGER MEALY: Paragraph D.

CHAIRPERSON DAVIS: So, Councilperson Pardo is the maker of the motion.

COUNCILPERSON PARDO: Okay, fine. So, I amend my motion to approve this Item but we will also waive the procurement code §16.5.63.

PURCHASING MANAGER MEALY: 63D.

COUNCILPERSON PARDO: D.

PURCHASING MANAGER MEALY: Yes, ma'am.

CHAIRPERSON DAVIS: Because the best interest of the City.

PURCHASING MANAGER MEALY: The City.

COUNCILPERSON PARDO: And because of the best interest of the City.

CHAIRPERSON DAVIS: There we go.

PURCHASING MANAGER MEALY: The best interest of the City to…

[Chuckles]

CHAIRPERSON DAVIS: Could we…

PURCHASING MANAGER MEALY: …to proceed with…

CHAIRPERSON DAVIS: …get a second on that motion?

[Inaudible dais comments]

PURCHASING MANAGER MEALY: …with, with this particular vendor for the services for the City…

UNK: I second.

COUNCILPERSON PARDO: Thank you.

PURCHASING MANAGER MEALY: …with the Police Department.

CHAIRPERSON DAVIS: Yes. You second it. It's on the Clerk.

[Inaudible audience comment]

CHAIRPERSON DAVIS: She amended her motion, she amended it.

[Inaudible dais comments]

CHAIRPERSON DAVIS: Can somebody just second it?

UNK: I'm sorry?

CHAIRPERSON DAVIS: We have a maker of a motion, can somebody second it?

COUNCILPERSON DAVIS JOHNSON: Second. I, I thought you second it.

CHAIRPERSON DAVIS: [Sigh]. Oh boy.

CHAIR PRO TEM MILLER-ANDERSON: I'm just saying, I'm, I'm seconding, uh, Section that I don't even know what it says.

[Chuckle]

CHAIR PRO TEM MILLER-ANDERSON: How do I know that's what it is.

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

CHAIRPERSON DAVIS: Okay. We have the second. I'm gonna go to public...

UNK: [Inaudible]...

CHAIRPERSON DAVIS: ...comment while we get that information for the Vice Chair.

UNK: [Inaudible].

CHAIRPERSON DAVIS: Fane Lozman. That Section, someone please provide that for our, for my colleague.

CHAIR PRO TEM MILLER-ANDERSON: Can we read that sec'.., that section cause I don't know what is?

MR. F. LOZMAN: I think one of the most important things nobody's talked about, it's $1.15M. $1.15M in a poor City. Now, the 20 year software is still workin'. The City hasn't shut down. Do they need the new software? Absolutely. But this comes down to a leadership change. We're one of the five last in the State of Florida and the last one in Palm Beach County. They're already maxed out. This company has sold [chuckle] everybody the software but us. We just keep pegging along with the old tr'..,

old car. That software just sitting on the shelf, it's.., they'd love to sell it to us. They keep coming down in price. If you wait another month, it will come down some more. I think, as a leadership body, you should say, 'You know something? We have budgetary problems in the Police Department.' You know? We got young troops making a lot less than they do in other, other municipalities. We got Cedrick Thomas who shouldn't even be a police officer there, suckin' up a salary. So [chuckle] we, we need to control the costs. I would say, as a body as a whole, you make a decision, what you wanna pay. You say, 'Good job negotiating it for $1.19M. We'll buy it for $950,000 grand. Take us back the offer. We're the body. We don't think you did a good enough job,' or, 'We look at your pattern. If every day they're dropping the price, we're gonna play poker with ya. Here's 950 cash,' see what happens. I think you'd be surprised. They, they wanna sell this cause they got nobody else to sell it to. Cause we've held out for a long time. So they're gonna sell it to us, the point is, as a legislative body, I would come back with a price, say, 'Here's our price.' And, and let 'em take it. You don't have to just jump because these police officers, you know, they're police officers. They're not poker players, they're not, you know, negotiators and stuff like that. I would say, 'You come back with a lower price,' and, and see what they say. But remember, it's an awful lot of money and as the stewards of the public's money, you need to realize $1.15M is an awful lot of money. [Stammer] is it better than a piggyback, whatever? I'm sure it is but can you come back and get it cheaper? I bet you could.

CHAIRPERSON DAVIS: That's the end of public comment. [Chuckle]. So, then, has Staff provided the information for the code or, at least, read it into the record, please.

FINANCE DIRECTOR SHERMAN: Okay. 16.563 deals with professional services.

CHAIR PRO TEM MILLER-ANDERSON: What's the whole thing though? Because he said Section D or something.

[Inaudible dais comments]

FINANCE DIRECTOR SHERMAN: Right Section D. Okay? 5-3 deals with professional services. D deals with contracts or other services. Notwithstanding the foregoing, the City Council may authorize the procurement of other services, such as social services, by negotiating with organizations selected or recommended by the City Manage or designee on the basis of experience and skill.

Again…

CHAIRPERSON DAVIS: [Inaudible].

FINANCE DIRECTOR SHERMAN: [Stammer].

CITY MANAGER JONES: You don't try to explain it.

CHAIRPERSON DAVIS: It was clear.

CITY MANAGER JONES: [Inaudible].

FINANCE DIRECTOR SHERMAN: Well, it's, it's a service.

CHAIRPERSON DAVIS: Yes.

CITY MANAGER JONES: [Laughter].

CHAIRPERSON DAVIS: Yes. You're right.

FINANCE DIRECTOR SHERMAN: So that's what we've been trying to follow.

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: Asking the Council to negotiate.

CHAIRPERSON DAVIS: Okay. Well, that's clear. Any other questions by the Board?

[Inaudible dais comments]

CHAIR PRO TEM MILLER-ANDERSON: Yeah. Just a second [inaudible].

CHAIRPERSON DAVIS: Huh? Need a minute.

CHAIR PRO TEM MILLER-ANDERSON: Second.

[Inaudible dais comment]

CHAIRPERSON DAVIS: When you put a motion on the floor?

CHAIR PRO TEM MILLER-ANDERSON: That is the second that I had him…

COUNCILPERSON DAVIS JOHNSON: Uhuh.

CHAIR PRO TEM MILLER-ANDERSON: …read that section for.

CHAIRPERSON DAVIS: Oh, okay.

CHAIR PRO TEM MILLER-ANDERSON: We never [inaudible]…

CHAIRPERSON DAVIS: Oh so it makes… Okay. The second stands.

CHAIR PRO TEM MILLER-ANDERSON: I'm not…

CHAIRPERSON DAVIS: Alright. Everybody…

CHAIR PRO TEM MILLER-ANDERSON: ...that sleepy.

CHAIRPERSON DAVIS: ...comfortable with calling the vote?

[Inaudible dais comments and laughter]

CHAIRPERSON DAVIS: Madam Clerk, call the vote so we can get to this before extending this meeting.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes. Item... Oh. We got three minutes so, we have one, two...

COUNCILPERSON HUBBARD: [Inaudible].

CHAIRPERSON DAVIS: We've got two Items and then Community Benefits.

CITY ATTORNEY DEGRAFFENREIDT: Can I read my announcement about closed executive session while ya'll thinking about it?

[Laughter]

CHAIRPERSON DAVIS: Yes. Please do.

CITY ATTORNEY DEGRAFFENREIDT: Alright. Please notice that the following cases to be discussed in a closed executive session to be held at City Hall, Second Floor in City Council Chambers. The case is Fane Lozman, Renegade Trust I, Renegade Trust II, Petitioner v. The City of Riviera Beach, Respondents, Case No. 50-2016-CA-001527.

And present will be special counsel, Richard Jarolem and, in addition to Mr. Jarolem, the Mayor and City Council, City Attorney Andrew Degraffenreidt, City Manager Ruth Jones. The session will be held on September 14th at 5:30 p.m. and was announced tonight, September 8, 2016 at the City Council budget workshop.

Thank you for your kind attention.

CHAIRPERSON DAVIS: Alright. Can I have a motion to extend the meeting 30 minutes?

COUNCILPERSON DAVIS JOHNSON: So moved.

CHAIRPERSON DAVIS: Do we have a second?

COUNCILPERSON HUBBARD: [Inaudible].

CHAIRPERSON DAVIS: We got two Items. [Pause]. So we can dispose of these two Items? [Pause]. Do I have a motion for 30 minutes? [Pause]. Motion died for lack of a second. So any suggestions for another motion?

COUNCILPERSON PARDO: Motion to adjourn.

[Chuckle]

CHAIRPERSON DAVIS: No. We got business we gotta take care of and people waited all night and that's not, that's not fair.

COUNCILPERSON PARDO: [Inaudible].

CHAIRPERSON DAVIS: So, if [inaudible].

COUNCILPERSON HUBBARD: Second. I second.

CHAIRPERSON DAVIS: People.., we got business take care of and people waited all night.

COUNCILPERSON HUBBARD: No. I didn't second the adjournment, I second that we, um, the 30 minutes.

CHAIR PRO TEM MILLER-ANDERSON: The 30 minutes died.

CHAIRPERSON DAVIS: It died.

CITY MANAGER JONES: It died.

CHAIRPERSON DAVIS: So let me put, put…

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIRPERSON DAVIS: ...that motion back on the floor then.

CHAIR PRO TEM MILLER-ANDERSON: Second the, um...

COUNCILPERSON HUBBARD: Why you didn't second it then?

CHAIRPERSON DAVIS: I can't second. I'm the Chair.

COUNCILPERSON HUBBARD: You can pass the gavel and second it.

CHAIRPERSON DAVIS: Well, make the motion.

COUNCILPERSON HUBBARD: I move that we extend the meeting for 30 minutes.

CHAIRPERSON DAVIS: Does anybody wanna second it before I pass the gavel?

[Inaudible dais comment]

CHAIRPERSON DAVIS: Okay. I'm passing the gavel. I second that motion. To Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: That motion failed with Councilperson Davis Johnson, Councilperson Pardo and Pro Tem Miller-Anderson dissenting.

CHAIRPERSON DAVIS: Here, here we are. There are some folks in this room that sat through this long meeting waiting for these Items to all come up and I don't think it will be fair because we didn't move through this meeting at, at a much faster time that they waited for three hours to not to speak on these Items. And some of these Items need to take votes. So, I will ask for a motion to extend the meeting 15 minutes because we only got one before this meeting is adjourned.

COUNCILPERSON HUBBARD: I move that we extend the meeting for 15 minutes.

CHAIRPERSON DAVIS: Do we have a second?

UNK: [Inaudible].

CHAIRPERSON DAVIS: I second.

[Pause]

CHAIR PRO TEM MILLER-ANDERSON: You made the motion and the second?

CHAIRPERSON DAVIS: No.

COUNCILPERSON HUBBARD: I made the motion.

CHAIR PRO TEM MILLER-ANDERSON: Oh, you made…

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: No.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: That motion failed with Councilperson Davis Johnson, Pardo and Pro Tem Miller-Anderson dissenting.

CHAIRPERSON DAVIS: Well, could we just have a special meeting to, to address these? When is our next meeting, Ms. Jones?

UNK: The 21st.

COUNCILPERSON PARDO: [Inaudible].

CITY MANAGER JONES: Our next regular meeting is scheduled for the 21st of September.

CHAIRPERSON DAVIS: And the CRA has one when?

CITY MANAGER JONES: CR'.., well, on the 19th, you have a Utility District meeting and a CRA meeting.

CHAIRPERSON DAVIS: Will anybody be at the meeting tomorrow that we have?

COUNCILPERSON DAVIS JOHNSON: What's tomorrow?

CHAIRPERSON DAVIS: What we need?

COUNCILPERSON DAVIS JOHNSON: What's tomorrow?

[Inaudible dais comment]

CHAIRPERSON DAVIS: It's the same meeting [inaudible]. This, this was one of the meetings they're gonna be here in the public.

[Inaudible dais comment]

CITY MANAGER JONES: Yeah. You don't have, I don't think you got notification.

[Inaudible dais comments]

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: Unless you wanna try to do something on…

[Inaudible dais comments]

CITY MANAGER JONES: What time is the budget workshop for the CRA on Monday?

[Inaudible dais comments]

CHAIRPERSON DAVIS: Can't adjourn it now cause [inaudible] expired.

CHAIR PRO TEM MILLER-ANDERSON: Huh?

CHAIRPERSON DAVIS: Can we extend it five minutes if we wanted to?

[Inaudible dais comment]

CHAIRPERSON DAVIS: Is it too late?

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, are you gonna finish or we're adjourned?

CITY MANAGER JONES: No. I was trying to see if he was trying to…

CHAIRPERSON DAVIS: No. She's talking about…

CITY MANAGER JONES: …find a date for a special meeting.

CHAIRPERSON DAVIS: She was talking about extending the meeting for five minutes.

CITY MANAGER JONES: Oh no…

CHAIRPERSON DAVIS: …[inaudible]…

CITY MANAGER JONES: …I was thinking about another day so you could deal with the remaining Items.

[Inaudible dais comments]

CHAIRPERSON DAVIS: So, next Monday? Okay.

CITY MANAGER JONES: You've got CRA, you got…

CHAIRPERSON DAVIS: CRA's gonna be here, right? Monday, correct?

CITY MANAGER JONES: You got Utility.., CRA is the only thing Monday for a workshop.

CHAIRPERSON DAVIS: Yeah. So we can…

CITY MANAGER JONES: The 12th.

COUNCILPERSON DAVIS JOHNSON: Schedule the special meeting?

CHAIRPERSON DAVIS: Special meeting for next Monday.

[Inaudible dais comments]

CHAIRPERSON DAVIS: Yes.

[Chuckles]

CHAIRPERSON DAVIS: We can do it…

COUNCILPERSON PARDO: [Inaudible].

CHAIRPERSON DAVIS: We can do it after. We're gonna.., so we can.., you wanna do it before?

CHAIR PRO TEM MILLER-ANDERSON: Let's do it at the beginning otherwise you're not gonna get to it.

CHAIRPERSON DAVIS: Are you gonna be able to get here in time? Cause that's a 5:30 meeting.

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

CHAIRPERSON DAVIS: Okay. So, 4:00 o'clock?

COUNCILPERSON DAVIS JOHNSON: No, sir.

CHAIR PRO TEM MILLER-ANDERSON: Oh no. 5:00 o'clock?

CHAIRPERSON DAVIS: 5:00. Okay.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

CHAIRPERSON DAVIS: Alright. That's 5:00 o'clock. We don't need to adjourn cause it's…

CHAIR PRO TEM MILLER-ANDERSON: Meeting adjourned?

CITY MANAGER JONES: Is there a motion.., first of all, I need the Clerk to tell me because they're calling a special meeting.

CHAIR PRO TEM MILLER-ANDERSON: First of all [inaudible]…

CITY MANAGER JONES: Is it necessary for there to be a motion calling for the special meeting? Otherwise it's two signatures to call a special meeting. So can they do a motion in here now…

CHAIRPERSON DAVIS: We can't do a motion…

CITY MANAGER JONES: …and call a special meeting?

DEPUTY CITY CLERK BURGESS: Well you can't do a…

CHAIRPERSON DAVIS: The time has expired.

DEPUTY CITY CLERK BURGESS: …a motion cause your time has expired.

CHAIRPERSON DAVIS: So we'll just do the special meet'.., and we'll do the signatures.

CHAIR PRO TEM MILLER-ANDERSON: Motion to adjourn.

[Inaudible dais comments]

ADJOURNMENT

CHAIR PRO TEM MILLER-ANDERSON: Motion to adjourn.

[Gavel]

CHAIRPERSON DAVIS: It's already gone.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

CHAIRPERSON DAVIS: Time.

There being no further business, the meeting was duly adjourned at

[End of meeting]

Public Comment Speakers and Others

DEPUTY CITY CLERK JACQUELINE BURGESS.....DEPUTY CITY CLERK BURGESS

FINANCE DIRECTOR RANDY SHERMAN .....FINANCE DIRECTOR SHERMAN

HUMAN RESOURCES MARIE SULLEN .....HUMAN RESOURCES SULLEN

DOROTHY GAYE .....MS. D. GAYE

FANE LOZMAN.....MR. F. LOZMAN

CHIEF OF STAFF DEBBIE LEBLANC ISAACS.....CHIEF OF STAFF ISAACS

PUBLIC WORKS DIRECTOR BRENT JOHNSON PUBLIC WORKS DIRECTOR JOHNSON

SICKLE CELL FOUNDATION SHALANDA WARREN.MS. S. WARREN

BERNICE WOOTEN .....MS. B. WOOTEN

MRS. HAVENER.....MRS. HAVENER

MARGARET SHEPPARD .....MS. M. SHEPPARD

LLOYD BROWN.....MR. L. BROWN

DEANDRE SPRADLEY.....MR. D. SPRADLEY

MOSELLE JACKSON .....MS. M. JACKSON

TOMMY WALKER.....MR. T. WALKER

EZEKIEL EDMONDS .....MR. E. EDMONDS

AMON YISRAEL .....MR. A. YISRAEL

MARY BRABHAM .....MS. M. BRABHAM

STEVE WHITE.....MR. S. WHITE

DERRICK PAUL.....MR. D. PAUL

ERNESTINE GORDON.....MS. E. GORDON

DOROTHY BULLARD.....MS. D. BULLARD

BESSIE BROWN.....MS. B. BROWN

DERRICK DORSETT.....MR. D. DORSETT

JESSIE GRAY.....MS. J. GRAY

WILLIS WILLIAMS.....MR. W. WILLIAMS

COREY DIXON.....MR. C. DIXON

FELICIA WILDER.....MS. F. WILDER

MAMI KISNER.....MS. M. KISNER

ALL ABOARD FLORIDA ERIC AARONSON.....MR. E. AARONSON

IT MANAGER ELVIS MELLA.....MR. E. MELLA

PORT OF PALM BEACH PEYTON MCARTHUR.....MR. P. MCARTHUR

PORT OF PALM BEACH MANUEL ALMIRA.....MR. M. ALMIRA

ASSISTANT POLICE CHIEF MIKE MADDEN.....ASST. POLICE CHIEF MADDEN

PURCHASING MANAGER DEAN MEALY.....PURCHASING MANAGER MEALY

APPROVED:

THOMAS A. MASTERS
MAYOR

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

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: D. PARDO

L. HUBBARD	AYE
K. MILLER-ANDERSON	AYE
T. DAVIS JOHNSON	AYE
D. PARDO	AYE
T. DAVIS	AYE

DATE APPROVED: October 19, 2016