CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, SEPTEMBER 21, 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

CHAIR DAVIS: At this time, we're gonna call this Regular City Council meeting to order.

Roll Call

CHAIR DAVIS: Madam Clerk, roll call, please.

DEPUTY CITY CLERK BURGESS: Mayor Thomas Masters?

MAYOR MASTERS: [Pause]. Sorry. Present.

DEPUTY CITY CLERK BURGESS: Chairperson Terence Davis?

CHAIR DAVIS: Here.

DEPUTY CITY CLERK BURGESS: Chair Pro Tem KaShamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Present.

DEPUTY CITY CLERK BURGESS: Councilperson Lynne Hubbard?

COUNCILPERSON HUBBARD: Present.

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: You have a quorum.

Invocation

Pledge of Allegiance

CHAIR DAVIS: Alright. We will stand for.., have a moment of silence and the Pledge will be led by Mayor Thomas Masters.

[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

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

CITY MANAGER JONES: Yes, sir, Mr. Chair. We have at least one correction and that is a modification in Item No. 21 and the dollar value should be $1,400. We have several Community Benefits to add and, for the benefit of the public, we generally do not have this many Community Benefits, however, according to the regulations, the money must be spent by September 30th, thus, the additions of the Community Benefits. Item No. 22, $1,770 to Mom Life, Incorporated. And this is from Councilwoman Lynne Hubbard. Also from Councilwoman Lynne Hubbard, $500 to the Braille Club of Palm Beach County.

CHAIR DAVIS: Okay.

CITY MANAGER JONES: For consideration put forth by Chair Pro Tem KaShamba Miller...

CHAIR PRO TEM MILLER-ANDERSON: Anderson.

CITY MANAGER JONES: Anderson. [Chuckle]. I'm sorry. Is the Family Development Center, $500. Also, she has West Riviera Elementary School, for $965. To Suncoast High School, $400 from Chair Pro Tem Miller-Anderson. Also, Youth Empowerment Teen Center, $500. As well as, she would like to give, $500 to the Northwood Church of God Youth Camp. Thrive for a Challenge, $500 from Chair Pro Tem Miller-Anderson. Empower Her of the Palm Beach, $500 from Chair Pro Tem Miller-Anderson. Also, the Riviera Beach Preparatory and Achievement Academy, $635. Chair Terence Davis would like to add $1,045 to the Movie Night event.

And those are your additions for this Agenda.

CHAIR DAVIS: Okay.

COUNCILPERSON PARDO: Mr. Chair?

CHAIR DAVIS: Yes.

COUNCILPERSON PARDO: Alright. I'd like to know if we can put all of the Community Benefits requests under the Consent Agenda tonight since we have a very long Agenda and we still have a special meeting that we have to take care of.

CHAIR DAVIS: Yeah. Sure. I think that'd be...

CHAIR PRO TEM MILLER-ANDERSON: Yeah. I'll second.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIR DAVIS: [Inaudible]. We have one more Item that we need to add.

COUNCILPERSON DAVIS JOHNSON: I have two...

CHAIR DAVIS: Two more Items.

COUNCILPERSON DAVIS JOHNSON: Two late add It'...

CHAIR DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: ...add ons, please.

CHAIR DAVIS: The Southside Coalition for $1,000 and $3,000 for Parks & Rec Department. Correct?

COUNCILPERSON DAVIS JOHNSON: Mhmm.

CHAIR DAVIS: Southside was $1,000 and Parks & Recreation Department was $3,000. Mm. And do we have a motion to move these Items under Consent?

COUNCILPERSON PARDO: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIR 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?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Thank you. Now, because we have [pause], we have announced that the budget workshop, the budget hearing will be done at 6:00, so we're gonna just move directly to Items No. 9, to go from here, 10 and 11, to be heard before we come back to Consent. Okay?

[Inaudible dais comments]

CHAIR DAVIS: Can we do that.., we need a motion for...

COUNCILPERSON HUBBARD: [Inaudible].

CHAIR DAVIS: ...that, right?

COUNCILPERSON HUBBARD: Mr. Chair? I wanted to...

UNK: [Inaudible].

<u>Adoption of Agenda</u>

CHAIR DAVIS: A motion to adopt the Agenda?

COUNCILPERSON PARDO: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIR DAVIS: Madam Clerk.

COUNCILPERSON HUBBARD: I wanted to move an Item [inaudible].

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?

CHAIR DAVIS: Yes. Alright. Now, we'll go to Item No. 9.

[Inaudible dais comment]

CHAIR DAVIS: Then we're gonna come back.

DEPUTY CITY CLERK BURGESS: 9. 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.

COUNCILPERSON PARDO: So moved.

CHAIR DAVIS: Do we have a second?

CHAIR PRO TEM MILLER-ANDERSON: Second.

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

FINANCE DIRECTOR SHERMAN: Good evening. Randy Sherman, Director of Finance and Administrative Services. Yes. This is the second reading on the millage rate. First reading was on September 8th. I do not have an updated presentation, nothing has changed since the last meeting and it's the same millage rate as we had for this current fiscal year of 8.452.

CHAIR DAVIS: Okay. Okay. So, let me go to the public comment card now. Item No. 9, Rick King.

MR. R. KING: [Stammer]. Oh, I'm gonna wait 'til 10, if you don't mind. I'm gonna wait 'til 10. I put 9, 10 and 11. I didn't know where we were gonna go.

CHAIR DAVIS: Okay.

MR. R. KING: I think 10's more appropriate.

[Chuckles]

CHAIR DAVIS: Okay. Alright.

FINANCE DIRECTOR SHERMAN: Anyone else?

CHAIR DAVIS: That's the only...

FINANCE DIRECTOR SHERMAN: Okay.

CHAIR DAVIS: ...[stammer], only public comment card. Any questions by any Members of the Board?

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON HUBBARD: Mr. Sherman, if, um, did you say that we can o'.., we can go, we can go down on the, on the millage rate?

FINANCE DIRECTOR SHERMAN: Correct.

COUNCILPERSON HUBBARD: One thing that I wanted to confirm as we set, set the millage rate is that, if we, if we stabl'.., if we stabilize the hiring and the positions, you showed us an amount that would allow us to lower the millage rate. Can you show us that again, please?

FINANCE DIRECTOR SHERMAN: Sure.

COUNCILPERSON HUBBARD: Without the new positions.

FINANCE DIRECTOR SHERMAN: Right. This is the, the slide we showed on September 8th with the variable millage reductions and how much that would actually cost. And I believe the number that you're looking at is, um, would be down at the bottom where we said we could possibly delay vacant position hirings until January 17th. We were looking, at that point, at a possible .25 reduction which was the far right-hand bottom column block, there is $1,174,000 would be what we would have to cover. That, that's what the revenues would be reduced by and then we would have to take that amount out of the departmental budgets through the vacancy process to, to offset them.

COUNCILPERSON HUBBARD: Mr. Sherman, other than not.., other than the key positions that we know that we have and, um, say, well, until January, Community Development for example and we have some openings in, um.., the, the two, the two key in Utility District, are tho'.., would those be included in your assessment for an opportunity to lower the millage rate? Did you include those key department head positions that we, we're looking forward to filling in the nearest future?

FINANCE DIRECTOR SHERMAN: It would not include any...

COUNCILPERSON HUBBARD: Oh great.

FINANCE DIRECTOR SHERMAN: ...positions at the Utility District cause they're in a separate fund so it would only be the general fund positions.

COUNCILPERSON HUBBARD: Okay. Great. So, so it did'.., those.., that did include our department heads for Community Development?

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON HUBBARD: It did? Okay. [Pause]. I, I'm, the reason that I'm questioning this is.., well, not really questioning this, I'm just asking about an opportunity to lower the, the millage.., to lower the millage.., to lower the millage rate. Because, even if we left it the same as it was, my understanding was the homeowner will still feel a, an increase of some sort.

FINANCE DIRECTOR SHERMAN: [Stammer] if you leave it where it is, the homesteaded properties will.., are going to increase. I mean, but there's a cap on it but

they wou'.., they would increase and get a slight increase. Uh, rental properties, again, those could go up or down. You, you just...

COUNCILPERSON HUBBARD: Homesteaded...

FINANCE DIRECTOR SHERMAN: ...don't know.

COUNCILPERSON HUBBARD: ...property.., homesteaded properties is what...

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON HUBBARD: ...is what...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: ...I'm referring to, to try to, you know, the homestead... Homesteaded...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: ...property we're talking about increasing the water this year so we'.., and we're talking about.., now, we're gonna be talking about the taxes so I was just thinking that this would be an opportunity for us to lower the millage rate if we didn't fill the vacancies until January. That's only two or three months.

FINANCE DIRECTOR SHERMAN: Yeah. And, and just again, so, you know, I know we sent out a memo on what the impact would be to the average homeowner.

CHAIR DAVIS: Yes.

FINANCE DIRECTOR SHERMAN: Um, for a $100,000 valued home, the homeowner would save $12.50 by reducing that. But on the flip side, when we looked at someone like FPL and the power plant, they'd save over $200,000. So, you know, tho'.., you know, just so...

COUNCILPERSON HUBBARD: Again, I...

FINANCE DIRECTOR SHERMAN: ...you have the facts...

COUNCILPERSON HUBBARD: Again, I was talking about the home'...

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON HUBBARD: I was.., I've always been talking about the homesteaded property and the, um, the minimal amount wasn't the, the $12 but okay. You're talking $12 a year?

FINANCE DIRECTOR SHERMAN: $12 a year.

CHAIR DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: Okay. Thank you.

FINANCE DIRECTOR SHERMAN: It's all that .25 costs. Yes.

COUNCILPERSON HUBBARD: Okay.

CHAIR DAVIS: Thank you. Do we have any other questions from the Board before we approve the budget?

COUNCILPERSON PARDO: Millage.

COUNCILPERSON DAVIS JOHNSON: That's the millage.

COUNCILPERSON HUBBARD: The millage. Okay. Cause we got some budget questions too.

CHAIR DAVIS: The millage. Approve the millage. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Now we're gonna go down to Item No. 10, we're gonna go to public comment. Mr. Rick King.

DEPUTY CITY CLERK BURGESS: [Inaudible].

CHAIR DAVIS: Do we have a motion?

COUNCILPERSON PARDO: Wait. Can...

[Inaudible dais comments]

COUNCILPERSON PARDO: She needs to read it first.

CHAIR DAVIS: Okay. Go ahead. I'm sorry.

DEPUTY CITY CLERK BURGESS: 10. 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.

CHAIR DAVIS: Do we have motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

CHAIR DAVIS: Second?

COUNCILPERSON HUBBARD: Second.

CHAIR DAVIS: Properly moved and second. Mr. King.

MR. R. KING: Good morning, Council or good evening, Council. I apologize. Rick King, PBA, 2100 North Florida Mango Road. Alright. So, we're close. We're very close with the police department. Unfortunately, we started kinda late but that's no fault of the men and women that, that work here. We wanted to start in May but for reasons we couldn't get to the table until probably August or September. So, by this time now, we've had four meetings and we're trying to get to where we need to be but we need some help.

There's no secret that the men and women that work here are among the hardest working officers in the county. And they're not really asking for anything tremendous but it's also no secret that they're among the lowest paid at this point. The officers are seeking to compete with the other officers in this county. They're not asking to be at the top. In fact, they really haven't even asked to be at the middle, they just wanna compete. And, as I've said to you before in these meetings, this is a win/win because you'll watch television every day and what you see is officers who are rotating in and out

of agencies. Here, we wanna be able to attract the best and brightest officers and we wanna be able to keep them and retain them. And we wanna provide a starting salary and a top out salary that allows people to wanna stay and wanna be here because it's never been so important, in the history of this country, that we have officers who are willing to stay and invest their time, get the training and be professional police officers in any city. Let alone a City that, at times, struggles and we need those professional officers here. It's a win/win.

And, and what we're asking for you to do is, look around a little bit and see if we can do something to keep these officers... They're here today, um, because they want, they want you [chuckle] to look at them and want you to know they wanna be here, they're committed. This is, this is the City that they chose, this is where they wanna end up. We're not that far apart. And they're asking for your help. These officers are part of a Pay Plan and what that Pay Plan is very similar to that of, if you think of, like, a plumbing apprenticeship. They come in as apprentice and they, frankly, as an apprentice, they need a GPS to get around the City...

CHAIR DAVIS: Mm.

MR. R. KING: ...and they don't know, excuse my language, they don't know crap from apple butter but, after a period of time, they learn to be a police officer. And just like an apprenticeship, they, they progress through it and become a journeyman, they become a master officer and then, eventually, they learn to be professional, well-trained police officers, the kind that we need here to make sure things that aren't happening in the country aren't happening here. In order to keep that going and one of the things that they're asking for from you to consider, is what we've been calling an evergreen clause and what that hap'.., what makes that w'.., what's, I guess, what.., to explain that, that evergreen clause allows the Pay Plan to continue on so that when, when we're done with this, we don't just stop their pay because that's how we got into this position before. We stopped their pay and then they fall behind everyone else and then we have to jump through hoops to try to catch 'em back up. We're trying to make these guys professional, we're trying to bring 'em up to quality and we need your help to do it. We're not that far apart. If you could work with us, I think you see the attendance that you have here today. They're lookin' at you and they're asking for help.

Thank you.

CHAIR DAVIS: Thank you, sir.

MAYOR MASTERS: Mr. Chair?

CHAIR DAVIS: Mr. Sherman? Go ahead, Mayor.

MAYOR MASTERS: Mr. King, just quickly.

CHAIR DAVIS: Mayor, Mayor. We wanna try to get through this meeting. We don't...

MAYOR MASTERS: I understand.

CHAIR DAVIS: ...wanna go... That's public comment, that's not public discussion.

MAYOR MASTERS: Thank you, Mr. Chair. I just wanna say that, um, as you're looking at us, and I fully support what you said, as long as the officers continue, you know, when, when somebody put their hands what that means. And you.., you've been professional and I appreciate that.

MR. R. KING: Thank you.

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

CHAIR DAVIS: Thank you.

FINANCE DIRECTOR SHERMAN: Okay. And the same budget that we presented on September 8th, it's the second reading. Uh, the general fund budget is $71.197M. The Utility budget that you approved on Monday night was $25M and then...

[Beep]

FINANCE DIRECTOR SHERMAN: ...we have the... Time for me to go. Um, $1.8M for the Marina, $3.3M for the storm water and $4.1M for the refuse or trash collection.

[Pause]

CHAIR DAVIS: That's it?

FINANCE DIRECTOR SHERMAN: That's.., again, it's the same, same...

CITY MANAGER JONES: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...budget that we had on September 8.

COUNCILPERSON PARDO: Alright.

FINANCE DIRECTOR SHERMAN: I'm sorry?

CHAIR DAVIS: Let, let...

CITY MANAGER JONES: I was asking about the Items that they had not made a decision on.

FINANCE DIRECTOR SHERMAN: Yeah. Well, I'll let you know, you have 350,000 in contingency. If you wanna move some of that $350 around, I know, um, you had not made the decision...

CHAIR DAVIS: We'...

FINANCE DIRECTOR SHERMAN: ...yet on, on some staffing reclassifications. And, I think the other one was the event.

CHAIR DAVIS: [Stammer]...

FINANCE DIRECTOR SHERMAN: [Inaudible] events.

CHAIR DAVIS: I know, at least, I'll just speak... I don't know normally do this but I wanna definitely make sure that, um, before we start adding more cost to our budget, at least from my positon, we gotta take care of our employees that we have in place.

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIR DAVIS: So let's, before we start spending more money, let's try and take care of some other things.., and you know what I'm discussing now, while these officers are here. I don't wanna um'.., disrespect the negotiation process cause this is not where we negotiate. But let's, before we start adding more to our budget, let's take care of other things. At least, my position.

UNK: Yeah.

FINANCE DIRECTOR SHERMAN: Okay.

CHAIR DAVIS: And prioritize.

FINANCE DIRECTOR SHERMAN: Any adds or deletions [inaudible]...

CHAIR DAVIS: We can do that [inaudible]...

FINANCE DIRECTOR SHERMAN: ...contingency. And, and again, you ca...

CHAIR DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: ...hit a contingency at any time during the year. So...

CHAIR DAVIS: Councilperson Pardo?

COUNCILPERSON PARDO: Okay. So, Mr. Sherman, how far apart are we, number wise, with the police union?

FINANCE DIRECTOR SHERMAN: It, it...

COUNCILPERSON PARDO: Or, is Danny Jones here? Alright.

CHAIR DAVIS: Excuse me.

CITY MANAGER JONES: Yep. The dollar figure is $1.5.

FINANCE DIRECTOR SHERMAN: $1.5M.

CITY MANAGER JONES: Million.

CHAIR DAVIS: Mhmm.

CITY MANAGER JONES: We're at $2.4M and we're $1.5 off.

COUNCILPERSON PARDO: And does that include FRS?

CITY MANAGER JONES: That is without FRS. We didn't put FRS as a condition.

COUNCILPERSON PARDO: But then that's.., so, if they passed FRS, if it went to a vote, then that's more money on the table for us, right?

FINANCE DIRECTOR SHERMAN: That would be more funds available to, to apply.

COUNCILPERSON PARDO: Okay.

CHAIR DAVIS: How much?

FINANCE DIRECTOR SHERMAN: We figured, over a three-year period, it would be roughly $1.3M.

CHAIR DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: But it ta'.., it takes time, you know, it, it grows as you.., you have staff turnover.

CHAIR DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: That's why it's not all in, in the year one. I mean, by the time you vote and change your Ordinances and go through that, you'd...

CHAIR DAVIS: That's the total over the three years?

FINANCE DIRECTOR SHERMAN: That's the total for three years, yes.

COUNCILPERSON PARDO: Right.

CHAIR DAVIS: Any other questions?

COUNCILPERSON DAVIS JOHNSON: It is appropriate to discuss or is it, um...

CHAIR DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: We're still...

COUNCILPERSON DAVIS JOHNSON: Do we...

COUNCILPERSON HUBBARD: ...negotiating.

COUNCILPERSON DAVIS JOHNSON: ...nee'... They're still negotiating so do we need to go back to a closed executive session to have additional conversation...

CHAIR DAVIS: I agree.

COUNCILPERSON DAVIS JOHNSON: ...about potentially seeing where we can meet or how we can take a look at where additional dollars may be able to come from? Because I am in full support of our first responders and it's very important.., you know, we are a small city and we a, a relatively small Staff but what is continuing to happen is a loss of talent. We want to be able to retain, we want to be able to recruit, so I would like to.., do I need to put it in a motion so that we could go into...

CHAIR DAVIS: Ms. Jones, did you send a notice out?

CITY MANAGER JONES: Well, one of the things that I was going to...

CHAIR DAVIS: Yeah.

CITY MANAGER JONES: ...talk about was the need for a closed...

CHAIR DAVIS: Right.

CITY MANAGER JONES: ...executive session...

UNK: Okay.

CITY MANAGER JONES: ...so the negotiating team can bring you up to date.

CHAIR DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR DAVIS: Yeah. She did bring that up earlier this week.

CHAIR PRO TEM MILLER-ANDERSON: Well, how does that impact us with this budget here?

COUNCILPERSON DAVIS JOHNSON: Right. That's the next...

CHAIR DAVIS: Well...

COUNCILPERSON DAVIS JOHNSON: ...question.

CHAIR DAVIS: Well, Mr.., well it depends on what's going on, at least with the contingency, whether it exceed for any immediate budget adjustments that we'll be a discussion that we'll probably do in a.., in our closed executive session.

COUNCILPERSON DAVIS JOHNSON: So we'll discuss strategies and how it will affect making adjustments to the budget should we be able to meet somewhere?

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON PARDO: Correct.

MAYOR MASTERS: I...

FINANCE DIRECTOR SHERMAN: Yes.

MAYOR MASTERS: Chair, I have a question. Mr. Sherman.

CHAIR DAVIS: Hold on. Councilperson Johnson still had the floor [inaudible].

MAYOR MASTERS: I thought she was finished.

COUNCILPERSON DAVIS JOHNSON: No. I, I, I believe that I'm done. If we are going to discuss it in closed executive session and there is an opportunity for us to, um, look at the numbers and where we are and where there may be an opportunity to make the adjustment, then we do that.

MAYOR MASTERS: Okay. I have a question. Um, the two Items that I had asked for...

FINANCE DIRECTOR SHERMAN: Yes.

MAYOR MASTERS: ...um, Ms..., Councilman, Councilwoman Davis, are you saying those two Items too? Because I didn't.., the Council never voted on the two Items that I had asked for and I've been asking for 'em for a long time. And...

COUNCILPERSON DAVIS JOHNSON: Well, we weren't discussing those two Items, we...

MAYOR MASTERS: Okay. That's...

COUNCILPERSON DAVIS JOHNSON: ...we're discussing...

CHAIR DAVIS: Discussing the...

COUNCILPERSON DAVIS JOHNSON: ...the closed executive...

CHAIR DAVIS: ...entire budget.

COUNCILPERSON DAVIS JOHNSON: This was just the closed executive session because they are still in negotiations and...

MAYOR MASTERS: Okay.

COUNCILPERSON DAVIS JOHNSON: ...so we have to discuss whatever other additions that were there because we.., I believe that the conversation was before we go to any other.., I believe Mr. Chair said, before we go to any of those Items, we'll handle the closed executive session and make any adjustments...

CHAIR DAVIS: To the budget...

COUNCILPERSON DAVIS JOHNSON: ...that we can with regards to those additional services that were, were requested.

MAYOR MASTERS: Yeah. Because I had been.., I was told...

UNK: [Inaudible].

MAYOR MASTERS: ...that this would be the last time to get the two Items that I've asked for approved, and that the Council will have a, a, uh, opportunity, opportune now to vote for them.., vote those things in? Are they reflected up here?

FINANCE DIRECTOR SHERMAN: Again, we've increased the contingency account from $250,000 to $350,000. Not only did we have your Items, we also had the educational incentive and we had talked about, you know, something for the 4th of July...

MAYOR MASTERS: For the.., in the contingency fund?

FINANCE DIRECTOR SHERMAN: ...celebration. So, it's in...

MAYOR MASTERS: That's fine.

FINANCE DIRECTOR SHERMAN: ...contingency.

CHAIR DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: So when, when something gets decided, then we would move it from the contingency.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: You done Mayor?

MAYOR MASTERS: I guess, yeah.

CHAIR DAVIS: Okay. Alright. Councilperson Hubbard.

COUNCILPERSON HUBBARD: I saw the Attorney raise his hand. Did you have something to say, sir?

CITY ATTORNEY DEGRAFFENREIDT: Yeah. While we're on this issue, it was called to my attention by Mr. Jones that you had not.., you had not considered my request for an increase of my Staff. I've asked for a 12% increase. It amounts to about $24,000 and it's only 4% of the budget that I did not get a chance to formulate, I kinda inherited it. And, since I've been here since July, they've been really indispensable to me and I would like to give them that meager increase, if you'll consider it.

CHAIR DAVIS: Well, I don't have no problem with us, at least, putting it in contingency and so we can make a decision later.

CITY ATTORNEY DEGRAFFENREIDT: That's fine, sir.

CHAIR DAVIS: ...at that the amount.

CITY ATTORNEY DEGRAFFENREIDT: Thank you.

CHAIR DAVIS: Yes.

CITY ATTORNEY DEGRAFFENREIDT: Thank you.

CHAIR DAVIS: Yeah.

COUNCILPERSON HUBBARD: Mr'....

CHAIR DAVIS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes. Mr. Sherman, I wanna find out of a couple things in.., are included. In the arterial, internal arteries within the community, I was talking about having funds for irrigation.

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON HUBBARD: Anytime we get ready to do any landscaping or make the communities aesthetically pleasing, the problem that Public Works always gives is there's no irrigation. So, a lot of times we think that the homeowners should do sidewalk to sidewalk when, in fact, sidewalk to sidewalk is our, um...

CHAIR DAVIS: The CRA.

COUNCILPERSON HUBBARD: ...responsibility and I think that the only way to make our communities look better or to set the tone for that, is to make sure that we have irrigation within, within our communities so they can look better and we can do better at the same time.

CHAIR DAVIS: Is that residential or commercial?

COUNCILPERSON HUBBARD: Residential. Within our comm'...

CHAIR DAVIS: Well, I know, um, the CRA, Mr. Evans had put some money in his budget to do the irrigation program for the community and he's gonna run it through the CDC because the CDC is allowed to go outside the CRA boundaries to do those things that's suggested. So he's allocated money in the budget to do that. We don't have.., do we have a department that does that right now or is that...

COUNCILPERSON HUBBARD: Public Works.

FINANCE DIRECTOR SHERMAN: We have.., thi'.., this would be more of a capital project, which...

CHAIR DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: ...is your next Agenda Item. Um, we do have a capital project...

UNK: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...for irrigation on...

CHAIR DAVIS: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...some of the main arteries that Public Works has been working on for several years but not on the interior streets. They would have

to come up with a cost estimate and submit a capital plan and, you know, and get it included in your, in your five-year plan which, you know, at thi'.., at this point, I mean, I'm not sure if they've started. My guess is they probably haven't but...

COUNCILPERSON HUBBARD: I'm sure they haven't.

FINANCE DIRECTOR SHERMAN: ...it would probably be there for the next year that we could include in the, in the capital plan.

COUNCILPERSON DAVIS JOHNSON: Question.

CHAIR DAVIS: Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON: No. Go ahead.

COUNCILPERSON HUBBARD: Say mine?

COUNCILPERSON DAVIS JOHNSON: I'll wait. Yes. [Inaudible]. Yes. Say your question.

CHAIR DAVIS: Go ahead. I'm sorry, Hubbard.

COUNCILPERSON HUBBARD: Okay.

COUNCILPERSON DAVIS JOHNSON: [Stammer]. I'll wait...

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON DAVIS JOHNSON: ...until we get together.

FINANCE DIRECTOR SHERMAN: Okay.

COUNCILPERSON HUBBARD: Okay. The, um, the other thing that I want to, to ta'.., talk about, this is under, this is under.., and you can tell me if you're gonna get to this later or we can discuss it now, with salaries and, and reclassification...

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON HUBBARD: Is this the time?

CHAIR DAVIS: No.

FINANCE DIRECTOR SHERMAN: You can ask.

CHAIR DAVIS: You can ask but...

FINANCE DIRECTOR SHERMAN: Yeah. There's a...

CITY MANAGER JONES: Yes.

FINANCE DIRECTOR SHERMAN: Yep.

MAYOR MASTERS: Yeah. It might be...

COUNCILPERSON HUBBARD: Okay.

MAYOR MASTERS: ...entertainment piece. Same thing.

CHAIR DAVIS: We can deal with it then.

MAYOR MASTERS: No difference.

COUNCILPERSON HUBBARD: Okay. I guess that was okay. I guess that was yes. On some of the positions we talked about, the reclassification of positions that would make some people higher than people that are supervising people, people that aren't supervising anybody when we reclassify their positon, they're gonna come in making more.., people.., [stammer], mores money higher. I rea'.., just so I can be clear.., I, I'mma, I'm gonna try to be as vague as possible but I'm going to try to make my point clear, at least to Staff.

In, in one department where we are increasing a Staff position to an executive, um, position, that person will actually come in making more than a deputy in, in the next position. So.., and that deputy person actually supervises one, two, three, four persons, the department head stated that the executive assistant doesn't really supervise anybody but just makes sure that things get done or everybody's getting done. That just can't be fair. And again, because we basically know what I'm talking about, I'm trying to be vague without calling names or positions out. So I'm saying to you that that's something that I think that we need to pull out of this budget and, and, and revisit because there's no way that we can make the executive assistant higher than the deputy who has been here, you know, numerous years plus supervising a minimum.., uh, a minimum of four people at any given time.

CHAIR DAVIS: Well, what we could too, cause we also have that Item that we're gonna address, um, Item No. 18...

FINANCE DIRECTOR SHERMAN: [Inaudible].

CHAIR DAVIS: ...all classifications and reclassifications?

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: Well, those are more or less discussing titles.

CHAIR DAVIS: No. But, this is...

COUNCILPERSON HUBBARD: And...

CHAIR DAVIS: ...doing... Mr. Sherman, stand'.., correct me if I'm wrong...

FINANCE DIRECTOR SHERMAN: Yeah. That...

CHAIR DAVIS: ...is that's what we're gonna be addressing...

FINANCE DIRECTOR SHERMAN: That one actually does new positons.

CHAIR DAVIS: Does only new positions?

FINANCE DIRECTOR SHERMAN: That's only...

CHAIR DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: ...the new positions.

CHAIR DAVIS: Alright. Okay.

FINANCE DIRECTOR SHERMAN: What you're talking about is, is Item 1, up there on the, on the sheet and I know you didn't wanna call out [chuckle] specifics.

COUNCILPERSON HUBBARD: [Inaudible].

FINANCE DIRECTOR SHERMAN: [Stammer] but keep in mind again, this only puts the dollars in the budget. It doesn't actually make it so. It doesn't mean that, that the reclassification actually will happen, it's only putting the money in, in anticipation of, of the request but do keep in mind that we put in $80,000 for a Comp Plan study, um, because, you know, I mean, you're, you're pointing out, you know, where you, where you feel there's, you know, some injustice and I think there's probably, um, some other's [chuckle] throughout the City and that's what the Comp Plan will, will help us address. So again, even though the money is, is in in the budget, it doesn't mean that it necessarily is going to, to take place. If you wanna move that $8,200, and we can move it over to contingency, is a.., you know, if you feel more comfortable with that, we could, you know, certainly do that.

COUNCILPERSON HUBBARD: No. It's, it's, um... If the in'.., if, if us voting on this budget doesn't necessarily mean that this recla'.., this reclassification, or this increase takes place, because this increase cannot take place until the other employee is made whole, we have to visit that position, as well as this one, if we're gonna do anything. We can leave 'em where they are right now and then determine that we are going to, um, look at those positons because anybody supervising three to four people and then someone coming in in a non-supervisory role making way more money than that

person, and it, you know, it's just some'.., it, it doesn't give our morale a boost here in the City.

COUNCILPERSON DAVIS JOHNSON: But, uh...

FINANCE DIRECTOR SHERMAN: Under'.., understood.

COUNCILPERSON DAVIS JOHNSON: Ms.., Madam Chair? Mr. Chair? I'm sorry. Are, are we talking about two singular employees or are we talking about the classification as a whole?

COUNCILPERSON HUBBARD: We're talking about the classification as a whole. This, and this is why I said I.., you know, for example, say.., I was trying to bring it down so.., to give him a reminder of what I was talking about, not to just go, you know, as vague and talk about this, I can, um, he has the same documents that, that, that I have. So, you, you do understand...

FINANCE DIRECTOR SHERMAN: Mhmm.

COUNCILPERSON HUBBARD: And I'm saying, that I'm saying we cannot increase this particular classification positon, um, wherever it lands in the classification, if we don't look at our deputies because this will...

COUNCILPERSON DAVIS JOHNSON: Deputy?

COUNCILPERSON HUBBARD: ...move people over our deputies'...

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: ...positions. Or, even some of 'em are called office managers, it would be more increased than the office managers.

CHAIR DAVIS: Let's, um...

FINANCE DIRECTOR SHERMAN: She's talking about...

CHAIR DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: ...the office managers.

COUNCILPERSON DAVIS JOHNSON: Oh, office managers?

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: Some positions are called office managers.

UNK: Yeah.

CHAIR DAVIS: Any, any other questions by any other Members of the Board?

COUNCILPERSON DAVIS JOHNSON: What is the expectation of when the Comp'.., the uh, Comp Plan study will hit the street?

FINANCE DIRECTOR SHERMAN: Yeah. This fall. I mean, we, we're already gathering the information to put together to hopefully get it out. I don't know if it'll be October but, you know, certainly, um, you know, by, before the end of the year. And, and our hope is, is that by the time we come around for the next budget cycle, that we at least have a good idea, you know, what the Comp Plan is going to be telling us.

COUNCILPERSON HUBBARD: When you say the next budget cycle, what are you referring to?

FINANCE DIRECTOR SHERMAN: '18.

COUNCILPERSON DAVIS JOHNSON: Next couple of months. [Inaudible].

UNK: Yeah. It's '18.

COUNCILPERSON HUBBARD: Well, I'm not suggesting that these persons wait 'til 2018 to get their raises or to get their promotions, what I'm saying is Staff needs to be able to look at... HR needs to know enough about classification and reclassification to make sure that those persons are classified properly so that when we are doing increases, that it, that there's not a substantial difference in the fact that the deputies are mak'.., supervising people are making a lot less than office assistants. So, and the problem is with the classification of positions. So we just need to look at that and fix that and make sure that people are being paid fairly for the duties and the services that they provide the City.

CHAIR DAVIS: Mr. Sherman, could you, could you come back in the next...

FINANCE DIRECTOR SHERMAN: Sure.

CHAIR DAVIS: ...meeting and give us a report on... Well, I guess you got a study going out so we would have to wait for that to come back.

COUNCILPERSON HUBBARD: Mhmm.

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIR DAVIS: So.., before we make, make a decision on it.

FINANCE DIRECTOR SHERMAN: And I, I know Mr. Mealy is, is already gathering the information to...

CHAIR DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: ...compile it. And again, if we can get it out in October, that would be our goal but...

CHAIR DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: ...um... And then again, a quick 30 day turnaround, hopefully, by maybe January, we can get somebody started.

CHAIR DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: And typically, a comp.., a comp study takes about what? Six months? For...

UNK: I would think...

COUNCILPERSON DAVIS JOHNSON: ...a, an organization our size.

FINANCE DIRECTOR SHERMAN: I'm sorry. [Stammer] community our size, the number of positions that we have, yeah. We're, we're thinking maybe six months.

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR DAVIS: Ms.., Ms. Jones, is this where we would normally deal with [inaudible] departments cause I know we discussed, in our workshop, about procurement being independent of itself?

CITY MANAGER JONES: That's really just an organizational issue so it really doesn't have an impact on the budget because they have their own budget code.

CHAIR DAVIS: So, when would that take place?

CITY MANAGER JONES: That would take place at the beginning of.., October 1.

CHAIR DAVIS: Will that.., will something come before the Board that we would have to...

CITY MANAGER JONES: It wouldn't be necessary, it's just a change in...

CHAIR DAVIS: Okay.

CITY MANAGER JONES: ...the structure.

CHAIR DAVIS: Alright.

CITY MANAGER JONES: Yeah.

CHAIR DAVIS: Will there be any other changes that we're, we're aware of?

CITY MANAGER JONES: No. I just wanted to summarize to make sure that we were all on the same page as it relates to the three outstanding Items. The first one was from the Mayor for $20,000 for special events and [pause], $15,000 for the upgrade of his legislative assistant. And then Mr. Degraffenreidt' s request was about $24,000. And so, those are the three requests that you have before you...

CHAIR DAVIS: Okay.

CITY MANAGER JONES: ...for additional monies. And so, I'm.., are we going to wait...

CHAIR DAVIS: [Stammer].

CITY MANAGER JONES: ...and do 'em later under...

CHAIR DAVIS: We, we...

CITY MANAGER JONES: ...contingency or...

CHAIR DAVIS: Yes.

CITY MANAGER JONES: ...can we ju'.., go ahead...

CHAIR DAVIS: At least...

CITY MANAGER JONES: ...and say so?

CHAIR DAVIS: ...hold something in contingen'.., contingency for it until this.., so this Board can make a decision later on how we wanna move. That's what we talked about earlier.

CITY MANAGER JONES: Okay. I just wanted...

MAYOR MASTERS: Wait a minute.

CITY MANAGER JONES: ...to go ahead and...

CHAIR DAVIS: Yes.

CITY MANAGER JONES: ...make sure...

CHAIR DAVIS: Because we still.., we had all these officers in here that we're talkin' about.., we gotta fi'.., every decision we make, it's gonna have an impact on this entire City's budget. Every decision we make. Now, if you wanna.., if you call a vote now, Mayor...

MAYOR MASTERS: I do.

CHAIR DAVIS: ...so be it. [Stammer]...

COUNCILPERSON DAVIS JOHNSON: Well...

MAYOR MASTERS: Let me just say...

COUNCILPERSON DAVIS JOHNSON: Mr. Chair.

[Inaudible dais comments]

MAYOR MASTERS: Go ahead, Council... I'm only asking... I have asked for this meeting after meeting. Every time I've asked, it's always, 'Bring it back at the next meeting. Bring it back,' and I brought it back for Monday night. I'm only asking, Mr. Chair, I'm not asking for it out of the contingency. What I'm asking, on the bene'...

CHAIR DAVIS: Well...

MAYOR MASTERS: On behalf...

CHAIR DAVIS: ...it goes to contingency pending. It, it's not...

MAYOR MASTERS: Okay. However you wanna call it. I'm just asking, on behalf of the citizens and the employees and others, to have this monthly event free and we've been doing it for over a year and I've been making it happen. And this is not all that we need but that's all that we're asking for because we have other people in the community and other businesses that will supplement radio, for example, will give us radio time. And that's all I'm asking for and I would just like for this Council to either say aye or nay and, and I'm done with it.

CHAIR DAVIS: Well, well, we're just trying to conduct the business and...

MAYOR MASTERS: Yeah. But I'm...

CHAIR DAVIS: ...and just try'...

MAYOR MASTERS: ...supposed to bring it back and now I'm tel'.., telling.., now, it's like...

CHAIR DAVIS: Okay.

MAYOR MASTERS: ...[inaudible] contingency.

CHAIR DAVIS: Okay.

MAYOR MASTERS: I would like a vote [inaudible].

CHAIR DAVIS: Let me ask, let me ask you a question. Mr. Sherman?

FINANCE DIRECTOR SHERMAN: Yes.

CHAIR DAVIS: In our promotion account, what would you normally do with that?

FINANCE DIRECTOR SHERMAN: Your, your individual promotional...

CHAIR DAVIS: Yes, sir.

FINANCE DIRECTOR SHERMAN: ...accounts? Uh, you [stammer]...

CHAIR DAVIS: Can we do events with it?

FINANCE DIRECTOR SHERMAN: You, you could. You could.

CHAIR DAVIS: Yeah. Now how much do we, we have allocated for the Mayor for that? Does he have enough money to do that in his promotion?

FINANCE DIRECTOR SHERMAN: Hang.., hang on. Let me get you the, the number.

MAYOR MASTERS: I don't have...

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

MAYOR MASTERS: I'm asking for [inaudible]. I'm just asking.

CHAIR PRO TEM MILLER-ANDERSON: ...reallocate money from [inaudible]?

CHAIR DAVIS: [Inaudible] I know. Mhmm.

MAYOR MASTERS: They can add it to promotion, that's fine. Whatever they wanna do. That's all I'm...

CHAIR DAVIS: No. I'm just...

MAYOR MASTERS: ...asking.

CHAIR DAVIS: No. I'm just asking, do you have enough to do it now, before we do that. For the new year, does he have enough money?

FINANCE DIRECTOR SHERMAN: Hang on. We're getting it.

MAYOR MASTERS: Whatever I have in the, the, um, promotion account, Mr. Chair, is not, is not budgeted for this event. That was for the promotional things that I do all year for the City. Now, if he wants to add...

CHAIR DAVIS: Mayor...

MAYOR MASTERS: ...$20,000...

CHAIR DAVIS: ...Mayor, Mayor. Let's, at least, get the information before we make a decision.

MAYOR MASTERS: Well, I just told you. I already know

FINANCE DIRECTOR SHERMAN: There's $4,500 budget.

CHAIR DAVIS: So, we all get $4,500 a year, correct?

FINANCE DIRECTOR SHERMAN: Do they, do they each get $4,500?

CHAIR PRO TEM MILLER-ANDERSON: I believe so.

CHAIR DAVIS: Okay. Then we get $15,000 a year for our promotioning, right? For our, um, waste management money?

FINANCE DIRECTOR SHERMAN: Correct.

CHAIR DAVIS: And, he originally asked for $5,00 then amended...

MAYOR MASTERS: Now, it's...

CHAIR DAVIS: ...that amount for...

MAYOR MASTERS: ...[inaudible] $10,000.

CHAIR DAVIS: ...$10,000?

MAYOR MASTERS: It was $10,000 first.

FINANCE DIRECTOR SHERMAN: Correct.

CHAIR DAVIS: So, you're already within budget. You just have to...

MAYOR MASTERS: I need $20,000...

CITY MANAGER JONES: Twenty.

MAYOR MASTERS: I need additional $20,000 to go through the City treasury. They invoice everybody, they pay everybody. That's all I'm asking the City to do. Now, however you wanna do it, I'm fine with it but I've been asking. I mean, you know, at this point, I'm very frustrated because I can't se'.., I can't.., I can't seem to get off the ground with it. I've been asking. I'm just ask'.., all I'm asking my colleagues is say aye. Let the Mayor...

CHAIR DAVIS: Mayor.

MAYOR MASTERS: ...and the City of Riviera Beach... Please don't cut me off, Mr. Chair. Give this event, and I just need.., if my colleagues say it's a great event, let's support it, at least minimally of $20,000 for a whole year and we're doing the events right here at City Hall, free, for the families of Riviera Beach. And if they say no, I'm good with it.

CHAIR DAVIS: Well, I'mma...

MAYOR MASTERS: That's where I'm at.

CHAIR DAVIS: ...I'mma hear from my colleagues before I say anything else but we're just trying to get through this meeting because we got other stuff we gotta take care of.

COUNCILPERSON PARDO: Alright. Mr. Chair.

MAYOR MASTERS: I would like to hear from the colleagues.

COUNCILPERSON PARDO: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Okay. I support the Mayor's program. So, you know, if you wanna take the money of our contingency, I have no problem with that. And

Mayor, if it doesn't pass, then I will help you out of my promotion and community benefits.

CHAIR DAVIS: How much?

COUNCILPERSON PARDO: Because I think it's...

CHAIR DAVIS: [Inaudible].

MAYOR MASTERS: I want it to pass.

COUNCILPERSON PARDO: ...a great event.

MAYOR MASTERS: I want it to pass.

COUNCILPERSON PARDO: Right.

MAYOR MASTERS: [Inaudible].

COUNCILPERSON PARDO: It's a great event.

MAYOR MASTERS: I just want it to pass.

CHAIR DAVIS: Well...

COUNCILPERSON PARDO: And the...

CHAIR DAVIS: Well...

COUNCILPERSON PARDO: Right. The people are coming to...

MAYOR MASTERS: I'm waiting for the colleagues.

COUNCILPERSON PARDO: ...City Hall, they're enjoying it and they're not being charged.

MAYOR MASTERS: And it's free.

COUNCILPERSON PARDO: I think it's a great event.

MAYOR MASTERS: Thank you.

CHAIR DAVIS: I got it. Councilperson Hubbard.

COUNCILPERSON HUBBARD: I, um, I agree. I support the Mayor's event. He's carried it out of his promotional budget and it's benefitted more than him. He.., it's

benefitted all of our districts and, um, I, I only con'.., contributed $1,000 one time out of my budget but, since, um, we were able to carry it a full year, now I do think it's time that it become something of the community of the City. There's very few things for people to enjoy and go out to in the City and this is only once a month to give people an opportunity to get out and mingle and network. So, I support it 100%, um, the project that the Mayor has undertaken.

CHAIR DAVIS: Anyone else got any comments?

COUNCILPERSON DAVIS JOHNSON: I support... I'm sorry. Mr. Chair?

CHAIR DAVIS: Councilperson, you, you got the floor.

COUNCILPERSON DAVIS JOHNSON: I support the Mayor's initiative. I believe that it needs to be billed.., the, the Mayor and City Council of Riviera Beach or the City of Rivera Beach, if we are going to look...

MAYOR MASTERS: No problem.

COUNCILPERSON DAVIS JOHNSON: ...at dollars...

COUNCILPERSON PARDO: That's fine.

COUNCILPERSON DAVIS JOHNSON: ...that are coming from the, from, from the City to sponsor an event such as this, it needs to be billed properly so that, as we [stammer] are audited and dollars are looked at, we can then say this has been a City sponsored event.

MAYOR MASTERS: That's great.

CHAIR DAVIS: City sponsored event.

MAYOR MASTERS: Fine.

CHAIR DAVIS: Okay.

MAYOR MASTERS: It is.

CHAIR DAVIS: So how much are you asking for it?

MAYOR MASTERS: I'm right at the same $20,000.

CHAIR DAVIS: No. You first came and asked for $5,000. So now it done moved to...

MAYOR MASTERS: Mr. Chair...

CHAIR DAVIS: ...$20,000.

MAYOR MASTERS: I'm not going back and forth with you.

CHAIR DAVIS: No. I'm just asking...

MAYOR MASTERS: I've asked for $20,000. It's on the paper, it's been $20,000 for two meetings and it's been stagnated. Now, either we're for it or we're not.

CHAIR DAVIS: Okay. Let me...

MAYOR MASTERS: When Councilwoman Davis Johnson said, 'I agree. It can be billed as a City of Riviera Beach event.'

CHAIR DAVIS: Mayor, I'm being calm here. I just asked a very simple question cause I just wanna know.

MAYOR MASTERS: Okay. Well, I hope you got...

CHAIR DAVIS: Alright?

MAYOR MASTERS: ...an answer

CHAIR DAVIS: Just wanna know.

MAYOR MASTERS: ...the answer.

CHAIR DAVIS: Alright?

MAYOR MASTERS: We're asking for $20,000.

CHAIR DAVIS: I know we have promotions, we have events we're all trying to do on behalf of the City. So, my thing is, will you be coming back to ask for even more money?

MAYOR MASTERS: No. I'm done. And, and please don't make it look like that.

CHAIR DAVIS: No. No. I'm asking...

MAYOR MASTERS: Don't do that to me.

CHAIR DAVIS: ...because... No, no, no. I asked a simple question because we all have $15,000 plus another $4,500. That's almost $20,000 right there. Then you ask for another twenty. The City should not be an event planning business. Now, we should be working with local businesses, local non-profits across this City, they should be allowed to use our facilities, work with Parks & Recreation and really throw community

events. Now, I will support this Item if this what my colleagues wanna do but I'm just trying to find a way that we can find a way to do things differently, to get these same goals accomplished, without keep going to the taxpayer's money to pay for these events.

MAYOR MASTERS: I'm done with it.

CHAIR PRO TEM MILLER-ANDERSON: I just wanted to comment.

CHAIR DAVIS: Go ahead, Council'...

CHAIR PRO TEM MILLER-ANDERSON: Um, I, I...

CHAIR DAVIS: ...Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: ...do.., obviously, I support it. I did give it, um, gi'.., contribute some money last year I do believe, from the Community Benefits. I, I just have a question, Mr. Sherman. So, it goes into contingency, we would take it from contingency? Would any of this money be impacting, um, if we should look to go and, and meet the police department at the point in where they're trying to go? I mean, activities are great.

FINANCE DIRECTOR SHERMAN: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: I mean, I, I don't, you know, I don't a'.., I support it but I, I do feel a need to try to make sure that our police, who are keeping us safe...

MAYOR MASTERS: That's right.

UNK: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: ...who are out there working, making very more [stammer], way below what everybody else is making and they're working way harder than other municipalities so, how will that impact...

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: Or, if any?

FINANCE DIRECTOR SHERMAN: I mean [sigh], it, it shouldn't impact that at all.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

FINANCE DIRECTOR SHERMAN: Typically, your contingency is there for emergencies. Um, so, you know, again, we, we've budgeted fuel at a certain level. If,

all of a sudden, it goes up to $5.00 a gallon are we still gonna get the, the police vehicles on the street, they'll need money. We use it for maintenance and those types of issues that you really can't, uh, you know, anticipate, over time, it.., you know, maybe he's gotten, you know, crazy or something. So, I wouldn't think we would be using that for police salaries anyway.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

FINANCE DIRECTOR SHERMAN: Um...

CHAIR PRO TEM MILLER-ANDERSON: Now...

FINANCE DIRECTOR SHERMAN: And again it's...

CHAIR PRO TEM MILLER-ANDERSON: ...what about, um, I think we cancelled the Jazz.

UNK: Mm.

FINANCE DIRECTOR SHERMAN: Correct.

CHAIR PRO TEM MILLER-ANDERSON: How.., what.., how much were we spending for that each year?

FINANCE DIRECTOR SHERMAN: We were putting in $30,000?

CHAIR DAVIS: 45.

FINANCE DIRECTOR SHERMAN: Well, yeah. We were spending more but we were budgeting [chuckle]...

MAYOR MASTERS: And you were...

FINANCE DIRECTOR SHERMAN: ...we were...

MAYOR MASTERS: ...charging people.

FINANCE DIRECTOR SHERMAN: ...budgeting 30.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: So, have we reallocated those funds? We pulled it off.., is that still on there?

CHAIR DAVIS: No.

FINANCE DIRECTOR SHERMAN: No.

CHAIR PRO TEM MILLER-ANDERSON: It's pulled off, right? It's off, right? Yeah?

FINANCE DIRECTOR SHERMAN: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay. [Chuckle].

FINANCE DIRECTOR SHERMAN: Sorry.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, we're essentially taking.., we're replacing that with the...

FINANCE DIRECTOR SHERMAN: With...

CHAIR PRO TEM MILLER-ANDERSON: ...with what the Mayor is doing.

FINANCE DIRECTOR SHERMAN: In essence...

CHAIR PRO TEM MILLER-ANDERSON: But it's...

FINANCE DIRECTOR SHERMAN: ...that's what you would be doing.

CHAIR PRO TEM MILLER-ANDERSON: ...actually a lower amount?

FINANCE DIRECTOR SHERMAN: Correct.

CHAIR PRO TEM MILLER-ANDERSON: Okay. But with.., so, Mayor, I have a question. So, with it being billed as the Riviera Beach Event, you would still be overseeing it and, and running it as you have done before, correct?

MAYOR MASTERS: I will do all I can to make it successful, yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MAYOR MASTERS: And help.., with the help of anyone that wants to help.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Now we're just talking about the $20,000 for the special events. We're.., this is.., I know I heard something about the legislative assistant, $15,000 and then we're talking about $24,000 for the Attorney but that's all just gonna go in contingency anyway?

FINANCE DIRECTOR SHERMAN: Correct.

COUNCILPERSON DAVIS JOHNSON: The...

CHAIR PRO TEM MILLER-ANDERSON: Huh?

COUNCILPERSON DAVIS JOHNSON: Madam Pro Tem, the conversation with regards to the reclassification was brought up in our last discussion because there was, in my mind, a conflict with raising the salary and changing the title, um, in the same manner as it related to Councilperson Hubbard's issue.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

COUNCILPERSON DAVIS JOHNSON: And we decided to put that in contingency to further discuss it...

CHAIR PRO TEM MILLER-ANDERSON: Later.

COUNCILPERSON DAVIS JOHNSON: ...and to see the outcome of the comp study because we don't know.

CHAIR PRO TEM MILLER-ANDERSON: Right.

COUNCILPERSON DAVIS JOHNSON: We, we don't know how this is all going to flesh out...

CHAIR PRO TEM MILLER-ANDERSON: Right.

COUNCILPERSON DAVIS JOHNSON: ...and so we agreed, at that meeting, to place tho'.., all of that in contingency and on hold for further discussion.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIR DAVIS: One thing I'd like to see happen, Mr. Sherman, is, as we do these events, just like we did Jazz in the Dark, come back and give us a financial report.

FINANCE DIRECTOR SHERMAN: Yes. We, we...

CHAIR DAVIS: As far as how the money's being...

CHAIR DAVIS: ...certainly can do that.

CHAIR DAVIS: ...allocated and how it's been spent.

MAYOR MASTERS: And, Mr. Sherman, Mr. Sherman, and that's what we have done...

FINANCE DIRECTOR SHERMAN: Yes.

MAYOR MASTERS: ...with the events cause every dime goes to the City and they have to have a invoice and the number...

FINANCE DIRECTOR SHERMAN: Mhmm.

MAYOR MASTERS: ...and you guys write all the checks...

FINANCE DIRECTOR SHERMAN: We...

MAYOR MASTERS: ...to everybody...

FINANCE DIRECTOR SHERMAN: Yes.

MAYOR MASTERS: ...that participates, that turns an invoice. Is that, is that the way it's been?

FINANCE DIRECTOR SHERMAN: Yes. We...

MAYOR MASTERS: And we can make it public cause it's public record.

FINANCE DIRECTOR SHERMAN: Absolutely.

MAYOR MASTERS: Thank you, Mr. Sherman.

CHAIR DAVIS: Okay.

MAYOR MASTERS: Okay. We're good.

CHAIR DAVIS: Any questions before we call a vote for this.., to approve this [pause]? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Item No. 11. Let's go to...

DEPUTY CITY CLERK BURGESS: 11. 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.

CHAIR DAVIS: Do we have a motion?

COUNCILPERSON HUBBARD: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIR DAVIS: Properly moved and second. Before we.., yeah. Let's go to public comment really quick. Mr. Rick King. Did he leave? Oh, he's here.

[Inaudible dais comments]

MR. R. KING: Couple seconds, I promise. Listen, I heard your, uh, your comments and I, I appreciate your willingness to work with the officers. I just anticipate talking to you again very soon. Thank you for taking into consideration the hard work that these guys.., these men and women do.

CHAIR DAVIS: Okay.

MAYOR MASTERS: And you've got my support, 100%.

CHAIR DAVIS: Ms. Jones, right before we get started, the Trunk or Treat, that's gonna come back later, right? The Trunk or Treat event.

CITY MANAGER JONES: Yes. We'll be prepared to make the plea the first meeting in October.

CHAIR DAVIS: Okay.

CITY MANAGER JONES: So, we'll have the full...

CHAIR DAVIS: Yes, ma'am.

CITY MANAGER JONES: ...full month of...

CHAIR DAVIS: Alright.

CITY MANAGER JONES: ...October.

CHAIR DAVIS: Okay. Mr. Sherman.

FINANCE DIRECTOR SHERMAN: Yes. Good evening again. Again, this is the second public hearing and reading of the Capital Improvement Plan. Capital projects, we have $32,000,000, $32.6M of capital projects for the general fund. Special revenues, which are our grants, are $2.1M. The Utility is at $29.7M and again, this is just the first year of these projects and I do wanna say that on Monday night you voted for one of the contracts with the county for Garden Road at $138,000. We were carrying 125 so we have corrected the plan, it now is at the 138. And then we have $355,000 for the Marina and $11.6 for the storm water projects. Again, that was just the, the first year then this gives you the full five year of the plan. So it's $74.3M in year one and then over the five-year span, it's actually $114M.

And again, I can take any questions that you, that you may have. So other than that one change for Garden Road to tie into the, uh, the approval with the county on Monday, it's the same plan we presented on September 8th.

CHAIR DAVIS: Okay.

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

CHAIR DAVIS: Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: For the fire departments.

FINANCE DIRECTOR SHERMAN: Yes.

CHAIR PRO TEM MILLER-ANDERSON: I noticed that we'll have Station No. 2 rebuilt, replacing that one.

UNK: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: Right?

FINANCE DIRECTOR SHERMAN: Yes. Last, last year we looked at both Stations 2 and 3.

CHAIR PRO TEM MILLER-ANDERSON: Right.

FINANCE DIRECTOR SHERMAN: With the issues that we've had at Station 2 this past year, we figured we should just focus on one and getting one done.

CHAIR PRO TEM MILLER-ANDERSON: Uhuh.

FINANCE DIRECTOR SHERMAN: So, what we've done this year is put in the money to get that one designed.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

FINANCE DIRECTOR SHERMAN: So then next year we can put in the money to actually do the construction.

CHAIR PRO TEM MILLER-ANDERSON: Um...

FINANCE DIRECTOR SHERMAN: And then...

CHAIR PRO TEM MILLER-ANDERSON: What'...

FINANCE DIRECTOR SHERMAN: ...we would...

CHAIR PRO TEM MILLER-ANDERSON: You know, I, I went to the stations a couple months back and a lot of them were in a dire need for renovating the restrooms in there. You know, these people live there, basically. You know, I know we're repairing and renovating our restrooms here, something on the Agenda for the Parks &.., the gyms. But the firemen, they, you know, they're there two, three days living around the clock and their restrooms, some of 'em, the pipes were exposed, the wiring exposed. I mean, almost like a third world country, they're living in, in some of those fire stations with the restrooms. Is there some where we can do something with those? I mean, to kinda renovate those restrooms for the fire stations?

FINANCE DIRECTOR SHERMAN: Well, we, we did budget $70,000 in general maintenance for the...

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

FINANCE DIRECTOR SHERMAN: ...fire department so it's kinda of...

CHAIR PRO TEM MILLER-ANDERSON: Is that enough...

FINANCE DIRECTOR SHERMAN: ...spoken for.

CHAIR PRO TEM MILLER-ANDERSON: ...to do what we...

FINANCE DIRECTOR SHERMAN: I don't, you know, I, I don't know if that would be enough, um, especially if you're trying to do all, all four stations.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

CHAIR DAVIS: Mr. Johnson's behind you.

FINANCE DIRECTOR SHERMAN: But we'd have to get a...

CHAIR PRO TEM MILLER-ANDERSON: Brent?

CHAIR DAVIS: Mr. John'.., I see him shaking his head.

FINANCE DIRECTOR SHERMAN: Johnson here? Okay?

CHAIR DAVIS: That's what we need to put money towards.

PUBLIC WORKS DIRECTOR JOHNSON: Good evening. Brent Johnson, Director of Public Works. As Mr. Sherman mentioned, they have about $70,000 in their budget for maintenance but, in addition to that, ya'll may recall that the Manager put maintenance, more maintenance funds into the Public Works budget. So we plan on addressing, not only a lot of the fire station's restrooms but police restrooms as well.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, we have enough to be able to totally renovate 'em all?

PUBLIC WORKS DIRECTOR JOHNSON: We should but we haven't gotten the cost estimates yet...

CHAIR PRO TEM MILLER-ANDERSON: Right, right.

PUBLIC WORKS DIRECTOR JOHNSON: ...and we don't know the...

CHAIR PRO TEM MILLER-ANDERSON: Just based on...

PUBLIC WORKS DIRECTOR JOHNSON: ...extent of the renovations.

CHAIR PRO TEM MILLER-ANDERSON: You know, just...

PUBLIC WORKS DIRECTOR JOHNSON: But based...

CHAIR PRO TEM MILLER-ANDERSON: ...a rough estimate.

PUBLIC WORKS DIRECTOR JOHNSON: ...on what we've been spending, we, we may have enough to do...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

PUBLIC WORKS DIRECTOR JOHNSON: ...police and fire.

CHAIR PRO TEM MILLER-ANDERSON: Well, I'm sure they will be very happy to hear that.

COUNCILPERSON DAVIS JOHNSON: I'm sure.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Thanks.

PUBLIC WORKS DIRECTOR JOHNSON: You're welcome.

COUNCILPERSON PARDO: Mr. Chair?

CHAIR DAVIS: Yes. Commissioner Pardo.

COUNCILPERSON PARDO: Okay. So, Monday night I asked.., Ms. Jones, Monday night I asked you and, um, our Utility consultant to take a look at our capital projects to make sure that the projects that we listed are the only projects that we feel are, you know, that need to be done immediately. Did you guys take a second look at it?

CHAIR DAVIS: Can I step in, on this issue?

FINANCE DIRECTOR SHERMAN: Sure.

CHAIR DAVIS: Me.., Mr. Perry. Me and Mr. Perry had a discussion the other day. He's going to sit down with so'.., a team of people to figure out later on, real soon, by the next meeting a strategy on how to prioritize those capital projects based on the consent orders and how everything should be prioritized.

COUNCILPERSON PARDO: Okay. So...

FINANCE DIRECTOR SHERMAN: Yeah...

CHAIR DAVIS: I'll discuss it in the water.., in the report.

FINANCE DIRECTOR SHERMAN: Well, I was gonna say, and the Utility capital budget is $64M.

COUNCILPERSON PARDO: Right.

FINANCE DIRECTOR SHERMAN: And it is all fully funded.

CHAIR DAVIS: Yeah.

COUNCILPERSON PARDO: Right.

FINANCE DIRECTOR SHERMAN: So, moving those projects from one year to the next wouldn't be a problem. And we do also have a few million dollars of contingency within the operating budget so if we need some extra money it is there. The only issue would be is if you really wanna swap a project out, we may have to come back and amend the Plan but that's, you know, not, not that much of a problem.

COUNCILPERSON PARDO: Right. But the critical projects...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON PARDO: Right? So we heard about how critical, you know, the, uh, the situation is over at the water department, you know...

FINANCE DIRECTOR SHERMAN: Mm.

COUNCILPERSON PARDO: ...we were talking about declaring a state of emergency over there. So I just wanna make that we are allocating...

FINANCE DIRECTOR SHERMAN: Yeah.

COUNCILPERSON PARDO: ...you know, the proper funds to make sure the projects get fixed this year.

UNK: [Inaudible].

FINANCE DIRECTOR SHERMAN: Absolutely.

ASSISTANT TO THE CITY MANAGER PERRY: Commissioner, um, when Mr. Beaudet and Mr. Sherman put this together, it was all based on what he identified as the needs in the Utility District beforehand. So, the majority of the projects for 2016 and 2017 are the projects that we need in, in part for.., as to critical, um, infrastructure over at the Utility District. So, yes we did take a second look at it.

COUNCILPERSON PARDO: Okay. Thank you.

ASSISTANT TO THE CITY MANAGER PERRY: Mhmm.

CHAIR DAVIS: Any questions by other Members of the Board before we move on?

COUNCILPERSON HUBBARD: Can you address the, um, you tol'.., you stated this would be discussed, the funding for the irrigation? That we spoke about.

FINANCE DIRECTOR SHERMAN: Yeah. Let me find that one.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair, while he's looking?

CHAIR DAVIS: Yes.

FINANCE DIRECTOR SHERMAN: Yes.

COUNCILPERSON DAVIS JOHNSON: The Community Development and neighborhood sector dollars, are those dollars that can be allocated to irrigation?

[Inaudible background comment]

CITY MANAGER JONES: Those dollars are there for neighborhood improvement. They have not been allocated to any particular project.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

CITY MANAGER JONES: We were wanting to try to see where the desires were so that you could get the biggest bang for the buck as it relates to the neighborhood improvements.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

CITY MANAGER JONES: So that we can continue to add to that every year to get enough money to really do...

COUNCILPERSON DAVIS JOHNSON: Gottcha.

CITY MANAGER JONES: ...something major. If, um, it is the desire, we can allocate money for the irrigation but then we got to make sure we go back and we also have to then look at what we've allocated for water because you got the water bill...

CHAIR DAVIS: Correct.

COUNCILPERSON DAVIS JOHNSON: Of course. Okay.

CITY MANAGER JONES: And it depends on how many days you...

CHAIR DAVIS: Mhmm.

CITY MANAGER JONES: ...water, is what happens with that.

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR DAVIS: And how we maintain it is gonna be a cost of that too, as well, correct?

FINANCE DIRECTOR SHERMAN: And to get back to the other question, we budgeted $165,000 and it was intended to do, um, Blue Heron and President Barack Obama Highway. So again, they're the major...

COUNCILPERSON HUBBARD: The major...

FINANCE DIRECTOR SHERMAN: ...roads that we were focusing...

COUNCILPERSON HUBBARD: Right.

FINANCE DIRECTOR SHERMAN: ...and not, not the side streets.

COUNCILPERSON HUBBARD: Yeah. Not the community streets. So the streets within...

FINANCE DIRECTOR SHERMAN: Right.

COUNCILPERSON HUBBARD: ...you know, within, within the neighborhoods that we want to be, uh, that we want, that we want to look at. So, where would, other than the sector planned dollars or the..., where will we be able to get started, you know, doing a project like that?

FINANCE DIRECTOR SHERMAN: Well, the first thing we need to do is get some cost estimates. I mean, the Public Works would have to go back and, you know, come up with some estimates and put together a plan cause I, personally, would have no idea how much any anything [chuckle] with that would cost.

COUNCILPERSON HUBBARD: That's why I was asking...

FINANCE DIRECTOR SHERMAN: [Stammer] and then...

COUNCILPERSON HUBBARD: ...early in this process.

FINANCE DIRECTOR SHERMAN: ...that's why I'm thinking if they spend a year developing the plan, you know, we start the capital project budgets start coming in in March and April so that gives them as few months to get those projects in and then we, you know, again, go through the capital project plan. So they probably would start to be included, if there was funding available in, in next year's CIP.

COUNCILPERSON HUBBARD: Okay. Thank you.

CHAIR DAVIS: Any other questions? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote. So, we finished Items 8, 9, 10 and 11. What I wanna do, just for time, we have a group that's here for a presentation. For respect for their family, we're gonna let them go and come and do that. So, the Mayor...

MAYOR MASTERS: Thank you.

CHAIR DAVIS: So, do your Awards and Presentations but, before we do that, is Judge Harper here?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIR DAVIS: Did he leave? Judge Harper, come say a few words, man. We gotta give a congratulations.

MAYOR MASTERS: Our newly...

CHAIR DAVIS: Tell us about...

MAYOR MASTERS: ...elected Judge.

CHAIR DAVIS: ...the swear in ceremony...

COUNCILPERSON PARDO: Judge Elect.

CHAIR DAVIS: ...and where it's gonna be? Judge Elect.

MAYOR MASTERS: Give him a big hand.

[Applause]

UNK: Your Honor.

CHAIR DAVIS: Stand up, give him a round of applause.

MAYOR MASTERS: The Court is in session.

[Inaudible comments]

CHAIR DAVIS: Judge Elect.

MAYOR MASTERS: [Chuckle].

CHAIR DAVIS: I just.., I told him, that's history, man.

JUDGE ELECT B. HARPER: Yeah. I appreciate it. Good evening.

CHAIR DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Good evening.

JUDGE ELECT B. HARPER: Council Members, Chair and citizens of Riviera Beach, I am Bradley Harper, Judge Elect for Palm Beach County and I'd just like to quickly say thank you for going out to vote and for all you do in the community and I look forward to serving you.

Thank you.

CHAIR DAVIS: Where are you from again?

JUDGE ELECT B. HARPER: Born and raised right here in Riviera Beach, Florida.

CHAIR DAVIS: Alright, alright. That's history.

[Applause]

CHAIR DAVIS: Proud of you, proud of you, proud of you. Great things come out of this great land. Great people do.

AWARDS AND PRESENTATIONS

CHAIR DAVIS: Mayor Masters, you have your presentation now so we can respect the family and their time.

MAYOR MASTERS: Thank you, Mr. Chair.

CHAIR DAVIS: Alright.

MAYOR MASTERS: I'm gonna ask the Mayor's.., the Office's Chief of Staff to read this Proclamation and everybody that's here with Capurnia Boston Larkins...

[Chuckle]

MAYOR MASTERS: Well, however that go, please come and stand.

UNK: [Inaudible].

MAYOR MASTERS: Everybody that's here with her, Dr. Shuler from Shuler Funeral Home. When God overtakes you let Shuler undertake you.

COUNCILPERSON HUBBARD: Mm.

[Laughter]

COUNCILPERSON HUBBARD: Mm.

MAYOR MASTERS: Please read.

[Inaudible background comments]

MS. D. ISAACS: Would you like to come stand over here.

[Inaudible chatter and laughter]

MS. D. ISAACS: Okay. You can hold that and then I will read.

Proclamation from the Office of the Mayor, City of Riviera Beach, Palm Beach County, Florida.

WHEREAS, Capurnia Boston Larkins, a 30-year resident of Riviera Beach is the Founder and Director of Children's Outreach, Inc., located at 1608 Broadway. She has worked as a child and adult protective investigator for the State of Florida for nearly as long as she's lived in our beautiful waterfront City; and

WHEREAS, because of her work with children, Capurnia has been the recipient of several awards, namely the Community Trailblazer, the Jefferson Award from TV12, which I started. [Chuckle], the Florida Desert Award through the Masons and Eastern Stars and, last month, the Lutheran Community Partners Award from Head Start. And focusing on the premise that knowledge is power, every August since 1990, Capurnia has been providing a meal and a book bag full of the tools community children needed to start school off right and to get a successful education. She called the program Operation Big Book Bag. She also is the Founder of another local program that delivers a cooked meal and boxes of food to families on Thanksgiving morning which, as of November 2015, had expanded to over 1,000 families throughout Palm Beach County. It has been about two decades since Capurnia started gathering toys and food to deliver

to as many as 200 needy families during the Christmas holidays. The toys are given to the parents to take home while Santa talks to the little ones to learn which of them would admit to being naughty or just brag about being nice; and

WHEREAS, Capurnia also serves the needy at the other end of the age spectrum, providing entertainment in local nursing homes and assisted living facilities. She gives the seniors sounds that they can pat their feet to. Which is not a hard thing to do when you're married to an award winning national recording artist like Precival Larkins. [Chuckle]. Percy and Capurnia were high school sweethearts and have spent the last 10 years making sweet music together as husband and wife. Capurnia has devoted her life to making a difference in the lives of others, especially the young and the young at heart, in the City of Riviera Beach. Her passion is to meet the needs of those less fortunate. Her mission is changing lives one child at a time.

AUDIENCE: Amen.

MAYOR MASTERS: NOW THEREFORE, BE IT RESOLVED, that I, Bishop Thomas A. Masters, Mayor of the City of Riviera Beach, Florida, by the power vested in me by the residents of Riviera Beach, do hereby proclaim September 15th as Capurnia, it was in the past, as Capurnia Boston Larkins day in recognition of 30 years of dedicated service to children and adults in Palm Beach County and we have added that we are celebrating your living legacy and all that you have done and all that you are doing. So I am now proclaiming the next seven days as Capurnia Boston Larkins Day in the City of Riviera Beach.

[Cheers and applause]

MAYOR MASTERS: And also, Ms. Capurnia, as a complete surprise to you I thought about this long and hard, I always do when we present the most esteemed award that we have for the City of Riviera Beach, because of your longevity of service to the children, to hurting parents, to all that you've done. You've gotten awards from Channel 12 and from the Masons and the Eastern Stars and I would not dare have you here, tonight, and proclaim the week, your week, and not recognize all your work for the kids and the seniors, to the book bags, the lists go on and on so I made a Mayoral decision to give you the key of the City of Riviera Beach...

AUDIENCE: [Cheers and applause]

MAYOR MASTERS: ...for your years of service. Capurnia, you may address the, uh, the Chair and the Council at this time and Linda, don't go far because I need to say something to you as a part of this as well.

MS. C. LARKINS: Amen.

AUDIENCE: Amen.

MR. C. LARKINS: Alright. If I can help somebody, then my living is not in vain.

AUDIENCE: Amen.

MR. C. LARKINS: Those are my words that continue to keep me going on and on and on.

Council, thank you.

[Applause]

MS. C. LARKINS: Come on, come on, come on. And Lynne Hubbard, I left Palm Beach County, Riviera Beach and when I said I was ready to come home, she said, 'We gotta get you here. We need you back.' So thank you, Lynne, for your support in getting me back home. Mayor Masters, you know, a lot of times people like myself do a lot of things in the community and I do what I do for Christ. I don't know what others do it for. But, it feels good also to sometime' receive recognition such as this. Many have talked about it but you've made it happen. I thank God for you. Ya'll give the Mayor a round of applause.

[Applause]

MS. C. LARKINS: I don't think too many people can beat up on him like I do but I beat up on him with love. Many events all over Palm Beach County that I'm in, feeding 500 families and sometimes 1,000 and those numbers sound big but, when you really look at our Lord and Savior, those are small numbers.

AUDIENCE: Yes, it is.

MS. C. LARKINS: I ask that you all will continue to pray my strength in the Lord. I wish that you would continue to pray the strength for my family, my giant husband and, he's probably taking a seat, and my children, Joseph and Joanna who sacrifice so much of their Mommy's time, all my life and never ever complained. So you all give them a hug of love for all the sacrifices...

[Applause]

MS. C. LARKINS: ...for all the children that I've ripped and ran and made them rip and run for in this life that we're living. I thank you Riviera Beach. God bless you and let's continue to support our wonderful Mayor.

[Cheers and applause]

MS. C. LARKINS: And his lovely assistant.

MS. D. ISAACS: Bless you.

MAYOR MASTERS: Mr., Mr. Chair, just one.., 30 seconds. Ms. Linda, would you come as a part of this proclamation and epitome and personification of the work that Capurnia Boston Larkin is doing in our City. Please come closer. First of all, let me say I am.., I regret your loss.

MS. L. ADAMS: Thank you.

MAYOR MASTERS: And you have my sympathy and, and the love and sympathy of the City Council and the good will of people of Riviera Beach. But this is the grandmother of the little kid that was four years old who died accidently with a gun. Now, details we could say this, that and the other but we must all come together and help this young lady bury this child. A chi'.., children are innocent. So, there have been a couple GoFundMe pages set up, the family doesn't know anything about. So, if you want to contribute to help, the Mayor has taken over this project to make sure that this child will get a dignified burial with Ms. Shuler, Shuler's Funeral Home and we've been raising money today and yesterday and we're gonna continue but if there's anyone out in the public that would help to give this child a dignified funeral and burial, please give the.., your donations to Capurnia's, what is it, Children's...

MS. L. ADAMS: Children's Outreach.

MAYOR MASTERS: Children's...

MS. L. ADAMS: Outreach, Inc.

MAYOR MASTERS: ...Outreach, Inc. Children's Outreach. All checks and donations should go, again, to the Children's...

MS. L. ADAMS: Outreach, Inc.

MAYOR MASTERS: Outreach, Inc. And this is Linda. Linda what is your last name again?

MS. L. ADAMS: Adams.

MAYOR MASTERS: Linda Adams and if you wanna get in contact with her personally, you can by calling, is there a number? Capurnia, what's the number?

MS. C. LARKINS: 561.

MAYOR MASTERS: 561.

MS. C. LARKINS: 667.

MAYOR MASTERS: 667.

MS. C. LARKINS: 03.

MAYOR MASTERS: 03.

MS. C. LARKINS: 78.

MAYOR MASTERS: 78. Or you can call the Mayor's office or any of the Council people and we will make sure that you get what, what you need. So let's give this.., all the family members another hand but this is the kind of work that she does...

[Applause]

MAYOR MASTERS: ...with mothers who are grieving and grandmothers. Give another hand. She deserves one.

[Applause]

MAYOR MASTERS: Thank you, Mr. Chair.

CHAIR DAVIS: Great job. Great job, Ms. Capurnia. See ya at Bridges again, Ms. Capurnia.

[Chuckles]

MAYOR MASTERS: Thanksgiving and Christmas.

MS. C. LARKINS: [Inaudible].

CHAIR DAVIS: Alright. Thank you all. [Inaudible]. The next Item...

MAYOR MASTERS: Thank you, Mr. Chair.

CHAIR DAVIS: No problem. So we got 15 minutes before we get to 7:30. Alright. So, we're done with Awards and Presentations. I would like to know from a Council...

COUNCILPERSON HUBBARD: 12.

CHAIR DAVIS: Go to old business and deal with Item No. 12. Can I have a motion to do that?

COUNCILPERSON HUBBARD: So moved.

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Properly moved and second. Madam Clerk. [Pause]. Item No. 12. A motion to move to Item No. 12. Can we just.., we need a motion? Yeah.

CITY MANAGER JONES: [Inaudible] order of the meeting, so you're okay.

CHAIR DAVIS: Okay. So, I don't gotta motion it? Okay. So we can just go to Item No. 12.

CHAIR PRO TEM MILLER-ANDERSON: I thought we were just doing the budget stuff...

CHAIR DAVIS: Well, I want...

CHAIR PRO TEM MILLER-ANDERSON: ...and go to...

CHAIR DAVIS: Well...

CHAIR PRO TEM MILLER-ANDERSON: ...Utility...

CHAIR DAVIS: Councilperson Hubbard asked to get to this because this is old business and...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIR DAVIS: ...Reverend Evans sat through the entire last meeting...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIR DAVIS: ...and we didn't.., we wanna...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIR DAVIS: ...make sure that don't happen again to, at least, that one Item.

CHAIR PRO TEM MILLER-ANDERSON: No problem.

CHAIR DAVIS: Okay. So, Item No. 12.

12. PARTIAL RELEASE OF LIEN FOR PROPERTY AT 1201 AVENUE U, RIVIERA BEACH, FL.

CITY ATTORNEY DEGRAFFENREIDT: Mr. Chair?

CHAIR DAVIS: Yes. Yes, sir.

CITY ATTORNEY DEGRAFFENREIDT: May I expedite that.., may I address that please, sir?

CHAIR DAVIS: Yes, sir.

CITY ATTORNEY DEGRAFFENREIDT: We're not releasing the lien on the property in Riviera Beach.

CHAIR DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: That's, uh, a confusion the way it's written. What's happening is, because the Code Enforcement liens, once rendered, attached to all of the property of the property owner in violation within the county, Reverend Evans on behalf of the Ace Housing, Inc. is requesting that we release the lien that we have on property located outside our jurisdiction in Pahokee, Florida.

COUNCILPERSON PARDO: So we can't do that.

CITY ATTORNEY DEGRAFFENREIDT: Yes, you can.

CHAIR DAVIS: Yes, we can.

CITY ATTORNEY DEGRAFFENREIDT: Yes, you can.

CHAIR DAVIS: Yeah. We did some research on it and we was advised...

CITY ATTORNEY DEGRAFFENREIDT: Well, actually you can. It's within the scope...

CHAIR DAVIS: Mhmm.

CITY ATTORNEY DEGRAFFENREIDT: ...of authority that's, that's vested in you in Chapter 162. As I've learned later, there's another property in Pahokee at 1199 Elm Street that you mentioned to me, Mr. Chair, when Mr. Evans was in...

CHAIR DAVIS: Mhmm.

CITY ATTORNEY DEGRAFFENREIDT: ...that also he's requesting a release on for the same reason.

CHAIR DAVIS: So, where, where are we with the [stammer], the strategy that we discussed? Does that apply to this?

COUNCILPERSON DAVIS JOHNSON: We've not discussed a strategy.

CITY ATTORNEY DEGRAFFENREIDT: Actually, the overall strategy [chuckle] is to deal with a number of issues. It would not apply to this cause we've not adopted that strategy...

CHAIR DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: ...involving the moratorium in the amnesty period.

CHAIR DAVIS: No. As it regards to, um, the funding for this property, um...

CITY ATTORNEY DEGRAFFENREIDT: Okay. What he's specifically asking us to do is to release the lien...

CHAIR DAVIS: Mhmm.

CITY ATTORNEY DEGRAFFENREIDT: ...on the properties that are outside of our jurisdiction in order that he can get the...

CHAIR DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: ...financing on it.

CHAIR DAVIS: So what happened...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

CHAIR DAVIS: ...to the liens on this property?

CITY ATTORNEY DEGRAFFENREIDT: Nothing at all.

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: It stays the same.

CITY ATTORNEY DEGRAFFENREIDT: Nothing at all.

CHAIR DAVIS: Alright.

CITY ATTORNEY DEGRAFFENREIDT: The liens are still there and the fine at the violation location still continue to run until it's in compliance.

CHAIR DAVIS: Any, any questions?

[Pause].

COUNCILPERSON HUBBARD: Okay.

CHAIR DAVIS: Got any questions?

COUNCILPERSON HUBBARD: I don't have a, a question. I just, you know, I just, you know wanna make sure that our, um, that we're clear, the liens on the Riviera Beach

property are going to stay in place until they are in compliance. All we have is an administrative hold on the properties outside of our municipality in order for him to conduct his business, we'll give him this partial release.

CITY ATTORNEY DEGRAFFENREIDT: On the properties outside...

COUNCILPERSON HUBBARD: Outside the jurisdiction of...

CITY ATTORNEY DEGRAFFENREIDT: Exactly.

COUNCILPERSON HUBBARD: ...Riviera Beach. Okay. Very good. No...

CITY ATTORNEY DEGRAFFENREIDT: And the, the lien releases will reflect exactly what I've told you, that the Code Enforcement order, within our jurisdiction, remains unaffected by the release.

COUNCILPERSON HUBBARD: Very good. No problem at all.

CITY ATTORNEY DEGRAFFENREIDT: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: So at what point will the Ace Holdings Group start to address the liens that are currently on the properties over here? We're giving this partial release, is there a plan to start to undertake and address what's here?

CITY ATTORNEY DEGRAFFENREIDT: That has been mentioned to me with discussions with Reverend Evans and the Chair but I don't have a timetable for that.

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

COUNCILPERSON HUBBARD: Okay. Mr. Chair?

CHAIR DAVIS: Yes.

COUNCILPERSON HUBBARD: I don't have them with me but I did get, um, I did see some renderings that have already been done for the property that is over here and it looks very ni'.., it looks very nice but this pro'.., that particular property, I know he is seeking funding. I met with him, he's seeking funding to do that and he had the renderings that are attached. So his plan is, is to do something with our property too, you know. While this is separate and an administrative act of kindness, if you will, that we'll be doing, he already has taken steps to get funding, have renderings done and are on the way to having plans constructed to take care of what's going on on the property in Riviera Beach.

CHAIR DAVIS: Has the financial institution provided anything saying that Mr. Evans has been in contact with them, as far as regards getting funding for the liens to, to bring this property up to code?

CITY ATTORNEY DEGRAFFENREIDT: The property in Riviera?

CHAIR DAVIS: Yes.

CITY ATTORNEY DEGRAFFENREIDT: I've not contacted Linda regarding that matter.

CHAIR DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: And he's not contacted me. It's only the outside properties that we discussed.

CHAIR DAVIS: Okay. Cause I remember there was a discussion about that portion.

REV. A.C. EVANS: Thank you all very much. My name is A.C. Evans. The City Attorney's doing a very good job explaining it because, as it's been said, that this does not have any, any effect on 1201 Avenue U in Riviera Beach. The liens remains the same. And as for, um, moving forward...

[Inaudible dais comment]

REV. A.C. EVANS: ...in the near future, to get the monies to fix up the property on 1201. I've had my lender to, to call the City Manager to.., specifically so that they can discuss that procedure. So they're gonna handle that down the road. The money is available...

[Inaudible dais comments]

REV. A.C. EVANS: ...but right now I need these properties that I need to get refinanced and one I'm selling but partial releases, I've done this in Belle Glade over and over. I've done it in West Palm Beach and, uh, I mean, it's so easy to do but it doesn't affect Avenue U. It doesn't take anything off Avenue U. Avenue U remains the same. The City's in good shape and we'll come back to you but I could assure you, if you can approve these partial releases on the Pahokee property, then everything will be well with ya'll. Amen?

COUNCILPERSON HUBBARD: Amen.

[Chuckles]

REV. A.C. EVANS: Appreciate you. Thank you.

CHAIR DAVIS: And this something that we would do on a case by case basis or?

CITY ATTORNEY DEGRAFFENREIDT: Yes.

CHAIR DAVIS: Okay. Alright. [Pause]. Commissioner Hubbard, you gonna provide a motion for this Item?

COUNCILPERSON HUBBARD: Yes, sir. Thank you. I'd like to make a motion that we issue a partial release of lien to A.C. Evans Housing, Incorporated on the properties that we have in Pahokee.., that he has in Pahokee, Florida, not to affect the properties at 1201 U Avenue in Riviera Beach.

CHAIR PRO TEM MILLER-ANDERSON: So...

CHAIR DAVIS: We have...

CHAIR PRO TEM MILLER-ANDERSON: ...moved.

CHAIR DAVIS: ...a motion on the floor.

CHAIR PRO TEM MILLER-ANDERSON: I mean, second.

CHAIR DAVIS: And properly seconded by the Vice Chair Miller-Anderson.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIR DAVIS: Question by Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON: Councilwoman Hubbard, in making the motion can you consider putting some sort of timeframe so that we could see.., we could have the privilege of seeing the plan, the rendering that you saw and the progress that will potentially be made on Avenue U?

COUNCILPERSON HUBBARD: Councilwoman, I would hate to do that because, as he mentioned, the, the lender, um, the lender has gotten with the City and, you know, nothing has gone to title. I just do not want to tie him up with his opportunity to lose the buyers on the Pahokee property.

COUNCILPERSON DAVIS JOHNSON: No, no, no. That's not what I'm asking. I'm, I'm, I'm asking, the renderings that you saw, can we have the same opportunity to, to review those renderings and, and is there a, a, um, is there an opportunity for us to, at least, put a, a sixth month, nine month kinda timeframe as to when he will begin to address the Avenue U lien, is what I'm asking.

COUNCILPERSON HUBBARD: The, um, I will get a copy of the rendering...

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

COUNCILPERSON HUBBARD: ...to each and one of you.., for, to each one of you tomorrow. Reverend Evans would have to speak to when he plans to start correcting the property at Avenue U.

REV. A.C. EVANS: Let me just say this. Regards to Avenue U, I've already had the drawings done showing the, the present condition of the properties and the condition that it will be in after the work is completed. And I've also had again, my lender to contact the City Attorney so they can understand how they're gonna be loanin' the money to do the repairs. Now, I do have copies of that [stammer], the, the pictures showing the existence and when it will be completed in the car right now if you'll give me a chance to go get it.

COUNCILPERSON HUBBARD: [Inaudible].

REV. A.C. EVANS: Now, if you want me to give it to me to get.., to get it to you tomorrow, I can get that but it is a beautiful, beautiful design showing.., that's gonna make that whole corner, that whole block, uh, look much, much better. We gonna think we in New York when we get through here.

COUNCILPERSON HUBBARD: They are nice.

[Chuckles]

REV. A.C. EVANS: So, so, I have that right now, in the car.

COUNCILPERSON DAVIS JOHNSON: I, I appreciate that. I'm just trying to also just get an, get an idea as to... I understand that you're undertaking the sale of property over in Belle Glade to take care of this.

REV. A.C. EVANS: Yeah.

COUNCILPERSON DAVIS JOHNSON: I'm just wondering when.., if you have an idea as to when you would be looking to work to address those issues.

REV. A.C. EVANS: Well, it's gonna be within six months. That will be.., we're gonna complete it but we're gonna be within the six months ...

[Inaudible dais comment]

REV. A.C. EVANS: ...because we already got the funding approved. That's why I had the lender to call the City Manager to assure him that the money's available.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

REV. A.C. EVANS: He talked directly to my lender.

COUNCILPERSON DAVIS JOHNSON: Okay.

REV. A.C. EVANS: So he has already approved the loan and he want' to, uh, I wanna move this so we can go ahead and get that completed because we have the monies available to do it.

COUNCILPERSON DAVIS JOHNSON: Okay. Would you be amenable, Councilwoman, to include the request for the renderings and, at least, the six month start time?

REV. A.C. EVANS: Say that again.

COUNCILPERSON DAVIS JOHNSON: Based on what you just said, you said in about six months you'll be looking to, to begin your work.

REV. A.C. EVANS: Yeah. Well, I'm lookin' to begin the work within six months but I'm not, I'm not guaranteeing that so I don't wanna...

COUNCILPERSON DAVIS JOHNSON: Right.

REV. A.C. EVANS: ...vote on six months. I want.., I'm tryin' to get a partial release on these properties...

COUNCILPERSON DAVIS JOHNSON: I understand.

REV. A.C. EVANS: ...and then just leave this intact and then we'll go ahead on. I gotta get the, uh, plans redone, I gotta go to the City and, you know, this. So, it'll take me about a month to get all that done. I would say within six months, you'll have it done.

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR DAVIS: [Inaudible].

REV. A.C. EVANS: But please don't tie me down on...

COUNCILPERSON DAVIS JOHNSON: I, I'm...

REV. A.C. EVANS: Yeah.

COUNCILPERSON DAVIS JOHNSON: Well, I mean, we can say six months, 12 months. I'm just saying, put a timeframe in there because you are asking us to give you a...

CHAIR DAVIS: And it can't be [inaudible].

COUNCILPERSON DAVIS JOHNSON: ...partial release and so we want to, at least be...

CHAIR DAVIS: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: ...we want to have an idea or an understanding of wh'.., what your anticipated work will be.

REV. A.C. EVANS: Okay. That's fine.

COUNCILPERSON DAVIS JOHNSON: And I don't...

COUNCILPERSON HUBBARD: Councilwoman.

COUNCILPERSON DAVIS JOHNSON: ...wanna tie you in. That's...

COUNCILPERSON HUBBARD: I think...

COUNCILPERSON DAVIS JOHNSON: ...all I'm saying.

COUNCILPERSON HUBBARD: I understand you and I think that, uh, Mr. Evans have been a man of his word...

COUNCILPERSON DAVIS JOHNSON: That's...

COUNCILPERSON HUBBARD: ...and I think that we can take him at his word and...

COUNCILPERSON DAVIS JOHNSON: Don't do that to...

COUNCILPERSON HUBBARD: And...

COUNCILPERSON DAVIS JOHNSON: ...me, Councilwoman.

COUNCILPERSON HUBBARD: I, I don't know what that means but...

COUNCILPERSON DAVIS JOHNSON: I, I, I'm not...

COUNCILPERSON HUBBARD: ...[stammer].

REV. A.C. EVANS: Alright. Let me simply say this.

COUNCILPERSON DAVIS JOHNSON: I, I'm not treating.., I'm not doing that.

CHAIR DAVIS: Reverend Evans, Mr. Evans.

COUNCILPERSON DAVIS JOHNSON: Just talking about...

CHAIR DAVIS: Could you do me, could you do me a favor, could you bring a copy of that rendering up, we can make some copies so at least the colleagues can see what I've se'.., what, what, at least, I've saw and Councilperson Hubbard has, has been to see it. So we can at least let our colleagues see what you have already...

REV. A.C. EVANS: Sure.

CHAIR DAVIS: ...spent money...

REV. A.C. EVANS: Sure.

CHAIR DAVIS: ...on with your renderings.

REV. A.C. EVANS: Right. Well, I'm gonna get those now but...

CHAIR DAVIS: Yeah. Okay.

REV. A.C. EVANS: ...one thing I, I want to do is get these partial releases. Uh, we can give you...

COUNCILPERSON DAVIS JOHNSON: Of course.

REV. A.C. EVANS: ...a time limit on that other work. You know, 12 months, it'll be done within six months but I wouldn't wanna tie it down at six.

COUNCILPERSON DAVIS JOHNSON: Okay.

REV. A.C. EVANS: I'll be right back.

COUNCILPERSON HUBBARD: Okay.

COUNCILPERSON DAVIS JOHNSON: See, that's reasonable.

COUNCILPERSON PARDO: The 12.

COUNCILPERSON HUBBARD: Okay. Let me.., I'll amend it before you leave...

MAYOR MASTERS: Six to twelve.

COUNCILPERSON HUBBARD: ...so that we can go ahead and vote and you can get the pictures and take your time. So, I'll amend my motion. I make a motion that we issue Mr. A.C. Evens Housing, Incorporation, a partial release of lien and that he starts

the renovations within the year, 12 months, on the 1201 U Avenue property, in the City of Riviera Beach.

COUNCILPERSON DAVIS JOHNSON: Thank you.

CHAIR DAVIS: Do we have a.., second still stand?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIR DAVIS: Thank you.

COUNCILPERSON DAVIS JOHNSON: Thank you.

CHAIR DAVIS: Any questions?

COUNCILPERSON HUBBARD: You're welcome.

CHAIR DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Councilperson Hubbard, would you be willing to also place another motion on the floor to release the liens of all homestead properties in the City of Riviera Beach?

COUNCILPERSON HUBBARD: I would, sir. I, I make a motion this evening that we release all of the liens on homesteaded property in the City of Riviera Beach and that we put in a moratorium for two years before we activate any...

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

COUNCILPERSON HUBBARD: ...additional Code Enforcement liens. And...

CHAIR DAVIS: [Inaudible]...

COUNCILPERSON HUBBARD: ...when we do activate Code Enforcement liens, that they, they do not exceed 3% of the value of the homesteaded property.

CHAIR DAVIS: Can, can we just at least get the liens and then we'll discuss the other part? The release without...

COUNCILPERSON HUBBARD: You...

CHAIR DAVIS: ...[inaudible].

COUNCILPERSON HUBBARD: The, the process you mean, in which we'll do it?

CHAIR DAVIS: Yes.

COUNCILPERSON HUBBARD: Okay.

CHAIR DAVIS: Just the homesteaded property.

COUNCILPERSON HUBBARD: Yes. I...

CHAIR DAVIS: Not commercial, not rental, just homesteaded properties.

COUNCILPERSON HUBBARD: I'd like to make a motion effecting homesteaded property in the City of Rivera Beach that we release all the fines and liens on the City of Riviera Beach residents homesteaded property. The process in which will be determined at a later date.

[Inaudible dais comment]

CHAIR DAVIS: Really quick.

MAYOR MASTERS: Do you have a second?

CHAIR DAVIS: Second for question. I'm passing the gavel to the Vice Chair. I don't know if we can release the fines but we can release the liens. Attorney

Degraffenreidt, please help me understand what we're trying to accom'.., what we tr'.., what we discussed accomplish'... At least with the homesteaded properties.

COUNCILPERSON HUBBARD: Before you do, um...

CHAIR DAVIS: I just.., Let...

COUNCILPERSON HUBBARD: ...Mr....

CHAIR DAVIS: Yeah. Cause I'm trynna understand where we are with this.

COUNCILPERSON HUBBARD: We would have to turn the fines...

CITY ATTORNEY DEGRAFFENREIDT: Into liens.

COUNCILPERSON HUBBARD: ...into liens and then we release them. As you stated, Mr. Chair, we would discuss the process at a later date...

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: ...and I know that that is a part of the process that, um, Attorney Degraffenreidt explained to us.

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: Mhmm.

COUNCILPERSON DAVIS JOHNSON: Uh, Mr....

CHAIR DAVIS: Please, Mr. Degraffenreidt. Well, I'm not the Chair no more.

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

COUNCILPERSON DAVIS JOHNSON: Did I miss a meeting?

CHAIR PRO TEM MILLER-ANDERSON: I forgot I was the Chair.

COUNCILPERSON DAVIS JOHNSON: Because we didn't discuss.., there was a, there was conversation by you that said we would discuss what the process was going to be, how we were going to do this and there.., we've not had any discussion, to my recollection as it relates to the motion that's being put out on the floor. So I'm just trying to understand how we got to the motion of the release without us having had the discussion that you indicated that you were going to have with us, as it related to what we could and could not do.

COUNCILPERSON HUBBARD: Mr....

CITY ATTORNEY DEGRAFFENREIDT: What, what I discussed prior to tonight was...

MAYOR MASTERS: Bring your mic down.

CITY ATTORNEY DEGRAFFENREIDT: ...pursuant to your directives, trying to come up with a Comprehensive Plan to address the totality of the issue of Code Enforcement orders as they impacted both the homestead properties as well as the commercial, residential and commercial properties. That's what we have been proposed. Tonight, as I understand it, there's been a motion offered by Ms. Hubbard to release all the liens...

MAYOR MASTERS: Homestead [inaudible]...

CITY ATTORNEY DEGRAFFENREIDT: ...that relate to homestead properties. Now we have not.., you're correct. We've not had a discussion on that at all.

CHAIR DAVIS: Mhmm.

COUNCILPERSON DAVIS JOHNSON: So, we, we've...

CITY ATTORNEY DEGRAFFENREIDT: There's nothing that...

COUNCILPERSON DAVIS JOHNSON: ...taken action before we put a process in place?

CITY ATTORNEY DEGRAFFENREIDT: The process...

[Inaudible dais comment]

UNK. AUDIENCE: They do it all the time.

CITY ATTORNEY DEGRAFFENREIDT: You have the authority to do that. Yes, you do. I recommended we do that another way.., cause that's what I thought was appropriate but, but in order to do what you wanna do tonight, it's within your power to do.

COUNCILPERSON PARDO: Mr. Chair?

CITY ATTORNEY DEGRAFFENREIDT: But you are quite correct, that we had previously talked about...

COUNCILPERSON HUBBARD: [Inaudible].

CITY ATTORNEY DEGRAFFENREIDT: ...the moratorium ordinance that I drafted and we...

COUNCILPERSON HUBBARD: [Inaudible]...

CITY ATTORNEY DEGRAFFENREIDT: ...were gonna discuss that at a workshop.

COUNCILPERSON HUBBARD: [Inaudible].

CITY ATTORNEY DEGRAFFENREIDT: You're correct on that.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead, um, Pardo.., Ms. Pardo.

COUNCILPERSON PARDO: Okay. First of all, this is totally insane.

[Laughter]

COUNCILPERSON PARDO: I'm serious. This is insane. We have people get up here all the time complaining that their property values are low, that their neighbors aren't taking care of their property and what we're doing now is saying, 'It's okay that you don't take care of your...

CHAIR DAVIS: [Inaudible].

COUNCILPERSON PARDO: ...property and everyone else, you don't have to take care of your property for the next two years.' Can you imagine what this City is gonna look like in two years?

[Clapping]

COUNCILPERSON PARDO: No. Seriously. This is totally insane. Now, you can come up with a process, and I thought we all agreed that we were gonna have a workshop on it, we can come up with a process where we can possibly forgive some liens, you know. There needs to be a process. We have an amnesty program that's been going on for a couple of years and some people have taken advantage of it but some people have not. And, you know what, and that's not our fault. By moving forward with this, what you're telling the people who have invested in their property, who have taken care of their property, that it means nothing to us. We're not looking out for those people, we're looking out for the people who have run down their property and not invested in it. And I don't wanna hear that it's just, you know, it's seniors or something like that because I am more than happy to work with the seniors to help them get their properties back up to where they should be. But we all know that there are people who say that their property.., that they live in their property and their homesteaded but they don't live in their property. This City is filled with slumlords.

[Inaudible comments]

COUNCILPERSON PARDO: Alright?

CHAIR DAVIS: [Inaudible] homesteaded.

COUNCILPERSON PARDO: Filled with slumlords. And if we approve this, if we forgive all of the liens on these homesteaded properties and then have a moratorium for two years, God help us all.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: Hold on.

[Clapping]

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: I'm not the Chair no more.

COUNCILPERSON HUBBARD: Madam Chair?

CHAIR DAVIS: Ms..., Madam Chair's...

COUNCILPERSON HUBBARD: Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: Are you finished, Ms. Pardo?

COUNCILPERSON PARDO: Yes, I am.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

COUNCILPERSON PARDO: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

COUNCILPERSON HUBBARD: Okay. The average person, the average homeowner, the average homesteaded property do not run down their property on purpose. If people cannot pull equity out of their home to make the repairs, then they cannot participate in the so-called amnesty program. You're only eligible to receive amnesty if you can make the repairs. If you have my title tied up, if you have a lien on my property, if you have fines, I cannot pull money out to make the repairs. So people haven't sat back and let their property run down because they don't care about an investment that they made, buying a home is an investment. So, when I talk about taking liens off of property, I'm not talking about commercial property. I'm talking about homesteaded property so that people could keep their investment up.

Now let me tell you something else about homesteaded property in the City of Riviera Beach. When we do not allow the homeowners in Riviera Beach to pull equity out and to maintain their home, we put enough liens on their home to, at some point, they lose their homes because they have become so inundated with fines, they can't do anything to that property. Then their property is somehow out there for investors who are true

slumlords. We have, we have landlords who are residents of the City of Riviera Beach who provide affordable, decent housing for people in the City of Riviera Beach. We can't say that for the people in New York and Pittsburgh and out of town, they aren't doing that for the City of Riviera Beach. We have businessmen here, businesswomen here who buy property and, and they give decent, affordable home ownership in housing for residents of the City of Riviera Beach.

Again I say, that removing the liens off of the homesteaded property, will only allow people to go in for the next two years to pull money out to fix up their homes. They need a moratorium in order to be able to do that and I do say when we do start back our process, let it be one where those fines or liens, if you will, will not exceed 3% of the value of those persons home. We are not trying to create a system for genocide so that people can move out of their homes, lose their property and other people pick them up for a song and a dance. So, again, this is us investing in our communities. I'm not saying and I don't believe that when we take this off, that people are going to just stop doing for their home. The fines that we have on people' houses now, isn't making the community look any better than it was but it would i'.., it would, it would look better if people could get money, a equity line of credit, and, invest in their homes. That's what we're talkin' about. I don't think that we have people that just don't wanna clean up, fix up and patch, um, and repair their homes. Those aren't the people that we have here in the City of Riviera Beach.

CHAIR DAVIS: Madam...

COUNCILPERSON PARDO: Madam...

CHAIR DAVIS: Madam Chair?

COUNCILPERSON PARDO: ...Chair?

CHAIR DAVIS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: I will come to Mr. Davis and then Ms. Pardo again.

CHAIR DAVIS: Two things I wanna talk about. Um, Madam Manger, Schooner's Inn, when they came before this Board how much were those liens worth on his property?

CITY MANAGER JONES: They were a million plus dollars.

CHAIR DAVIS: A million dollars in liens. Now, my colleague, Councilperson Pardo, talks about slumlords and we're talking about Schooner Inn right on Broadway, right next to McDonalds. You remember that ole raggedy hotel building that was slumming this community for years. You gave those people relief.

COUNCILPERSON PARDO: I voted against it.

CHAIR DAVIS: You...

CHAIR PRO TEM MILLER-ANDERSON: What? [Stammer] we're not going back and forth.

CHAIR DAVIS: Okay. We're not gonna go back and forth but what I will say, you also supported a motion, early this fall, to release the liens off homesteaded properties but it didn't pass.

CHAIR PARDO: No, I...

CHAIR DAVIS: Right in this meeting. Reverend Davis, you all were here. I tried to put a motion on the floor to release all the liens. My colleagues at the time said, 'No. You can't do it,' put a motion on the floor to release the liens of homesteaded. It just didn't pass. So now you're changing your mind again saying you don't wanna do that. We're talkin' about people that are in our communities, they've been living here for 30 and 40 years on fixed incomes, okay? Fixed incomes. They're trying to pay their water bills, they're trying to do some things and they're just asking for some relief to do the responsible thing. We help a lot of people throughout our community, developers, it's time we start helping out our, our local people.

Now rental properties, that's a different issue. That's something we can discuss in the, in the workshop forum. This is a separate issue. At some point, 60% of our City right now is owned by rentals. 60%. And, Staff, I'm gonna stand corrected?

CITY MANAGER JONES: 60%.

CHAIR DAVIS: 60%. You ride around town, you see people riding around, pulling up with clipboards in their car trying to take advantage of people. Cause they know they cannot afford the money to get.., and go fix that house, go fix that roof. They know they can't afford it but they wait on us to give 'em something. Yes, we can release now and discuss the terms and, and put some things in place cause we do also have a workshop that was, hopefully, scheduled for next Tuesday to address this matter on the process. And that's gonna take care of the whole situation but there are people at home that need this relief. And I'm not gonna beat a dead horse cause people are waiting on us to help them. Because we've been beatin' 'em up 'side the head with high water bills and other issues.

COUNCILPERSON DAVIS JOHNSON: Madam Cha'...

CHAIR DAVIS: But we have to give them some form of relief. And yes, I do support a process but the process that we have in place has been having people losing their home for many years and that's something that does not have a timestamp on it and we gotta stop that process from happening. Because one day, when I go on

vacation, I'mma come back and at least recognize some of the residents in this community.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

COUNCILPERSON DAVIS JOHNSON: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Ms. Pardo and then Ms. Davis Johnson.

COUNCILPERSON PARDO: Thank you. Well, I'll.., I suggest that you guys pull that meeting that he was talking about because I never said that. I am against these liens. If you have a lien on your property and you want to be part of the amnesty program, I have no problem with it and we've had businesses that come in.., that came in here, like the trailer parks, they paid their 5% and that was the end of it. I have no problem with that. But, to move forward with this, releasing all of the liens on all of the homesteaded properties for two years, without a process in place and to say that the people need this so they can go and do a refi on their house so they can use the money to fix up the house, how are you going to guarantee that they're going to use the money to do a refi? How are you, how do you even know that they're going to be able to get a, um, a home equity line of credit on the house? You know, this, like I said earlier, this is just totally insane. You wanna have a workshop on it, I think we should. But to release it and then after the fact, come up with rules, that's just not the way to govern.

Thank you, ma'am. I'm done.

[Clapping]

CHAIR PRO TEM MILLER-ANDERSON: Ms. Davis Johnson.

COUNCILPERSON DAVIS JOHNSON: I... My, my concern is, do I agree that there needs to be some relief to the residents who have liens on their property? I do. We talked about.., now, what we did talk about was evaluating on a case-by-case basis and I believe that that was the first conversation that was had when Attorney Degraffenreidt was, was seated as the official Attorney. We talked about a, a, a case-by-case scenario, we talked about... I just got a request for the 27th to discuss this very matter. And so I.., I'm just at a loss because we, we want, we want to do things but we need to do things in the, in the right manner and we want to be able to provide relief but to give two years... Because here's the question that I have, as it relates to homestead properties. You've had liens on your properties for how many years? Now you're saying you want us to release all of the liens and then you want to give an additional two years, without any liens or assessments. When is the compliance coming in place, whe'.., whe'... There's no guarantee that everybody's going to comply, that has a homesteaded property that has liens on it. So I am just wondering, how did we go from case-by-case basis to workshopping it on the 27th, which is next week to making this decision tonight, without a process, we're just gonna make the decision that we want to remove all of the liens? And then I understand, I, I think I heard you all say we need to

morph or fold-in the fines with the liens in order to release it so then there's nothing on the property? Am I understanding that correctly?

CITY ATTORNEY DEGRAFFENREIDT: That would have to be done in order to release the liens as, as made in the motion. Yes, that would have to occur.

COUNCILPERSON DAVIS JOHNSON: I, I just, I, I need to think.., I, I need to be able to review this and wa'.., and walk it through. You came here and you said we would have a discussion.

CITY ATTORNEY DEGRAFFENREIDT: Yes, I did.

COUNCILPERSON DAVIS JOHNSON: Let's have a discussion to put the best process in place and to think this through and figure out what's going to be in the best interest of the City.., the citizens and what's going to be in the best interest of the City. Now, we're just gonna bulldoze this through?

CITY ATTORNEY DEGRAFFENREIDT: I'm not doing [chuckle] anything.

COUNCILPERSON DAVIS JOHNSON: I, I'm, I'm just saying, based on what, what is being, you know... It's, it's almost as if we're going against what you recommended that we do as legal counsel.

CITY ATTORNEY DEGRAFFENREIDT: That would appear.

COUNCILPERSON HUBBARD: Mr. Ch'.., Mrs. Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

COUNCILPERSON HUBBARD: Okay. I'm all for process and procedure. Most processes that have been put in place in this country hasn't been for the benefit of, of this community. Secondly...

CHAIR PRO TEM MILLER-ANDERSON: Wa'.., wait one minute. We gotta... If we can quiet down a little bit out there in the audience.

UNK. AUDIENCE: Yes, ma'am.

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

COUNCILPERSON HUBBARD: Secondly, as I've often said before, to.., for us to create change that's gonna benefit the residents of this community, we have to determine what our end game is and find a legally defensible way to get there because everything that's already in place does not benefit us.

Secondly, we talked about this for months, having a workshop to discuss how we were going to move with taking the liens off. When I first made the motion, the Attorney said we would have a workshop. However, we have had several workshops, we have had several retreats, we have not addressed this issue as of yet. Again, in my motion, I indicated a process. Also, not only can we turn the fines into liens, we can pull all the fines by magistrate that issued them on homestead property. We can ask that magistrate to remove those fines, that's the second way that we can do that. Now, um, the'.., there are two ways to get, to get this done. Now, if we're talking about process again, I have laid out two ways that we can do it. We can do it through.., the fines, through the magistrate. Second, or we can turn the fine' into liens and attach the removal of the liens because the City Council has that authority. So we can.., so, so we can do it that way.

Again I say, put in a moratorium before we allow Code Enforcement to put any more liens on homesteaded property for the next two years. And when that has expired, we then will not exceed the maximum of 3% on any of the homesteaded properties here in the City of Riviera Beach. So, to say that I have not laid out a particular process, which we can.., I'm, I am still willing to go back, fine tune that process, have a retreat or a workshop and we could add or delete some things from that but, in my motion, I have included a process, Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: Yes. Anyone else?

MAYOR MASTERS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: Madam Chair. [Pause]. April, May, June, July, August, September. Here we are. And we've been talking about this.., the liens for six months and we have not made a definitive, declarative decision and it's frustrating to.., you know, we keep talking about, about it or talking at it. We talk about workshops, we talk about retreats. You know, at some point, we've got to say aye or nay. Either we wanna do or we don't. And then, you know, I mean, how many.., is it gonna take six more months to workshop this? Is it gonna take six more months? The year'll be over. You know? I ran on the platform about the liens and I wanna keep my word to the people. Unfortunately, I don't have a vote but I am definitely in support of doing something, that we need to do this about the liens but I'm not for procrastinating about it. It's just almost.., I don't understand it. It's the same thing that came up about the, the warehouse, either we're gonna sell or not. We had to go get the Land Institute to tell us what to do. You know? And we had to workshop that. You know? And we workshop this and we workshop that. It's time to make a decision about making a decision. Do it.

REV. G. DAVIS: Mr. Chairman? Let me say...

CHAIR PRO TEM MILLER-ANDERSON: [Stammer]. Reverend Davis, you...

MAYOR MASTERS: I'm, I'm done.

UNK: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: There's... Huh?

REV. G. DAVIS: Mr. Chairman, let me say this.

[Inaudible aid comments]

CHAIR PRO TEM MILLER-ANDERSON: I don't thi'... There was no card for this Item.

UNK. AUDIENCE: Nobody was there...

CHAIR PRO TEM MILLER-ANDERSON: Huh?

UNK. AUDIENCE: ...to take the card.

REV. G. DAVIS: Yes. I had one, okay?

CHAIR PRO TEM MILLER-ANDERSON: Cause it wasn't on the Agenda.

COUNCILPERSON PARDO: It wasn't on the Agenda.

CHAIR PRO TEM MILLER-ANDERSON: Because it wasn't on the Agenda...

REV. G. DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...so we can't have any public comment on this Item.

CHAIR DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: I mean, if we talked about it...

CHAIR DAVIS: [Inaudible] Item No. 12.

COUNCILPERSON HUBBARD: ...we have to have a public comment.

MAYOR MASTERS: The motion.

CHAIR DAVIS: It's Item No. 12.

REV. G. DAVIS: Mr. Chairman, let me say this here.

CHAIR PRO TEM MILLER-ANDERSON: Hold up, hold.

REV. G. DAVIS: Okay.

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

REV. G. DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...hold on, please.

REV. G. DAVIS: Alright.

CHAIR PRO TEM MILLER-ANDERSON: 12 is a partial release of lien for this property only.

[Inaudible dais comment]

COUNCILPERSON HUBBARD: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

COUNCILPERSON HUBBARD: Anything that we add to the Agenda...

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

CHAIR DAVIS: We can set [inaudible]...

COUNCILPERSON HUBBARD: The.., we have to allow the public to speak.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Can we get cards though?

REV. G. DAVIS: Yes. I've had one... [Stammer].

CHAIR PRO TEM MILLER-ANDERSON: You passed one in?

[Inaudible comment]

REV. G. DAVIS: Nobody was there to take it. Let me s'.., let me say this to you all. Listen to me real good, I'll be gone.

MAYOR MASTERS: Just get us card. Go ahead.

REV. G. DAVIS: Okay. Go ahead. Get one.

MAYOR MASTERS: Madam Chair?

REV. G. DAVIS: Let me say this to you all. We campaigned for two years for all of ya. We're gonna take these liens and fines off these people property. Ya'll know we campa'... I went to every church in Riviera Beach and West Palm Beach. We campaigned for you all because we said... Now, Ms. Pardo, I respect her very highly. She's not concerned about this.., about these people' property. When she was in.., Chair lady, she had Bruce and Cedrick, they did what she wanted to do. Okay? You need three votes, that's what you need. These people'.., this City owned by the people. The City owned by the people and you all supposed to do what these people want ya'll to do. The City's for the people, by the people and of the people. I made up my mind.., I thought a year ago or two months, I was gonna run. I don't have time for this but if I ran for City Council, it'd be the best City in this.., in the United State' cause I give people what they want, that' what ya'll suppo'.., give people what they want. They want these liens off they properties. These big developers buying it, takin' these people property and ya'll sit back like ya'll don't know what's goin' on. You need to stop it. People want ya'll to take 'em off. It's doe'n't.., it's not ya'll property, it's, it's not ya'll City. Bruce said this was his City, it's not Bruce' City, it belong' to the people. The people.., we campaign.., I went to every church in Riviera and West Palm Beach, campaigned through the preachers, ya'll gonna take these liens and fines off these people property and you all know what I did. Okay? And ya'll act [stammer]. Now Bruce and, and Cedrick and Ms. Pardo, I understand, they don't care. I'm talkin' about the three got there now. Ya'll make a motion to take off these people property. I cannot go back to these churches and these people and tell 'em that you all haven't done it. We campaigned on taking these liens of these poor people's property. What's so hard about that? It's not ya'll property, it's not ya'll Ci'... It belong' to the people.

So why can't ya'll give these people release? It don't cost ya'll nothin'. Give these people release, take these liens and fines off these people' property. They asked you all to do that. If ya'll do that, ya'll be the stars of this City. If you don't do it, you'll lose the whole City again.

CHAIR PRO TEM MILLER-ANDERSON: Thank you.

[Clapping]

CHAIR PRO TEM MILLER-ANDERSON: Ms. Latricia Cunningham Donley.

MS. L. CUNNINGHAM DONLEY: Although I'm very new back into the City, uh, this is my home, this is where my family lives and...

MAYOR MASTERS: Welcome back.

MS. L. CUNNINGHAM DONLEY: ...we own quite...

CHAIR DAVIS: Welcome back.

MS. L. CUNNINGHAM DONLEY:...a bit of property here and we now have returned to live here. What I am most concerned about and this is my first Council meeting. I'm trying to make sure I understand the process because if you're saying that you're just gonna take the liens off and there's no compliance, why can't we.., you work out something where the person has the opportunity to comply, or you help them to comply, with some of these Items that, for instance, painting their home or something simple cause a lot of this stuff is simple things. They're not big, big problems and I think that if the City in some way had some federal funds or some opportunity so that they could help the people. That's what we need. We don't need.., we need our City to look beautiful and it's not gonna look beautiful if we don't clean it up. It's not gonna look beautiful if we don't have people correcting their vacant lands that are strawn with all kinds of, of bottles and.., we need.., we have the opportunity to have a great place and we need to help our citizens. We don't help them, I don't think, by just saying, 'Oh, we don't need the liens anymore.' I don't want.., I.., we don't wanna take their homes. We just want compliance. And in some way, if we can work out a system where we can do that and then say, 'Okay, we don't need the liens and we can waive the liens or waive it,' or whatever you need to do but at least make some.., have some form where a person can comply. That's what we need to do to enhance this City and to make it the best City that it could be cause it is a great City. Riviera Beach has a lot going on for itself and we have the opportunity to do that.

Now, I'm not, I'm not.., I don't know all, how long this has been going on for six months, I don't, I don't know anything about that. I've only been here a couple months back but I do believe that if I, if I keep my little place clean, the person next door keeps theirs and if we need to help this lady paint this property but if it's all owned by investors, because those are the people who are causing the problem. Those are the ones you need to go after to try to collect. And help the other people. Take that money and put it towards helping these people put roofs or whatever else that they need because some of these code violations are just nonsense. Some of them really are and maybe if you go a case-by-case basis.., I mean, I don't know how many homes we're talking about that have liens on 'em, that are homestead. I mean, you said it's a $1,000,000 fine, a lot of that stuff is triple, diple, whatever. You know, it's not even all that much. So, but, if we really find out the true value of what those liens are and if there's something that can be done to help our home'... And, and, and also to make sure that, in fact, the ones you're saying that are homesteaded, are these places really homesteaded. Because some of these people have moved and they just never corrected the documents. So for us to say...

[Beep]

MS. L. CUNNINGHAM DONLEY:...'Oh, everybody is homesteaded,' that's not true. We need to ha'.., we need to know, if you homestead this property, do you live here? Where.., what does your driver's license say? Where, where does it say you vote? Before we just automatically just incorporate everyone in.

So that would be my suggestion. I know that, you know, I know, I don't know what it takes to call a meetin', just sit down and talk about these little rules, this is what we want done. I don't know why that should take six months. It really shouldn't take but about 30 days but, you know, that's my, my belief...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MS. L. CUNNINGHAM DONLEY:...that could be improved.

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

MS. L. CUNNINGHAM DONLEY: Thank you.

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

MS. L. CUNNINGHAM DONLEY: I'm, I'm sorry it's more than two minutes.

CHAIR PRO TEM MILLER-ANDERSON: Thank you.

MAYOR MASTERS: Three.

CHAIR DAVIS: You did a good job.

CHAIR PRO TEM MILLER-ANDERSON: You had three. [Chuckle]. Mr. Fane Lozman and then Ms. Mary Brabham.

MR. F. LOZMAN: Fane Lozman. Reverend Davis is one of the great men in Palm Beach County. He has come here repeatedly over the years and talked about the liens. We now have some concrete action to take action right now. We don't need another workship, Ms.., workshop, Ms. Tonya Davis Johnson. We need what Reverend Davis.., and I think he has the biggest church in Riviera Beach. His con'.., his, uh, congregation, myself, other people around this community, we want what Ms. Hubbard wants, we want what Mr. Davis wants, we wanna give these people the opportunity to move forward. Okay? There's a dysfunctional City management that would allow this to get in place in the first time. We can't even get safe drinking water, but yet, we have a City Manager that hasn't got around and try to do something for these residents that have these issues. You know? If we had some leadership here, we woulda gone block by block. We woulda tried to deal with this instead of, 'Oh, she's always unavailable,' the City Manager. I've been trying to talk to her for years about getting an address, refuses to meet with me. But let's forget about myself, we have people.., right now, you don't have to kick the can down the road anymore. I don't want the can kicked down the road anymore. I think that's a very credible, uh, not very credible, very realistic motion that was made. It's not gonna be for the next 100 years, it's only two years. Things can't be any worse if they're that bad out there, which I don't think they are.

Go ahead, pass this today. We don't need to hear what the City Attorney has to say, why don't you act as leaders? Some of you do act as leaders. You don't always have to look to the City Attorney and think what he has to say, it's what you wanna do. We hired you to be the leadership. Some of you act like leaders and some of you act like mice. Okay? We didn't elect leaders to be mice, we elected them to be leaders. You've taken the aggressive approach, you've listened to the different reverends who've come here over the last couple years. We want these liens removed. This will be an experiment. We'll see what happens two years from now but we need to take action tonight. We don't need to hear what the City Attorney says, we don't need to hear what a workshop does, we don't need to hear what some racist from Singer Island has to say, Ms. Pardo.

[Inaudible comments]

MR. F. LOZMAN: We need to take action tonight.

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

COUNCILPERSON PARDO: Yeah. Talk...

CHAIR PRO TEM MILLER-ANDERSON: ...Ms. Bram.

COUNCILPERSON PARDO: ...about racist.

CHAIR PRO TEM MILLER-ANDERSON: Ms. Mary Brabham and then Mr. Rodney Roberts.

MRS. M. BRABHAM: I had back surgery.

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

MRS. M. BRABHAM: Good evenin'.

CHAIR PRO TEM MILLER-ANDERSON: Good evening.

MAYOR MASTERS: Good evening.

MRS. M. BRABHAM: Council Chair and Council Representative.

COUNCILPERSON PARDO: Good evening, ma'am.

MRS. M. BRABHAM: It is no doubt that you do want this to happen but from what is going.., happening up there it seems to be that gap. Now, that gap is them, them two years. That gap also is to ratify, if, within two years, that if this is not done, that's the sticky part there. That's the sticky part there. Ms. Hubbard suggested that 2% or 3% of the value of the property.

UNK: [Inaudible].

MRS. M. BRABHAM: Now, everybody here has made a valid point but, in order to take these liens off here, you are also in doubt about, if you do this here, is this gonna really work? Now, to make this work here, you could say, 'Okay. We're gonna take those liens off, we're gonna give them a chance. But, if they do not comply, then that, that whole value will go back...

COUNCILPERSON HUBBARD: Uh-uh.

MRS. M. BRABHAM: ...on that property,' because see, every'... I, I, I hear it out in the audience too. They want the City cleaned up. They want things modified to also address the needs of the, of, of the residents. But they do not want someone to take advantage of this here and do not apply to it. Those the tricky parts. Now whether or not you all have workshopped this, I don't know when a workshop was taking place on it because we've been constantly talking about it. We've been constantly talking about and I'm for one that said either aye or nay. But I thought that everybody had derived that what was necessary to do. So I think the sticky part and the gap is in there. Like Ms. Hubbard said because I'm sure your, your heads are flying off the hook here.

And the amnesty program that was there, it has not worked because you can see they have not taken advantage of it. I, I don't know their circumstances. It is a lot of older home owner peoples in this City here but I think more or less that gap there, that are in there because it.., because what I'm hearing is, that if you do this here, they will go off Scot-free and some are not gonna take advantage of it. Well, you're gonna have to say the good has to suffer with the bad. And is that right for the good to suffer with the bad? So, if you want to.., if, if you wanna pass this and put some teeth in it, which I'm the one that brought forth all the other cities, what they were doin' in reference to these liens.

[Beep]

MRS. M. BRABHAM: But they never did address how much would be assessed. So that's up to you all Board. So, like I said before, we do not want this to keep lingering on but, but it's time to move on. If some teeth in it that you want in it, you put that teeth in there. But just don't hang it out here to dry.

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

MRS. M. BRABHAM: Assess 'em back or [stammer], or leave it alone.

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

MRS. M. BRABHAM: I'm holding your...

CHAIR PRO TEM MILLER-ANDERSON: ...Ms. Brabham.

MRS. M. BRABHAM: ...Att'.., your Attorney responsible for this too.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

[Chuckles]

MRS. M. BRABHAM: Okay? He's your attorney.

CHAIR PRO TEM MILLER-ANDERSON: Mr. Rodney Roberts.

CHAIR DAVIS: [Chuckle].

CITY ATTORNEY DEGRAFFENREIDT: [Chuckle].

MR. R. ROBERTS: Good evening.

CHAIR PRO TEM MILLER-ANDERSON: Good evening.

UNK: Good evening.

CHAIR DAVIS: Good evening.

MAYOR MASTERS: Good evening.

MR. R. ROBERTS: Rodney Roberts, 1581 West 14th Street, Riviera Beach, Federal Gardens. Uh, relief. [Stammer] relief. Ms. Tonya Davis Johnson, uh, loved ya at the retreat, sounded like you were really for the people. You represent my District and, um, I would appreciate it if you would, you know, give relief to these people tonight, if that's in your power to do. Um, I think it was like $35,000,000 was getting borrowed on the backs of the citizens of this whole community and there was nothing that, as far as what was going to be done with that $35,000,000, there was no blueprint. And I'm not saying that you should follow that cause that was incorrect, but now we're talkin' about people.., I believe we're talking about people, we're talking about citizens that.., I say this word very often, through a system of gentrification, are having these liens and these burdens placed on their backs. That, that's not right. Uh, it might feel that... It was just a joke. It might feel better if there is, if there are no teeth in it, at this point.

But, you're not, again, thirty.., I don't know what the total amount would be right now, if, if you were to release this but, again, $35,000,000 we were willing to, you know, just put on... And, and that's still there. It's on the backs of the citizens. Right now, we have to pay that money back. So, this is, this, again, the, the sun.., it rains on the just and the unjust as it shines on the.., you know what I mean, on everybody. So let it shine. If, if people are getting.., or think people.., they're not getting away with anything. They're.., nobody's gonna get away with anything. That's, that's our faith, I mean, that, that we.., they're gonna get it in the end, ya, ya ya. They'll, they'll get it on the other side if they don't get it here, on Earth. But we have people that we can grant relief to and, through

a system of gentrification for many, many years, probably even before you came to the City, has been goin' on. And, I.., for, for me just thinking about it, worst case scenario, the people get the, get the relief, they'll probably sell their property. Probably'll be able to sell their property and go somewhere and s'.., and whoever buys the property, you know what they wanna do, they probably wanna buy the property next to it, tear both of 'em down and build up a big house, on it. You know? You, you.., this pro'.., this, this progression that's going on in this community, it's going. You're, uh, you might potentially allow somebody to get some money for that property cause they probably won't be able to afford the taxes around here, pretty soon and they'll need to go somewhere.

So, relief, relief, relief. Brother'.., brotherly love, relief. Let's, let's [snaps fingers] be truthful about this thing. It's, it's, it's not that bad. It's not that bad.

[Beep]

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Anymore cards for this Item?

COUNCILPERSON DAVIS JOHNSON: Madam Chair?

CHAIR DAVIS: McCoy.

CHAIR PRO TEM MILLER-ANDERSON: What? You had one, McCoy?

MR. T. MCCOY: For public comments.

CHAIR PRO TEM MILLER-ANDERSON: For regular public comments?

MR. T. MCCOY: Yes.

UNK: We haven't gotten there.

MR. T. MCCOY: But I didn't know you were gonna take this Item. [Inaudible].

CHAIR DAVIS: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Yeah. He has a card?

CHAIR DAVIS: No he.., he has one for public comment [inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Oh.

MR. T. MCCOY: Right. But I didn't know you were gonna take up this Item [inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Well, yeah. That's what I'm saying. Just get [stammer], give us a card.

MAYOR MASTERS: A card.

CHAIR PRO TEM MILLER-ANDERSON: Anyone else that has a card, need a card for this Item, go ahead.

MR. T. MCCOY: Good evening, Mayor, Council.

MAYOR MASTERS: Good evening.

MR. T. MCCOY: Tradrick McCoy, Riviera Beach. I think, certainly, this is a issue but we have to have spirited and thoughtful discussion about it and I'm certainly in support of us not just arbitrarily puttin' a motion out on the floor to, to forgive all liens and waive 'em and I'll tell ya why. There was a suggestion about a person can't finance and I've not heard it mentioned that Palm Beach County Department of Economics Sustainability offers a program for those that are homeowners that are in homesteaded properties for Code Enforcement assistance to help 'em bring it into compliance. Now I'm not certainly saying that, you know, that goes all the way but another suggestion is this, there shouldn't be any kind of releases or waivers of any Code Enforcement liens unless we have some sort of stipulated agreement. Now, I certainly respect Reverend Evans but, in the event that some unforeseen circumstances occur, then, you know, we've released his properties now we have no assurances whatsoever other than his word. And I'm s'.., I'm sure he's a man of his word but I think it's, it's not even prudent for us, as a City, to begin to then waive it because I have a two-year-old and when I walk down the sidewalk, the grass is this high at a, at an abandoned property.

So, you know, I, I certainly think we need to come up with a plan because if you do this, you're gonna have some unintended consequences and you also have to remember, there are folks that actually pay those Code Enforcement fines. Now, for us to come back now...

[Inaudible audience comment]

MR. T. MCCOY: ...Pardon me. Let me finish. For us to come back now, then that exposes the City to more liability. So there are ways that we can get to it, but I think we just need to actually have that workshop and have some spirited discussion because, again, I've not heard one person suggest the program that's offered through Palm Beach County. Now this year, 2016, '17, is the largest budget that I've seen in the City of Rivera Beach. I know we were around $53,000,000 or so, give or take but now we're over $70,000,000. At some point, we should have additional Staff people, in our Community Development Department, to assist individuals who are homestead properties with gettin' their, uh, bringing their properties into compliance.

So, that's certainly what I'll say about that issue. I had some other items but I think, certainly, we have to have more discussion and more conversation than to arbitrarily decide to waive everyone else's liens because guess what happen', in two years, I can see it now, we're gonna be right back here at this same problem and then you're gonna have about 30% of those people who've actually complied and then ya other 70%, still have those same compliance issues. So those are my comments.

Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Thank you. Ms. Duncombe, is it.., is your card for this Item? About the release of liens?

MS. N. DUNCOMBE: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

UNK: Okay.

MS. N. DUNCOMBE: Um, the first thing I, I would like to say is that, had anybody thought of having, like, a workshop?

UNK: [Chuckle].

MS. N. DUNCOMBE: ...to really...

[Laughter]

MS. N. DUNCOMBE: ...discuss this thing? It's not complicated, it's not really complicated and my attitude is...

CHAIR PRO TEM MILLER-ANDERSON: Well, hold on. Please, please quiet out in the audience. Thank you.

MS. N. DUNCOMBE: My attitude is, sometimes we make things more complicated than they have to be.

CHAIR DAVIS: Mm.

MS. N. DUNCOMBE: Now, I go back to Schooney Lounge. It was over $2,000,000 worth of liens on that property and it was wiped off. And then the trailer park, it was wiped off. I'm looking at the possibility, and everybody may not do it, but the possibility if you give people the opportunity to say within six months to a year, get your stuff together, report back to us and we clear it up. It doesn't matter what the property is. When you have a vacant house next to somebody with a nice place...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

MS. N. DUNCOMBE: ...it brings that person's property down.

UNK: [Inaudible].

MS. N. DUNCOMBE: And I'm sayin', the Board, maybe not this group that's sitting there, borrowed $35,000,000 for the Marina. Now, who has the business down there and who's benefitting from that? So, I'm sayin', this is an investment and it may help to stabilize the City and make it look better. Why can't we try that? If it doesn't work, you can always come back and do something else but give people who have properties that opportunity to clear it up, clean it up, fix it up. And better still, what I would venture to go even farther, those properties that the City owns, that people have given up and abandoned, we have a lot of young people around, give it to them, tell 'em fix it up. You can't sell it for 20 years, you have to live in it, fix it up, bring the standards of the City up. We are the only City that we are not doing those innovative things for the people in the community that we do for other people.

When I read in the papers that this, this, this, this.., people came here from Tennessee, said to be over Stonybrook. Now, wha'.., whatever the place name...

MAYOR MASTERS: That's right.

MS. N. DUNCOMBE: ...that was a disaster.

MAYOR MASTERS: Disaster.

MS. N. DUNCOMBE: We gave them that opportunity and Rubio comin' in here, the man who went against the President with everything, walkin' around here trying to get some votes, talkin' about the...

[Beep]

MS. N. DUNCOMBE: ...people there and how the place is rundown. He didn't think about it before. He didn't come here before. So I'm sayin', be innovative. Do things that will bring the standards of the City up. I don't think you will regret that. Let's try it, see if it works. If it doesn't work, you come back and try something else.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

MS. N. DUNCOMBE: Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Thank you so much, Ms. Duncombe. Mr. Walker, and this is the last card for this Item.

MR. T. WALKER: Thank you, Madam Chair. This, uh, everybody on the Board. This is a no-brainer. We've been talking for thi'.., about this for years now. Pass the motion, take up the motion, second it, let's get it done. Let me tell you why. Gentrification is

right around the corner. We can think it's not but I.., I've been studying this and it's right around the corner. I've been here almost 60 years and I plan to stay here, I plan for my grandchildren to be here. I keep telling us, this is our Land of Canaan. We deserve to be here. We put you guys.., I almost said I wish I was in that seat. I did say that, didn't I? [Chuckle]. But we charge you to do this. And like everybody done went back and forth and sayin', 'Give the people some substance. Give us a chance to make this City great.' I know everybody's countin' the City down but if you invest in the City, you can't go wrong. Put some teeth in it, not put teeth in it but give us a chance to get it right.

I think ya'll are gonna make the right decision. I hear you, Ms. Pardo, I hear you T, it's gonna be great, we're gonna be alright. Make the decision.

CHAIR PRO TEM MILLER-ANDERSON: Thank you, Mr. Walker.

COUNCILPERSON HUBBARD: Mr. Chair.., I mean Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

MAYOR MASTERS: [Chuckle].

COUNCILPERSON HUBBARD: My motion wasn't thought of arbitrarily. We have, as everyone has stated, been talking about it for years. The workshop that everybody refers to, for the last five months, we've been threatening to have it. We.., it's, it's just time for us to, to move on it. Again I say, the motion that I made had process included. And the pro'.., the, the, the program that the county has, I've worked with WEEP, I've worked with that program. It is not something that is going to be enough of anything to take everybody out of compli'.., into, into compliance. So, I understand the program, I know the program but this has nothing to do with a man's right to save his money, invests it in his home and he should be allowed to pull the equity out to continue to protect his home by making repairs.

I'd like to call the question, Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: I'm sorry. One second. I, I hadn't spoken on this Item yet. I've been here on the dais for a year and a half and I know that was something, um, that was very vocal about, throughout my campaign as well as many months into my campaign and it has been going on and on and on for a very long time. It was [stammer], we talked about doing workshops, it never happened. We got away from it then we've come back to it. We were not given clear directives at times as to how we could go about doing this and doing it the right way, the legal way. We have also heard from many people in, in regards to some liens and fines being wiped off totally for some people. Typically, it did not involve those who really could not afford to pay the fines and the liens.

The thing that really concerns me about this, with the Code Enforcement, is that the'.., [stammer], when the violations are applied, you could have someone right next door

that has the exact same type of property issue as one person right next to them, one person would have it a fine or a lien on their home and the person next to them would not. I have, I have noticed that it's been unequal applications of fines and liens being placed on the homes. How.., what is the formula, what is the rationale? I have yet to understand it because people have come up to the podium many times expressing these homes that have a number of violations and they have not been held accountable for it.

In terms of, you know, giving the two-year moratorium [pause], even with the fines and liens that they're getting, they're not cleaning it up. Okay? You take it off, they may or they may not clean it up. We, we don't know and I don't think that is something we can bank on one way or the other. But what I do feel is that we have to give an opportunity for them to do something. Now, if they choose to not clean up their property, they.., it wasn't clean to begin with.

UNK: Right.

CHAIR PRO TEM MILLER-ANDERSON: Um, but, if you are a homesteaded property owner, as someone stated before, I do not think that you're going to intentionally go and now, because you don't have any fines and liens being applied, that now I'm gonna say, 'Oh, I'm not gonna keep up my house because I'm not gonna get a fine or a lien.' Most people that, um, are homesteaded properties, they do it not because of Code Enforcement, they do it because they take pride in their home. So I don't feel that.., personally feel that this would be something that will promote people to now start.., stop keeping up their property. So for me, that's not an issue. I do feel we need to do something about it. I do agree that there are some processes that need to be tweaked. But, to continue to belabor this, to continue to not do anything about it.., you know, for many years, we all have heard of how, you know, people are coming in, investors are coming in, they're taking the properties or, you know, they, um, this is prime property. We all have heard that many years and we know it's true.

MAYOR MASTERS: Hmm.

CHAIR PRO TEM MILLER-ANDERSON: You got a lot of people moving back into this neighborhood that have been gone for 30 years but they're coming back. They're coming back for a reason.

MAYOR MASTERS: Right.

CHAIR PRO TEM MILLER-ANDERSON: And, um, we just need to make sure that we look out for the residents who have been here for many, many years. A lot of them, you know, many of the, um, elderly residents have been here for many years have passed on and it's either now, an investors come in and taken the home and, as Mr. Davis just stated, we have 60% are rentals. Those, those are the people we need to go after for sure. They don't.., they're not invested in this City. So, for those who have..,

who are, are here to spend their money, they live, they work, they play in our City, we have to be able to provide some sort of relief for them.

Again, I'm not promoting people go out there and now just do nothing to your property and I think if you're a homeowner, that's not gonna be your, your motive. You're not gonna do that. But I do believe that we have to provide some sort of relief for 'em and I, I do feel that we could spend a little time on correcting whatever process it is but I don't feel that we need to wait until we get that process because, like I said, I've been here a year and a half and we've been working on that process for a year and a half and it hasn't happened.

So, I'm, I'm ready to vote but go ahead, Ms. Davis Johnson.

COUNCILPERSON DAVIS JOHNSON: Thank you, Madam Chair. Let me first say that I am honored to serve as the District 3 representative and I am receiving the calls from the constituents that have concerns with regards to the properties that are out of compliance. I am hearing the residents who are concerned for their own property value based on the properties that are in disarray next to or in the immediate area. I am certainly in support, let's be clear, I am certainly in support of providing relief to residents but I have a few questions. What's the total number of properties that are homesteaded? Have we ever received that printout that was asked for with regards to this.,. the, the fines as they were established and what's actually out there? Because there are ways that we can be creative and show true leadership without bowing. I understand that we represent the people and that this government is for the people but you elected us to lead, so allow us to lead and provide an opportunity to do what we need to do in order to save the City. You want us to provide you an opportunity to have a community that is beautiful, that is gorgeous, that is enhanced. So, let's look at the number of properties, this would be my suggestion, and I know that the question is going to be called but we still have not seen, or, I don't know what the total number of properties that are homesteaded and I don't know what the liens are from the least amount of liens to the maximum amount of liens.

But, if there are programs or projects or non-profits or organizations that need community service hours, we can put those things together and have those properties painted, yards cut, shrubberies, we can do those kinds of things. I, I, I did not have an opportunity, and we were just talking about workshopping on the 27th, the email came out. Mr. Chair, was that your request to put those Items on for a workshop?

CHAIR DAVIS: Correct.

COUNCILPERSON DAVIS JOHNSON: So, what I don't understand is, we're not talking about six months from now, we're talking about the 27th. Today is the 21st? And we were not given an opportunity to really discuss the alternatives. I appreciate what Councilperson Hubbard is, is attempting to do but you want us to lead, allow us to lead. Have this conversation, it's six days away. And, and make a decision at that time, fully understanding what it is that we're getting ourselves into as a City. Because there,

there was no mention about compliance, there was only a menti'.., there was only mention of two years without any, any additional liens or any, uh, review.

I'm sorry, I bought my property in this City, I wanna live in a community that doesn't have overgrown lots, I wanna live in a City that doesn't have houses with shingles and, and sidings falling down. I share every citizen's desire in this room to have relief. But it comes a point in a time that we have to do what is, as I say, in the best interest of the City, the citizens and the fiscal responsibility.

CHAIR DAVIS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

CHAIR DAVIS: Real quick. So, the 27th is next Tuesday. What time, Ms. Jones, so the public know?

[Inaudible audience comments]

CITY MANAGER JONES: 6:00 o'clock.

CHAIR DAVIS: Hey, hey, clam down. Take it easy, baby. 27th, what time?

CITY MANAGER JONES: 6:00.

CHAIR DAVIS: 6:00 o'clock. Now, today's Wednesday, with supportin' this Item, which I will do, this is announcing to the people that something's happening and changing in Riviera Beach. And this conversation is promotin' engagement.

UNK: Hmm.

CHAIR DAVIS: So now they can start talking about something's happening in Riviera Beach and make sure they get they butts in these seats to talk about the process. I'm gonna support this Item today. Cause it ain't gonna hurt nothin' between now and Tuesday, it's gonna promote that there is hope in this community. And if only 30% of the people fix their homes, that's a 30% improvement. That's better than zero percent. You can't go wrong for trying to do right as long as you do put a process in place and I support my colleagues cause that's what they want. And we can talk about the process on Tuesday but we can get the ball rolling tonight.

UNK. AUDIENCE: Amen.

CHAIR DAVIS: And that's where I'm gonna stand with that.

MAYOR MASTERS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

MAYOR MASTERS: I call for the previous question. [Pause]. For the motion to go forward. For the Clerk to read.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

MAYOR MASTERS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Absolutely not.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Absolutely yes.

AUDIENCE: [Inaudible comment and clap]

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

CHAIR DAVIS: But, Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIR DAVIS: Now, everyone who came out tonight and supporting this Item, please go back to your churches and tell the residents to please be here on Tuesday and get the word out that we're gonna discuss this process and we're gonna work together to get everything accomplished in this City. So, we're doing our job, we're asking you to support us through this job. So please help get the word out on Tuesday night. At what time, Ms. Jones?

CITY MANAGER JONES: 6:00 p.m.

CHAIR DAVIS: 6:00 p.m. Alright. Thank you. Alright. Now, we've gone...

[Clapping]

CHAIR DAVIS: ...through that portion...

UNK: [Inaudible] five-minute recess.

CHAIR DAVIS: We're gonna do a five-minute recess and then we're gonna come back to the water...

UNK: [Inaudible].

CHAIR DAVIS: ...Utility District meeting. So, do I have a motion to temporarily adjourn this meeting to go back...

COUNCILPERSON DAVIS JOHNSON: So moved.

CHAIR DAVIS: ...into Utility District... Do I have a mo'.., second?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Alright. Thank you.

[Chamber chatter]

[Break]

[Return from break]

COMMENTS FROM THE PUBLIC - 7:30 PM Non-Agenda Item Speakers (Three Minute Limitation)

PUBLIC COMMENT SHOULD BE RESTRICTED TO ISSUES, MATTERS, OR TOPICS PERTINENT TO THE CITY OF RIVIERA BEACH. PLEASE BE REMINDED THAT THE CITY COUNCIL HAS ADOPTED "RULES OF DECORUM GOVERNING PUBLIC CONDUCT DURING OFFICIAL MEETINGS", WHICH HAS BEEN POSTED AT THE ENTRANCE OF THE COUNCIL CHAMBERS. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO, THE COUNCIL CHAIR MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE REMOVED FROM THE PODIUM, FROM THE MEETING AND/OR THE BUILDING, IF NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY.

CHAIR DAVIS: So public comment, we'll have...

COUNCILPERSON HUBBARD: [Inaudible background comment]

CHAIR DAVIS: ...Bishop Dukes.

BISHOP P. DUKES: Bishop Dukes, Phillip Dukes, 1217 Avenue U, 1211 Avenue T. To everyone who is sitting up on the panel, I just wanna thank you for all your prayers and your comments for my transplant. I am nine months, this week...

CHAIR PRO TEM MILLER-ANDERSON: Alright.

[Cheers and applause]

BISHOP P. DUKES: ...with my new heart. After being sick for 17 years, my wife said, 'Yeah. You got a new heart but the rest of you' still old.'

[Laughter]

BISHOP P. DUKES: I to'.., I'm gonna give her a pass...

MAYOR MASTERS: But it's still workin' though.

BISHOP P. DUKES: That's what I'm talkin' about.

MAYOR MASTERS: Everything's workin'.

BISHOP P. DUKES: Um, got.., you should be gettin' a pa'.., already have gotten it al'.., you'll be getting a package from me. I'm resuming my community base ministry against thug life and drug dealers. You remember, we started this 1999. Uh, Major Lewis'll tell you about when we first started and I've never come to the City and asked for money or anything like that cause I usually raise money but my situation has changed. So, I want you guys to support us because.., what I want Riviera Beach to do is, is to lead the nation in what to do about thug life and drug dealers because this has nothing to do with jobs, this has nothing to do with Mayor Masters. I support Mayor Masters and his job [inaudible]. I think he's done a great job.

MAYOR MASTERS: Thank you.

BISHOP P. DUKES: I really do. Matter of fact, I gotta give [clapping] him some of that. He's done a great job...

[Inaudible dais comment]

BISHOP P. DUKES: But we have a counterculture that we have to break and, you know, I got converted outta that life. We have to break that cycle. It doesn't go into North Palm Beach, it doesn't go in Palm Beach Gardens and, and we're.., our youth are being socialized to this because our community atmosphere hasn't changed. So, we're gonna do that while we're doing all this other redevelopment, we're gonna stop thug life from breeding in our City because we gotta take away these excuses from our young people and, and, and break these cycles. Look, we just saw in the paper, this 25-year-old guy had a gun with a 16-year-old. So, it's breeding. I was bred by some old pimps.

Some of ya'll remember James Brown and LJ. You know, it's a breeding cycle. So, we break the breeding cycle by coming out, working with the police in the community and we're gonna be doing these rallies to, to change this cause there is nothing in Palm Beach Gardens that's having their children all jacked up. They got heroin coming in now but you said they're gonna crush it. They're gonna crush it. But we had heroin in the '60s and the '70s and we have not.., we don't have anything in our community atmosphere. So I'm asking you to support us, help us. We're gonna be doing a outdoor concert. Most of you know that I am a gospel recording artist and I'm back singing now. So, um, you're gonna get to hear me on the 12th of November. You'll be gettin' a flyer. We're gonna do our first concert out in Federal Gardens. We run 13th & U, Operation Christian Community Fellowship, we run that. We stopped all drug dealing out there. So now, after being sick for 17 years, we're coming back now. You know, we also helped arrest, convict and testified against one of the most notorious drug dealers in Palm Bach County in 2002 and I didn't say anything about that, I didn't come to the City. But we're gonna implement this and lead the nation and we're gonna show Chicago, New York, LA, Oklahoma what to do and how to do by having high standards.

Thank you so much.

[Beep]

CHAIR DAVIS: Thank you, sir. Next, we have Mr. David Hargreaves.

MAYOR MASTERS: And while he's coming, Bishop Dukes, you have a 501(c)(3), right? Bishop Dukes? You have a 501(c)(3)?

BISHOP P. DUKES: 501(c)(3).

MAYOR MASTERS: I'll give you some money.

BISHOP P. DUKES: Alright. God bless you. [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

MR. D. HARGREAVES: Good evening. Thank you for your service. May God bless each and every one of you with patience and wisdom and compassion and courage...

MAYOR MASTERS: Yes.

MR. D. HARGREAVES: ...in dealing with each other and with us. And I appreciate you and I hope that as a citizen of this City, which I do love the Raw...

[Laughter]

MR. D. HARGREAVES: ...that I...

CITY ATTORNEY DEGRAFFENREIDT: Right on.

MR. D. HARGREAVES: ...that, that I can show that by actions. Okay? So the reason I'm here tonight, I live at 1400 A.C. Evans Street in Riviera Beach and I didn't even know who A.C. Evans was until tonight.

CITY ATTORNEY DEGRAFFENREIDT: [Chuckle].

MR. D. HARGREAVES: And now I got to meet him. So, I love working with the kids in this community. God bless Capurnia, Bishop Dukes and everyone else that does their part. You now have my address, TD, Mayor, Bishop, friend, brother...

MAYOR MASTERS: Yes.

MR. D. HARGREAVES: And KaShamba, if you have.., you can add me to the top of the list if you have someone in this community that you remove the fine or lien from and they need their yard cut or their house painted or something else that I can help with, stop by my house. I will help. It takes a village, I'm part of that village and I will help if you remove that lien, put me on the top of the list. Okay?

Cunningham Park, that's why I'm here. I really like that park. I live in the area. I went to a meeting maybe a year and a half ago at the Lindsey Davis and there was a beautiful architectural rendering. About a year ago maybe, I'm gonna.., I wish I woulda wrote down dates cause I would really of liked to have them for tonight. The locks went on Cunningham Park and then the signs went up. After this architectural rendering of a beautiful fountain and a, and the pavilion and barbecue grills, the locks went on Cunningham Park and the signs went up that said, 'Renovation coming. Closed for renovation.' Then maybe, I don't know, four.., three months ago, the locks got cut, a couple palm trees went in and all the signs went away and nothing has happened. I've put in two requests for public information, I want everything about Cunningham Park and I wanna know what's going on. Please. Right? There's plenty of palm trees on MLK. I know there's plenty of money for the Port, I'm sure there's no issues with that. I hope Cunningham Park will move forward.

Thank you.

MAYOR MASTERS: Thank you.

CHAIR DAVIS: Thank you, sir.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIR DAVIS: Mary Bram. [Pause]. Mary Bram.

[Inaudible audience]

CHAIR DAVIS: Fane Lozman.

MR. F. LOZMAN: Fane Lozman. For the record, I have 25 acres of property at Singer Island and maybe 24's in the water and one acre is on Upland. My five lots still do not have an address. The constitutional officer, the property appraiser, his lawyer called me today, they're filing a Motion to Intervene where they're gonna ask the court to expedite the issuance of an address. So county taxpayers now are spending money, along with the City taxpayers, fighting to get an address to my five lots when the guy next to me has an address, 5281 and when Van de Camp, the former community director, he has an address for his properties so I am being targeted mainly by two women, Dawn Pardo and Tonya Davis Johnson. Now, as a county employee I think you have a lot of nerve...

[Inaudible dais comment]

MR. F. LOZMAN: ...questioning the constitutional officer, Gary Nikolits, I've talked about that to the County Manager, I've talked about that to County Commissioners. You are still a county employee and for you to say that the county property appraiser doesn't know what he's talking about, I have a big issue with that. I'm entitled to an address, I'm a taxpayer and by not having an address, I couldn't get FP&L service and that contributed to my floating home sinking. Now, when, when Ms. Hubbard made a motion a few meetings ago, you said, 'Oh, this is in court. Let's go through the court process.' We don't have to go through the court process. The law is quite clear, I'm a taxpayer, I'm entitled to an address like everybody else and you have interfered, you and Pardo, in that process. I'm not gonna tolerate it anymore. The property appraiser isn't gonna tolerate it anymore. You're not gonna take away my statutory right to an address for my property, the taxpayer and you are directly responsible for my floating home sinking because I can't get electrical service to put in surveillance cameras.

So, this little charade you've had with your two executive sessions, you were wrong. Gary Nikolits' gonna explain it to wrong and, not only that, you're little county.., not your little, the county administrator was disgusted that you put me in a position where I suffered out there without electricity. So, you can sit there and get on your soapbox all you want. Ms. Hubbard had made a motion a while back and you interfered in it saying, 'Let's fight it out in court.' We don't have to fight it out in court. You are what I call a Singer Island puppet. I, I've since learned, from the [inaudible] administration, you said you would see nothing was ever built on my property. I supported you, I have friends of mine support you and yet, you stab me in the back by breaking the law and the law is quite clear, Taxpayer Bill of Rights, I'm entitled to an address to get my tax bill. I have no other address. Whatever address you think I had before, I don't have that anymore. The only address I have is where my property is located. You're gonna lose that battle, you're gonna lose your seat up there on the Council and you've also exposed yourself to potential federal criminal charges with obstructing the delivery of my mail.

So, you think you're real cute up there, the two of you, you're gonna realize that you're not.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIR DAVIS: Go ahead, while.., Mary Bram, come up. Go ahead, Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON: I have not interfered in one single thing. I've not spoken to the property appraiser's office and, Mr. Lozman, you get'.., you get up here and you scandalize my name, I've not spoken to anyone. So you need to discontinue your attempt to go after my job. I work, I'm a working citizen, I'm a mother, I'm.., and when you came to me, you came to me with a general statement. You said can a person do what they want to do on their property, without going into all of the nuances of what was going on with you. And I simply said to you, and I never made a promise, never once did I make a promise to you about an address, never once did I campaign on giving you an address and you need to cease and desist from what you're doing.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: Don't go to my job. It's not necessary for you to go to job.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: You can but, you know what, you need to stop trying to discredit me simply because I am not your puppet. You may have puppets but I am not her.

MR. F. LOZMAN: You're a liar.

COUNCILPERSON DAVIS JOHNSON: Okay? I am not her. I will do what I believe is in the best interest of the citizens, the City and what's fiscally responsible and I have had just about enough of you calling me a liar and doing all that you're doing.

MR. F. LOZMAN: You are a liar.

COUNCILPERSON DAVIS JOHNSON: No. You're the liar.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: You're the liar.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: And let's be clear.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: I'm done.

UNK: Hey, hey.

COUNCILPERSON DAVIS JOHNSON: I'm done.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: You all let him sit and attack us...

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: ...day in and day out...

UNK: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: ...and it needs to stop.

MR. F. LOZMAN: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: It needs to stop. You can't go in to any other City and disrespect the women the way that you do and I'm telling you, for me, you're done with me with that. And I don't know how we can protect ourselves from what you do but you come here, you bash us, you abuse us, you disrespect us and no one calls you on it. Well, guess what, I'm calling you. I'm calling you. I deserve respect. I sit here, I try to lead, I try to offer what I believe to be reasonable explanations but because I'm not dancing to your tune, you choose to try to defame me. I am not.., as I told at the previous meeting when you came and approached me and, and said all that you said in your disrespectful, condescending manner, you don't get to do that to me. You don't.

CHAIR DAVIS: I don't normally get involved [sic] public comment. But, Mr. Lozman, ple'.., please conduct business and, and, at least, treat my colleagues better. I mean, Councilperson Davis Johnson deserve the chance to do what she need to do without being, um, verbally challenged, attacked with her job. Now, that's something I don't support. But...

CHAIRPERSON PARDO: It's all his M.O.

CHAIR DAVIS: Yeah. [Stammer] and I think, once you settle down, at some point, I think you'll do the right thing and come back and apologize to her. But just settle down and think about it. Leonard Wary.

UNK. AUDIENCE: Wary Leonard. [Inaudible].

CHAIR DAVIS: Wary Leonard.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible] Leonard.

CHAIR DAVIS: Oh. [Chuckle]. It says Leonard Wary.

UNK: [Inaudible].

CHAIR DAVIS: Okay. Wary Le'.., Ms.., I just know it's Ms. Leonard. How you doin' this evening?

MS. W. LEONARD: I'm truly blessed. Good afternoon. Wary Leonard, 1901 West 23rd Street. The first thing I'd like to speak about is the students that are catching the bus on Congress and 26th Street. That is the entryway into National Village. They start at 6:30 in the morning in the dark. There are a lot of cars there, no one see them, we are looking for a accident. They start high school, middle school and then elementary catching the buses. There are five section of homes over there. We have the old Wedgewood, we have National Village, Timber Pine, we have Thousand Oaks, Sonoma Bay and there is one other one I can't remember.

MAYOR MASTERS: Villa Rosa.

MS. W. LEONARD: Villa Rosa. Thank you. They all walk down to the National Village entryway to catch the bus. It is looking to be an accident. We've already had car accident.., a child is gonna get hit there. We, as a City, need to try to get some kind of traffic light there. We've tried, as National Village, they told us we didn't have enough exit out of National Village to require a light. The school need to.., you need to talk to the school or somethin' about getting someone put there. The time is gonna change, it's gonna get darker. Those little babies are not gonna be looking for cars so you really need to do it.

The next thing I need to talk about is Family Dollar. It is horrible.

CHAIRPERSON PARDO: Right.

MS. W. LEONARD: The one on Congress stays dirty. The trees are so tall that the limbs touch the sidewalk on National Village side, across a six foot wall. I've called our Code Enforcement, they cut some of the trees back, the rest of 'em are still hangin' over the, the National Village residence. The yard, the, uh, grounds for Family Dollar is always dirty. I've gone in and asked them to please clean it up, they told me it wa'n't their job to clean up outside.

MAYOR MASTERS: Mm.

MS. W. LEONARD: So, if it's not Family Dollar job, who' job is it? You need to have them clean up their property. If you're gonna mandate that the citizen' do it, you must also mandate that the people that sell to our residents do it and give them respect also.

Thank you.

CHAIR DAVIS: Thank you, Ms. Leonard.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: Ms. Norma Duncombe.

COUNCILPERSON HUBBARD: Mr. Chair, while she's comin'. I'd like to have Staff to please contact the corporate store or the corporate offices of Family Dollar and get that taken care of and have Staff to get with the police department to have someone at that bus stop prior to the children arriving and until they leave.., until Staff can get with the county...

UNK: [Inaudible].

COUNCILPERSON HUBBARD: ...to see what it does or what it does take in order...

CHAIR DAVIS: [Inaudible].

COUNCILPERSON HUBBARD: ...for us to get some kinda...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON HUBBARD: ...light out there. We've talked about that for years before and, until we can do something about it, we have to step in and get a policeman out of his car, at that entrance, to take care of the kids until we can take care of the problem. Thank you.

CHAIR DAVIS: Sorry, Ms. Duncombe.

MS. N. DUNCOMBE: Yes, sir.

CHAIR DAVIS: We didn't start your clock yet so you're good.

MS. N. DUNCOMBE: Uh-uh.

MAYOR MASTERS: [Chuckle].

MS. N. DUNCOMBE: Okay. And, and maybe I shouldn't speak of this but I guess being a senior citizen it bothers me when we have these outbreaks in here. We talk about decorum and what have you and it works both ways. And I realize your jobs are hard up there and sometimes people might irritate you but I think you have to set your standards up there. And Mr. Chair, you have to take control. Um, it's not personal, I'm not attacking you. I'm, I'm just.., as a senior citizen...

CHAIR DAVIS: Point taken.

MS. N. DUNCOMBE: ...I'm, I, I just wanna help you.

CHAIR DAVIS: Okay.

MS. N. DUNCOMBE: Okay. I'm up here again talking about the roadway and I'm talking about the state road and the county road that I have to use every day. Silver Beach Road is horrible. They were supposed to have.., and I guess you, you [stammer] and this is what bothers me about management. People come here and they don't feel they have to do the same things that they do in other places. Silver Beach Road was supposed to be paved and, uh, from Avenue S all the way on over to the other side of the track. And I'm sayin', I want you to figure out, and maybe you have to get somebody to do this, how they can come back and do Silver Beach Road the same way that they have done county roads in other cities because there's no other city where they come in and pave a road, there are no sidewalks. Some of the light poles, you know, like, how they pave roads and they do decorative lights? You go up to North Palm Beach, Palm Beach Gardens, West Palm Beach, everywhere, decorative lights. You've got poles with boards holdin' 'em up. And I'm sayin'.., and I'm, and I'm gonna continue talking about it because I have to look at it every day. No sidewalks and it's dangerous because people backing out of their driveways, you're always afraid you might hit somebody or somebody riding a bicycle. Same thing with US 1. We are the only City where they came in, pave the road and it looks ho'.., it, it hasn'.., it does not look like any other part, any other ci'.., municipality. How do we get... Management has to do a better job of when people come into work.

I am sayin', I want you to go back to the drawing board, the state representative, the county representative, get them out here to do our roads the same way that, that they have done other places. And I'm holding Mr. Chair, along with your colleagues, responsible for getting the services that I think we all deserve.

Thank you.

CHAIR DAVIS: Thank you. Ms. Ernestine Gordon.

MS. E. GORDON: Chairperson.

CHAIR DAVIS: Yes, ma'am.

MS. E. GORDON: Manager and, uh, the Mayor.

MAYOR MASTERS: Yes, ma'am.

MS. E. GORDON: I just come to talk to you about, really about the, uh, the water bill. We really don't need our water to increase. You find some other way to get whatever you need, do not bother with the water. That's what really what I'm up here to talk

about is the water. We wanna keep our water bill as high as it is now. I have a sprinkler system and I don't have to use the water for my grass but my water bill is still high. I'm just one person in the house and my water bill is high. I don't do much laundry but it's still high. And if you go up in next month, it gonna push me up in the hu'.., over a hundred dollars and that's ridiculous. And I'm begging, leave the water bill alone.

Thank you.

CHAIR DAVIS: Thank you. Tradrick McCoy. Mr. McCoy. [Pause]. Mr. McCoy. Okay. Bonnie, Ms. Bonnie Larson.

MS. B. LARSON: Bonnie Larson. I'm gonna preface what I'm gonna say tonight by saying I respect this Council. If anybody's gonna turn this City around, it is this Council. So, I'm telling you that right up front. I have a lot of respect for you but there's some things I have to say tonight and we came here at 5:30 to talk about the water. We were here Monday night until midnight, like, three minutes before midnight. Tonight, it's unrealistic scheduling of meetings. Tonight, there was supposed to be a dedication of the sign at 5:00 o'clock, Utility meeting where we talk about the water at 5:30 and the Council at 6:00. There was no set time for the budget. There was no time certain on here for the budget so why we had to go into the City, um, meeting first, I can't understand that. Or, if you really wanted to do that, why not talk about just the budget and nothing else then go back into the Utility which was supposed to be at 5:30 and then come back again. It's, it's all messed up.

If you wanted to workshop tonight about the liens and stuff, when you discuss that, Staff shoulda set that up immediately. You shouldn't have to wait and wait and it doesn't happen, nothing happens. There are meetings that take place here we never hear about. There was a group that came in, we paid them, their name was Urban Land Developers and they were talking about possibilities for the City moving the City Hall. Well, I would've like to have been there but didn't know about it. Things are not being advertised and I talked it the other night about the electric, uh, electronic sign which was ordered, like, supposed to have been ordered like two, three years ago. Ms. Jones, you said it was gonna be here this week. I will not talk about the one out there, that's there tonight, I'm talking about an electronic sign which was supposed to be on the corner of that property. See, everybody's even forgotten about it. It's supposed to be on, I'm bad at directions, on the east.., on the [pause], northeast corner of this property and it was gonna say, 'Meeting,' you know, 'Meeting.., Council meeting such and such a date, this, that.' I'm not talking about that one because, at that corner, people can see it when they're sittin' for the light. They're not gonna see this one as they're driving, they're supposed to be watching the traffic, not looking at that sign which has all the Council people on the sign. So, what happened to that? It was like two, three years ago. Money was appropriated for that. Things just don't happen.

Um, I walked outta here Monday, uh, Monday night, midnight. Parking lot.., I talked... Now, some of you weren't on the Council, you people but I talked for two years straight

'til I was blue in the face, no lights in the parking lot. Again, midnight, we're walking out there, no lights. There are lights but they put 'em too high so the trees interfere with 'em and they've been off a couple times now for meetings. So we're walking out there midnight. There's water, there's not drainage, there's water puddles covering that walkway out there. Somebody coulda tripped and fallen because it's pitch dark and you're walking in water.

So, you know, years ago what would happen when there was a hot topic, the Council would put all kinds of items on the Agenda...

[Beep]

MS. B. LARSON: ...if there was somebody here from the TV stations and tonight, uh, are we doing that again? I hope not. A couple...

CHAIR DAVIS: Okay.

MS. B. LARSON: ...of 'em have left already cause it's a hot topic tonight. We need to talk about the water. Been here since 5:30 waiting to talk about it.

Thank you.

CHAIR DAVIS: Ms. Jones, can you answer a few of those questions with regard to ULI and when is the next meeting so people know that, uh, it's a few meetings coming?

CITY MANAGER JONES: Yes, Mr. Chair and thank you so much for the opportunity to make a correction. ULI is free. We have not paid them, they do not charge. They come to municipalities to assist municipalities but they are free, not taxpayer dollars. Second of all, they will be on tomorrow night doing their last public hearing, Ms. Larson. And so, we would welcome if you would come out and hear what they have to say but they also wanna hear form the residents before they make their final report to the Council.

CHAIR DAVIS: What time?

CITY MANAGER JONES: 6:00 o'clock.

CHAIR DAVIS: 6:00 o'clock tomorrow.

[Inaudible audience comments]

CHAIR DAVIS: Everyone's watching...

CITY MANAGER JONES: Well, now, everybody knows.

CHAIR DAVIS: Everybody knows.

CITY MANAGER JONES: So when you say who knows, everybody knows.

CHAIR DAVIS: 6:00 o'clock. Thank you, Ms. Jones.

CITY MANAGER JONES: The, um, so that you'll be able to do that. Then the last thing is, there was never a decision to place a sign on the northeast corner at.., because.., and the reason being, it would block the line of sight.

CHAIRPERSON PARDO: Correct.

CITY MANAGER JONES: And so, you.., we would've been in total violation if we had'a placed a sign like she is thinking. It was never going to be there, it was always going to be in the front of City Hall.

CHAIR DAVIS: Okay. Mr. Corey Dixon and then finally, Rick King.

MR. C. DIXON: Good afternoon.

CHAIR DAVIS: Good afternoon.

MR. C. DIXON: Corey Dixon.

CHAIR DAVIS: Good, good evening.

MAYOR MASTERS: No, sir.

CHAIR DAVIS: [Chuckle].

MR. C. DIXON: 1133 West 32nd Street. [Pause]. I wanna ask one question. Do the City Manager work for ya'll, the lawyer work for ya'll or do they work for you all? [Pause].

CHAIR DAVIS: Say that again.

MR. C. DIXON: Do ya'll work for the City Manager or do the City Manager work for ya'll?

CHAIR DAVIS: Be more specific so that if she need to answer a question when you're done, she can do so, the City Manager.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible] rhetorical.

MR. C. DIXON: I spoke with a outside attorney again and I made another bid. And his response to me that the City lawyer wasn't gonna bring it to ya'll. [Pause]. And I wanna know, do he work for ya'll or ya'll work for him.

CHAIR DAVIS: Okay. So, you, you're sayin' that your attorney wouldn't bring it before us or?

MR. C. DIXON: No, the City outside attorney.

CHAIR DAVIS: Okay.

MR. C. DIXON: Said that, Degraffenreidt...

CHAIR DAVIS: Mhmm.

MR. C. DIXON: ...said he wasn't bringing the bid to ya'll.

CHAIR DAVIS: Okay. So that'd be something that, whatever that is legally, that we can probably discuss in a closed executive session but we won't discuss it in a public meeting. Okay. Thank you, Mr. Dixon. Appreciate it. Yeah, Ms. Jones, let's kinda, let's do a closed executive session, the facts so we can address that issue.

CITY ATTORNEY DEGRAFFENREIDT: There was no...

CHAIR DAVIS: Uh...

CITY ATTORNEY DEGRAFFENREIDT: Yes, sir

CHAIR DAVIS: Well...

CITY ATTORNEY DEGRAFFENREIDT: Never mind.

CHAIR DAVIS: How'...

CITY ATTORNEY DEGRAFFENREIDT: Never...

CHAIR DAVIS: However we choose...

CITY ATTORNEY DEGRAFFENREIDT: Never mind.

CHAIR DAVIS: ...to do it. Yeah.

CITY ATTORNEY DEGRAFFENREIDT: Never mind.

CHAIR DAVIS: I don't wanna do it in.., on TV. Right.

CITY ATTORNEY DEGRAFFENREIDT: You're correct.

CHAIR DAVIS: Right.

CITY ATTORNEY DEGRAFFENREIDT: Yes, sir.

CHAIR DAVIS: [Inaudible]. Mr. King.

MR. R. KING: Good evening. Rick King, PBA, 2100 North Florida Mango Road.

MAYOR MASTERS: Good evening.

MR. R. KING: Good evening. I'm gonna move away from the budget and police officer's salaries just for a minute cause I find myself in a position of doing something that I don't normally do which is advocate against a police officer. You all might remember that, months ago, I stood up here and I talked to you all and I, and I said to you, 'Hey, we're gettin' ready to hire this former Councilman.' And I said, 'Don't do that,' cause it slaps the officers that are there every day in the face. But we hired him anyway and we gave him a cushy job and a take home car. And now, that officer has admitted to violations of crime and that's the exact problem with the perception of the officers today. When we have someone amongst our midst who we know has done something wrong, we shouldn't be coddling him and we're coddling this guy. I'm asking you to take a look and see how are we still.., how are we handling this case where he's admitted to violations of the law and what we're doing about it.

Thank you.

CHAIR DAVIS: Thank you, sir. That's the end of public comment.

MS. M. SHEPPARD: I have a card.

CHAIR DAVIS: Ms. Sheppard? Oh, you have it on the other... Come on, Ms. Sheppard. Mr. Williams, do you wanna be in Utility or you wanna be in this meeting on your public comment card?

MR. W. WILLIAMS: [Inaudible].

CHAIR DAVIS: Water Utility?

MR. W. WILLIAMS: Yes.

CHAIR DAVIS: Yours is public or is that Item No. 1, Mr. Smith?

UNK. AUDIENCE: [Inaudible].

MRS. M. BRABHAM: Where's my card?

CHAIR DAVIS: Go ahead, Ms. Sheppard. We called you already, Mar'.., Ms. Mary Brabham but you missed it. We called you earlier. Ms. Sheppard.

MS. M. SHEPPARD: Margaret Sheppard, Riviera Beach. I'm here on a very, I guess, delicate, um, situation. Um, I was listening to the CRA meeting the other day, the other night, and I was listening.., talking about Mr. Scott Evans. Scott Evans been with us for 15 years. Maybe a little bit more, up under three administrations and I was quite insulted, I don't know who said it, I was kinda half sleep but I, I did hear a part of it, that you wanna go out to national search. I, I just think it's appalling. Um, every time you guys go out for a national search and you get these directors here, it become' very tragic. It's something that goes on. Look at the Utility Department and, and, and my suggestion.., I mean, you don't have to take my suggestion, just my suggestion, a year probation. Just see how it pans out. Um, I did not know Mr. Brown only spent two days here. That's.., that's kinda, like, unbelievable because every time I went to the CRA, I saw Mr. Brown. But maybe he wasn't, I don't, I'm not quite sure how it goes up there. But anyway, just my suggestion, I think you should.., your probation. Um, you didn't wanna hire Mr. Degraffenreidt and all of a sudden someone says, 'Let's, let's hire him,' and that's one of the best moves that you guys ever, ever made, with Mr. Degraffenreidt.

So, it's a lot of things going on over at that Marina and one, one citizen said we don't even have the flush toilets.

MAYOR MASTERS: Hmm.

MS. M. SHEPPARD: The doors are not opening and clo'... We don't even have the water and I think that we should just give him at least a year to see how it's gonna pan out. That kinda bothered me and I thought I would address the, um, Committee. I think you guys are doing a great job and I.., like Ms., Ms. Larson, I think that you guys are gonna change the way this City is ran. Unfortunately, it's gonna be a, a really tough call because you're gonna have to do the Charter, you got the fines, and look, you got a lot on your shoulders so I wanna say I commend you. I have never went against a, a Chair and Mr. Davis, on a scale of 1 to 10, I think you're at a 9. And I said 9 because the changes are coming and you're kinda stalling in the path but I think that once the change is made, that this Board is going to be a very good [pause]. It's just gonna be very good for this City and I look forward to it. Every day I look forward to it that you guys are gonna change this City.

So, with that, I thank you. Um, and the debate was great tonight. And there's nothing wrong with agreeing to disagree. I don't agree with everything but I thank you for allowing me to disagree. And sometimes I come up and start talking to you about my disagreement, I thank you for listening to me. I'm not always right but I think I.., the First Amendment give' me that right to speak and I think that I, I thank you just for listening because, without the residents, you guys would be nothing. We are the ones that have put you in office and so I thank you very much.

CHAIR DAVIS: Thank you, Ms. Sheppard. Okay.

TEMPORARY ADJOURN

****PLEASE REFER TO SPECIAL UTILITY SPECIAL DISTRICT MEETING MINUTES HELD SEPTEMBER 21, 2016****

CHAIR DAVIS: So, that's the end of public comment cards. So what we're gonna do is, um, temporarily adjourn this meeting to go into our Water Utility District presentation. Can I have a motion to temporarily adjourn this meeting?

CHAIR PRO TEM MILLER-ANDERSON: So move.

CHAIR DAVIS: Can I have a sec'...

COUNCILPERSON HUBBARD: Second.

CHAIR DAVIS: Alright. Call the question.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

CHAIRPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Chair Pro Tem KaShamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Thank you. Alright. Attorney Brown. Okay. So, let's go here. [Pause]. [Inaudible]. [Pause]. Okay. So, so what we're gonna do is, um, I'm gonna take public comment cards, just in case, from the public so people don't have to wait. Some folks might have to leave before the presentation so I don't wanna hold some of them people up for this Item. We're gonna go to Ms. Darville. [Pause]. Ms. Darville's gone. Willis Williams.

MR. W. WILLIAMS: Good evening. Willis Williams, 1690 West 26th Court. You know the document in which Mr. Brown has prepared for us tonight, I, um, had a chance to go through it, I guess, for the last few days. And it's, it's really disturbing that that many people in the loop knew the situation that was occurring with our water and the residents was not made aware of it. I watched, um, former City Fire Chief, uh, Wester, cried here one night when they were trying to fire Pam Ryan. And that document makes me wanna cry. It's a sad state when we put our young people, not our elderly, but our kids in a situation where they have no choice. They can't choose not to drink the water when their parents can't afford to buy bottled water.

We have to make some strong and some hard decisions when it comes to this water crisis. And mind me.., mind you now, this is a crisis. It's happening all over the country. It just not happening here. And people are taking notes. We can set this up as to be a model on how we are going to make other departments get in line as far as doing right by the citizens of this community. There are people on Singer Island right now doing their own water studies because they know that the water.., Ms. Pardo's shaking her head cause she knows I'm right. It's a bad situation. Our leadership is terrible. Because of our leadership, we got into this situation. The leadership need' to go away. It's just that simple. Unfortunately, it's nothing personal but as one of my friends said, we need a Bill Belichick. I say we need some Michael Jordans...

CHAIRPERSON PARDO: Bill Belichick's a cheater.

MR. W. WILLIAMS: You know...

[Chuckles]

MR. W. WILLIAMS: ...uh, some, some, even Scottie Pippen's in here because our leadership is not there. We are in a dire need, in this community, for the right leadership. Thank God we are not in a situation like around the country where people are being killed with their hands up.

MAYOR MASTERS: That's a shame, i'n't it?

MR. W. WILLIAMS: But...

MAYOR MASTERS: Awful.

MR. W. WILLIAMS: ...we are not that far off from things can, can occur in that situation here. So, we need to take our leadership back in this community...

[Beep]

MR. W. WILLIAMS: ...and do the right thing for your citizens. Thank you.

CHAIR DAVIS: Thank you, Mr. Willis Williams. Ms. Ernestine Gordon.

MS. E. GORDON: I'm back again. Thank you. I live in, uh, my address is 1138 West 23rd Street. Um, in reference to the water. Anymore I think about the water when it's.., like, he just finished sayin' about the water, some people can't afford to buy bottled water and I'll be honest with you, you think about the kids that they.., they'll drink it, they don't care. You know? They don't know no better. And adults, well, they can afford to buy bottled water. And be pers'.., be, uh, frankly with you, I was always skeptical about the water here in Riviera Beach. I drank the bottled water, I cook with bottled water. The only'st thing I do with the water, I just, uh, do my laundry and I thinks about it twice when I be taking a shower.

MAYOR MASTERS: [Chuckle].

MR. W. WILLIAMS: Cause the water's bad. I wonder about it. And I just hope that ya'll come together and, and, uh, do better by the, the, the community with the water. Cause that's our life. You, you' playin' with our life. And the little babies, I thinks about the little babies. Please think about that and put your personal whatever and your, uh, your other agenda, put it aside and think about the people agenda, not by your personal agenda.

Thank you.

CHAIR DAVIS: Thank you. Ms. Bonnie Larson.

MS. B. LARSON: Bonnie Larson. I learned a lot the other night and the City was declared in a state of emergency because of our water. We've had fines, the City supposedly doesn't know about. Mr. Brown has just done a study which he's gonna present tonight and the best thing that you guys did was to have hired U.S. Water. They came in here, they looked at our pumps, they looked at our wells, they looked at our employees and he said it's pretty bad. Now, the Health Department required that we do some type of total evaluation of the system. So, U.S. Water, I'm very anxious to see their report. When it comes on, I would like it on the website. It might have to be in two segments because it is 152 pages but we need to read it, we need to be aware of what's happening. He said that only 12 of our 27 wells are working. That's less than half, about half of 'em are working. Unit 3, um, Treatment Center, it's very expensive to fix but it's non-operational.

I read the reports.., oh, we had some people who, the other night said, 'Hurry up and hire somebody.' You don't just find a Utility director right around the corner. You have to advertise for that, you have to do maybe a national search for it. It's, it's, it's an educated positon. You can't just hire somebody, you don't want just a warm body in there cause maybe that's what we had before. Because I can't believe it's in this condition. When I read the reports.., I mean, and every single department was involved. The City Manager's office, the City Attorney's office, the Finance Department, everybody had to know. There is no way that these people didn't know and it was proven in that report. Now, a couple people have left the City, I think they saw the

handwriting on the wall and thank goodness they did because they were not helping the situation. The Finance Department, I learned that, in the Finance Department there's a bulk of money and when the checks are written, there's really no way of determining where those checks are going. If there's enough money in there, the check gets written. No. Where is the policy and procedure? My gra'.., I mean, that's just common knowledge. One of the checks.., I remember from a previous meeting, one of the checks, on it.., one of the fines, and I guess when it got to $10,000, they really had to tell you because, at that point, maybe they didn't have a signature approval at $10,000 but one of 'em said engineering project. Well that shoulda been questioned. Where's the backup, where's the whatever?

I don't understand it. That all these people knew about it. In the report, it says one of the supervisors at the water plant is saying, with sewage spills, they didn't know you can't dump that into the drainage system. Come on. Little kids know you're not supposed to dump stuff in there. It said that one of the supervisors over there said that the Council and the residents should oversee the Water Department, what they're doing over there. It's not our job. We had Council people before, one of whom...

[Beep]

MR. W. WILLIAMS: ...said we hire professionals, we have to trust 'em. See where that got us. We had one Councilperson who said, 'I'm not interested in details, just do it.' The devil is in the details. This report is unbelievable and I'm very anxious to see the U.S. Water. We're getting $40,000,000 in bonds through the Utility... Every single dime of that, I don't wanna wait three to five years which is what they said to fix our water, to have water we can dri'... I don't wanna wait three to five...

CHAIR DAVIS: Thank...

MR. W. WILLIAMS: Put that entire $40,000,000 into fixing this. Thank you.

CHAIR DAVIS: Thank you, Ms. Larson. Ms. Norma Duncombe.

MS. N. DUNCOMBE: Mr. Chair, I'm gonna always stay on you because I'm just expecting lead'.., big leadership from you. Initially, when we received the letter from the City about the water, Dennis said, 'Well, I think we should buy bottled water.' And I said, 'Oh, it, it may not be that bad.' But after I left here last night, I went to the store this morning and I came back with a trunk full of water because after listening to what.., the information that was given out last night... And that.., they, they did, did not give the full report but, just to listen to what was said by the persons who were here, uh, Mr. Perry and the different ones from the different operations, it was really unbelievable that we are in that situation.

I, I.., after Solitron messed up our water and we thought things were back in place, I felt very comfortable. So what I'm gonna do, and I always come back to you, Mr. Chair, I'm gonna put it back on you, I'm calling for you to call for a state of emergency. Get a

committee together with.., get somebody up there to head it up, you or somebody, appoint people because, let me just put it this way, we cannot trust the City Manager to make decisions anymore. We just can't do it. Call for a state of emergency, get three votes, that's all you need. Three votes will do it and let's get a committee together and let's do what we have to do.

When I listen to Councilperson Pardo talk about water, the sewage and what have you, in her neighborhood and then somebody else came and talked about the spill down here on, uh, what is it 8th Street? This is not something to play with. And what we have to do, don't go out there and say, 'You...' In other words, we cannot trust the City Manager to hire anybody. You're gonna have to go another route and all you need is three votes for an emergency, to declare an emergency and let's start out and let's get the information we need to get. Let's do what we have to do so that... It's not gonna be something that is settled in a day or two but at least we can get on the right track. Now, I, you know, in other words, I'm leaving it up to you to decide who would head up the committee but we still need professionals on the committee, we need at least one or two citizens but let's do something in a way that it's gonna pay off. I listened to the...

[Beep]

MS. N. DUNCOMBE: ...the finance person and he's making decisions about bonds and what have you. I just don't trust these people anymore. So, [stammer] let's, let's do it another way.

Thank you.

CHAIR DAVIS: Thank you. Ms. Wary Leonard.

MS. W. LEONARD: Good afternoon. I received two letters in the mail. The first letter was from the City of Riviera Beach Utility District letting us know that they were gonna flush our water. I received the letter on the 15th of September, they started flushing on the 12th. At my homeowner association meeting, they got it the 16th, the 18th, nobody received it before the 12th. They're tellin' us about medical needs, if you have aquariums, if you're children, that don't do any good now. They've already past the date where you started. If I wanted not to drink the water, I've already drunken it. If you're gonna send out these letters, you need to send 'em out before the date of the event that you're going start flushing, to give us ample time to make the decision on what we want to do.

The second letter I received is about my pipes from the City. This letter come from our City Manager, Ruth Jones. It's telling us about buying pipes. Se'.., buying a, a security for our pipes. But yet, I have nobody name on here but our City Manager. I have the City logo, I have the letter of the City of Riviera Beach. The only thing I have here to the bottom, is telling me where to send my money and it's outta state. Why am I'm sending money out of state to somebody that' going to secure the pipes at my house? Is this money being made by the City? Are these people brought into the City? Are our pipes

secured by these people? Why are all the residents.., excuse me, homeowners getting these letters? Is the City guaranteeing this letter? Can I come back to the City if something goes wrong? I need to know these answer. If any of the answers are no, we need to take the City letterhead off, we need to stop our City Manager from signing it and we need to take our name off it. Because I'm saying that if you put your name up here, you should be responsible.

Thank you.

CHAIR DAVIS: Thank you.

CITY MANAGER JONES: Mr. Chair?

CHAIR DAVIS: Yes, ma'am. Then Mary Brabham as, as you come.

CITY MANAGER JONES: Let me please, um, correct what is a wrong assumption. And we know it's an assumption. And I will start with the particular program that Ms. Leonard just spoke about.

CHAIR DAVIS: Mhmm.

CITY MANAGER JONES: That program was supported and introduced to us by the National League of Cities. There was a Resolution four years ago to support this initiative. Those letters have been going out for four years and what it is, it is a program that, as the reporter takes pictures, 'Let me make sure, Mr. Reporter, you're getting the right answer while you're taking the picture,' okay? That, that was voted on by the Council. I was told to sign it. So I don't want it to be led in the impression that I did this, that I wrote this, this is a four-year-old program. The individuals.., it's just like any insurance policy. And, in essence, what you're doing with this is you're taking out insurance so if your pipes break between the sidewalk and your house, you can go to these...

CHAIR DAVIS: Okay.

CITY MANAGER JONES: ...people to get it fixed.

CHAIR DAVIS: I remember...

CITY MANAGER JONES: That...

COUNCILPERSON DAVIS JOHNSON: ...that. [Inaudible]...

CITY MANAGER JONES: That's the program she's talking about. And it's four years old. So I don't want people to think...

CHAIR DAVIS: That's right before [inaudible]...

CITY MANAGER JONES: ...with all that is going on, that this is new, it's four years old, Council did a Resolution, we don't get not one dime out of that. We can get a rebate at the end of the year.

CHAIR DAVIS: Okay.

CITY MANAGER JONES: And I think it's, like, $10 for every home that signs up.

CHAIR DAVIS: Okay.

CITY MANAGER JONES: So, also, the other thing is, the flushing has not started. So, people have had additional time. It said the 12th. If you'll recall on Monday night, Mr. Perry spoke about how and why it was delayed. So I just want residents to know, at this point, the flushing has not started.

CHAIR DAVIS: Thank you. Alright. Mary Brabham.

MRS. M. BRABHAM: Good evening. Mary Brabham, Riviera Beach.

CHAIR DAVIS: Good evening.

MAYOR MASTERS: Good evening, Ms. Bram.

MRS. M. BRABHAM: Our Water District was established in 1950 so you know right there how old we are and where we need to come from and where we're going. Now, the report that, uh, was given, it is some scratchin' stuff here. We can learn from it, we can build on it and then we can go and, and correct these things that need to be corrected because, as far as Ms. Bram is concerned, you could shut down the CRA. They've wasted our monies too. They owed us too. Mr. Beaudet... See, for the residents who were not in the Chambers on Monday and have not been in these meetings here, it will actually take over $20,000,000 to fix our water supply. Water is life, the tissue in our bodies consume of water.

So we're gonna have to do some hard.., make some hard choices here that benefits this City here and not just Ms. Jones or the Council that represents us, it's for the good of the residents. And our water is critical here. When, when we say that brown water is acceptable, no it's not acceptable. We know that something is wrong. We, we were in this meeting until 11:00 o'clock on Monday and it, it was...

[Inaudible audience comments]

CHAIR PRO TEM MILLER-ANDERSON: 12:00.

MRS. M. BRABHAM: 12:00.

MAYOR MASTERS: [Chuckle].

MRS. M. BRABHAM: 12:00 o'clock on Monday.

CHAIR DAVIS: 11:51.

MRS. M. BRABHAM: 11:51 [Chuckle].

CHAIR DAVIS: Lets be specific now.

MRS. M. BRABHAM: Whatever.

CHAIR DAVIS: For the record.

MRS. M. BRABHAM: It was disgraceful.

CHAIR DAVIS: [Chuckle].

MRS. M. BRABHAM: And we're still at square one here. So we know that it is a problem here. Now, the [stammer], the solution is, what do we do? What do we do? What do we do? We need to fix this problem and it's left up to the Board there to fix this problem here because everybody knew about this water. Ms. Bram knew about it way back then, that's why she sat and she gave the Utility Director information as well as Ms. Jones. But it's others that are, are involved in this also too that they were aware. Now how they conducted themselves, they need to be either reprimanded but I would say that I do not want them fired because they are under the leadership of, of, of the, of the captain that sails the ship.

So, correct these problems here, get these $20,000,000 and fix our water supply line in this City here. Let's stop talking about it. This is critical here. Attorney, you're paid to do your job, be wisely...

[Beep]

MRS. M. BRABHAM: ...in, in, in your advertisement, in your due diligence toward this City here.

Thank you.

CHAIR DAVIS: Okay. Last public comment card, Fane Lozman.

UNK: [Inaudible].

CHAIR DAVIS: Oh, Ms. Sheppard, you had one? Okay. I'll make sure we get you in after this. And let's please keep the comments in regards to matters, sir.

MR. F. LOZMAN: Well, I'm gonna talk about water.

CHAIR DAVIS: Okay.

MR. F. LOZMAN: Fane Lozman. I have tried to get water at my property so I could do my landscaping and I could, uh, feed water to my pet and, uh, have water to wash my vehicle but, without an address, Mr. Mayor, I cannot get a water permit to pull a water line. So, any Member of the Water Board that has interfered in my ability to get water, which everybody else in this audience has water but me, I'm gonna do what I can to get them removed through recall, criminal process, whatever but you're not gonna deny a taxpayer the ability to get water. And anybody who sits on that Utility Board that's interfering my.., interfering in my ability to get water, that's pretty pathetic and I'm not gonna tolerate it.

Now, I've looked at this report. I think this report was very well done with the exception that I didn't see where it talked about the 2011 OIG investigation into the chlorine system and it mentions a fight between Dawn Pardo and Cedrick Thomas regarding what type of chlorine system is out there. So, the OIG, you back there in 2011, there was an issue with the chorine system but yet the City management did not deal with that finding. They should've realized, wait a minute, when the OIG does this report, this is like, 'Hey, here's a good wake up call. Why didn't we do something for five years?' Nothing happening and then Channel 5, they break the story. If Channel 5 hadn't broke the story, we would continue to be progressing on where the leadership, specifically, the City Manager, she should've looked at that report, she'd been in office since 2009 and said, 'You know something, this is a priority. The Marina can wait, the CRA can wait but people's health cannot wait.' People said, 'Oh well..,' I remember the City Manager saying, 'Oh, it's only 400% chloroform and, uh, a regular person that's not gonna impact them.' But it can impact a young child, it can impact a disabled person, it can impact the gentleman who had a heart transplant. 400% is not appropriate chloroform level. That's why you give notice to say, 'Hey, this is out of whack.'

Now, I see the Mayor, you know, he's concerned about the water but yet I still see three bottles of water in front of your desk, Mr. Mayor.

[Audience chuckles]

MR. F. LOZMAN: You know, you said you wouldn't be drinking bottled water. Why are the taxpayers paying for bottled water? I see one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, I see 20 bottles of bottled water that taxpayers have paid for tonight. That is pathetic. You oughta give your department heads direction that no taxpayer dollars are gonna fund any bottled water. If people wanna bring bottled water, they pay for it themselves but we're not gonna pay for it as taxpayers.

Now, again, this report is factually based, we know what the facts are but one thing that stands out that wasn't mentioned but Ms. Miller picked up on, and this is all it comes

down to, she pointed out, maybe, you know, when this story first broke, that the City Manager knew a week before the Utility District Board about that big water fine and didn't tell anybody.

[Beep]

MR. F. LOZMAN: That right there shows the cover up. We need to have a leadership change. You know what you have to do.

CHAIR DAVIS: Thank you. Ms. Margaret Sheppard and that's the final card. Then we'll get on to the report.

MS. M. SHEPPARD: Margaret Shepard, Riviera Beach. First, I wanna thank the Honorable Michael D. Brown for such a superb, um, outline of what really went on. I really don't care what people say, my, my house feels like a water factory, water is everywhere. I don't even allow my puppy to drink the water. My puppy drink water and I don't mind buying it. I don't trust the water. And anybody come into the City and say brown water is okay, it's something wrong with them. I'm very insulted by it and to have people come in with the national search and we trust them, look how they reward us.

I have a skin disease that started, they don't know when it started but when you start talking bathing in water that has sewage and all these.., it gave my neck just the creeps. But I thank the Honorable Michael D. Brown and I thank those who's working on it. I thank you all for working on it but the one thing I wanna say, it's corruption up here when you take people' lives in hand, people that are sick, the senior citizens that cannot take care of themselves and, you know, it, it's.., the immune system break down, the skin break down and, you know, it's just deplorable what we had to go through. I wanna hear now, what, what is the solution to this problem. I don't wanna hear no more about this water's okay. I wanna say one more time, it's not okay, it's a problem. And I, I don't know the solution but I think the one thing.., I have to agree with somebody, this is a disaster here in the City of Riviera Beach and we oughta be ashame', those that knew about it, those that had an inkling about it and you just can't tell me, 'I did not know.' Somebody knew something. And I'm very upset that we, as residents, especially the seniors, babies, people that are sick, even healthy people deserve the best.

But I encourage the residents of Riviera Beach, get some bottled water and keep it in your house because the water here in Riviera Beach is just not safe. And I think we should send the alarm, Mr. Chair, there's something going on. And we should take.., don't keep discussing it. That's why I say you guys, you are the best Board because right now you have a lot on your plate and I hope you understand that we have...

[Beep]

MS. M. SHEPPARD: ...our lives in your hands. Thank you.

CHAIR DAVIS: Thank you. That's the final public comment card. And now we're gonna go to the water report. It will be conducted by Attorney Brown Law Firm.

MR. M. BROWN: Good evening. Mr. Chair...

CHAIR DAVIS: Good evening.

MAYOR MASTERS: Good evening.

MR. M. BROWN: ...Mr. Mayor and Members of the Board. My name.., for the record, my name is Michael Brown. Our office is at 2620 Lake Shore Drive, Suite 100, Riviera Beach.

As you all know, you all retained my firm to do a, a investigation to conduct a final report regarding the Water Utility.., the City of Riviera Beach Utility Department water violation compliance issues over a specific period of time which led to the disclosure that happened towards the end of the end, early part of this year, 2016 which resulted in why we're here tonight. And what I did is, and you all charged me, basically, with investigating the circumstances under which the regulatory agencies had determined that the Water District was in violation, the operations were in violation, both the drinking water side and the wastewater side. You also asked me to review all of the relevant municipal records, City records, District.., Water District records and most importantly, the enforcement agencies, the agencies that, basically, uh, have levied the fines and violations against the District to basically tell you what happened. To tell you the story. You asked me to identify any individuals or departments, City or Water District Department which knew about the violations and, if they didn't know about 'em, they should've known about them. And then you asked me to determine what action, if any, was taken by any individual or department who knew about the actions.

And so, what I did was, I reviewed.., I took as a start and begin date of January, 2010 through 2016. And, what I found was, in that period of time, several employees, City employees and employees of the Water District, knew that the Water District was in violation of several rules and regulations that it was required to comply with or follow by law. Basically, I found that the Water District's Executive Staff, the former director, the former assistant director and several of the either supervisors or supervisors or kinda middle management people, were aware of, knew about, aware of the charges, aware of the violations, knew about the compliance mattes over a long period of time. And I found that the District employees, in summarizing as you all know in the report, that the Water District employees who were aware of all of the violations related to the drinking water.., and remember, I divide the water system into two parts, drinking water, for lack of a better adjective and wastewater or sewage water. So, on the drinking water side, the former director, Mr. Louis Aurigemma, knew about all of the violations. Mr. Giles Rhoads...

DEPUTY CITY CLERK BURGESS: Mr. Brown. Hold on. Chair, it's one minute to 10:00. Make the decision to carry over.

CHAIR DAVIS: Oh, can we have a motion to extend this meeting one hour?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON HUBBARD: Second.

CHAIR DAVIS: Properly moved and second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

CHAIRPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Thank you.

MR. M. BROWN: Should I go on, Mr. Chair?

CHAIR DAVIS: Yes, sir.

MR. M. BROWN: Okay. The employees of the District, Water District and when I say District, I mean the Water District, who were aware of all of the violations on the water side, the drinking water side was Mr. Aurigemma, the former Director, Mr. Giles Rhoads, the former Assistant Director, Mr. David Danford, who was the Water Plant Superintendent and Mr. Mario Loaiza, who is a former employee. And so, to speed it up, there was several employees who had limited knowledge of the matter and I, and I listed those District employees or [inaudible] Ms. Ruth Jones, uh, the City Manager, Ms. Pamala Ryan, the former District Attorney, Mr. Randy Sherman, the Director of Finance, Ms. Marie Sullen who is the Risk Manager had a limited knowledge of some of the

violations or, at least, issues that were facing the District, Ms. Gloria Shuttlesworth, who's the former Assistant City Manager and served as a former Interim Utilities Director during a short period of time when she worked for the City.

Now, the Water District employees who were aware of all of the violations regarding the sewer side was Mr. Aurigemma, again, Mr. Rhoads, again and Mr. Allen Davis who was the Superintendent on the sewer side.

Now, basically, what you have is a situation that, beginning, basically, from November of 2010, from November 2010 up until the end of June of 2016, the Water District was under a series of sanctions and enforcement actions by the Palm Beach County Health Department and the Florida Department of Environmental Protection. And essentially what you have is, the rules and regulations, which are laws, that municipalities or water districts have to follow. First, it starts up with the federal government, with the, uh, Environmental Protection Agency and the Clean Water Drinking Act and then, by federal law, the states have to comply and make the water safe and then the states, in the State of Florida's case, then have their own state enforcement agency here and they also, in conjunction with the Palm Beach County Health Department, use the Health Department to enforce those safe water drinking requirements.

And, as you all know, this Water District was formed off, in 2004, it was broken off separate from the City. It used to be all a part of the City but, in 2004, the decision was made to set up a separate district so that it could be efficient, so that it could have its own bonding capacity, so that it would have its own separate mechanism to ensure that the people of Riviera Beach and the customers of the water system received and had safe dri'.., clean drinking water and that their wastewater would be properly disposed of. Now, over this period of time and what happened was, all of this started back, actually, in 2008, even though I limited my review initially from 2010 forward, assuming that that would be enough time to look back and to see what was really going on. But, what I found is, and by the way, in my review, I had the benefit of reviewing all of the records that were available by the City of Riviera Beach, all of the records that were available by the Water District, all of the records that were available or produced to me by the City Manager's office, all of the records that were available or produced to me by the Finance Department, all of the records that were.., basically, I had full access to anyone that I needed or I felt would.., could provide information that would lead to this final report. Now...

CHAIR DAVIS: Were there anybody that you left out?

MR. M. BROWN: Was there anyone I left out?

CHAIR DAVIS: Anyone else, just for the public sake, that, that you...

MR. M. BROWN: Uh, well...

CHAIR DAVIS: ...maybe had interviews with?

MR. M. BROWN: Well...

MAYOR MASTERS: The City Attorney, I think.

MR. M. BROWN: Well...

MAYOR MASTERS: District Attorney?

MR. M. BROWN: I, I addressed the documents. So, so let me address.., what I just addressed is where I.., it.., basically, I was trying to point out...

CHAIR DAVIS: Okay.

MR. M. BROWN: ...that I reviewed all of the documents that I thought that were reasonably necessary.

CHAIR DAVIS: Okay.

MR. M. BROWN: Now, the individuals, I also interviewed individuals and took statements and asked.., sat down and asked them, 'Tell me what happened.' Uh, 'Tell me what you know about this situation.' And in the report, I identify the persons that I interviewed. I interviewed the City Manager, uh, I interviewed the former City Attorney, I interviewed the Sewer Superintendent, I interviewed the Superintendent, Mr. Danford, who works at the plant. I reached out to interview Mr. Aurigemma through his attorney. Mr. Aurigemma's attorney advised me that Mr. Aurigemma would only submit to an interview if he was compensated. I advised him that I did not have the ability to compensate him. I notified Mr. Perry over at the District, Mr. Perry [stammer], advised me that he did not have the ability to compensate him and I advised him that we could not compensate him so Mr. Aurigemma did not submit to an interview.

CHAIR DAVIS: Okay.

MR. M. BROWN: I reached out to Mr. Giles Rhoads through, again, Mr. Perry. Mr. Rhoads apparently had advised Mr. Perry initially, that he would submit to an interview but when I used the contact information to try to contact Mr. Rhoads, he did not respond to me. So, nei'.., Mr. Rhoads did not submit to an interview.

Other than those two individuals who simply did not submit to an interview, everyone else was forthcoming with information when I requested information of the Manager, of the City Attorney's office, of any department of the District. Mr. Perry was also very helpful in gathering documents. I had full access. The individuals that I interviewed, and I'll get to them a little further, they were also very forthcoming and willing to submit to an interview.

And so, what I did was, part of what I had to do is familiarize myself generally with the mechanism, with the laws and the rules and regulations. As I said, you have the law that comes from the feds, comes down on the states and then it's enforced locally. And even though it may initially sound kinda complicated cause when you're dealing with water and then you're talking about chemicals and you're talking about all these things and engineers and plants, and it might kinda throw you off, but in reality, it's really, uh, as.., is not as complicated as you might think. Back in the mid-70s, the federal government decided that it needed some national standards to protect the public to ensure that clean drinking water was afforded to all of the residents who were citizens of the United States. So it passed a federal law which requires the states to enforce federal ru'.., there's some federal laws that they had to follow and the states have to follow the laws. And they established these st'.., and the State of Florida then put into place a mechanism to enforce those federal standards, which there are also some state standards.

So, typically what they did, is they know from a scientific standpoint, that when you have water and you're pulling the water out of the wells, and our water comes out of a natural well called the Biscayne Aquifer System where the.., it rains and it gets down in the ground and we pull it up out of the water and it's a, until it was contaminated, it is a very pristine water supply.

CHAIR DAVIS: Mhmm.

MR. M. BROWN: Alright? It is protected from the east. You have to worry about saltwater intrusion from the east. Our water in Riviera Beach in that Aquifer system which protect it from the east because there's a wall, a rock that protects it from the saltwater that would come from the ocean.., under the ground now...

CHAIR DAVIS: Mhmm.

MR. M. BROWN: ...under the ground. It was protected from the west, from the marshy and the, uh, mucky water that would come from Lake Okeechobee because it kinda sits in like a bathtub.

CHAIR DAVIS: Mm.

MR. M. BROWN: So, until our water was disturbed some years ago by Solitron and contamination, it was a very, very, very pristine supply of water. So what happens is, our system, through a series of wells, for our drinking water, it draws the water up from that system. And even in that system when it draws the water up, there's certain natural things that are in the water that are not very mu'.., that are not too healthy. Maybe there may be different chemicals, different minerals, different particles. Natural, I'm not talking about manmade, natural things that over the years, the scientists and the doctors and the professionals and the people who know this stuff, have determined, 'Hey, this can be harmful, this can be harmful.' So what you have to do is test the water

to check on these minerals, to check on these composites and when the, and when, and when the minerals exceed this amount, you treat it this way and you treat...

Now, all of that, how you treated 'em, what's there and what chemicals you want removed and how often you treat it, is established by scientists and really smart people who, if you believe that they know what they're doing, alright, and if you assume in the algebraic equation, x = they know what they're doing, they say, 'Okay. Water should be.., only have so much,' let's say for example, 'zinc per parts per billions,' or, 'this is a safe level. If it exceeds this level, it should be reduced and this is how you reduce it by adding this particular chemical.' So, ins'.., in, in.., or treatment process. So essentially what you have when you have a Utility, you pump the water up and there are basically standards and the federal government and the state says you gotta test this water every, let's say, three months or four months. And if you, when you test it every three or four months, just like when you go to the doctor, the doctor might screen you, your cholesterol, your glucose, and whatever, well they say you check this water for these 20 chemicals or minerals here and if these minerals exceed this amount or if this is present or this is present, then it says you test it again and you test it 'x' number of times. And so, there's a series of things that you're supposed to do. So, if you're running a Utility, what you simply have to.., first thing you have to do is know what you're supposed to test and how often you're supposed to test. And then when the law sa'.., and these were laws that says you gotta test it this number of times and this is what you're testing for. And if you find this, the law says you have to do this.

Well, in our situation here, what was happening over a long period of time is that there was not a schedule of tests and these tests weren't being conducted on these.., on, on the level or the frequency that they were supposed to. And then when they would be tested and if, and if there were minerals or chemicals or something that was in the water that was not supposed to be there, even though the rules and the law says, 'If you find this, you're supposed to test 'x' number more times, within this period of time.' Well, there wasn't a schedule in place for us to follow the rules and regulations. Now, so you ask yourself, if you're the director of a Utility or if you're a Utility District, how do you know when you're supposed to test and how do you know what you're supposed to do and how are you supposed to do it? And the answer to that is real simple. You know because there are laws that actually tell you, how many times you test, what you test for and if you get these results, you test this number of times and if you find this, you treat it this way. So, the first thing that you would do from a common sense standpoint, know what those rules and regulations are. And rules and regulations are laws. Know how often you're supposed to test, establish a schedule, do the testing and once you find out and if, if it comes up positive, look at the rules and regulations as to what you're supposed to do next. So you ask yourself, 'Well, how would you know what to do?' Because the Florida Administrative Code is basically the rules and regulations.

And I like to use an example, if you're a football coach or a baseball coach and you got rules and regulations for your sport. So last year, the rules and regulations says, 'When you kick the ball off for football and it's a touchback, goes in the end zone, the ball comes out to the 20-yard line.' Well, you know what, they changed the rules and now

the ball comes out to the 25-yard line. So you ask yourself, if you're the coach, how do you know? If you're the player, how do you know? The player knows cause the coach tells him. How does the coach know? How did the coach know that they changed the rules? The coach knows because you check the rules. Alright? And the Florida Administrative Code is the rule book for these utilities. How do you know what you're supposed to do? How do you know if it's a new rule? How do you know if they're doing it the same way this way as the used to do 10 years ago? Because, when you're the director and you're the district, you check the Florida Administrative Code and if they update it, there's the rules, there's the schedules there. That did not happen and was not happening at this Water District for a long period of time. Going all the way back, starting in 2008 is as far back as I actually went, even though my review started at 2010. The way I got to 2008 is because, when I reviewed the records and documents, and I saw that a, a Notice of Violation was served on the District in 2010, it actually related back to 2008 when the Palm Beach County Health Department came out to this water treatment plant and conducted an inspection. And when they conducted the inspection, they found that there was certain defects and deficiencies. It's kinda like, if you have a house, if they come out to inspect your house, they inspected your kitchen, they inspected your bathroom, they inspected your sewer, the inspected your lines to find out, 'Hey, what's wrong with this house and what needs to be fixed?'

So when the Health Department inspected it in 2008, what they did is, after they inspected it, they put the District on notice that, 'Hey, you got these problems right here. You got these problems with chlorof'.., chloroform here, you got the problems with the water plant, you got the problems with your equipment, you got the problems with the piping, you got all these things here,' they identified that in 2008 and told the District, 'Get back to us within 45 days.' The District did not get back to 'em and then, in 2010, was the first citation... In, in 2010, in November 2010, the District was cited that related all the way back to 2008. Also, from that inspection in 2008 to the November 10, 2000', there was another citation in between that again, cited the District indicating, 'Hey, you got a problem. You got elevated levels of chloroform in your water.' So, from 2008 is when it started all the way up until June of 2016, the District essentially was being cited for the same problems and violations over and over again. Sometime' with more frequency that had been identified.., hadda been identified in 2008.

So what happened during this period of time and I'll go back a, a little bit. A District.., once the District is established, once you have a Water District, there are about 20 things that it really has to do and, as I pointed out in the report, it has to maintain the appropriate licenses for the people that work there. It has to perform tests, maintain records and submit reports to the appropriate agencies, let people know what's going on. It has to monitor the level of chlorine in the water, it has to monitor the containments of levels in the water system and it has all those list of items that are listed in the report, that a District has to do. Now, how does it maintain 'em? How does it know? How does it comply? What you have to do, if you're the District Director is you establish a schedule. You establish a list and you follow the law and you do what the law requires you to do. In this instance, in fact, it even addresses things like, 'If you have to issue a boil water order,' I heard several people come in tonight talking about

the notices that they received. The law says this is when you send out the notices. If this occurs, this occurs, you must notify the people in the affected area of this problem. And, by the way, it even says, by law, how the notice should be.., where.., what form of media to use, what should be in the notice, the form of the notice. It lays it out for you. The District should.., was required to follow those rules and regulations. The District Director was the person that was eng'.., was responsible at the District to make sure that that.., those rules and regulations was followed. It did not occur.

Now, as I said when I interv'.., [stammer], attempted to interview the director, he refused to do so unless he was compensated, so therefore, we did not have a chance to interview him. I did interview the City Manager. As I said, I interviewed others and the City Manager advised that she was unaware of the numerous violations that had occurred over that long period of time, with the exception of the one that had occurred in two th'.., in the, the last one and one that had occurred, I think in 2014, that Ms. Ryan also was aware of. And she also indicated that she relied, uh, heavily on the expertise of the former Director to ensure that the District was run properly. The City Attorney indicated that the former Director failed to advise her, or her office, of all of these violations when they occurred. That he failed to advise her when he was.., entered into these consent orders and settlement agreements, legal documents that he was signing them on his own. The Finance Department, when I interviewed Mr. Sherman, Mr. Sherman indicated that, yes, they issued checks but no, he had no special knowledge or special responsibilities regarding the issuance of the.., regarding the Water District and that, and this is critical, that apparently the system that you have in place here, is that when under the Finance rules and regulations, and I reviewed the Purch'.., the Finance/Purchasing process and whatever, if a department head wants to get a check issued by the Finance Department, there are about six or seven steps that that department head must follow. Put in a form, whatever they are, they're listed in the guidelines. And once the department head com'.., uh, complies with those requests and if there are funds in that budget, then a check will be issued.

Now, that was an issue.., and in this case, apparently, that was happening here and I asked Mr. Sherman, 'Was there a separate gui'.., category for fines?' 'No.' 'Was there a separate category for fees and penalties?' 'No.' So therefore, once Mr. Aurigemma apparently filled out the request, complied with the six or seven or eight steps that were necessary under the financial rules and regulations, then the checks were issued. And that is the situation that allowed for these fines to be paid, over a period of time, really without anyone red flaggin' 'em and say, 'Hey, wait a minute. You know, there.., you're paying out these fines here...' There apparently was not categor'.., special category that, in the budget, that says these are fines so therefore there should be a bell going off to someone that, hey, something's going on here. That's a management issue, that's a management decision, that's an overall management decision. That's what the situation was with the Finance Department.

Now, regarding the employees of the District. The employees of the District, because, remember, under this process, when the District was established, the, the people over there work for the District but they really work for the City and they're kinda supplied to

the District by the City. Alright? So, yes, you had supervisors, you had the sewer supervisors, the water supervisor who was responsible for testing and [stammer] gathering, whatever, they all knew about the defects that were going on here. Okay? But, and in many instances they did not comply with or meet the standards that they were required to meet under the law. Now, what's the significance of that? Obviously, that's not good. But, employees are employees and management is management. And so, therefore, my position that I, the factu'.., the findings here are that, if an employee did not comply with the, um, testing procedures on time, that's a management issue. That's the person who's running the District's responsibility. If a baseball coach or football coach has a player on the field and that player is not doing what he or she is supposed to do, then it's up to that position coach, or the baseball coach, to either coach that player to make sure he or she knows what they're doing or to get someone else in place. In this instance, when I interviewed the employees who were kinda holding this thing together, factually as I indicated, there were no guidelines, there were no tra'.., there was no training, there were no procedures, there was no instructions saying, 'Hey, this is how this is supposed to do.., be done.' Apparently, there was a culture there where people were doing things that they had done 'em a certain way over a long period of time and just said, 'Hey, we do it this way,' irrespective of what the rules and regulations required. And then, again, I conpluted.., concluded in the report, that is a lack of leadership by the Director, uh, the former Director, that is a lack of leadership of that department. And as I concluded in there, that the employees, even though there was an employee that was responsible to do the testing and they didn't do the testing on time, that I placed that responsibility on that employee.., no, factually, that employee through the chain of command, answers to someone and ultimately that responsibility goes to the Director. That's his or her job. In this case, Mr. Aurigemma, the former Director. And who supervises or who's in charge of the former Director? The CEO, the City Manager. So, when, when you look at this report and if.., those who wonder, 'Well, why didn't you find fault with the supervisor or the persons, or the employees who weren't doing anything ri'.., that, who were not doing things right?' Number one, according to them, they were not trained, they were not provided schedules, they were not told this is what you have to do, they were just kinda doing what they thought was right or what they had learned or what, what someone had told 'em was right and if they missed a date, a deadline, is because nobody every established a date and deadline and a calendar of this is what you have to test, this is when you test it and this is what needs to be done.

Now, and so, the question.., another issue that occurred is, again, through this entire period of time, the District retain'.., had the ability to hire consultants to help it, one, run the District and two, to be in compliance with these rules and regulations. And they had many. I brought this up here because this is the City of Riviera Beach Utility Special District Master.., Wastewa'.., Master Plan. Alright? This was.., they.., you entered into a contract with a very reputable company called Hazen and Sawyer in 2011. And I was reading my report, I erroneously said in the report it was completed in 2015. No, it was completed in 2013. Alright? This report.., now this report with Hazen and Sawyer was basically.., imagine if you had a house, imagine if you had a building and the Code Enforcement people came by or the Health Department came by and said your

building's unsafe and you said, 'I don't know, are you sure?' You said, 'Well, tell you what I'm gonna do, I'm gonna hire an expert to go through my building and tell me what the condition of my building is, the plumbing, the wiring, the electrical, everything...' Well, that's what the District did with Hazen and Sawyer which is a nationally, a reputable firm back in 2011 and it took 'em almost two years to complete the report. It's a $530,000 contract with them but that doesn't tell the full story because there was some other additional sub-consultants. I think, at the end of the day, you probably spent about $1,000,000 on this Water District to figure out what is wrong with it, what is the short-term, mid-term and long-term requirements to get it in shape. Now...

CHAIR DAVIS: [Inaudible].

MR. M. BROWN: ...in $1,000,000, I'm not saying that's too much.

CHAIR DAVIS: Mhmm.

MR. M. BROWN: I'm not saying.., because, under the circumstance', this stuff is time consuming, it's expensive. The issue is, one, you had the, the District knew somehow that it had to take a look at it and spent the money to do it, it had access to the funds, it had access to the consultants and, interestingly enough, once the report was completed in 2013, apparently, very little, if anything, was done to, basically, apply it. Now, think about it, once they started... They hired Hazen and Sawyer in 2011, which means that something happened leading up to 2011 to let 'em know that, hey, we need to get our house in order. So, in addition to the citations, I'm sure somebody knew that something was going on over there because they knew they were getting cited. But if you walk over there and, at that plant, and if you look around and you look at the pipes and if you look at the facility, it didn't take a real smart person to know that, hey, something's not right here. So, from 2011 to 2013, even when the report has been completed... Think about it, if you hired somebody to do an inspection in your home and he or she is walking through your house saying, 'Hmm. You know, that beam there's pretty bad. You're gonna have to get the... You say, 'That pipe there's rotting. I'm not finished with the report yet but that's a problem,' or, you know, 'That kitchen right there got a lot of germs in it but I'm not...' Now, you're still in the house, right? So, even along the way, are you gonna wait until it's finished to say we'll address this? Well maybe you do but a prudent person would probably say, 'Hey, we gotta start addressing this right away.' Even if you wait until it's finished, in 2013 it was finished. Everything was finished.

In addition to the $500,000 plus, there was some other.., it's probably $1,000,000. So you have this information and apparently, very little, if anything, was done to basically upgrade the system or, at least, to bring it in compliance so that you stop having these violations. Now, what was consistent during that period of time, again, the District was still gettin' cited by the Palm Beach County Health Department and the Florida Department of Environmental Protection.

Now, if you wanna know who the heroes are in this process, there are two groups of heroes in this process. The people who.., employees who worked at the District, who

have been there, through the supervisor and all those level of people who were, although not knowledgeable of all the rules and reg'.., they were doing the best that they could do and they were, at least, doing something. Alright? They didn't have the leadership that they should've had but they were doing something. But the other heroes, and even greater heroes of this, is, when you hear people talk about how bad government is, and sometimes it's bad, but you don't hear people talk about how good government is. The Palm Beach County Health Department, alright, you oughta be very grateful and the people of Rivera Beach oughta be grateful for the Health department and the Florida Department of.., the FDEP because it was the Florida.., Palm Beach County Health Department who.., when you look at these records, there are 20 different violations and, you know, governmental agencies, let's face it, they don't like bangin' or really sanctioning other government agencies. What they really want, is enforcement and compliance. And when you look at the 20 different violations from Palm Beach County Health Department and when you look at those notes that I summarized through the process and the interviewing and I, and I met with those folks and I reviewed the files, you can see that the Health Department was just trying to get the District to comply. They really didn't wanna muscle 'em because if they really wanted to muscle 'em, they woulda really come down hard on 'em. You look at the FDEP, which regulates the sewer side, there was some spills and things that were occurring there that the District could've faced fines up to, like, a couple hundred thousand dollars but they did not fine them.

So, over this period of time, but for the work done by the Palm Beach County Health Department and the FDEP, who knows where we would have been.., where this District had been. They worked on 'em, they kept forcing 'em and forcin' 'em. Now, one of the things that the, uh, former Director did is, apparently, the evidence is that he really concealed, or worked to conceal, or at least, was not forthcoming to either the Manager or the former District Attorney about these legal proceedings. Now, but does it end there? Well, according to.., uh, as I said in the report, there's really more to it than that. Number one, the former District Attorney, even though she indicated.., she did indicate that it was a policy.., and if you think about it, common sense, it's fair to assume that you.., if you have a director of a department, it is not a stretch for.., if you're the Attorney, to assume that that professional, the head of that department, will know that if there's a legal process or proceeding, that he or she needs to forward it to the Attorney's office before they sign a order or sign a legal document. It doesn't take a genius to do that, particularly where you are a department head. Now, he did not do this, the former Director, at least according to the former City Attorney, District Attorney and again, I did not have a chance to interview Mr. Aurigemma but it, it, it appears clearly that he did not do that and he was not in the business of letting people know, whether the Manager or the Attorney, know that these things were ongoing.

However, regarding the former District Attorney, one thing that I did cite in the report, is that there was not a written policy that demanded or, basically, required him, even though the oral policy.., reasonably? Was it, was it enough? Should it have been enough? In most instances, I think yeah. Any.., you.., it's fair for you to assume that if a Director and [stammer] director of a department, you're gonna go to your lawyer. The

better practice would've been to have a written policy in place to do that but you cannot.., when you have a situation where someone is either concealing or, um, I don't know if.., well, I can't say he was concealing cause I didn't meet with Mr. Aurigemma. But, from a legal standpoint, it should be enough that you should be able to expect that a director of a department like this would know to bring legal matters to the attention of the Attorney but the better practice would've been to have a written policy in place so that a violation is a violation of a written policy.

Now, the issue regarding the former Attorney is that, also, during the period of time, remember you issued a series of revenue bonds and refunding bonds and so on and so forth and when you look at those bond documents, they include a lot of information. It lists who the players are, who the officers are, you have bond counsel, you have this, and it lists all of the information about other problems that have occurred in a District. And that's because, when you, when you do bonds and sell 'em on Wall Street, the people that are purchasing the bonds have a right to know whether the District who's issuing the bonds, cause it's like a loan, will have the ability to repay out. They need to know whether it's a going concern, whether it's a proper concern. So, in this instance, in those bonds that were done in 2014, there is some reference in that bond document to a, one or two of the.., one of the problems that the District had experienced. So what I say in there is that, even though the Dist'.., the former Director may have gone out of his way either to conceal or, or not to inform the Attorney of what was going on, the issuance of those bonds, alright, and that entire process requires scrutiny by, not only the former bond counsel that represented the district but for those officers on the District that are listed in what's called an Offering Statement, all of that information goes to Wall Street and all.., those officials are basically saying, 'We are who we say we are and this District is safe.' Then that means that there should've been, reasonably, a trigging of an interest by, in my view, the Attorney and all of the officials, including the Manager, the Finance Director and those officials who are identified in that document to say, 'Hey, wait a minute. You know, what's going on here regarding this issue listed [stammer] with these chloroform violations?' Also I point out that, yes, the elected officials names also appear in those bond offering statements. And I don't know if you all have ever looked at 'em. If you do, pull 'em out and on the Board, your name's in there cause you're elected officials. So, people could open it up and say, 'Well, wait a minute, there's this person's name.' But under our former government, you all know, as well as I that you are elected officials and you don't do the day to day operations and so you're policymakers. So, the question is, did you know or should you have known because your name was in one of these bond offering statements? That's unrealistic because, again, this is a strong manag'., Manager or District Director or Executive CEO, former government. You're policymakers and, so therefore, there is no one.., and, and for those of you all who were not here, even the former Board Directors, there is no reasonable reason for someone to say that those folks whose names, who are elected officials, whose names appeared in those documents, knew or shoulda known because they're policymakers and they're not involved in day-to-day operations.

Now, um, and, basically, what happened is, over that entire period of time, over the entire period of time, over a long period of time, the District was out of.., in and out of

compliance. And I heard you all discuss in here the other night when I was here, why I wanted to make it clear that I used the term, you have a situation and you still have one because what was happening is, the District was out of compliance, the Health Department would say, 'Hey, you're out of compliance,' so you get back into compliance but you could be out of compliance tomorrow. You can get in compliance this month and out of compliance next month. You can get in compliance today and be out of compliance tomorrow because, if they test and do and the chloroforms or other stuff is there, you're out of compliance. Alright? So, you say, 'Well, why is this happening? Why is this happening?' Because, remember, the, the function of the District is to, basically, supply clean, safe drinking water...

COUNCILPERSON HUBBARD: Excuse me. The.., your... Mr. Chair, I'm sorry.

CHAIR DAVIS: Yes, ma'am, Councilperson Hubbard.

COUNCILPERSON HUBBARD: So, you were saying that, at one point, we were in compliance and then we were out of compliance or you're saying that this is how we can go from this point?

MR. M. BROWN: Yes. Feel free to ask any questions if, if that's what you want, Mr. Chair.

CHAIR DAVIS: [Inaudible] at this time, yeah.

MR. M. BROWN: Yes. Here's what happens.

COUNCILPERSON HUBBARD: And, I [stammer], um, excuse me, Mr. Brown. And, and I thank you for such a thorough, thorough report. If we can.., I wanna understand you and, as you said, it's a technical situation and a technical science. So, can we kinda get maybe a conclusion or a summation in a fourth grade format so.., because, I don't wanna lose the time. I know at 11:00 o'clock we have to shut it down again and vote to move forward but, um, not to rush you but if you think you can without abbreviating the situation too much, if you can give our audience a summary and a conclusion on a fourth grade level so that, you know, so that they can feel comfortable that they got what you were really trying to say and I don't wanna do anything to hamper what you're trying to say.

MR. M. BROWN: Well, I can go back to at least sixth or seventh grade. I don't know if I...

COUNCILPERSON HUBBARD: Yeah...

MR. M. BROWN: ...can go all the way back to fourth grade.

COUNCILPERSON HUBBARD: I'll, I'll...

MR. M. BROWN: Alright?

COUNCILPERSON HUBBARD: ...accept that. Sixth or...

MR. M. BROWN: I'll take sixth...

COUNCILPERSON HUBBARD: ...seventh grade is good.

MR. M. BROWN: ...or seventh grade.

COUNCILPERSON HUBBARD: Okay. Let's go there.

MR. M. BROWN: Alright. In...

CHAIR DAVIS: But, but...

MR. M. BROWN: ...sixth or seventh grade level...

CHAIR DAVIS: Att'...

MR. M. BROWN: ...cause you...

CHAIR DAVIS: Attorney Brown, before we get st'.., before you go cause I support that, let's make sure that we definitely harp on the recommendations to this Board.

MR. M. BROWN: Well, you didn't ask me to do recommendations.

CHAIR DAVIS: Oh, that's U.S. Water?

MR. M. BROWN: You asked me to do...

CHAIR DAVIS: U.S. Water's making...

MR. M. BROWN: ...a final report.

CHAIR DAVIS: ...the recommendation. I'm sorry.

MR. M. BROWN: Okay.

CHAIR DAVIS: Sorry.

MR. M. BROWN: Now, to summarize it, is.., it's, it's like this, and, as you all know, I'm an attorney and, and I'm a trial attorney, I try cases before juries and I try to explain things to people and I worked very hard to make this report, to break it down so that it wasn't very technical.

COUNCILPERSON HUBBARD: Yeah.

MR. M. BROWN: And I hope I did that. But, and those who know me will tell you, 'Michael has a fascination,' that I have a fascination with planes and flying and aircraft and jets and they'll tell you about my issue with airlines and different flights. And I'll tell ya this, and I, I liken it to this, this is.., imagine yourself on a airline, a jet, a jumbo jet, full of passengers. Okay? And you're flying at 36,000 feet, six miles up...

CHAIR DAVIS: Mhmm.

MR. M. BROWN: ...full of men, women, children, old, young, rich, not poor but middle, cause poor people usually can't, unfortunately, can't fly but, just a wide selection of people. Maybe a few poor people cause there's a couple $49 seats back there. Alright?

CHAIR DAVIS: [Chuckle].

MR. M. BROWN: Now, and if you look up in the cockpit right now, you're flying and you are six miles up cause at 36,000 feet, that's where you are and you're loaded. And the plane is still flying and if you look in the cockpit, there's no pilot there and there's no co-pilot there. And, by the way, what's keeping the plane flying, is because the flight attendant, who is a long experienced flight attendant or a series of 'em, knew where the automatic pilot switch was and they know how to talk on the phone and they understood the basic navigational, maybe even not basic, they understood the navigational process of the plane. But you have a situation cause you have a problem and, by the way, you're fortunate on this flight because there happened to be some of the mechanics who, who know how the plane function, who know how to fix it, who know how to keep it in the air and they're on the plane and they're also able to help keep it in the air. But the plane is an old, raggedy plane. Alright? It shouldn't really be in the air but it's up there, it's one of those airlines that's up there and somehow the pilot and the co-pilot are out of the seat. And you also have, onboard, you're fortunate onboard, you have an airline executive who' really not a pilot but he's been in the corporate system and he knows the general functions of the corporate system and he's able to help. And you also have on the plane, again, the couple of the mechanics and the people that work, they're on the plane and they know how to fly it. And you also have, in the back of the plane, you're lucky, you had a guy who was a pilot of a plane, he's a pilot too from another plane, and he comes up to the cockpit.., oh, here he is, he comes up to the cockpit and he's able to help keep you flying but here's the problem, none of those people fly.., and even the guy who has flown a plane, he's, he's troubled because the plane that he flew was a modern plane, this plane here is one of the old plane' that shoulda be retired a long time ago and it's got so many holes and patches in it and everybody's so busy running around keeping patches on the plane to keep it flying, so he's busy, all of 'em are busy and you're still in the air and you don't have a pilot in the cockpit.

CHAIR DAVIS: Or a co-pilot.

MR. M. BROWN: Or a co-pilot. But you're still flying. So that's why the other night when I said you have a situation here and so the problem is, they're puttin' Band-Aids on it but if one of those holes gets really big or several of 'em get really big, that plane's gonna go down. Okay? That plane's gonna go down. Just because you're in the air doesn't mean everything's okay. I don't know anybody in here who would get on a plane and there's no pilot and co'.., and if you know anything about the history of airline crashes, there have [chuckle] been some planes in situations very similar to what I just described. Okay?

Now, so what's the solution and what do you have to do? First of all, you gotta realize that you have got to get that plane on the ground, to get those people safe and you've gotta get a pilot and a co-pilot in that seat. Okay? Because if you get it on the ground, you can get it fixed but, in the meantime, don't think that everything is okay because it's still in the air. You...

CHAIR DAVIS: So, who's your pilot and co-pilot?

MR. M. BROWN: There...

CHAIR DAVIS: Is that the dir'...

MR. M. BROWN: ...isn't one.

CHAIR DAVIS: Is that a executive director, is that what you're making reference here?

MR. M. BROWN: I don't make.., you have to establish... My report tells you that there's.., my.., I was asked to, to do a report and.., and I'm telling you, there's no pilot and co-pilot in the, in the, in the seat. There's a bunch of people keeping it flying.

CHAIR DAVIS: I, I know but when I look at.., when I read your report and I'm just making reference as far as having a full, permanent executive director.

MR. M. BROWN: You need one.

CHAIR DAVIS: And a permanent assistant director.

MR. M. BROWN: Correct.

CHAIR DAVIS: And so, I'm hearing you and I'm still trying to tie that.., tie those two together here.

MR. M. BROWN: Well, the, the, the former Director, based upon what I reviewed, again, give him credit, I did not interview him.

CHAIR DAVIS: Mhmm.

MR. M. BROWN: He was not piloting this plane, he was not following the procedures...

CHAIR DAVIS: Okay. Okay. I see what...

MR. M. BROWN: ...he was not doing what he was supposed to do, uh, regarding this matter.

CHAIR DAVIS: Okay. I see what...

MR. M. BROWN: And the exec'.., the Assistant Director, you know, if the, if the pilot's not very good, the chances are.., you, you might be lucky if the co-pilot is good but the co-pilot, I don't know, again, I didn't interview him. Now, the CEO of the airline, that pilot and co-pilot answers, ultimately, to the CEO of the airline. And so, when the CEO of the airline.., when a pi'.., when the C'.., when Delta Airlines puts a pilot in a plane who is not properly trained, who doesn't have.., who, who doesn't do what he's supposed to do, who doesn't follow the safety guidelines and rules and regulations, and imperils the passengers on the plane, then, ultimately, that's why my final report points to, again, it goes ul'.., it, it goes back to the CEO of the airline of the District of the City and that is the City Manager because, as you all know, the City Manager is the CEO of the City of Riviera Beach and also of the District because everyone answers to the City Manager, ultimately. You all don't have the ability to hire, fire anyone, that's the responsibility. Whether it's a football game, whether it's a, a airline, whether it's an organization, the boss is up at the top and then, again, the person who really failed you, from this report, factually, only where the report that I concluded factually, to lay it out, is the CEO of the airli'.., first and foremost, the Director of the District. Okay? And the CEO. If you notice, I did not say the Assistant Director, even though he was an Assistant Director, he was not the Director. Cause if the Assistant Director's not doing the job, the C'.., the Director's supposed to take care of that. If a supervisor's not doing the job, the directors take it [stammer] but if the supervisor is not testing and doing the follow up on time, and it turns out because the Director never gave the supervisor the schedule, then again, it's the Director. And so then, when.., who, who does the Director answer to? The Manager. Who's ultimately responsible for the operation of the District, who's ultimately responsible for the operation of the airline, the CEO of the plane, the pilot of the airline, the CEO.

CHAIR DAVIS: Okay.

MR. M. BROWN: That's, basically, what this report says. And what I would re'.., if you have any questions, I'll take 'em and, and I know you've had the water folks do their report and they've done theirs and, and I would welcome any questions that they would have or you would have or any questions that tie in to anything that... Mr. Beaudet has been there for a period of time, obviously Chief Perry has been there in the Water District and my report, uh, and I would welcome any questions you have that would sync with that report and, and I will tell you that... I'm sorry, go ahead, Mr. Chair.

CHAIR DAVIS: No. I was gonna ask Mr. Beaudet a, a question before, before we finish. Really quick. Have you had a chance to review this report?

MR. B. BEAUDET: Yes, I have.

CHAIR DAVIS: Is it, is it pretty accurate?

MR. B. BEAUDET: Yes. There's nothing in the report that I cannot support.

CHAIR DAVIS: Okay. Mr. Perry, have you reviewed the report?

ASSISTANT TO THE CITY MANAGER PERRY: Yes, I have.

CHAIR DAVIS: Pretty accurate?

ASSISTANT TO THE CITY MANAGER PERRY: In terms of?

CHAIR DAVIS: Of the information...

ASSISTANT TO THE CITY MANAGER PERRY: Yes.

CHAIR DAVIS: ...that... Okay.

ASSISTANT TO THE CITY MANAGER PERRY: Yes.

CHAIR DAVIS: How about the, the President from U.S. Water, have they read the report, the President?

MR. G. DEREMER: I have [inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: You know they got [inaudible].

CHAIR DAVIS: No. I just.., I'm fittin' to ask him [inaudible].

COUNCILPERSON PARDO: They did a great job [inaudible].

UNK: Mhmm.

MR. G. DEREMER: Yes, sir. I have read [inaudible]...

CHAIR DAVIS: As far as the information, is it pretty accurate?

MR. G. DEREMER: It is.

CHAIR DAVIS: Okay. That's what I wanted to know. Alright. Thank you. Um, I'm gonna ask...

MR. M. BROWN: Mr. Chair?

CHAIR DAVIS: Yes, sir.

MR. M. BROWN: I'm sorry.

CHAIR DAVIS: Well, I'm gettin' ready to ask, um, before we go any further, is for my colleagues to apply a motion to accept this report.

COUNCILPERSON HUBBARD: I move that we accept this report, Mr. Chair.

CHAIR DAVIS: Do we have a second?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Any questions? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller -Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Before we call up U.S. Water, we're gonna also ask for a motion, based on the information that we've all asked, as we.., before we move further, I would like to ask for a motion to declare this situation a state of emergency.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON HUBBARD: I decla'.., I, uh, make a motion that we declare the Water District in a state of emergency and that we evoke our emergency provisions. A...

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: Excuse me. A pro'.., I.., that we evoke a emergency style provision for this matter.

COUNCILPERSON PARDO: [Inaudible].

CHAIR DAVIS: Okay. Do I have as second?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Madam Clerk.

COUNCILPERSON PARDO: Um, hold on a second...

CHAIR DAVIS: Yes.

COUNCILPERSON PARDO: ...Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Okay. So what exactly does that mean, we're declaring a...

CHAIR DAVIS: Okay.

COUNCILPERSON PARDO: ...state of emergency?

CHAIR DAVIS: Well [inaudible]...

COUNCILPERSON HUBBARD: Well, my mo'...

CHAIR DAVIS: Oh, yes.

COUNCILPERSON HUBBARD: Uh...

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: What it...

CHAIR DAVIS: Based on...

COUNCILPERSON HUBBARD: ...mean'... [Chuckle]. I, I...

CHAIR DAVIS: Who the Chair?

COUNCILPERSON HUBBARD: Okay. Um, well, I, I thought she was asking me what my motion meant.

CHAIR DAVIS: Okay. I'm sorry, I'm sorry.

COUNCILPERSON PARDO: No, no, no.

COUNCILPERSON HUBBARD: I'm, um...

COUNCILPERSON PARDO: I'm just asking...

CHAIR DAVIS: You're the maker of the motion, you're right.

COUNCILPERSON HUBBARD: Well, what I, what I mean when I say that I'm, um, making a motion to declare our Water District a s'.., in a state of emergency is that we take particular actions. It puts the Board in a place where we can have direct access, control over what's going on at the District. We can actively be engaged in decisions that go on at the District. Before, it would be the City Manager who handled the Director. Now that we're in a state of emergency and we have declared our Utility District in a state of emergency, then we get to make that choice. One o'.., um, as someone said, one of us will be appointed to be a point person, if you will, and now that we can get our hands on what is going on and make some things happen because we owe it to our residents to let them know that we are here to make sure that they have safe, decent drinking water. And that we are going to do everything necessary, in our power, to see that that happens. So, we need.., they elected us, they wanted change and they, and they need to know that we are in control of this and that we are gonna make sure that it happens.

CHAIR DAVIS: And yes, to elaborate...

COUNCILPERSON PARDO: Okay. And...

CHAIR DAVIS: ...on why I requested the motion is because, for one, based upon the report, we have, one, no policies and procedures in place to protect the integrity and, and the process of where we focus. We have no director, no assistant director, no staff training schedule, um, no testing scheduling, um, proper and adequate equipment and not enough staff, based upon the report of reading from what U.S. Water has provided in the training. So, right now we must file a state of emergency so we can get,

forego our normal procurement process so we can get the people that we need in place and not wait to get things taken care of and get this addressed and that's why I asked that motion to be driven to the floor.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

CHAIR DAVIS: Yes, ma'am, Councilperson Johnson.

COUNCILPERSON DAVIS JOHNSON: Correct me if I'm wrong, Mr. Perry, didn't you all put into place some training measures? We, we talked about this at a previous Council meeting where Mr. Beaudet did an evaluation of training, an assessment of what training was required and there was something put in place. Was it not?

CITY ATTORNEY DEGRAFFENREIDT: Uh-uh.

COUNCILPERSON DAVIS JOHNSON: We've never done that?

[Inaudible dais comments]

MR. B. BEAUDET: There, there's several types of training that I think we're talking about.

COUNCILPERSON DAVIS JOHNSON: Uhuh.

MR. B. BEAUDET: There is in place, a program to send people that need licenses to training to get their CEU's, that's primarily external training and that is in place and they are getting that type of training. But what training that they're not getting is training on operating their specific equipment, in the specific situation that they're in. And, for instance, we're, you know, fighting this battle with disinfection. And, they're not getting mentored or training from someone that's very experienced that knows how to deal with the situations they're in, they are not getting that type of training.

ASSISTANT TO THE CITY MANAGER PERRY: [Stammer]...

CHAIR DAVIS: And also, they're.., once the training does happen, because we don't have the adequate amount of Staff, we won't have nobody here to man and plant. Until we start hiring some people and bringing people on temporarily, um, we just have to get these things in place and that's why we're in a dire crisis right now. Because of those...

COUNCILPERSON DAVIS JOHNSON: Just wanted to be...

CHAIR DAVIS: ...those things.

COUNCILPERSON DAVIS JOHNSON: ...clear about...

CHAIR DAVIS: Yeah.

COUNCILPERSON DAVIS JOHNSON: ...training.

CHAIR DAVIS: Yes.

COUNCILPERSON PARDO: Mr. Chair?

CHAIR DAVIS: Yes, Councilperson Pardo.

COUNCILPERSON PARDO: Okay. So I have a question for Mr. Degraffenreidt.

CITY ATTORNEY DEGRAFFENREIDT: Yes, ma'am.

COUNCILPERSON PARDO: Everything that the Council is saying, can't we do that just as the Board without declaring a state of emergency?

CHAIR DAVIS: We can do whatever we want.

[Pause]

CITY ATTORNEY DEGRAFFENREIDT: Actually, you can. It says the Board of Directors has plenary power to manage the operations of the Utility District and its property, to set policies, to set procedures, regulations and the like.

COUNCILPERSON PARDO: Thank you. You know, if we had an engineer up here, I think it would be different. You have five laypeople up here. But...

CHAIR DAVIS: Um...

COUNCILPERSON PARDO: ...whatever.

UNK: [Stammer]...

CHAIR DAVIS: Let's, let's, let's.., I'm just only referencing the information that I was able to gather from U.S. Water, who are the professionals. Mr. Attorney Brown is an attorney but he also [inaudible] for other previous water issues prior to this issue and that's why, at least I definitely supported him coming to do a professional job which I can.., once you read the report, it's very clear to kinda see, to the average layperson. But when you talk about no policies and procedures, and I'mma say it again, zero policies and procedures, I don't need to be an engineer, microbiologist chemist to understand that anything without zero policies and procedures, is effective. That's an emergency. You don't have an executive director, that's an emergency. You don't have an assistant director, that's an emerge'.., you don't even have adequate, the number of Staff. You don't have adequate equipment. We can't even do some of things we need to do right now. Mr. Beaudet's doing a wonderful job with focusing on

our Consent. Mr. Perry's doing a wonderful job but we need to do some things to expedite the process so they can move throughout the day because you don't know, it may be one trick or one accident away from being into a crisis situation. So we gotta prevent that from happening.

Mr. Perry.

ASSISTANT TO THE CITY MANAGER PERRY: Yeah. I just wanna say two things, Council. First of all, to the public, in terms of the flushing, I understand what Ms. Leonard said about the flushing and, and I wanna apologize but I think we gave an explanation on that a couple nights ago but, as part of the flushing, was one step in the process to try to cleanse out.., clear our s'.., clean, cleanse our system so we can move forward. The second part of it is to provide our operators with training. And one of the hi'.., well, something that's hindering us from moving forward now is really the procurement process because there's a lot of moving parts that we need to do immediately so, once we fix one thing, something else comes up. And the way the Board's meeting, it really hinders us a lot to try to move forward. But, at least for the next 90 to 120 days, we need some support, we need Council to allow us to do some things to work with the two vendors that we, we have on board and, and anybody we can bring in to try to help, you know, support a, a schedule so we can get things done.

I truly believe we can at least stabilize the system in the next 90 to 100 days, 120 days. I don't.., I'm not telling you we're gonna clear up all the problems but we can stabilize the system and get us functioning properly because, as you know, we do have, you know, a, a lot of capital projects that we do have, have planned for the future. But that's part of what we're trying to get accomplished over...

CHAIR DAVIS: Um, can I enter'...

ASSISTANT TO THE CITY MANAGER PERRY: ...in the short-term period.

CHAIR DAVIS: ...entertain a motion to extend this meeting 30 more minutes if we.., such need to before...

COUNCILPERSON HUBBARD: So moved.

CHAIR PRO TEM MILLER-ANDERSON: Second.

MAYOR MASTERS: Mr....

CHAIR DAVIS: Properly moved and second. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Motion passed with Councilperson Pardo dissenting.

CHAIR DAVIS: Thank you, Mr. Perry. It's very important that we get this matter resolved. And back to, as I said, there's a motion on the floor and we explained, based on the policies and procedures and the other issues that we do not have... And Mr. Beaudet attest to it, Staff has attest to it, the report attest to it, U.S. Water report, which are the professionals as well, that will attest to it, this is in a state of emergency situation. A situation. And there's a motion and a second on the floor. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Just wanna confirm. Ms. Hubbard, you said evoke the procurement? I didn't hear that part.

COUNCILPERSON HUBBARD: To evoke our state of emergency styled provisions and one of those provisions are our procurement process.

CHAIR DAVIS: Just explain, like, what Mr. Perry just stated, so we...

COUNCILPERSON HUBBARD: Exactly.

CHAIR DAVIS: So there's some things that he don't have to wait to come before the Board to be.., [snaps fingers], to create immediate action.

MAYOR MASTERS: Mr. Chairman, I have a question for the motion that's carried, sir, please...

CHAIR DAVIS: Yes, sir.

MAYOR MASTERS: ...of the Attorney. Um, the Utility District, is it governed by the City Charter?

CITY ATTORNEY DEGRAFFENREIDT: No. It has its own Charter.

CHAIR DAVIS: Yeah. Its own Charter.

CHAIR DAVIS: Okay. Is there anything in its own Charter that uses the word.., and I'm only asking this, let me just...

[Chuckle]

MAYOR MASTERS: ...say for the record, I do see this as an emergency and, and urgency of, of the matter so there [stammer]...

CITY ATTORNEY DEGRAFFENREIDT: I don't think that's disputable.

MAYOR MASTERS: Well, yeah. That's not.

CHAIR DAVIS: It's not.

MAYOR MASTERS: But I'm in accord with, with the, uh, the principal here but is there anything in the documentation that governs the Utility District that uses the word emergency? For.., that fits this? Does it say that in case of an emergency, or the, the Board of Utilities have the authority to declare a emer'... Is there anything that uses that word cause there's a lot of lawyers here tonight so I just wanna make sure...

CITY ATTORNEY DEGRAFFENREIDT: Uh-uh.

MAYOR MASTERS: ...that we're not...

CITY ATTORNEY DEGRAFFENREIDT: To answer your question, there is absolutely nothing in the charter that references emergency, uses that terminology. But there is a word in there that describes this Board's power and it's called plenary. Plenary means whatever the circumstance that arises, you are authorized to address it in your discretion. If I'm understanding the Board correctly tonight, you have defined emergency situation in the condition of your water and wastewater plant that needs immediate attention. And I think that ain't disputable either.

MAYOR MASTERS: Which, which equals to plenary.

CITY ATTORNEY DEGRAFFENREIDT: Okay? So, the, the question is, with the good offices of Mr. Beaudet, as well as U.S. Water directing us, after their studies, where we should go, I think by your emergency powers that you don't have a director...

CHAIR DAVIS: Point of order.

CITY ATTORNEY DEGRAFFENREIDT: ...you're saying you're gonna take every effort to implement what's necessary in order to get your wastewater [inaudible]...

CHAIR DAVIS: Point, point of order.

CITY ATTORNEY DEGRAFFENREIDT: ...addressed.

CHAIR DAVIS: Rea'.., really quick. We only have 30 seconds...

CITY ATTORNEY DEGRAFFENREIDT: I'm sorry.

CHAIR DAVIS: ...to call this vote, so this meeting can extend.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible]. We didn't vote yet?

[Inaudible dais comments]

CHAIR DAVIS: No. Bec'...

[Inaudible dais comments]

CHAIR DAVIS: Yeah. Because if...

COUNCILPERSON DAVIS JOHNSON: [Inaudible]...

CHAIR DAVIS: ...we hit 11:00 o'clock, the meeting, it expires.

[Inaudible dais comments]

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible] 30 minutes.

CHAIR DAVIS: Oh, I'm just... I'm making sure.

UNK: Sleepy.

CHAIR DAVIS: Believe me.

[Audience chuckles]

CHAIR DAVIS: I'm sorry. I apologize.

MAYOR MASTERS: So...

CHAIR DAVIS: I watch...

MAYOR MASTERS: ...Mr. Degraffenreidt...

CHAIR DAVIS: ...that clock closely.

CITY ATTORNEY DEGRAFFENREIDT: Bottom line is, you have the authority to...

CHAIR DAVIS: I'm sorry.

CITY ATTORNEY DEGRAFFENREIDT: ...do whatever you deem necessary to address the...

CHAIR DAVIS: Thank you.

CITY ATTORNEY DEGRAFFENREIDT: ...issues as directed by your experts.

MAYOR MASTERS: So, we are...

CHAIR DAVIS: Thank you.

MAYOR MASTERS: ...standing on solid legal ground?

CITY ATTORNEY DEGRAFFENREIDT: Yes.

MAYOR MASTERS: Great. Mr. Brown, I'd like...

CITY ATTORNEY DEGRAFFENREIDT: That's what plenary means.

MAYOR MASTERS: Thank you. Okay. Attorney Brown, just one quick question.

MR. M. BROWN: Yes, sir.

MAYOR MASTERS: Was there any reason or was there, um, or there need to be, um, a reason for you to.., was, was there not any reason why you chose not to interview anyone from the Health Department?

MR. M. BROWN: Well, I did...

MAYOR MASTERS: I know you got the records.

MR. M. BROWN: No. I, I did meet with them.

UNK: Excuse me.

MR. M. BROWN: I, I had several discussions with them. I went down to their office on...

UNK: Okay.

MR. M. BROWN: ...at least, several occasions. I did not interview them because they did not work for the District or the City and I did not have the authority but they were very forthcoming with me...

MAYOR MASTERS: Right.

MR. M. BROWN: ...about this enforcement process. So was Florida Department of Environmental Protection. And as I said in the report, they were frustra'.., you can see it in their notes. And, by the way, I delivered to Mr. Degraffenreidt, there's about 6,000 pages that I reviewed and that.., you can see it in the notes as I indicated. It's clearly written there, their levels of frustration that they had.

MAYOR MASTERS: Yeah. I just wanted that to be put on the record. That you...

MR. M. BROWN: Yes. I...

MAYOR MASTERS: ...did meet with them.

MR. M. BROWN: ...I met with them...

MAYOR MASTERS: Thank you.

MR. M. BROWN: ...on sev'.., and talked.., met with them and, and talked to them on several occasions...

MAYOR MASTERS: Thank you.

MR. M. BROWN: ...as well as spent quite a bit of time with them.

MAYOR MASTERS: Thank you, sir.

CHAIR PRO TEM MILLER-ANDERSON: Chair Davis?

CHAIR DAVIS: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: With the state of emergency that we're declaring, does that allow for us to hire.., look at the hiring? I know we spoke about this, I think...

CHAIR DAVIS: Well...

CHAIR PRO TEM MILLER-ANDERSON: ...the other night...

CHAIR DAVIS: That, that was gonna be the next motion I was gonna req'.., go.., address that issue right afterwards.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MAYOR MASTERS: Yeah.
COUNCILPERSON PARDO: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Okay. So, I have another question for the Attorney or possibly Mr. Sherman. So, if we declare a state of emergency, do we need to notify the rating agencies and our bondholders?

CITY ATTORNEY DEGRAFFENREIDT: I don't see why the state of emergency would [inaudible]. I don't.

COUNCILPERSON PARDO: Okay.

CHAIR DAVIS: Thank you. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Alright. Now, going back to, um, that issue [pause] with focusing on the process on how we're gonna move forward.

CHAIR PRO TEM MILLER-ANDERSON: But before.., Chair?

CHAIR DAVIS: Yes?

CHAIR PRO TEM MILLER-ANDERSON: Were we going to let U.S. Water just speak a little to the...

CHAIR DAVIS: Yes. Let's, let's go ahead...

CHAIR PRO TEM MILLER-ANDERSON: ...this, this [inaudible]...

CHAIR DAVIS: ...before we come back...

CHAIR PRO TEM MILLER-ANDERSON: ...document...

MR. M. BROWN: Mr. Chair?

CHAIR PRO TEM MILLER-ANDERSON: ...they gave us?

COUNCILPERSON PARDO: Yeah. They gave us...

MR. M. BROWN: Mr. Chair, before I sit down.

CHAIR DAVIS: Okay.

MR. M. BROWN: I have submitted.., I would deliver the entire documents and backup to Mr. Degraffenreidt.

CHAIR DAVIS: Yes.

MR. M. BROWN: Not only the hard copies but I've also ordered it on a disk so you'll be able to have all of the documents that I reviewed and everything that will be there and it will be delivered to his office within the next few days.

CHAIR DAVIS: Ca'...

MR. M. BROWN: Yes?

CHAIR DAVIS: And we can also make sure that's uploaded on the website so people can have...

MR. M. BROWN: That is why...

UNK: [Inaudible].

MR. M. BROWN: ...I had it reduced.

CHAIR DAVIS: Okay.

MR. M. BROWN: If, if that, if that is your pleasure, then I...

CHAIR DAVIS: Well, I just wanna make sure we're very transparent...

MR. M. BROWN: Absolutely.

CHAIR DAVIS: ...so people understand, you know.

ASSISTANT TO THE CITY MANAGER PERRY: It was already...

MR. M. BROWN: Mr. Perry said...

CHAIR DAVIS: Thank you, sir.

MR. M. BROWN: ...the reports are on the website...

CHAIR DAVIS: Okay.

MR. M. BROWN: ...and if you so desire, if you wanna upload on the website, the documents reviewed, they're all public documents and enforcement files. I've also.., when you all retained me, you put a.., you said up to a certain amount.

CHAIR DAVIS: Mhmm.

MR. M. BROWN: And to notify you if the amount... I've submitted an invoice. The amount was $24,999.

CHAIR DAVIS: Mhmm.

MR. M. BROWN: I've submitted an invoice to Mr. Degraffenreidt.

CHAIR DAVIS: Mhmm.

MR. M. BROWN: I think the invoice was actually almost double that amount. I've been working...

CITY ATTORNEY DEGRAFFENREIDT: I forwarded it to you.

CHAIR DAVIS: Okay.

MR. M. BROWN: Okay. I've been working at this since...

CHAIR DAVIS: I understand.

MR. M. BROWN: Obviously, it's a lot of work and effort and I would ask that you will also.., I notice that, um, it exceeded that amount and that you authorized the District to compensate my firm for the amount of the invoice unless Mr. Degraffenreidt sees that there any reason otherwise.

CHAIR DAVIS: Well, I have no reason to not pay your bill. You've done the work.

COUNCILPERSON DAVIS JOHNSON: Wait, wait, wait.

COUNCILPERSON PARDO: Mr. Chair?

COUNCILPERSON DAVIS JOHNSON: We just went through...Mr. Chair? We just went through this the other night with the audit.

UNK: Mhmm.

COUNCILPERSON DAVIS JOHNSON: With...

CHAIR DAVIS: But in...

COUNCILPERSON DAVIS JOHNSON: ...the auditor.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: Hol'.., hol'... The same, same premise.

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

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

CHAIR DAVIS: ...I'm not, I'm not debating it, I just didn't get a chance to react [inaudible]. I got two people asking me a question. I'm trying to figure who...

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

CHAIR DAVIS: ...to go to first.

COUNCILPERSON DAVIS JOHNSON: No. You, you...

CHAIR PRO TEM MILLER-ANDERSON: Chair?

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR DAVIS: Because she said something as well, too.

COUNCILPERSON DAVIS JOHNSON: Alright.

CHAIR DAVIS: Councilperson Pardo.

CHAIR PRO TEM MILLER-ANDERSON: I just wanted to...

CHAIR DAVIS: So.

CHAIR PRO TEM MILLER-ANDERSON: Chair?

CHAIR DAVIS: Let me...

CHAIR PRO TEM MILLER-ANDERSON: Can we not...

CHAIR DAVIS: Let me...

CHAIR PRO TEM MILLER-ANDERSON: ...talk about the...

CHAIR DAVIS: ...acknowledge [inaudible] from the floor.

CHAIR PRO TEM MILLER-ANDERSON: ...money part, can we get to the...

CHAIR DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: [inaudible]....

CHAIR DAVIS: And then we'll come back, before we make a decision, then we'll come back to that.

MR. M. BROWN: That's also [inaudible].

CHAIR DAVIS: Um, [inaudible] Brown.

MR. M. BROWN: Yes.

CHAIR DAVIS: Please stay until this is over. Um, U.S. Water, your report.

CHAIR PRO TEM MILLER-ANDERSON: Cause we only have...

CHAIR DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: ...'til 11:25...

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: I think is what it is.

MR. G. DEREMER: For the record, Gary Deremer, U.S. Water. I believe you, uh, you have all received a copy, hopefully, a hard and electronic copy of the report. I know the report is quite lengthy and it's getting late so [pause]. I think, you know, probably the best is just to be very, very high level on the report. If there's specific questions, I'll leave ample time to allow you to, to ask those questions and I'll do my best to answer them.

But, as you know, U.S. Water was retained by the City to review, essentially, all aspects of operations of your water system, including your water treatment plant, its equipment, water distribution system, pumping stations, poly'.., policies and procedures, laboratory procedures, equipment and personnel. I, uh, I and my team have worked personally on this now for, I wanna say this is our fifth or sixth week, fifth week, I think, that we've, we've been on it. So we've gotten to learn a lot about your system. We've been out looking at the equipment, talking to folks, interviewing folks. Where we can, we step in and have helped train some of your operations Staff on the use of some equipment that we've provided and since, since time, the City has bought some of their own equipment.

In essence, I, I kinda break your problems up, that we found, into a couple different buckets. One, the most obvious bucket of problems and that is the sheer volume of deferred maintenance that they system has.

CITY ATTORNEY DEGRAFFENREIDT: Mhmm.

MR. G. DEREMER: And when you go through the report, you'll see many tables in the report that rank that equipment, anywhere from a zero to a three. And a zero means it's not functional. So when you go through this report, you'll see, all of those pieces of equipment that are owned by the City that esseti'.., essentially doesn't work or is in very poor condition. And I bring that up as my very first issue that you should consider because that's the issue that, if much more of that happens, you'll.., you will put yourself in a position where you will be forced to purchase water because some of the critical components that you have in the system, all of the redundancy, uh, is broke, to say the.., is the, is an easy way to say it. So, if we lose any more pieces of equipment, like wells as an example, you'll not be able to provide adequate water without purchasing supplemental water from your neighbors. So, there's a lot of work and each one of those pieces of equipment, when we evaluate it.., we didn't get into the weeds to the point to say, 'It's actually this motor starter,' or, 'this piece of pipe.' We, we labelled them in, in, maybe, larger segments because there just wasn't enough time to get in to diagnose why this pump doesn't work. Okay? But we certainly have all that list put together so that a reasonable schedule can be put out, that we have a reasonable approach...

CHAIR PRO TEM MILLER-ANDERSON: Wait. Someone... Sorry. Someone has their phone, can you please silence that, please? Okay. And, and just so you all know, 11:25 is where the 30 minutes ends so, if you can kinda, like, get right to the point, as much as possible but without leaving the most important things out.

MR. G. DEREMER: [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

MR. G. DEREMER: Okay. So, we have this bucket of a lot of things we've gotta fix.

The second thing that I, I see that we, we really need to address, at this City, is the personnel issues. The issues with training, policies and procedures. Having worked with the operators on a one-on-one basis, the City's in a dire need of having a corre'.., a, a, a standard operating procedure put into place, an operation.., a maintenance manual of your plant and to have your employees receive one-on-one training with feedback on how the facility is supposed to operate and to gain a basic level of understanding on things, like, disinfection. That is imperative that, that, no matter what we do, whatever technical approach we come up with to correct your problems, however many millions of dollars you may spend, you must deal with the human element and that needs to start as soon as possible. So the report focuses greatly on that, reorganization of department, you know, new job descriptions, different jobs, different levels of staff. And that, that takes time. So that's a, that's a big one there that I put in a separate bucket.

The third bucket is capital. Some of the things that we're recommending in the report need to be designed. They go back to the Hazen and Sawyer report. Some of our recommendations are similar. Those are longer term, further out where design, permitting, possibly, uh, you know, when we talked about two to three years. Some of these things will take some time to add that long-term fix of the system. But initially, we're prepared and we agree with, with some of what we've heard here. Some 90 day, 120-day period of time where we can collaborately come up with an.., with a plan to deal with the short-term problems that we have and try to correct, at the very least, the bacteriological problems the City's had long history of. So, we're prepared to help the City do that and with that, I'll stop and try to answer any questions you may have regarding the report.

CHAIR PRO TEM MILLER-ANDERSON: I, I would li'.., I, I do have a question. If you could, um, elaborate.., I know in the report I was reading about many of the test readings that was being reported by Mr. Beaudet, because that was what he was given and I know I, I had a conversation regarding the, the yellow water and he, he adamantly said it's been like that for years and I said I've been here 40 some years and I don't ever recall se'.., drinking yellow water. What impact did that.., the test readings being inaccurate, what kind of impact was that for us and, and was that something that was an issue and is it still an issue?

MR. G. DEREMER: Yeah. It's still an issue. The.., yeah. We learned of it from attending a City Council meeting where folks had complained about yellow water. We were already on site looking at disinfection issues so we looked at the equipment that the City used to test the water color and found that the equipment that was being used by City Staff, and the results that were being entered onto state reports and those

results that were used by other City consultants and officials, were based on erroneous information because of a faulty meter. So, the reason why you're having a color problem right now is because one of your main treatment units, Unit 3, is out of service and if you were able to provide softening treatment through that Unit, you could lower your overall color. So, part of the reason that you, you, you have a color.., and part of the reason some of the folks are seeing that, is because of some of the equipment that's broken down.

CHAIR PRO TEM MILLER-ANDERSON: Now, does that impact the other test readings for the chloroform and the bacteria and all of the others, are they accurate or are they inaccurate?

MR. G. DEREMER: Well...

CHAIR PRO TEM MILLER-ANDERSON: Possibly?

MR. G. DEREMER: Up until recently, much of the equipment that wa'.., that is necessary in order to test for proper disinfection, the City did not have. That's equipment that we brought in and had the City buy. So, some of that test.., testing equipment in order to, to properly adjust the chlorine and ammonia, which are used for disinfection, uh, did not exist here. So, we've, we've corrected that problem but there's still a lot of training that the operators need so they understand how to interpret those results.

MR. B. BEAUDET: [Inaudible].

MR. G. DEREMER: Yes, sir.

MR. B. BEAUDET: May I?

MR. G. DEREMER: You may.

MR. B. BEAUDET: I.., I think I noticed a part of your question that Gary didn't actually address and that is, could the tests that determine the safety of the water be wrong? Those tests that do the chloroform testing, that's done by an independent laboratory.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. B. BEAUDET: And, and so those tests, in my opinion, are accurate because that's a NELAC certified laboratory. But I agree with Mr. Deremer, the disinfection results that were taken in the field, those are questionable. But, um, the ones that indicate the safety of the water from bacteriological point of view, those are accurate.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. G. DEREMER: Okay. And I would, I would agree with that as far as the total chloroform testing.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. G. DEREMER: Those are done by an independent laboratory.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. G. DEREMER: And, uh, you know, like I say, those, those results where you see these exceedances of chloroform, have not tested positive for fecer.., fecal or E-coli. That's, that's the basis of the water we're saying is still safe to drink although it has a high amount of bacteria in it.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm. Okay. Mayor had a question.

CHAIR DAVIS: Mayor.

MAYOR MASTERS: Yes. Just quickly. You mentioned something that we have that is not o'.., not working, what was that?

CHAIR PRO TEM MILLER-ANDERSON: Unit 3.

MR. G. DEREMER: We have many things that are not working with relate'.., relating to the color, the Unit 3, which is the, the largest treatment unit the City has, is, is essentially, out of service because of equipment failure. We are running water through it, you know, so that we don't have to buy water but it's not receiving softening which that process reduces color. So there's a percentage, maybe 30% of the water is not receiving a treatment that will remove color.

MAYOR MASTERS: Should receive...

MR. G. DEREMER: Yeah.

MAYOR MASTERS: The, the other thing quickly. The City has what, 27 wells?

MR. G. DEREMER: Correct.

MAYOR MASTERS: And, are all the wells functioning?

MR. G. DEREMER: No. There, there are 10 wells that are out of service. Maybe one of the wells have come back in service...

MAYOR MASTERS: So 10 of 'em are not functioning. That's.., I just wanna kinda...

MR. G. DEREMER: At the writing...

MAYOR MASTERS: ...[inaudible].

MR. G. DEREMER: ...of the report, there were 10 not...

MAYOR MASTERS: Okay.

MR. G. DEREMER: Not working.

MAYOR MASTERS: Thank you, sir.

MR. G. DEREMER: Thank you.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: Councilperson Hubbard.

COUNCILPERSON HUBBARD: Approximately how much will it take for us to get Unit 3 up and running?

MR. G. DEREMER: I have an estimate in the report. I, I think you're somewhere, because of the, not only the problems with the equipment from a standpoint of mechanical, but there's structural and leakage issues on the steel where it matches to the concrete, as well as some other equipment that needs to be repaired, in order to put the system back in service. It should be sandblasted and painted. All in, it's probably somewhere between 3 and $400,000.

COUNCILPERSON HUBBARD: Okay. Let me ask you this, one of the concerns that I've had is that, as close as our water treatment plant is to the railroad, you heard about All Aboard Florida is gonna be coming through here and they're gonna be making 32 trips a day, really fast and shaking the ground, do you think that, that's gonna have an impact on our, um, structural equipment over at that water plant?

MR. G. DEREMER: I, I really don't know. One of the things that is listed in our report, because of some of the buildings, lime silos that have some apparent structural defects that we are recommending the City hire a structural engineer to go through all of the buildings to determine what repairs may be necessary. It would probably be appropriate, at that time, to have that structural engineer also look at the impacts of increased rail traffic.

COUNCILPERSON HUBBARD: Okay. Okay.

CHAIR DAVIS: Anymore questions by any Members of the Board before we finalize this... [Pause]. Thank you, sir, for the work that...

MR. G. DEREMER: You're welcome.

CHAIR DAVIS: ...you're doing, you and your team have done this far and we look forward to, um, the work and continued progress that you're doing to assist us with making sure we stabilize this entire process.

MR. G. DEREMER: Thank you very much.

CHAIR DAVIS: Thank you so much.

COUNCILPERSON HUBBARD: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON HUBBARD: I move that we accept this report.

CHAIR DAVIS: Do we have a motion to accept.., second, to accept the report?

CHAIR PRO TEM MILLER-ANDERSON: So moved. Second.

CHAIR DAVIS: Madam Clerk.

[Inaudible dais comment]

CHAIR DAVIS: Yes, yes. U.S. Water.

[Inaudible dais comment]

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miler-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Before we go and adjourn this meeting, I wanna ask the Board, maybe Vice Chair Miller-Anderson or Councilperson Hubbard to, um, one of you all to volunteer to take lead to work with the Committee to come back to this Board to give recommendations and reports and updates and be a part of the selection team as it regards to the next Utility District Director with all of us making recommendations from each Board Member in a, in a.., by the next meeting of some, maybe, professionals you may know or some former Utility people, anywhere within the county, any type of professionals to have something in place to give us follow up.

COUNCILPERSON HUBBARD: I don't mind, Mr. Chair.

CHAIR DAVIS: Mhmm. You'll take...

COUNCILPERSON HUBBARD: To be...

CHAIR DAVIS: ...the lead on that?

COUNCILPERSON HUBBARD: ...the point person on [inaudible]...

CHAIR DAVIS: Do anybody oppose Councilperson Hubbard? Okay. Can we have a motion to make...

COUNCILPERSON DAVIS JOHNSON: Before [pause], before the motion, Mr. Chair...

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: ...may I ask a question?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: Is the, is the positions.., are the positions for an executive director and assistant director of Water Utilities currently out on the street in a national capacity search?

CHAIR DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: National?

CHAIR DAVIS: Well, that's Staff to answer that question.

CITY MANAGER JONES: National.

CHAIR DAVIS: Okay.

UNK: Both of them?

CHAIR DAVIS: Yes.

CITY MANAGER JONES: I don't know ab'.., I don't believe the assistant director's nationally.

ASSISTANT TO THE CITY MANAGER PERRY: [Stammer]...
UNK: [Inaudible].

CITY MANAGER JONES: And I don't know if it's even out yet. I know the executive director.

ASSISTANT TO THE CITY MANAGER PERRY: I believe the assistant just came out a couple days...

COUNCILPERSON DAVIS JOHNSON: I saw the assistant...

CHAIR DAVIS: [Inaudible]...

ASSISTANT TO THE CITY MANAGER PERRY: ...ago when I saw it.

COUNCILPERSON DAVIS JOHNSON: ...position. That...

CITY MANAGER JONES: And so, it just...

COUNCILPERSON DAVIS JOHNSON: ...may not...

CITY MANAGER JONES: ...came out.

COUNCILPERSON DAVIS JOHNSON: ...necessarily be national...

ASSISTANT TO THE CITY MANAGER PERRY: Correct.

COUNCILPERSON DAVIS JOHNSON: ...but I think that we need to do a national search with some'... Because, you know, we're talking about what our citizens deserve and what we should be doing and I think that we owe it to ourselves, if we are starting this process by evoking.., evoking and invoking this process, we need to make sure that we go after the best, the brightest. We need to make sure that we also identify someone who has experience in this type of municipal, um, arena. So, that has to happen and I know that we talked about six to ten...

CHAIR DAVIS: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: ...applications that were there but I believe that we need to make sure that there is a open process so that we can look for those individuals who may be willing to co'.., to apply for the position and provide services to us.

CHAIR DAVIS: Great. Yeah. I truly...

ASSISTANT TO THE CITY MANAGER PERRY: We'll notify HR.

CHAIR DAVIS: I truly support that. You know, you can have Commissioner Hubbard will be the point person working with, also Attorney Brown, be volunteer part of that Committee. I spoke with him to, to ask him to be a part of it but ask each Board Me'.., including the Mayor, to make a recommendation of someone to decide. We can have a three member committee, a five member committee, to come back and help out with this process. So everybody just think about it by the next meeting and bring some names to the table so we all can...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

CHAIR DAVIS: ...have some input in that process.

COUNCILPERSON PARDO: Okay. Mr. Chair?

CHAIR DAVIS: And, and if you wanna add anything to the process, then we can go from there.

COUNCILPERSON PARDO: Mr. Chair?

CHAIR DAVIS: Yes, ma'am.

COUNCILPERSON PARDO: Okay. So, to be clear, each Councilperson will be able to appoint a person to the Committee, correct?

CHAIR DAVIS: Yes. By the time the next meeting, what we'll discuss and just think about this, how many people... First of all, we gotta determine how many people do we want on the Committee? Do we want five, do we want seven...

COUNCILPERSON HUBBARD: [Inaudible].

CHAIR DAVIS: ...do we want three? So, maybe in this case, we say seven or five or, you know, based upon the qualified people that.., cause we might get 10 people to quali'.., app'.., uh, the City interested. Or we might get even five, we might get four.

COUNCILPERSON PARDO: Alright. But...

CHAIR DAVIS: So, based...

COUNCILPERSON PARDO: ...I'm just...

CHAIR DAVIS: ...upon the number...

COUNCILPERSON PARDO: ...asking if...

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON PARDO: ...each Councilperson will be able to appoint a person.

COUNCILPERSON HUBBARD: Yes.

CHAIR DAVIS: If there's...

COUNCILPERSON PARDO: Or we [inaudible]...

CHAIR DAVIS: ...if we have enough people...

COUNCILPERSON PARDO: ...yes.

CHAIR DAVIS: ...absolutely yes.

COUNCILPERSON PARDO: Okay. Fine.

CHAIR DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: And then will we see all applications submitted?

UNK: [Inaudible].

COUNCILPERSON PARDO: Yeah.

CHAIR DAVIS: Yes.

COUNCILPERSON PARDO: Right?

COUNCILPERSON DAVIS JOHNSON: Is...

CHAIR DAVIS: Yes.

COUNCILPERSON DAVIS JOHNSON: Okay.

COUNCILPERSON PARDO: Each...

CHAIR DAVIS: Yes. Then bring it back to the next meeting. I mean, I'm sure people watching may maybe reach out, do some of your own investigation in, in your District, go through the list. You might have some folks that retired from water plants in other cities...

UNK: [Inaudible].

CHAIR DAVIS: ...in this City, living here. So, whoever they may be.

COUNCILPERSON PARDO: We have a lot of engineers.

CHAIR DAVIS: Yes. Engineers. Okay. And we'll come back to the next meeting and discuss that process but there's motion on the floor to make Councilperson... Huh?

DEPUTY CITY CLERK BURGESS: No one made the motion yet.

CHAIR DAVIS: Council'... Okay. Will the Vice Chair make a motion to appoint...

CHAIR PRO TEM MILLER-ANDERSON: I make a motion that we extend this meeting another 30 minutes.

CHAIR DAVIS: Okay. [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Some meeting cause [stammer].

CHAIR DAVIS: Well, we gotta close this one after this and then we go into the other meeting and...

CHAIR PRO TEM MILLER-ANDERSON: That's what I'm saying.

CHAIR DAVIS: ...we'll do the public hearing and, and...

CHAIR PRO TEM MILLER-ANDERSON: [Stammer] 12:00.., 11:59, I'll extend to 11:59.

CHAIR DAVIS: We're gonna close this one out, after this here, unless you wanna talk about something else. Oh, you know what, you're right because we got other matters we're...

COUNCILPERSON DAVIS JOHNSON: We still have...

CHAIR DAVIS: ...still trying... Right.

COUNCILPERSON DAVIS JOHNSON: We still have this Agenda that we've not addressed or are we tabling that? What, what are we doing...

CHAIR DAVIS: Well...

COUNCILPERSON DAVIS JOHNSON: ...with that?

CHAIR DAVIS: Well...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIR DAVIS: ...there's one Item on there we gotta discuss which is public hearing that's mandatory. Right, Counc'.., um, City Manager? The public hearing on...

UNK: [Inaudible].

CHAIR DAVIS: That we've...

CITY MANAGER JONES: Yeah. They've been here.

CHAIR DAVIS: They're still here?

CITY MANAGER JONES: Yep. They're...

CHAIR DAVIS: Okay.

CITY MANAGER JONES: ...back over...

CHAIR DAVIS: Alright. I wanna...

CITY MANAGER JONES: ...in the corner.

CHAIR DAVIS: ...at least get through that cause they waited through the entire meeting.

CITY MANAGER JONES: Yeah. And if I could get the liability insurance.

CHAIR DAVIS: Well, let's focus on...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CITY MANAGER JONES: Okay.

CHAIR DAVIS: ...let's get through this cause, um, Vice Chair has as motion on the floor to...

CHAIR PRO TEM MILLER-ANDERSON: I'm just ex'.., is this.., I'm not.., I'm just trying to extend the...

CHAIR DAVIS: We'll extend this...

CHAIR PRO TEM MILLER-ANDERSON: ...time period.

CHAIR DAVIS: ...let's say 15 minutes because after we finish this motion...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIR DAVIS: ...we're gonna also address the issue with the invoice. Correct?

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

CHAIR DAVIS: Cause the motion is to appoint Councilperson Hubbard.

CHAIR PRO TEM MILLER-ANDERSON: So, second.

CHAIR DAVIS: Yeah. Madam Clerk.

UNK: [Inaudible] motion. You were sayin'...

CHAIR DAVIS: No. I asked for you to make the motion so she could second it. [Chuckle]. I'm sorry.

CHAIR PRO TEM MILLER-ANDERSON: I make the motion that Ms. Hubbard is the...

CHAIR DAVIS: The point person.

CHAIR PRO TEM MILLER-ANDERSON: ...point person for the Committee for...

CHAIR DAVIS: Water task force. Utility.., Water Utility District...

CHAIR PRO TEM MILLER-ANDERSON: Water Utility...

CHAIR DAVIS: ...task team.

CHAIR PRO TEM MILLER-ANDERSON: ...task force.

CHAIR DAVIS: Task team, yes.

CHAIR PRO TEM MILLER-ANDERSON: Committee.

CHAIR DAVIS: Yes.

COUNCILPERSON HUBBARD: Second.

CHAIR DAVIS: Second by, um, Commissioner Hubbard. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

[Pause]

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Okay. Vice Chair, you wanna put a motion on the floor to extend this...

COUNCILPERSON HUBBARD: Thank you.

CHAIR DAVIS: ...meeting maybe 15 minutes so we can address the invoice?

CHAIR PRO TEM MILLER-ANDERSON: The Utility meeting for 15 minutes?

CHAIR DAVIS: Okay. There's...

CHAIR PRO TEM MILLER-ANDERSON: Extend... Yeah.

CHAIR DAVIS: 15?

CHAIR PRO TEM MILLER-ANDERSON: 15.

CHAIR DAVIS: 15? And we're gonna second... We have to discuss the invoice, remember you said you wanted to talk about it. Okay? Is there a second?

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIR DAVIS: Okay. Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

CHAIR DAVIS: [Inaudible background comment].

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

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

CHAIR DAVIS: Yes. Mr. Perry.

ASSISTANT TO THE CITY MANAGER PERRY: May I as a question?

CHAIR DAVIS: Yes, sir.

ASSISTANT TO THE CITY MANAGER PERRY: You just.., you, you approved to, uh, transfer the.., to pay Mr. Brown's invoice but could you also authorize the Finance Director to transfer that money from contingency to that line [inaudible]...

CHAIR DAVIS: Pending that this is...

ASSISTANT TO THE CITY MANAGER PERRY: ...[inaudible].

UNK: We haven't approved it yet.

CHAIR DAVIS: Pending that this is approved. Pending that this is approved.

CHAIR PRO TEM MILLER-ANDERSON: We haven't approved anything.

ASSISTANT TO THE CITY MANAGER PERRY: Oh, I'm sorry. I thought [inaudible]...

CHAIR DAVIS: Yeah. We're gonna do that now. We're gonna discuss that matter now.

ASSISTANT TO THE CITY MANAGER PERRY: So, could you.., if you do, can you just combine it...

CHAIR DAVIS: Right.

ASSISTANT TO THE CITY MANAGER PERRY: ...altogether?

CHAIR DAVIS: I understand.

ASSISTANT TO THE CITY MANAGER PERRY: Thanks.

CHAIR DAVIS: If that, if that is approved. Okay.

[Inaudible dais comments]

CHAIR DAVIS: Councilperson Johnson, ask your question.

COUNCILPERSON DAVIS JOHNSON: Well, I guess the...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible] discuss it...

COUNCILPERSON DAVIS JOHNSON: We...

CHAIR PRO TEM MILLER-ANDERSON: ...tonight.

COUNCILPERSON DAVIS JOHNSON: Pardon? I thought you said we weren't discussing it tonight. But we...

CHAIR PRO TEM MILLER-ANDERSON: I... I'm asking...

CHAIR DAVIS: I said I was gonna bring it back...

CHAIR PRO TEM MILLER-ANDERSON: ...[inaudible]...

CHAIR DAVIS: ...after we got through that Item so that you can...

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR DAVIS: ...you ask your questions.

COUNCILPERSON DAVIS JOHNSON: Alright. So here's the question that I have. Going back to changing a.., changing the fee from an agreement without prior consent. We just went through this with CRA. So, I'm just trying to understand how we get to a point of doubling an invoice without prior authorization? Because, we're not talking about $5,000, we're talking about an additional $25,000 and there was never any mention about the increasing of the fee when you were, when you were retained to provide this report. So, I'm just trying to understand, at what point did you realize that you were going to have additional costs that were going.., that, that needed to be addressed that were not brought back before this Board?

MR. M. BROWN: Councilwoman, if you look at the letter that Ms. Ryan wrote to me, she said, 'You use the amount of $24,999,' in fact, you asked me, 'Mr. Brown,' you said, 'Can you do it for that?' I said, 'Ms. Johnson, if it's less than that, it'll be less than that. If it's more than that, you will get the figure as to what it is.' And the notice, if you look at her letter, it said that, 'In the event that I think it would exceed that, to notify the Board.' Now, we're all professionals here. Alright? U.S. Water, Mr. Beaudet and all of us are professionals and you used the term, 'The best and the brightest,' and I think I fit in that category. Now, let me answer.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

MR. M. BROWN: Now, I think you will find that the U.S. Water report, Mr. Beaudet and what his report and his assessment is, Mr. Perry, if you ask them and if you read that report, it was a lot of time and energy that was put into it. The issue is whether or not the value that you.., whether you got the value out of that. I was no'.., I would've still completed the report and I, I.., there's no way that I'm gonna stop and not complete the report based upon the fact that I said, 'Well, I'm not gonna do it until they pay me.' The issue is whether or not.., whether you believe or whether the Board believes that the services that I provided are valid, alright, and compensable. And when you compare, I believe, and I don't know what U.S. Water reports fees are but I know they're professionals. I think when you compare what, what my fees were and what I charge, and I think the issue you will find, wholeheartedly, that they're more than reasonable.

COUNCILPERSON DAVIS JOHNSON: I am not suggesting that your costs are not reasonable, Mr. Brown, nor am I suggesting that you are not the best and the brightest and, and you're.., and that you are good at what you're doing. You, you stated that you would.., you would bring it to the attention of the Board if the costs were going to be additional.

MR. M. BROWN: The letter...

COUNCILPERSON DAVIS JOHNSON: Right?

MR. M. BROWN: ...that Ms. Ryan wrote, if you read...

COUNCILPERSON PARDO: I have...

MR. M. BROWN: ...the le'...

COUNCILPERSON PARDO: ...the letter.

MR. M. BROWN: Read the last sentence of the letter and it addresses.., what does it say?

COUNCILPERSON PARDO: It says, 'If at any time you believe the fees will exceed this amount, please advise before exceeding the amount and it will be discussed with the Board.' And then, if you look at the contract, it says that, um...

MR. M. BROWN: Look at the...

COUNCILPERSON PARDO: 'Compensation...

MR. M. BROWN: ...contract.

COUNCILPERSON PARDO: ...shall not exceed $24,999.' So, you know.

MR. M. BROWN: Well, and, and I, and I...

COUNCILPERSON PARDO: I'm just sayin'.

MR. M. BROWN: ...have notified the Board and if you, if you all do not believe that the services that I provided, that, that my firm is worthy of the compensation I've billed, that's a decision for you all to make.

COUNCILPERSON DAVIS JOHNSON: Mr. Brown?

MR. M. BROWN: Yes, ma'am.

COUNCILPERSON DAVIS JOHNSON: I'm not suggesting that you are not worthy of the compensation. We just had this matter to come before us, as it related to additional costs for services rendered, without notification to the Board. That's simply my point. That, that's it.

MR. M. BROWN: But that's not me, right? That, that doesn't have anything... I mean, you.., that's another issue that you all...

COUNCILPERSON DAVIS JOHNSON: It is the same, it is the same premise. I don't see how it's any different because, if you are performing a service, if you know that that's.., those services are going to be exceeded.., and this is not any declaration or

indication of your ability or inability to do any work for us. I appreciate the work that you've done. I supported you coming to do this, we had the conversation as it related to the, um, the authority of, of.., I think it was the authority of the Manager, and all I'm simply saying, and, and I'm just bringing this back again to the Board's attention, where we have a consultant that did some work and, after the fact, there was, there was no notification prior to. And I know what you're saying about read this letter and read this last statement but it did say that you were going to come back and make us aware. And I'm just simply saying that, prior to tonight, with you announcing that your fee is now doubled, there was no notification. That's, that's my only point.

MR. M. BROWN: It sounds like you're saying you all had a dispute on another matter regarding...

COUNCILPERSON DAVIS JOHNSON: Mr. Brown...

MR. M. BROWN: ...another...

COUNCILPERSON DAVIS JOHNSON: I am.., it has nothing to do with another matter. I'm talking...

MR. M. BROWN: You raised that, ma'am.

COUNCILPERSON DAVIS JOHNSON: What I'm sa'...

MR. M. BROWN: I'm just trying to get clarification...

COUNCILPERSON DAVIS JOHNSON: Right. My clarifica'...

MR. M. BROWN: ...as to what you're referring to...

COUNCILPERSON DAVIS JOHNSON: Let me clarify then.

MR. M. BROWN: ...cause I wasn't.., I'm not...

COUNCILPERSON DAVIS JOHNSON: Let me...

MR. M. BROWN: ...on the Board.

COUNCILPERSON DAVIS JOHNSON: Let me make it clear.

MR. M. BROWN: Please tell me what you're [inaudible].

COUNCILPERSON DAVIS JOHNSON: What I'm simply saying is, you brought us an invoice that you submitted to...

MR. M. BROWN: No. That's not what I'm asking.

COUNCILPERSON DAVIS JOHNSON: We'...
UNK: Ma'...

MR. M. BROWN: You, you mentioned...

[Inaudible dais comments]

CHAIR PRO TEM MILLER-ANDERSON: Point of order.

MR. M. BROWN: ...another issue...

CHAIR PRO TEM MILLER-ANDERSON: Point of order.

MR. M. BROWN: ...and I'm trying to get clarification...

COUNCILPERSON DAVIS JOHNSON: It has noth'... I.., the, the issue is the...

CHAIR PRO TEM MILLER-ANDERSON: Point of order.

COUNCILPERSON DAVIS JOHNSON: ...process.

[Gavel]

CHAIR PRO TEM MILLER-ANDERSON: Mr. Chair?

CHAIR DAVIS: Point of order has to be recognized. Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: May I make a suggestion?

CHAIR DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Being that this Item is something that was brought to us early in the afternoon...

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...and for the sake of time, and obviously it's gonna take some time to debate through this, we don't have time tonight to do that.

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Can we please not discuss this Item tonight and get with the other stuff we need to do.

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Cause we have some things we have to finish tonight.

CHAIR DAVIS: Okay.

COUNCILPERSON DAVIS JOHNSON: The Chair...

CHAIR PRO TEM MILLER-ANDERSON: We can't...

COUNCILPERSON DAVIS JOHNSON: ...pushed...

CHAIR PRO TEM MILLER-ANDERSON: ...go beyond...

COUNCILPERSON DAVIS JOHNSON: ...the issue.

CHAIR PRO TEM MILLER-ANDERSON: ...12:00, right?

CHAIR DAVIS: No.

COUNCILPERSON DAVIS JOHNSON: The Chair...

CHAIR DAVIS: I didn't...

COUNCILPERSON DAVIS JOHNSON: ...the Chair wanted to bring this back f or discussion.

CHAIR PRO TEM MILLER-ANDERSON: So, can I make a motion that we pull this ...

CHAIR DAVIS: [Inaudible] respect the...

CHAIR PRO TEM MILLER-ANDERSON: ...Item and...

CHAIR DAVIS: ...respect the Board because...

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

CHAIR DAVIS: ...everybody jumped on me...

CHAIR PRO TEM MILLER-ANDERSON: ...for another night.

[Inaudible audience comment]

CHAIR DAVIS: I just brought it back. [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: Is that...

CHAIR DAVIS: Yes, ma'am?

CHAIR PRO TEM MILLER-ANDERSON: ...good? Wanna second my motion?

CHAIR DAVIS: Please restate your motion so we can go on [inaudible].

CHAIR PRO TEM MILLER-ANDERSON: That we, we pull the.., we postpone this Item.

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Um...

UNK: [Inaudible] second.

CHAIR PRO TEM MILLER-ANDERSON: ...for another meeting maybe? Possibly?

CHAIR DAVIS: Well, we have a...

COUNCILPERSON HUBBARD: Mr....

CHAIR DAVIS: ...meeting on Tuesday that we can it to the Agenda...

CHAIR PRO TEM MILLER-ANDERSON: To the...

CHAIR DAVIS: ...on Tuesday.

CHAIR PRO TEM MILLER-ANDERSON: ...Agenda on Tuesday?

CHAIR DAVIS: Yes.

[Inaudible dais comment]

COUNCILPERSON HUBBARD: Mr....

[Inaudible dais comment]

CHAIR DAVIS: The workshop.

CHAIR PRO TEM MILLER-ANDERSON: Oh, we can put it on the workshop.

[Inaudible dais comments]

UNK: You can't make any decisions at a workshop.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible] decisions at a workshop.

CHAIR DAVIS: Oh, okay. So...

COUNCILPERSON HUBBARD: Mr....

COUNCILPERSON DAVIS JOHNSON: [Inaudible] decision...

CHAIR DAVIS: Well, we might have to call a special meeting to finish the Items that we're not gonna finish tonight. So, if there's...

CHAIR PRO TEM MILLER-ANDERSON: But we're gonna try to finish...

COUNCILPERSON HUBBARD: Well, at the very least, um, Madam Co.., Co-Chair.

CHAIR PRO TEM MILLER-ANDERSON: Yes. Mhmm.

COUNCILPERSON HUBBARD: Pro Tem.

[Chuckle]

COUNCILPERSON HUBBARD: Can we, at least, make a motion to pay hi'.., Mr....

CHAIR PRO TEM MILLER-ANDERSON: The $24,999?

COUNCILPERSON HUBBARD: Yes. And, in that special meeting that we can hold right before we go in there to address that [pause], uh, before we go into workshop to address, to address the other?

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: But, at least, pay.., we need to pay the inv'.., we need to pay the first $25,000.

CHAIR PRO TEM MILLER-ANDERSON: Okay. I make a motion that we pay the $24,999...

CHAIR DAVIS: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: ...and we're going to announce a special meeting, after the workshop or before the workshop on Tuesday?

CHAIR DAVIS: Correct.

CHAIR PRO TEM MILLER-ANDERSON: What time is the workshop? 6:00.

CHAIR DAVIS: [Inaudible]...

COUNCILPERSON HUBBARD: Now, let me...

CHAIR DAVIS: 5:30?

COUNCILPERSON HUBBARD: Before you go...

CHAIR DAVIS: 5:00?

COUNCILPERSON HUBBARD: Before you make the motion, um...

UNK: [Inaudible]?

CHAIR PRO TEM MILLER-ANDERSON: We're about to run out of time again. Okay?

COUNCILPERSON HUBBARD: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Just wanna...

COUNCILPERSON HUBBARD: Go, go ahead.

CHAIR PRO TEM MILLER-ANDERSON: What, what did you wanna say about it?

COUNCILPERSON HUBBARD: No. What, what I was going to say...

CHAIR DAVIS: Hold on. Did you second? Did she second the motion?

CHAIR PRO TEM MILLER-ANDERSON: I haven't said the motion yet.

CHAIR DAVIS: Oh.

COUNCILPERSON HUBBARD: Oh.

CHAIR PRO TEM MILLER-ANDERSON: I mean, I need to restate it but...

CHAIR DAVIS: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

COUNCILPERSON HUBBARD: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: What, what did you...

COUNCILPERSON HUBBARD: What I, what I was going to say, well, um, we're not going to not pay because of the...

CHAIR DAVIS: [Inaudible], you have a copy...

COUNCILPERSON HUBBARD: ...of the...

CHAIR PRO TEM MILLER-ANDERSON: [Stammer]. I'm just saying, we.., that, that's something we probably.., we gotta discuss. We're not gonna solve that right now.

COUNCILPERSON DAVIS JOHNSON: Right.

COUNCILPERSON HUBBARD: Okay.

CHAIR PRO TEM MILLER-ANDERSON: And, and we have.., remember, we still have to go back for the City Agenda meeting...

CHAIR DAVIS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: ...that some things have to be approved tonight so we gotta...

COUNCILPERSON HUBBARD: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...get to that.

CHAIR DAVIS: Yes.

COUNCILPERSON HUBBARD: Alright, then.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

COUNCILPERSON HUBBARD: Go right ahea'...

CHAIR PRO TEM MILLER-ANDERSON: So, I make a motion that...

CHAIR DAVIS: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: ...we postpone this Item other than we can go ahead and pay the...

CHAIR DAVIS: Pay the 24...

CHAIR PRO TEM MILLER-ANDERSON: ...$24,999.

CHAIR DAVIS: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: ...and postpone the additional monies that are being, um, invoiced and have a special meeting before the workshop at 5:30 p.m....

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIR PRO TEM MILLER-ANDERSON: ...on Tuesday?

CHAIR DAVIS: Properly moved and second. Mr. Perry, I see you fittin' to ask a question?

ASSISTANT TO THE CITY MANAGER PERRY: No.

CHAIR DAVIS: Okay. Cool. Any questions before we call this question? Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: Unanimous vote.

CHAIR DAVIS: Great job, Vice Chair.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIR DAVIS: So now, we've gone through this issue, reports. So, do we have a motion to adjourn this meeting so we can go back...

COUNCILPERSON DAVIS JOHNSON: So moved.

CHAIR DAVIS: ...and finish the Council meeting? [Stammer]...

COUNCILPERSON HUBBARD: Second.

DEPUTY CITY CLERK BURGESS: [Inaudible].

CHAIR DAVIS: Properly moved and second. We're gonna start immediately.

[Gavel]

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So...

DEPUTY CITY CLERK BURGESS: Item No...

[Dais chatter]

CHAIR DAVIS: Going straight to the public hearing.

[Chatter]

COUNCILPERSON DAVIS JOHNSON: What's the number?

[Chatter]

CHAIR DAVIS: Item No...

[Chatter]

CHAIR PRO TEM MILLER-ANDERSON: So this can't go beyond 12:00 so [inaudible].

CITY ATTORNEY DEGRAFFENREIDT: Take care, G.

UNK: Okay.

CITY ATTORNEY DEGRAFFENREIDT: We'll see you next time.

[Chatter]

COUNCILPERSON HUBBARD: What Item was that? 1?

CHAIR PRO TEM MILLER-ANDERSON: We don't.., [inaudible]. We don't have time, we gotta get going.

CHAIR DAVIS: Oh, Item [inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: And we're still on the air.

CITY ATTORNEY DEGRAFFENREIDT: Okay. Gottcha. Okay.

[Chatter]

CHAIR PRO TEM MILLER-ANDERSON: Still on air. Mayor. Mayor, we're still on.

CHAIR DAVIS: [Inaudible].

[Gavel]

[Chatter]

CHAIR PRO TEM MILLER-ANDERSON: You gotta open it back up.

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: And we need to extend it when.., soon as you open it back up.

CHAIR DAVIS: Now we're going to...

[Gavel]

CHAIR DAVIS: Now, we're gonna call the Regular City Council meeting back to order. We just recently finished the Water Utility District and now we just finished all the budget Items and we're gonna start this meeting now off with Item No. [pause]...

<u>CONTINUATION OF REGULAR CITY COUNCIL MEETING**</u>**

CHAIR PRO TEM MILLER-ANDERSON: Chair?

CHAIR DAVIS: Yes, ma'am?

CHAIR PRO TEM MILLER-ANDERSON: May I make a m'...

UNK: It's consent.

CHAIR PRO TEM MILLER-ANDERSON: Hmm?

CHAIR DAVIS: Let's go to Consent.

[Inaudible dais comments]

CHAIR DAVIS: Let's go to Consent cause that might go pretty fast depending if you wanna pull it.

COUNCILPERSON HUBBARD: No. 1. Pulling No. 1.

[Inaudible dais comments]

CHAIR DAVIS: Let's go to public hearing.

COUNCILPERSON DAVIS JOHNSON: Wait a minute. I thought we were...

UNK: [Inaudible].

CHAIR DAVIS: Well, cause they've been waiting.

COUNCILPERSON DAVIS JOHNSON: [Inaudible].

CHAIR DAVIS: But, we need to do Consent because we had to get those done.

COUNCILPERSON PARDO: We didn't do Consent yet.

CHAIR PRO TEM MILLER-ANDERSON: Excuse me. Can.., okay. We know we're not gonna get through everything. Can we identify what it is that has to happen tonight?

CHAIR DAVIS: Okay. Item No. 7, it's, it's a [inaudible].., something that they've been waiting and we need to get... That's something truly.., that's something that's been noticed in the paper. It needs to be heard.

CHAIR PRO TEM MILLER-ANDERSON: So let's go.

CHAIR DAVIS: Okay. Item No. 7. Do I have a motion?

CHAIR PRO TEM MILLER-ANDERSON: You gotta read it.

CHAIR DAVIS: Item No. 7?

CHAIR PRO TEM MILLER-ANDERSON: She's gotta read it.

CHAIR DAVIS: After she sounds it off. Yes.

DEPUTY CITY CLERK BURGESS: 7. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; APPROVING AN APPLICATION FROM THE TRUCK REALTY GROUP, LLC. FOR SITE PLAN APPROVAL TO DEVELOP A SINGLE STORY 15,680 SQUARE FOOT TRUCK REPAIR FACILITY ON 2.17 (94,496 SQUARE FOOT) ACRES OF VACANT INDUSTRIAL LAND AT PCN: 56-43-42-31-05-000-0150, WHICH IS LOCATED NORTH OF INTERSTATE ROAD S, SOUTH OF INTERSTATE PARK WAY, EAST OF INTERSTATE PARKWAY ROAD W, AND WEST OF GARDEN TRAIL; AND PROVIDING FOR AN EFFECTIVE DATE.

CHAIR DAVIS: Do I have a motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON DAVIS JOHNSON: Second.

CHAIR DAVIS: Properly moved and second. Alright. Mr. Gagnon.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: Good evening, Mayor and Council. Jeff Gagnon, Assistant Director of Community Development. On the screen currently is a site location for the Truck Realty Group proposal, um, which is located directly south of 3754 Interstate Parkway. This is the aerial view, it's currently vacant. The site has a general industrial zoning designation, industrial future land use. The surrounding parcels have the same future land use and zoning designation as well.

Very brief project overview, the Truck Realty Group is proposing to develop a single-story, 15,680 sq. ft. truck repair facility on 2.17 acres of vacant industrial land. It's anticipated to create 22 new jobs. The titles of those, those positions will be diesel technicians, sales positons, service managers and warehouse staff. The salary range will be from $35,000 upwards to $100,000 and the estimated tax value is currently $450,000. Before improvements and after improvements, it will be approximately $1.5M.

This is the Site Plan. A piece of the Site Plan which is attached to your Council packet as Exhibit A.

CHAIR DAVIS: Yes.

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: The Landscape Plan which is attached as Exhibit B. These are two of the elevations, the north elevation and south elevation which are attached as Exhibit C, as well as the east and west elevation.

So City Staff has found this project proposal to be consistent and compatible with the City's Comprehensive Plan and Land Development Regulations. The Planning &

Zoning Board unanimously recommended approval of this project on August 25, 2016 and City Staff recommends project approval with the conditions of approval provided within Section 2 of the Resolution.

CHAIR DAVIS: Thank you, sir. Are there any questions by Staff? Madam Clerk.

COUNCILPERSON PARDO: Wait, wait. Staff, um...

CHAIR DAVIS: [Inaudible].

COUNCILPERSON PARDO: I'm not Staff but...

CHAIR DAVIS: Not Staff, but...

COUNCILPERSON PARDO: ...I'm Council.

CHAIR DAVIS: ...Council.

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

COUNCILPERSON PARDO: Okay. Jeff, I have a couple of questions for you. What's the hours of operation here?

ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON: The specific hours were not defined but it.., I believe it's just gonna be a typical 8:00 to 6:00 time range. There wasn't any sort of 24-hour operation that was proposed by the applicant.

COUNCILPERSON PARDO: Can we ask them?

UNK: [Inaudible].

MR. CHRIS: I had to check the clock to make sure I didn't have to say good morning.

[Chuckles]

MR. CHRIS: Chris [inaudible], Architect, an agent for Truck Realty Group. The hours of operation are, like he said, 8:00 to 6:00. It's not a 24-hour truck stop or anything like that. It's just a truck repair facility. So.

COUNCILPERSON PARDO: And will all of the maintenance of the trucks be inside the building or you gonna do stuff outside [inaudible]?

MR. CHRIS: No. It'll be inside. Uh, we have bays...

COUNCILPERSON PARDO: Right.

MR. CHRIS: ...tall enough to accommodate the truck so they can pull inside.

COUNCILPERSON PARDO: Okay. And you did show, I think, 20 new additional jobs. Are these new jobs or are they coming from...

MR. CHRIS: These will actually...

COUNCILPERSON PARDO: ...somewhere else?

MR. CHRIS: ...be new jobs. Oh yeah.

COUNCILPERSON PARDO: Do you have a facility like this somewhere else?

MR. CHRIS: Uh, well, I don't. I'm the Architect but...

COUNCILPERSON PARDO: Right. Right.

MR. CHRIS: ...my client does, yes.

COUNCILPERSON PARDO: But the, the client?

MR. CHRIS: He.., yeah. Miami, Fort Lauderdale. So they're, they're, they're far enough away where they're not.., they can't really bring people over but, uh...

COUNCILPERSON PARDO: Okay. So, they'll...

MR. CHRIS: ...[Inaudible] if he's hiring...

DEPUTY CITY CLERK BURGESS: Excuse me...

MR. CHRIS: ...22 people.

DEPUTY CITY CLERK BURGESS: ...Chair, your time has expired.

CHAIR PRO TEM MILLER-ANDERSON: I make a motion to extend to 11:59 p'...

CHAIR DAVIS: No. This is a different meeting.

CHAIR PRO TEM MILLER-ANDERSON: I knew it was.

CHAIR DAVIS: This is not Utility District so we can go [inaudible].

CHAIR PRO TEM MILLER-ANDERSON: But it still went beyond 10:00 anyway.

CHAIR DAVIS: Oh, okay.

CHAIR PRO TEM MILLER-ANDERSON: 11:59 p.m.

CHAIR DAVIS: Okay. Alright. Do we have a second?

COUNCILPERSON HUBBARD: Second.

CHAIR DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: No.

DEPUTY CITY CLERK BURGESS: Pro Tem Kashamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

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

COUNCILPERSON PARDO: Okay. So, do you know when they expect to begin construction?

MR. CHRIS: Well, we're not in for a permit yet. We expect to be in about a month.

COUNCILPERSON PARDO: Okay.

MR. CHRIS: So, hopefully, a month of permitting and about eight months to construct.

COUNCILPERSON PARDO: Okay. Alright.

COUNCILPERSON DAVIS JOHNSON: Mr. Chair?

COUNCILPERSON PARDO: Thank you.

CHAIR DAVIS: Yes, ma'am, Councilperson Johnson?

COUNCILPERSON DAVIS JOHNSON: With the 20 new positions that you are mentioning, how would local residents with the skill set and experience that you are looking for be able to apply for these positions?

MR. CHRIS: Well there's a wide range, all the way from warehouse proctors to salesmen to, uh.., so we, we submitted a list of the job descriptions with their, their salaries. So it's a pretty wide range of, of positons and skill sets.
COUNCILPERSON DAVIS JOHNSON: Is there a place they can go online? Is there.., there's not a [stammer], a trailer or anything that they could go to at this point because we're not at that stage so I'm just wanting to know...

MR. CHRIS: Yeah.

COUNCILPERSON DAVIS JOHNSON: ...how we can shore them up and gear them up for, um, applications.

MR. CHRIS: Actually, if you have suggestions on how they can reach out...

COUNCILPERSON DAVIS JOHNSON: I'd be happy to.

MR. CHRIS: ...that'll be great. Thank you.

CHAIR DAVIS: And, and another, another way we probably can do it cause, you know, we have a Mayor and we have a Human Resource Department, to partner with the Mayor and Human Resource Department to find out that we maybe have some qualified staff that's applying for some of the jobs that we have here, that we may not have enough vacancies for that may fit into what you're doing. You could reach out to those people.

MR. CHRIS: Yeah, absolutely.

CHAIR DAVIS: Yeah. [Inaudible].

MR. CHRIS: It's always better to hire locally cause it's less travel time...

COUNCILPERSON PARDO: Sure.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

MR. CHRIS: They'll, they'll look for some help for that.

CHAIR DAVIS: Okay.

MAYOR MASTERS: One quick question, Mr. Chair.

CHAIR DAVIS: Yes.

MAYOR MASTERS: Would you consider hiring ex-offenders, returning citizens? Do you have any policy that would prohibit that or it's kinda open?

MR. CHRIS: Not that I.., I'm, I'm the architect. I, I wish my.., the owner had...

MAYOR MASTERS: Okay.

MR. CHRIS: ...stayed ...

MAYOR MASTERS: Pass the word.

MR. CHRIS: ...but he had to leave but...

MAYOR MASTERS: Just pass the word.

MR. CHRIS: Yeah.

MAYOR MASTERS: Thank you.

MR. CHRIS: I will.

MAYOR MASTERS: Okay.

CHAIR DAVIS: Alright. Thank you. All questions before we call the question? Thank you, sir, for coming out tonight and waiting patiently.

MAYOR MASTERS: And it's not morning yet.

MR. CHRIS: [Inaudible]. [Chuckle].

MAYOR MASTERS: [Chuckle].

CHAIR DAVIS: We can have breakfast in about 30 minutes, you and I, okay? Alright. 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?

CHAIR DAVIS: Yes. Now, let's go to Consent. Try to run and get to Gallagher.

COUNCILPERSON HUBBARD: They were [inaudible].

CHAIR PRO TEM MILLER-ANDERSON: 14 and 15, there was two Community Benefits [inaudible].

CHAIR DAVIS: Everything's wrapped into one.

CHAIR PRO TEM MILLER-ANDERSON: We...

CHAIR DAVIS: Under Consent.

CHAIR PRO TEM MILLER-ANDERSON: ...didn't read those earlier.

CHAIR DAVIS: No. We just ask to read 'em all.., just wrap them all into Consent, all the Community Benefits.

CHAIR PRO TEM MILLER-ANDERSON: Oh, okay. But she said that...

CHAIR DAVIS: Oh, from...

CHAIR PRO TEM MILLER-ANDERSON: She said...

CHAIR DAVIS: ...old business.

CHAIR PRO TEM MILLER-ANDERSON: ...the addition was added on the Consent.

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: We were gonna...

CHAIR DAVIS: So you're talking about the old, um...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible] the old, the two old ones...

CHAIR DAVIS: So ask for a motion...

CHAIR PRO TEM MILLER-ANDERSON: ...14 and 15.

CHAIR DAVIS: ...to add the Community Benefits which is Items...

COUNCILPERSON DAVIS JOHNSON: I'll do it.

CHAIR DAVIS: You, you got it?

COUNCILPERSON HUBBARD: [Inaudible] always do that.

COUNCILPERSON DAVIS JOHNSON: Not these two. Motion to.., are we...

CHAIR PRO TEM MILLER-ANDERSON: You just need to add...

COUNCILPERSON DAVIS JOHNSON: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...14 and 15...

COUNCILPERSON DAVIS JOHNSON: Motion to add...

CHAIR PRO TEM MILLER-ANDERSON: ...to Consent.

COUNCILPERSON DAVIS JOHNSON: ...Item 14 and 15 to the Consent Agenda for consideration.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible background].

CHAIR PRO TEM MILLER-ANDERSON: So moved.

CHAIR DAVIS: Madam Clerk.

DEPUTY CITY CLERK BURGESS: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Hubbard?

COUNCILPERSON HUBBARD: Yes.

DEPUTY CITY CLERK BURGESS: Councilperson Davis Johnson?

COUNCILPERSON DAVIS JOHNSON: Yes.

DEPUTY CITY CLERK BURGESS: Char Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CONSENT AGENDA

CHAIR DAVIS: Yes. Alright. Consent. I know Councilperson Hubbard said she wanted to pull 1.

CHAIR PRO TEM MILLER-ANDERSON: We're not gonna be...

CHAIR DAVIS: Okay. Let's try.

CHAIR PRO TEM MILLER-ANDERSON: I mean, I, I wanted to do that too but, I'm just sayin'...

CHAIR DAVIS: Yeah.

CHAIR PRO TEM MILLER-ANDERSON: ...we're not gonna get anywhere tonight, I don't think.

COUNCILPERSON PARDO: Yeah. I'd like to pull 5.

CHAIR DAVIS: Item No. 5 which is [pause]. Motion to approve Consent with Items No. 1 and 5 being pulled. [Pause]. Motion?

CHAIR PRO TEM MILLER-ANDERSON: Okay. Second. Well...

CHAIR DAVIS: Do we have a motion...

CHAIR PRO TEM MILLER-ANDERSON: Did I make...

CHAIR DAVIS: ...to approve...

COUNCILPERSON DAVIS JOHNSON: Motion to approve.

COUNCILPERSON HUBBARD: I move to...[Chuckle].

CITY MANAGER JONES: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIR DAVIS: Don't get tired now. Ya'll done ate so I don't wanna hear that.

CHAIR PRO TEM MILLER-ANDERSON: 16 hours.

CHAIR 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?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: 1. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, EXTENDING THE TERM OF ATTORNEYS COREY SMITH AND DIANE JAMES-BIGOT AS SPECIAL MASTERS FOR CODE ENFORCEMENT HEARINGS, UNSAFE BUILDING HEARINGS AND FOR OTHER CITY HEARINGS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXTEND THE LEGAL SERVICES AGREEMENT FOR THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

CHAIR DAVIS: Do I have a motion?

CHAIR PRO TEM MILLER-ANDERSON: Second. So moved.

CHAIR DAVIS: Do we have a second?

COUNCILPERSON HUBBARD: Second.

CHAIR DAVIS: Properly moved and second. Attorney Smith. You had a comment card in.

MR. C. SMITH: Yeah. Just a quick comment card. I just wanted to thank the Board, thank the Council for consideration of.., I, uh...

CHAIR DAVIS: Please say your name for the record.

MR. C. SMITH: Oh, Corey Smith, Thousand Oaks Development, formerly 1001 West 3rd Street, all my life pretty much except.., with the exception of college and law school.

CHAIR DAVIS: Attorney Corey Smith.

MR. C. SMITH: I'm sorry?

CHAIR DAVIS: Attorney Corey Smith.

MR. C. SMITH: Attorney Corey Smith.

CHAIR DAVIS: Yeah. I just...

MR. C. SMITH: That, that's correct.

CHAIR DAVIS: You Riviera Beach.

MR. C. SMITH: All my life here. I just wanted to thank the, thank the Council for consideration...

CHAIR DAVIS: Okay.

MR. C. SMITH: ...of my services. I take it very seriously. Unfortunately, [chuckle], from listening to tonight's hearing, I'm glad I'm only on Unsafe Building as opposed to Code Enforcement. [Chuckle].

COUNCILPERSON PARDO: They're not gonna have a job.

MR. C. SMITH: But, any consideration that, that the Council is giving is greatly appreciated. I just wanted you to know that.

CHAIR DAVIS: Thank you, sir, for the work that you do on that Board. Councilperson Hubbard?

COUNCILPERSON HUBBARD: Okay. On this, on this particular, on this particular Item, I, I see we put both of them together, the special magistrate and the for safe [pause] for safe houses, Mr. Attorney?

MAYOR MASTERS: Unsafe Building.

CITY ATTORNEY DEGRAFFENREIDT: Yeah. It's for Unsafe Building...

COUNCILPERSON HUBBARD: So...

CITY ATTORNEY DEGRAFFENREIDT: ...Unsafe Buildings and Code Enforcement [inaudible].

COUNCILPERSON HUBBARD: Yes. Okay. So, do you guys do either or, or, Mr. Smith does just safe, um, and abandon buildings and he does Code Enforcement? I just wanna know why are both of these are together in the same Resolution is my question, basically?

UNK: [Inaudible].

CITY ATTORNEY DEGRAFFENREIDT: They're both in the same Resolution...

COUNCILPERSON HUBBARD: [Inaudible].

CITY ATTORNEY DEGRAFFENREIDT: ...because both of the previous contracts had provisions in them that they could be extended, they didn't just automatically terminate. And, and they both were lumped together...

COUNCILPERSON HUBBARD: [Inaudible background comment].

CITY ATTORNEY DEGRAFFENREIDT: ...as an extension for another two years.

COUNCILPERSON HUBBARD: Okay. Well, let me a'.., let me ask again. So, these are two separate agreements and two separate contracts?

CITY ATTORNEY DEGRAFFENREIDT: Yeah.

COUNCILPERSON HUBBARD: Okay. So let's, uh, address Mr. Smith's contract since, since he's here. I don't, I don't have a problem with extending Mr. Smith's contract with Unsafe Building m'.., as, as the unsafe building magistrate. As far as.., so, so that's why I wanted 'em se'.., that's why I wanted to deal with them separately and you can help me with that Mr. Degraffenreidt. The Code Enforcement magistrate, I would like for us to go out for, or to consider or, to appoint another magistrate for that particular seat.

CITY ATTORNEY DEGRAFFENREIDT: That is entirely within your prerogative.

CHAIR DAVIS: When does that...

COUNCILPERSON HUBBARD: Okay. And one...

CHAIR DAVIS: ...contract expire?

CITY ATTORNEY DEGRAFFENREIDT: Uh, I forget the exact date.

COUNCILPERSON HUBBARD: Evidently, very soon.

CITY ATTORNEY DEGRAFFENREIDT: Yeah. It's [inaudible]...

CHAIR DAVIS: It.., that's next month.

CITY ATTORNEY DEGRAFFENREIDT: Right. Yeah.

CHAIR DAVIS: So, how about.., you know, we wanna keep somebody retained if he's doing the work on...

CITY ATTORNEY DEGRAFFENREIDT: Can I ask you a question...

CHAIR DAVIS: ...the contract. So...

CITY ATTORNEY DEGRAFFENREIDT: ...before we go forward? Corey, you.., the Unsafe Structures Board meets how often? I mean...

MR. C. SMITH: I'm sorry?

CITY ATTORNEY DEGRAFFENREIDT: You, you only do unsafe building...

MR. C. SMITH: That's all I've been doing since I've been contracted...

CITY ATTORNEY DEGRAFFENREIDT: How often do they meet?

MR. C. SMITH: Uh, suppo'.., they're supposed to meet once a month but it just depends on how many cases are coming forward?

CITY ATTORNEY DEGRAFFENREIDT: Alright.

MR. C. SMITH: So, some months we don't meet because nothing's coming forward.

CITY ATTORNEY DEGRAFFENREIDT: Eh.

COUNCILPERSON HUBBARD: So, it's a, it's a conflict for you to sit on both of.., for you to handle both of those?

MR. C. SMITH: No. I...

COUNCILPERSON HUBBARD: Is that...

MR. C. SMITH: ...wouldn't see...

COUNCILPERSON HUBBARD: ...a conflict?

MR. C. SMITH: No. I wouldn't see it as a conflict.

CHAIR DAVIS: Mm.

COUNCILPERSON HUBBARD: Okay.

CHAIR DAVIS: It's more money [inaudible].

CITY ATTORNEY DEGRAFFENREIDT: Neither would I.

MR. C. SMITH: They're two separate...

COUNCILPERSON HUBBARD: So I don't have a problem, um, making a motion for Mr. Smith to handle both o'.., to both of those if there is no conflict. And that's why, you know, the way it's put together here, I thought maybe you had to have one person for this and one person for that. But, um, let me state this...

MR. C. SMITH: [Inaudible].

COUNCILPERSON HUBBARD: ...and you help me out, Mr. Degraffenreidt. I would like to make a motion that we go into contract with Mr. Smith for Unsafe Housing and for Code Enforcement.

CHAIR DAVIS: Do anyone second that motion?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Okay. Anyone have any questions?

COUNCILPERSON PARDO: Yeah. I do.

CHAIR DAVIS: Okay.

COUNCILPERSON PARDO: So why, why are we doing it? Things have been working very well and, if for some reason you don't like Ms. Bigot, you know, then, let's go out instead of just, you know... Everything lately is just willy-nilly. Things...

CHAIR DAVIS: Not willy nilly.

COUNCILPERSON PARDO: ...you know, we start discussing things with them.., without them being on the Agenda and I, you know, this Item, I just don't understand it. Ms. Bigot has been doing a great job for us.

UNK: Yeah.

COUNCILPERSON PARDO: And, you know, to all of a sudden just say, 'Oh, we're gonna terminate her and Mr. Smith gets everything,' I don't think is fair [pause] without a real explanation on why you wanna terminate her contract.

CHAIR DAVIS: [Stammer]. Is there a reason why? I mean.., I mean everyone works for the pleasure of the Board. You know? So, um, I just kinda wanna hear what's about it is unfair and if you wanna...

COUNCILPERSON DAVIS JOHNSON: I would just have a question from a procurement standpoint, how did we initially solicit the services.., these services?

CHAIR DAVIS: Attorney [inaudible].

UNK: Hmm?

COUNCILPERSON DAVIS JOHNSON: I, I just wanna know. I don't know.., I don't know.

COUNCILPERSON HUBBARD: Ms. Pam Ryan.

COUNCILPERSON DAVIS JOHNSON: How were these...

CITY ATTORNEY DEGRAFFENREIDT: I have no idea.

COUNCILPERSON DAVIS JOHNSON: So you don't know how these services are typically solicited?

UNK: Well, yeah.

CHAIR DAVIS: I know last time...

CITY ATTORNEY DEGRAFFENREIDT: I don't know how it was done...

CHAIR DAVIS: Prior.

MAYOR MASTERS: Attorney Ryan made...

CITY ATTORNEY DEGRAFFENREIDT: I do not know.

MAYOR MASTERS: ...the recommendation...

CHAIR DAVIS: Pam Ryan would normally select them and bring... Well no...

COUNCILPERSON HUBBARD: She did it. She wasn't supposed to.

CHAIR DAVIS: Councilperson Pardo, you've been here the longest.

COUNCILPERSON HUBBARD: She wasn't supposed to.

CHAIR DAVIS: How was this process done before?

COUNCILPERSON PARDO: I believe it was through the attorney.

MR. C. SMITH: It was thro'.., [inaudible]...

COUNCILPERSON PARDO: But now it's, I guess, coming through the Council.

MR. C. SMITH: I was brought in by, by your previous City Attorney.

CHAIR DAVIS: Okay.

MR. C. SMITH: And I believe she had brought the other person, or other persons, in as well.

CHAIR DAVIS: Okay.

MR. C. SMITH: And we all...

COUNCILPERSON HUBBARD: She did.

MR. C. SMITH: ...went through, went through a training over at the Port Center. So.

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: Well, um, if we want to deal with them separately, I, you know...

CHAIR DAVIS: Well...

COUNCILPERSON HUBBARD: I... Well, go ahead, Mr. Chair.

CHAIR DAVIS: Let's.., cause I understand your point.

MAYOR MASTERS: [Inaudible].

CHAIR DAVIS: Let's allow her to, at least, have a six-month contract and we can at least discuss this at a later date.

COUNCILPERSON DAVIS JOHNSON: Why are we circumventing his process? If it's done through the...

CHAIR DAVIS: No. His...

COUNCILPERSON DAVIS JOHNSON: ...City Attorney...

CHAIR DAVIS: ...his process.., he just make a recommendation.

COUNCILPERSON HUBBARD: See, that's what...

CHAIR DAVIS: It's up to us if we wanna accept it or not.

COUNCILPERSON HUBBARD: She wasn't even supposed to do it. [Inaudible].

CHAIR DAVIS: We, we make that decision. He's just making recommendations.

COUNCILPERSON HUBBARD: She wasn't even supposed to do it.

CHAIR DAVIS: That's the way it's done. It's not like any other services that we have.

CITY ATTORNEY DEGRAFFENREIDT: If I understand this correctly, [stammer], from your perspective, it's the Board's decision and the lawyer makes the recommendation for you to consider?

CHAIR DAVIS: And if for some...

CITY ATTORNEY DEGRAFFENREIDT: But that was not done before.

CHAIR DAVIS: If, if... I don't know. That's why I'm asking the question before I make any decision. I don't know. I mean, I seen some things happen...

CITY ATTORNEY DEGRAFFENREIDT: Cause if you want, you know, me to make some recommendations for some people to fill these roles, I can have 'em to you in a couple weeks. I can have 'em to you...

CHAIR DAVIS: Okay. Well, let's...

CITY ATTORNEY DEGRAFFENREIDT: ...in a week.

COUNCILPERSON HUBBARD: I... Excuse me, excuse me. I have...

CHAIR DAVIS: Councilperson Hubbard.

COUNCILPERSON HUBBARD: I, I... I have a m'.., I have a motion on the floor.

CITY ATTORNEY DEGRAFFENREIDT: [Inaudible].

COUNCILPERSON HUBBARD: Now, let me say this and I wasn't gonna go into that.., into the.., if you go into the Ordinance and you look into the Ordinance about the appointment of lawyers for both of those positions, those were supposed to be done by the Board then. The, um, City Attorney appointed both positions and then brought it back to be ratified by this body which is what made them legal, after the ratification was done.

CITY ATTORNEY DEGRAFFENREIDT: Okay. Gottcha.

COUNCILPERSON HUBBARD: That wasn't her place in the first place. So, I didn't want to go there or to even have to say that out loud. But...

[Chuckle]

COUNCILPERSON HUBBARD: ...since... I had to.

CHAIR DAVIS: Okay.

COUNCILPERSON HUBBARD: Now again, it [pause] may seem unfair to some people for me to say that I would not want to extend the contract of Mr. Bigot, but I don't. I don't.., I, I, you know, I've come in here and I've sat in here and, for our residents, I just don't think she's a fit. Now, the service has to be provided, she's not the woman to provide it for our residents. And secondly, Mr. Smith and our Attorney said that there's not a conflict and, and it's, and the meetings are sporadic at, at best.

CHAIR DAVIS: Well...

COUNCILPERSON HUBBARD: So...

CHAIR DAVIS: Okay. I see what you're saying.

COUNCILPERSON HUBBARD: I.., so, it's not like he's here once a month because we always have Unsafe Building hearings. We don't. That's sporadic based on his explanation. Code Enforcement, for now, is a little bit different. So again, my motion stands, and I have a second, that we allow Mr. Smith to take over the role of both of these at the end of the existing contract.

CHAIR DAVIS: Really quick, before, before we go any further. Attorney Degraffenreidt, but please speak into the mic so that they can hear you on the record...

CITY ATTORNEY DEGRAFFENREIDT: Yes, sir.

CHAIR DAVIS: The, the, the cancellation of these contracts, what is the clause for that? And we can cancel them with 30-day notice or?

COUNCILPERSON HUBBARD: No.

MR. C. SMITH: I think there's an option to renew.

CITY ATTORNEY DEGRAFFENREIDT: I think there's an option to renew but, based upon the rules and regulators, you can fire a lawyer at will anytime.

CHAIR DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: It, it, and it applies to all lawyers in all legal situations. The client can change lawyers like they change socks.

CHAIR DAVIS: Okay.

MAYOR MASTERS: [Chuckle].

CHAIR DAVIS: Where she from?

CHAIR PRO TEM MILLER-ANDERSON: We have four minutes...

CITY ATTORNEY DEGRAFFENREIDT: You just have to pay 'em under the contract.

CHAIR DAVIS: Okay.

CITY ATTORNEY DEGRAFFENREIDT: [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: We left off some Community Benefits.

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

CHAIR DAVIS: Alright. Let's, let's.., Councilperson Hubbard, can we, at least... What's the pleasure of the Board? What you all wanna do?

CHAIR PRO TEM MILLER-ANDERSON: I [stammer], unless we're gonna go ahead and vote this now, I, I want to know if anyone would be in, in, um, favor of putting some of these Items to the special meeting on Tuesday before that workshop? I just note.., realized that we have two Community Benefits that were not included in the Consent which is 20 and 21...

CHAIR DAVIS: So the remaining of...

CHAIR PRO TEM MILLER-ANDERSON: ...and that needs to be...

CHAIR DAVIS: The remainder of...

CHAIR PRO TEM MILLER-ANDERSON: ...done tonight.

CHAIR DAVIS: ...the Agenda.

COUNCILPERSON DAVIS JOHNSON: Were they my two?

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

COUNCILPERSON DAVIS JOHNSON: They were, they were read.

CHAIR DAVIS: They were read.

CHAIR PRO TEM MILLER-ANDERSON: 20 and 21?

COUNCILPERSON DAVIS JOHNSON: They were.., my two?

CITY ATTORNEY DEGRAFFENREIDT: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: I believe so.

UNK: How about 14 and 15?

CHAIR PRO TEM MILLER-ANDERSON: She did 14 and 15.

COUNCILPERSON DAVIS JOHNSON: 14 and 15 were done and Ms.., we.., and earlier we did the, the two that were added on this...

CITY ATTORNEY DEGRAFFENREIDT: Right.

COUNCILPERSON DAVIS JOHNSON: ...tonight. We did that earlier.

CHAIR DAVIS: Yes.

COUNCILPERSON HUBBARD: Yeah.

COUNCILPERSON DAVIS JOHNSON: Mhmm.

CHAIR DAVIS: [Inaudible].

COUNCILPERSON DAVIS JOHNSON: They were done. They're not on the list. I brought it forward tonight.

CHAIR DAVIS: She brought it forward, and yeah, she did. She [inaudible].

CHAIR PRO TEM MILLER-ANDERSON: But there's something on here... It was a 20 and 21 on here, on the Agenda already for...

CHAIR DAVIS: But we said all Community Benefits.

COUNCILPERSON PARDO: Yeah. I said all Community...

CHAIR DAVIS: She said all of 'em.

COUNCILPERSON PARDO: ...Benefits.

CHAIR PRO TEM MILLER-ANDERSON: That brought all of them in?

CHAIR DAVIS: That brought...

COUNCILPERSON PARDO: All...

CHAIR DAVIS: ...everything...

CHAIR PRO TEM MILLER-ANDERSON: Okay. I just wanted...

COUNCILPERSON PARDO: All the Community Benefits.

CHAIR PRO TEM MILLER-ANDERSON: ...to make sure cause of the deadline. Okay. Well, anyway.

CHAIR DAVIS: And so...

CHAIR PRO TEM MILLER-ANDERSON: Um...

CHAIR DAVIS: Before we disseminate this Item, let's.., I guess we'll disseminate this before we can have a special meeting to address the remaining of the Agenda, um, if we don't get through this?

CHAIR PRO TEM MILLER-ANDERSON: Yes. And I...

CHAIR DAVIS: Cause Councilperson Pardo's already pulled another Item, which is Item No. 5.

CHAIR PRO TEM MILLER-ANDERSON: Yes. Whatever Items we have not completed tonight...

CHAIR DAVIS: Mm.

CHAIR PRO TEM MILLER-ANDERSON: ...that is on the Agenda...

CHAIR DAVIS: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: ...um, to add it to the special meeting...

CHAIR DAVIS: 5 o'clock.

CHAIR PRO TEM MILLER-ANDERSON: ...on Tuesday. And I also want to add [stammer]...

CHAIR DAVIS: What time?

CHAIR PRO TEM MILLER-ANDERSON: Ms. Jo'.., City Manager, have a discussion and deliberation about Ms. Jones, in part, with this, the Utility District.

CHAIR DAVIS: At... Okay. So, we go...

CHAIR PRO TEM MILLER-ANDERSON: We can do...

CHAIR DAVIS: ...5:00 o'clock?

CHAIR PRO TEM MILLER-ANDERSON: 5:00 or 5:30.

CHAIR DAVIS: Cause the next meeting is advertised for what, Ms. Jones?

CITY MANAGER JONES: Well, we have [inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: It can be immediately afterwards. It'll just be immediately afterwards.

CHAIR DAVIS: Okay. Immediately afterwards. Okay. That's fine.

CITY MANAGER JONES: Okay. So, let me make sure [inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: 5:30?

CITY MANAGER JONES: ...[inaudible] know what the 5:00 or 5:30?

CHAIR PRO TEM MILLER-ANDERSON: 5:30, remaining Items on the Agenda.

CHAIR DAVIS: Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: Also, Mr. Brown's additional pay. And to discuss your situ'.., your contract and your situation with the Utility District information that we received tonight.

CHAIR DAVIS: Vice Chair, and the workshop is what time?

CHAIR PRO TEM MILLER-ANDERSON: And the workshop will begin immediately afterward.

CHAIR DAVIS: Is that... [Pause].

[Inaudible background comment]

CHAIR DAVIS: Okay.

[Inaudible background comment]

CHAIR PRO TEM MILLER-ANDERSON: 5:30.

CHAIR DAVIS: 5:30. That's fine. Alright. Okay. So we don't...

CHAIR PRO TEM MILLER-ANDERSON: Can we finish with...

CHAIR DAVIS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: ...her thing or we're gonna move...

COUNCILPERSON HUBBARD: Call the question.

CHAIR PRO TEM MILLER-ANDERSON: ...postpone it 'til Tuesday? Call it?

COUNCILPERSON HUBBARD: Yeah.

CHAIR DAVIS: Let's, let's postpone it [inaudible]...

[Inaudible dais comments]

COUNCILPERSON HUBBARD: For who? That lady that didn't [inaudible]?

CHAIR DAVIS: Yes.

COUNCILPERSON HUBBARD: No. She didn't come.

CHAIR DAVIS: Okay. Well, call the question.

CHAIR PRO TEM MILLER-ANDERSON: Call the question.

MAYOR MASTERS: [Inaudible].

CHAIR DAVIS: Madam Clerk

[Inaudible dais comments]

CITY ATTORNEY DEGRAFFENREIDT: Call the question.

[Inaudible dais comments]

CHAIR PRO TEM MILLER-ANDERSON: But we don't have time. [Chuckle].

CITY MANAGER JONES: Mr. Brown's.., should that be in a Utility meeting?

CHAIR DAVIS: No.

CITY MANAGER JONES: Or City Cou'... Cause he, he was working for Utility.

CHAIR PRO TEM MILLER-ANDERSON: We could do... Yeah.

CITY MANAGER JONES: Yeah. You would call a Utility meeting to handle that.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

CITY MANAGER JONES: Go into the City Council...

CHAIR PRO TEM MILLER-ANDERSON: And then ta'.., and yours can be added to that one, to the Utility District one.

CITY ATTORNEY DEGRAFFENREIDT: Uh-uh.

COUNCILPERSON HUBBARD: I don't think so.

CHAIR PRO TEM MILLER-ANDERSON: No?

UNK: No.

CHAIR PRO TEM MILLER-ANDERSON: The regular City Council...

CITY MANAGER JONES: [Inaudible]...

COUNCILPERSON HUBBARD: [Inaudible] deal with that in regular City Council.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Regular City Council.

CHAIR DAVIS: Yes.

CITY MANAGER JONES: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CHAIR DAVIS: I agree.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

CITY MANAGER JONES: And then, the rest will be [inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: On the Regular City...

MAYOR MASTERS: 11:59.

CHAIR PRO TEM MILLER-ANDERSON: We will.

CITY MANAGER JONES: [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: We will.

DEPUTY CITY CLERK BURGESS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Come on.

MAYOR MASTERS: 11:59.

DEPUTY CITY CLERK BURGESS: Ms. Hubbard, did you second that?

CHAIR PRO TEM MILLER-ANDERSON: I second.

COUNCILPERSON HUBBARD: No. She second it.

CHAIR PRO TEM MILLER-ANDERSON: Call the question.

DEPUTY CITY CLERK BURGESS: Okay. But I'm, I'm confused. Are we talking about the special meeting or we talking about...

CHAIR DAVIS: The magis'...

COUNCILPERSON HUBBARD: No. We're talking about the...

DEPUTY CITY CLERK BURGESS: Okay. The magistrate. Okay. Thank you.

COUNCILPERSON HUBBARD: I know [inaudible].

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: Yes.

DEPUTY CITY CLERK BURGESS: Chair Davis?

CHAIR DAVIS: Yes.

DEPUTY CITY CLERK BURGESS: That motion passed with Davis Johnson and Pardo dissenting.

UNK: Okay. Thank you.

[Inaudible dais comments]

COUNCILPERSON DAVIS JOHNSON: Motion to adjourn the meeting.

CHAIR PRO TEM MILLER-ANDERSON: So moved.

COUNCILPERSON HUBBARD: So moved.

CHAIR DAVIS: Alright.

CITY ATTORNEY DEGRAFFENREIDT: Alright. So, at a least you got some...

[End of audio]

There being no further business, the meeting was duly adjourned at 12:00 a.m.

Public Comment Speakers and Others

DEPUTY CITY CLERK JACQUELINE BURGESS.....DEPUTY CITY CLERK BURGESS

FINANCE DIRECTOR RANDY SHERMAN .....FINANCE DIRECTOR SHERMAN

RICK KING.....MR. R. KING

PUBLIC WORKS DIRECTOR BRENT JOHNSON..... PUBLIC WORKS DIRECTOR JOHNSON

JUDGE ELECT BRADLEY HARPER.....JUDGE ELECT B. HARPER

DEBBIE ISAACS.....MS. D. ISAACS

CAPURNIA BOSTON LARKINS.....MS. C. LARKINS

LINDA ADAMS.....MS. L. ADAMS

REVEREND A.C. EVANS.....REV. A.C. EVANS

REVEREND GRIFFIN DAVIS.....REV. G. DAVIS

LATRICIA CUNNINGHAM DONLEY.....MS. L. CUNNINGHAM DONLEY

FANE LOZMAN.....MR. F. LOZMAN

MARY BRABHAM.....MRS. M. BRABHAM

RODNEY ROBERTS.....MR. R. ROBERTS

TRADRICK MCCOY.....MR. T. MCCOY

NORMA DUNCOMBE.....MS. N. DUNCOMBE

TOMMY WALKER.....MR. T. WALKER

BISHOP PHILLIP DUKES.....BISHOP P. DUKES

DAVID HYGRAYS.....MR. D. HYGRAYS

WARY LEONARD.....MS. W. LEONARD

ERNESTINE GORDON.....MS. E. GORDON

BONNIE LARSON.....MS. B. LARSON

COREY DIXON.....MR. C. DIXON

MARGARET SHEPPARD.....MS. M. SHEPPARD

WILLIS WILLIAMS.....MR. W. WILLIAMS

MICHAEL BROWN, ESQ.....MR. M. BROWN

BEVIN BEAUDET.....MR. B. BEAUDET

ASSISTANT TO THE CITY MANAGER PERRY.....ASSISTANT TO THE CITY MANAGER PERRY

U.S. WATER GARY DEREMER .....MR. G. DEREMER

ASST. DIRECTOR COMMUNITY DEVELOPMENT JEFF GAGNON ....ASST. DIRECTOR COMMUNITY DEVELOPMENT GAGNON

TRUCK REALTY GROUP CHRIS.....MR. CHRIS

COREY SMITH, ESQ.....MR. C. SMITH

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: D. PARDO

SECONDED BY: T. DAVIS JOHNSON

L. HUBBARD	AYE
K. MILLER-ANDERSON	AYE
T. DAVIS JOHNSON	AYE
D. PARDO	AYE
T. DAVIS	AYE

DATE APPROVED: November 2, 2016