

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, FEBRUARY 6, 2013 AT 5:30 P.M.
MUNICIPAL COMPLEX CITY COUNCIL CHAMBERS**

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

CHAIRPERSON BROOKS: We're ready.

CITY CLERK WARD: Mayor Thomas Masters?

MAYOR MASTERS: Present.

CITY CLERK WARD: Chairperson Billie Brooks?

CHAIRPERSON BROOKS: Present.

CITY CLERK WARD: Chair Pro-tem Dawn Pardo?

CHAIR PRO-TEM PARDO: Present.

CITY CLERK WARD: Councilperson Judy Davis? Councilperson Cedrick Thomas?
Councilperson Shelby Lowe?

COUNCILPERSON LOWE: Here.

CITY CLERK WARD: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

CITY CLERK WARD: City Clerk Carrie Ward is present. City Attorney Pamala Ryan?

CITY ATTORNEY RYAN: Here.

CITY CLERK WARD: You have a quorum, Madam Chair, and you may proceed.

CHAIRPERSON BROOKS: I was notified by, uh, Councilperson Judy Davis that there is a medical emergency with her family, and we want to lift her in prayer. Her brother's in ICU and so she's not going to be attending. And I believe Cedrick will be coming. He will be a little bit late. So we want to stand for one moment of silence for the invocation, followed with the Pledge of Allegiance led by Chairperson Pardo. (Everyone stood for a moment of silence with the Pledge of Allegiance being led by Chair Pro-Tem Pardo).

CHAIRPERSON BROOKS: Miss Jones, do we have any additions, deletions, substitutions?

CITY MANAGER JONES: Yes, Madam Chair. The first item is on the consent agenda,

item number 4. We'd like to delete that item.

CHAIRPERSON BROOKS: Okay. Delete 4. Okay.

CITY MANAGER JONES: I would like to note for the record a correction in the description for item 14. In the background it talks -- it mentions -- it says the Palm Beach County Board of Commissioners. And it should say the Riviera Beach Housing Authority.

CHAIRPERSON BROOKS: Is that item number 14, you said, in Awards and Presentations?

CITY MANAGER JONES: Yes.

CHAIRPERSON BROOKS: Okay. And I'm sorry. What is the correction?

CITY MANAGER JONES: The backup says Palm Beach County Board of Commissioners and it should say Riviera Beach Housing Authority.

CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: Everything else is right except for that one little wording.

CHAIRPERSON BROOKS: Okay. Thank you.

CITY MANAGER JONES: Also for your consideration tonight, I would like to add an item 18A. On last Friday we received a request from Representative Bobby Powell that we submit a resolution to support a bill that he has proposed as it relates to the possession of concealed weapons. So that is on the -- I would like to add that for your consideration tonight.

Also under Community Benefits, I would like to add a 23A. And this is a Community Benefit award sponsored by Chair Brooks to the Mary McLeod Bethune Elementary School. And I've also been informed by the Mayor while we're doing Community Benefits, he has one that he would like to add for the Youth Recreation Association. So that would be a 23B.

CHAIRPERSON BROOKS: Okay.

AUDIENCE: Can she speak up?

CHAIRPERSON BROOKS: Can you hear us now?

AUDIENCE: I can hear --

CITY MANAGER JONES: Number 24 -- under Board Appointments, 24A, Councilman Lowe has brought forth two names for consideration for appointments to the Waterfront Advisory Board. And 26A --

CHAIR PRO-TEM PARDO: We're never getting out of here tonight.

CITY MANAGER JONES: -- a resolution that will be a part of the GEU discussions as it relates to the amendments. We had to do an amendment because we got additional 45 days, as well as an additional amendment, and we need to have you ratify those amendments.

CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: That's all, Madam Chair.

CHAIRPERSON BROOKS: All right. Thank you. Thank you so much, Miss Jones. Now, is there any need for disclosure by Council on any of the, um, items that are here for discussion tonight?

CHAIR PRO-TEM PARDO: Not by me.

CHAIRPERSON BROOKS: If not -- okay. Mr. Lowe?

COUNCILPERSON LOWE: Excuse me?

CHAIRPERSON BROOKS: Is there any need for disclosure from you?

COUNCILPERSON LOWE: No.

CHAIRPERSON BROOKS: Okay. Now we're ready for adoption of the agenda on the agenda? Need a motion to adopt the agenda.

COUNCILPERSON LOWE: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON BROOKS: Roll call?

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: Consent Agenda. "All matters listed under this item are

considered to be routine and action taken by one motion -- action will be taken by one motion. There will be no separate discussion on these items unless a councilperson so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda." Does anyone desire to remove any items from the Consent Agenda? If not, then I need a motion to approve the Consent Agenda with the necessary, uh, additions and corrections.

COUNCILPERSON LOWE: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON BROOKS: Ready for the roll call.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: Any Petitions and Communications for Filing?

CITY CLERK WARD: None.

CHAIRPERSON BROOKS: Okay. We're now down to Awards and Presentations. And I am so pleased that we have in the ordinance tonight Palm Beach Commissioner Hal Valeche.

COMMISSIONER VALECHE: Very good.

CHAIRPERSON BROOKS: I practiced.

COMMISSIONER VALECHE: You're the only person that's ever gotten it right on the first time.

CHAIRPERSON BROOKS: Really?

COMMISSIONER VALECHE: Yes.

CHAIRPERSON BROOKS: Oh, wow.

COMMISSIONER VALECHE: Excellent.

CHAIRPERSON BROOKS: Thank you. Thank you. Thank you. So we're gonna allow you an opportunity to come and meet and greet us and have your say.

COMMISSIONER VALECHE: Well, thank you, Madam Chair, Mr. Mayor, Council people -- persons. Um, just really wanted to come and introduce myself. You know, I am three months on the job almost and having a tremendous experience learning how complex the County is. I've only got a small portion of your city as -- as my -- in my district, but I consider Riviera Beach a tremendous asset to the north part of the county.

I'm extremely excited about what's going on with the waterfront. What I saw in the Post this morning I thought was tremendously encouraging, what's going on with Rybovich. So my door is going to be open. I've worked a lot with Councilwoman Pardo on some of the beach issues. But please, although you're not in the district, please feel free to contact me or my staff about any issue that comes up here and I'd be happy to take a couple of questions. But that's really all I -- I wanted to say.

CHAIRPERSON BROOKS: Well, we're so pleased to have you. Any questions from the board?

MAYOR MASTERS: I have a comment. I welcome you aboard. And as you know, we -- you and I walked the beach --

COMMISSIONER VALECHE: right.

MAYOR MASTERS: -- walk -- walked the beach together. And we met a few times as relates to protecting the -- the beach, preserving and protecting, which is so important, not just to the island, but important to the -- to Florida, to tourism, and for the income that is generated through the beach.

And I met with Congressman Murphy, as you know, several weeks ago, and what we're trying do is continue to forge the coalition between the elected officials and as -- the illustrious leadership of Dawn Pardo right there with us, to make sure this goes forward. I'm looking forward to working with you on the project.

COMMISSIONER VALECHE: Well, it is. Actually, I'd say that in the -- if it's not the number one issue for me in my district, it's certainly the number two or it's in the top three.

MAYOR MASTERS: Well, I'm glad I supported you. I was on the right side of the -- of the -- of the coin.

COMMISSIONER VALECHE: And we've gotta -- I fully agree with you. I mean, it's so important to tourism here that we have --

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

MAYOR MASTERS: Yes.

COMMISSIONER VALECHE: -- usable beaches, that we're doing everything we can. It's a -- it's a difficult situation in Washington, as -- as the Congressman probably told you.

MAYOR MASTERS: He did.

COMMISSIONER VALECHE: We're hoping that Senator Nelson, as well as -- as the people in the House of Representatives are going to be able to help us with that. And we've gotta -- we've gotta do something beyond just getting a repair to --

MAYOR MASTERS: Permanent --

COMMISSIONER VALECHE: Yeah. Exactly.

MAYOR MASTERS: -- resolution.

COMMISSIONER VALECHE: I mean, we need a permanent solution to this. I know that a private group has come together who is going to be lobbying both in Tallahassee at the County level, at the Washington, D.C. level. There's a report coming out fairly soon, I think, from the Woods Hole Oceanographic Institute that's going to hopefully definitively explain what the best structures are for our particular beach topography, and I hope we can count on that. And once that's published, that we all can form a consensus to move forward and actually do it.

MAYOR MASTERS: Well, just know the Mayor's with you a hundred percent.

COMMISSIONER VALECHE: Okay.

MAYOR MASTERS: And I'm also a member of the Save the Beach Coalition that's going to be working in conjunction.

COMMISSIONER VALECHE: Right. That's the -- that's the organization I was referring to.

MAYOR MASTERS: Thank you.

COMMISSIONER VALECHE: Okay. Well, thank you. Any other questions?

CHAIRPERSON BROOKS: Well, thank you so much. Thank you so much.

COMMISSIONER VALECHE: Thanks.

CHAIR PRO-TEM PARDO: Thank you.

COMMISSIONER VALECHE: Very nice to see you.

CHAIRPERSON BROOKS: Thank you. Same here.

CHAIR PRO-TEM PARDO: Thank you.

CHAIRPERSON BROOKS: Item number 12.

CITY CLERK WARD: Presentation from the Office of Chair Pro-Tem Dawn Pardo to -- to those who participated and donated to the Councilperson Dawn Pardo Every child should smile on Christmas morning 2012 Toy Drive.

CHAIR PRO-TEM PARDO: Thank you very much, Madam Chair. Tonight I would like to recognize some of the local businesses that participated in the toy drive. This was the eighth annual Every child should smile on Christmas morning Toy Drive. And it seems every year the, um -- we get more children in the community who are in need of toys.

CHAIRPERSON BROOKS: Uh-huh.

CHAIR PRO-TEM PARDO: So I am -- I think this City as a whole is very blessed --

CHAIRPERSON BROOKS: Uh-huh.

CHAIR PRO-TEM PARDO: -- that we have such generous partners here in the City who go above and beyond trying to make sure at least on Christmas morning the children in this city will have a smile on their face. I'd like to start off by recognizing CMI Electric & Air conditioning. We have Suzanne Brady. This is CMI's third year participating in the toy drive. And what they have been able to do, they donate a couple thousand dollars' worth of toys and their employees also get involved in it. Would you like to say something, Suzanne?

CHAIRPERSON BROOKS: Oh, wonderful, wonderful, wonderful.

SUZANNE BRADY: Well, like Dawn said, it is our third year and -- we really appreciate all the hard work that Dawn puts out there to -- to make this happen. And it really is a lot of work. Pretty much everybody at CMI is on board for this. Everyone enjoys it so much. I've brought with me Michelle Pollack who's our general manager. She's also a very dear friend of mine. And more importantly, she's an excellent shopper. And she's done this with me every year. This is our third year again and we're looking forward --

CHAIRPERSON BROOKS: So where is she?

SUZANNE BRADY: She's right there.

CHAIRPERSON BROOKS: Okay. Hi.

SUZANNE BRADY: She can shop. So we're looking forward to next year and number four. We're in.

CHAIR PRO-TEM PARDO: Thank you.

CHAIRPERSON BROOKS: Very good.

CHAIR PRO-TEM PARDO: Thanks, Suzanne.

CHAIRPERSON BROOKS: Thank you so much. We need to have quiet in the chambers, please. Others are talking.

CHAIR PRO-TEM PARDO: Also for this third year, Rybovich has been on board. The past two years, Rybovich has contributed funds toward toys. Their funds allowed us to go out and purchase toys for -- there seems to be an age group that people forget, and it's the children from 12 to about 16 years old.

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

CHAIR PRO-TEM PARDO: So with the help of Rybovich, you know, we would, you know, gladly accept their funds and go out and buy toys. This year, though, they got their employees involved. So they asked the employees to donate toys and then the company donated funds for each toy that they collected. And instead of us going out and buying the toys -- and it's a big job, like CMI will tell you.

CHAIRPERSON BROOKS: Uh-huh.

CHAIR PRO-TEM PARDO: Rybovich's employees went out and they purchased the toys. So tonight we have Mario Byrne from Rybovich here. And Mario, thank you so much. We really appreciate it. Thank you. Want to say a couple of words.

MARIO BYRNE: I'd just like to thank Chairperson Pardo for letting us be a part of this once again and it was very exciting to -- to bring all of our employees in and make it a company-wide effort. And we're extremely pleased with the response and we can't wait to do it next year.

CHAIRPERSON BROOKS: Wonderful. Thank you so much.

CHAIR PRO-TEM PARDO: That's great. Thank you, again, Mario.

MARIO BYRNE: You're welcome.

CHAIR PRO-TEM PARDO: Appreciate it. Um, we also had General Caulking, and they're a local business here in Riviera Beach. And the past couple of years the -- I guess the owner of the -- of the company has donated toys. And this past year he got his company involved, also. So they came to the toy drive with a, um -- a truck full of toys, also.

CHAIRPERSON BROOKS: Hmm.

CHAIR PRO-TEM PARDO: And I think he's out of town. Is Terry here tonight or anyone from General Caulking? All right. They're out of town. But I'm sure he'll watch it on television when he comes back.

All right. Our firefighters.

CHAIRPERSON BROOKS: Uh-huh.

CHAIR PRO-TEM PARDO: Once again, they went above and beyond. Our local firefighters here in had been were out there helping collect the toys. They helped me pack the toys. And they helped deliver the toys. Their local union, IAF 2928, donated a couple -- donated \$1,000 in gift cards to us.

CHAIRPERSON BROOKS: Wow.

CHAIR PRO-TEM PARDO: So when we were delivering the toys, we were able to give out gift cards to families so they could provide a proper meal or if they needed to buy something for the holiday, they were able to. So who's here tonight, Maria, on behalf of the local union? Come on up.

CHAIRPERSON BROOKS: Oh, wonderful. Wonderful. You all seem to rescue us in so many different ways here. It's wonderful.

CHAIR PRO-TEM PARDO: They're always the first on board.

CHAIRPERSON BROOKS: Yes. Yes.

CHAIR PRO-TEM PARDO: Here you go, (Inaudible). Thank you, Maria.

CHAIRPERSON BROOKS: Let the record show that Councilman Thomas is here. We're just on Awards and Presentations so that's good.

CHAIR PRO-TEM PARDO: My main man, Den. Always there for me. Thank you. Thank you very much, guys. I appreciate everything you do.

All right. Last but not least, we have Johnny Longboats. I partnered with Johnny Longboats four years ago on the toy drive. And since we partnered together, the toy drive has exploded. And it has become an event that people look forward to. I've heard from many people it gets them into the holiday spirit.

CHAIRPERSON BROOKS: Uh-huh.

CHAIR PRO-TEM PARDO: We have the toy drive -- it's usually the first Thursday in December. And you know, people just get in the -- the mood.

CHAIRPERSON BROOKS: The mood. Great.

CHAIR PRO-TEM PARDO: So Randy, do you want to come up, please? It really wouldn't be a success without you guys. Once again, go above and beyond. Truly appreciate it.

RANDY SIMLER: Thank you so much.

CHAIR PRO-TEM PARDO: On behalf of the kids, we thank you.

RANDY SIMLER: I just want to say thank you very much and Johnny Longboats is always more than happy to be involved with the toy drive. We love Christmas over there to begin with. And this just -- Lenny, the owner over there, is like a little kid with all the decorations, the big Santa Clauses and this is just even over and above and it's, you know -- as Dawn said, it's very exciting. People are starting to look forward to it.

CHAIRPERSON BROOKS: Uh-huh.

RANDY SIMLER: Every -- every year it's getting bigger and bigger, and we're looking forward to participating next year, and my hats off to you for all the work you do.

CHAIR PRO-TEM PARDO: Thank you.

CHAIRPERSON BROOKS: Well, thank you so much for being one of our partners.

CHAIR PRO-TEM PARDO: Yeah. And then I have a couple of certificates I'd like to distribute to people in the community who have helped. And I'm going to start off by acknowledging some of our police officers who have helped me. They helped the night that we were handing out the toys over at -- over at Johnny Longboats. And then they also helped on that Saturday before Christmas when we were distributing the toys throughout the community. The first is Officer Cheeseman. He was on duty and we kidnapped him. Thank you.

OFFICER CHEESEMAN: Thank you very much.

CHAIR PRO-TEM PARDO: Thank you. Thank you very much. We appreciate it.

CHAIRPERSON BROOKS: He always has a smile.

CHAIR PRO-TEM PARDO: Always. And Danny Jones. He has been there since the beginning. Appreciate it. Thank you.

CHAIRPERSON BROOKS: He's the man who works tirelessly. He doesn't know how to say no.

CHAIR PRO-TEM PARDO: He really does. He is our Santa Claus.

CHAIRPERSON BROOKS: Yes. Always.

CHAIR PRO-TEM PARDO: And we had a great time delivering the toys. We really did. Randy Edwards. Is Randy here?

CHAIRPERSON BROOKS: All right.

CHAIR PRO-TEM PARDO: Officer Randy. Well, Sergeant Randy.

CHAIRPERSON BROOKS: That's a new sergeant.

CHAIRPERSON BROOKS: Sergeant.

CHAIR PRO-TEM PARDO: Has been with me since the beginning, since I started this toy drive. Randy, thank you so much.

SERGEANT EDWARDS: Thank you, now.

CHAIR PRO-TEM PARDO: Appreciate you.

SERGEANT EDWARDS: No problem.

CHAIR PRO-TEM PARDO: You know that. Quentin Jacobs. Officer Jacobs? Okay. He's not here. He's been here since the beginning, also, along with Sergeant Edwards. Mary McKinney?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right here.

CHAIRPERSON BROOKS: All right. Our Miss McKinney.

CHAIR PRO-TEM PARDO: In the warehouse with us packing the toys. Thank you, Mary. Thank you. And Jeff Gagnon. Is Jeff here?

CHAIRPERSON BROOKS: Oh, Jeff.

CHAIR PRO-TEM PARDO: Okay. Jeff is another one.

CHAIRPERSON BROOKS: He always volunteers, too.

CHAIR PRO-TEM PARDO: And then a couple of our residents. Diana DeMayo [phonetic].

CHAIRPERSON BROOKS: Oh, Diana.

CHAIR PRO-TEM PARDO: She's been there since the beginning, also. Diana's been with me since the very beginning when I started the toy drive out of my house. I remember all the toys in my living room. Here, Diana. Thank you.

DIANA DeMEIO: Thank you. It's a pleasure.

CHAIR PRO-TEM PARDO: Oh, thank you. My dear friend Diane Simon. Diane also, since the beginning --

CHAIRPERSON BROOKS: Oh, yes.

CHAIR PRO-TEM PARDO: -- and the toy drive was in my living room. Thank you, Diane. And -- oh, sorry. Thank you. And Joan Sloser. Joan was out there Saturday morning in the dust helping us pack.

CHAIRPERSON BROOKS: The photographer's better half.

JOAN SLOSER: Happy to help.

CHAIR PRO-TEM PARDO: Thank you so much.

JOAN SLOSER: See you next year.

CHAIR PRO-TEM PARDO: Great. Thank you. Okay. So again, on behalf of all of the children in Riviera Beach, thank you to the residents who participated, thank you to the businesses, thank you to the City Council for supporting this toy drive, also. And I look forward to doing it again next year. And I hope everyone is there again with me. Thank you, Madam Chair.

CHAIRPERSON BROOKS: Well, thank you, Dawn, for what you do. For being the leader in this.

MAYOR MASTERS: Madam -- Manager -- I mean, Madam Chair?

CHAIRPERSON BROOKS: Yes.

MAYOR MASTERS: I called you manager for some reason.

CHAIRPERSON BROOKS: Well, you're next anyway, Mayor, number 13.

MAYOR MASTERS: But I did want to make a comment as relates to Dawn Pardo. She's been doing this for four years. I want to just really bring this home for people to understand and appreciate -- and this is the time to let the record be clear that there was some type of communication that, uh, went out that suggested that my colleague was a racist or something. But if you think that, then you need to think twice because 99.9 percent of those toys go to the children on the mainland that look like me. And I just want you to know that. So please don't put those kinds of things out there because it's not true. You need to know what you're talking about.

CHAIRPERSON BROOKS: Item number 13.

MAYOR MASTERS: She works hard for the children no matter what color they are. And I think we ought to give her another hand.

CHAIR PRO-TEM PARDO: My pleasure.

CHAIRPERSON BROOKS: Item 13. Yes.

CITY CLERK WARD: Presentation from the Office of the Mayor Thomas A. Masters establishing a Youth Advisory Council.

MAYOR MASTERS: May I?

CHAIRPERSON BROOKS: Yes. Uh-huh.

MAYOR MASTERS: Madam Manager, Madam Chair, fellow colleagues and residents of Riviera Beach, the Mayor has been working very quietly behind the scenes with our young people for several months. Um, from school to school, from staff to staff, to

parents to grandparents.

And this is very emotional for me because as you know, I had an opportunity to attend the funeral of a little girl that was killed in Newtown, Connecticut, along with about three other funerals. Had an opportunity to minister to her mother. And I promised her that I will wear this purple band with her daughter's name on it that says Grace. And on the other side it says Aloha, Peace. And I said that to say this, that that trip to Newtown -- Newtown that, uh, I paid for as a minister -- didn't go as the Mayor.

Most people didn't know I was a mayor -- it traumatized and dramatized me to the extent to come back and really get more involved with children and with young people to see what we can do in Riviera Beach and Palm Beach County to make sure or do all that we can to keep our children safe, sound and secure.

So even before that we were working very quietly with several young people. But since that time, we've been blessed to put together a Youth Council that we're going to be working with, I think, at least twice a month we'll be meeting. One of the things that is clear, we must not leave any group behind. Whether they're veterans, whether they're seniors. But certainly not our children and our young people.

One of the words that Chief Williams taught me was the word Engage. That we must engage our young people. We must not have programs and projects for them and tell them what we want them to do. They need to tell us what we need to -- what they want us to hear and to effectuate in our city. And according to a Scripture, "A little child shall lead them."

So I'm going to ask for the benefit for those who may not have the Internet, the Chief of Staff of the Mayor's Office, Miss Debbie LeBlanc-Isaacs to come and read the background statement as to what the Youth Council is all about and what they'll be doing. Debbie?

DEBRA LeBLANC-ISAACS: Good evening.

CHAIRPERSON BROOKS: Good evening.

DEBRA LeBLANC-ISAACS: "The mission of the Mayor's Youth Advisory Council is to provide opportunities for young people to have a leadership voice in their community. A platform for expressing what they need and would like to see happen in the city in which they live, Riviera Beach, as well as having a pathway to actually get some of those things done.

"The teens and young adults will meet with the Office of the Mayor twice a month to effectively discuss and communicate their concerns while advocating on behalf of young people living, working and attending school in the city. What better way to ensure the youth know that they are being heard and that government leaders consider them an important part of this community with an equally important role to play in it?

"It is the Mayor's goal to make the City's slogan ring as true in the hearts of our young

residents as we hope it does for their parents, grandparents, our business communities and veterans."

MAYOR MASTERS: Thank you, Miss Isaacs. Although this is created under the auspice and the leadership of the Office of the Mayor, I want to welcome and ask any of our -- my colleagues to join us and participate and share with us in working with our young people. And Chief, there's a name that keeps going over and over in my head and I haven't had a chance to talk to her yet. But I want to ask Mrs. Blue from the police department -- the Lord just putting her name in my spirit to be one of the people that will work with this group.

At this time, Madam Chair, Madam Manager, I'd like for the young people to come and we will present them to Riviera Beach and the fellow colleagues. Let's give them a hand. Their parents -- some of the parents are with them. Some of the young people -- you know, I just -- it was much prayer. Some I just met recently. Others I've known for a few months. But I asked the Lord to bless us with a group that was interracial, intercultural, particularly as relates to Haitian-Americans and African-Americans. Unless we bring those two groups together, we're just spinning our wheels. And the Hispanic and the Native Americans. So we're all working together as a United Nations team to effectuate unity and peace in our city. And we're blessed by these young people. So I'll start with this young man that's going to come and introduce himself and --

CHAIRPERSON BROOKS: Handsome.

MAYOR MASTERS: -- talk for about an hour. I'm just kidding.

CHAIRPERSON BROOKS: He's so handsome.

KERVINS ALTADOR: Good evening, Chairpersons. My name is Kervins Altador [phonetic]. Um, I'm 18 years old and I am currently enrolled at Inlet Grove Community High School as a senior. And this is my father. I am very excited to work with the Mayor and the City and the youth to better the city for the -- for the children, because we are the future. And as part of the Lead America Program, I offer my -- my leadership and any other human resource that is available from me. Thank you.

MAYOR MASTERS: Thank you. And next we have --

JENNIFER: Hello, everybody. My name is Jennifer. I'm 18 years old. I go to Palm Beach Lakes. I am a senior, 12th grade. Um, it's a pleasure for me to work with the Mayor of our community, Riviera Beach. I am very excited to devote myself and to be able to inspire other young people. Thank you.

CHAIRPERSON BROOKS: Oh, wonderful. Wonderful.

THOMAS: Good evening, City of Riviera Beach. My name's Thomas. I'm a freshman in high school. I attend Dwyer High School. And I'm just thankful and I will take advantage of the opportunity to work with Mayor Masters. Thank you.

CHAIR PRO-TEM PARDO: That's great.

ISABELLA MARTINEZ: Hello, everyone. My name is Isabella Martinez. I'm 18 years old. I am currently Miss Gold Coast Teen USA. I'm definitely very excited to be working with Mayor Masters and to doing this project with him. Pageants has definitely kept me out of trouble. It's kept me busy. I've learned so much. I've gained so much confidence. And I just want to help anyone else that needs it.

CHAIRPERSON BROOKS: Oh, wonderful.

CHAIR PRO-TEM PARDO: That's great.

ISABELLA MARTINEZ: Thank you.

ISABELLA McCARTY: Hello. I'm Isabella McCarty. I am 15 years old and I am a junior at Inlet Grove Community High School. I am completely honored and blessed to be a part of this program. And I would just like to say thank you to Mayor Masters and everyone else that is a part of this team for allowing me to make a difference in Riviera Beach. And I would be excited to hear all the questions and concerns from students in Riviera Beach and hopefully make Riviera Beach as much as for the adults as for the kids.

CHAIRPERSON BROOKS: Wonderful. Wonderful.

CHAIR PRO-TEM PARDO: Great.

MAYOR MASTERS: Her mother is a little shy. She's standing in the background, but she's the owner of the -- one of the limo -- what's the name of that company?

UNIDENTIFIED SPEAKER: Mega. Mega.

MAYOR MASTERS: Mega Limo Company. And we -- we hope to have these young people riding in limos pretty soon. But we're thankful. We think God has blessed us with a great team and we're looking forward to working together. They're also excited about the peace plan, the peace program where they will participate to help create an environment of peace in our community. I'm excited. I'm looking forward to working with them, along with Mrs. Blue and any one of the colleagues that would like to join us in our efforts. Thank you very much.

CHAIRPERSON BROOKS: Well, you've got a wonderful team there, Mayor.

MAYOR MASTERS: Thank you.

CHAIRPERSON BROOKS: A wonderful team, and it's great to hear their commitment to make a difference. We thank you so much.

MAYOR MASTERS: Thank you. There's one young -- there's one young man who could not be here. He gets off at work at 6. He won't get here till 6:30 so I'll introduce

him in Public Comment.

CHAIRPERSON BROOKS: All right. That'll be fine. Okay.

MAYOR MASTERS: If that's okay.

CHAIRPERSON BROOKS: Again, thank you all so much for your commitment to serve the community. We really appreciate it.

Okay. And number 14, please.

CITY CLERK WARD: Presentation from Riviera Beach Housing Authority regarding development of Phase 1, Ivy Green Village Senior Development.

CHAIRPERSON BROOKS: And we have Mr. Hurt coming forward and his team. Welcome, John.

JOHN HURT: Good evening. (Inaudible).

CHAIRPERSON BROOKS: Okay. You just give your name, who -- you know, who you are, what you represent and who's with you.

RICK CAVALIERI: My name is Rick Cavalieri. I'm with Northstar Development. We're the development partner with the Riviera Beach Housing Authority.

CHAIRPERSON BROOKS: I'm sorry, sir. What -- what is your name, again?

RICK CAVALIERI: Rick Cavalieri.

CHAIRPERSON BROOKS: Rick Calgary [sic]? Okay.

JOHN HURT: We also have our acting chairperson Mr. Orcob [phonetic], Jr., and the current commissioner Mr. Ron Leonard.

CHAIRPERSON BROOKS: Yeah, they're all fixtures with us.

JOHN HURT: Yes. Good evening, Honorable Mayor, Madam --

MAYOR MASTERS: Good evening.

JOHN HURT: -- Council President and Council members. I'm John Hurt. I'm the executive director of the Riviera Beach Housing Authority.

First I'd like to thank the Honorable Mayor, City Council and the City Manager for the opportunity to make this presentation. The Riviera Beach Housing Authority provided this council with an annual activity report in September of 2012 which outlined activities of the board of commissioners and the staff of the Riviera Beach Housing Authority for the previous fiscal year.

The board of commissioners have been working diligently over the past two years to revive the housing authority and to redevelop the former Ivy Green Village site. We wanted to update this body on the redevelopment activities of the Riviera Beach Housing Authority.

We have partnered with a developer, Northstar Development USA, that Mr. Rich Caliveri [sic] represents who will make a presentation to us tonight. We will gladly address any questions that may have at the end of the short presentation. Richard?

RICHARD CAVALIERI: Thank you more having me. I'll just -- I have created a quick PowerPoint that I'll go through for you just to give you an overview of the project.

This was the former Ivy Green complex just down the road from here. Now going to be called Heron Estates by the Housing Authority Board. Just a little background on Northstar. Northstar has been in business since 1997. We've done 23 different tax credit affordable housing deals around the country, mainly in the states of -- we've done several in Florida, New York, Texas and Michigan, working with housing authorities in every case.

Florida, we've worked with Fort Myers, doing one in Pinellas County, Venice, Lake Wales. We're working with Fort Pierce so all over the state.

CHAIRPERSON BROOKS: Uh-huh. Very good.

RICHARD CAVALIERI: Lots of fun. We have a team, a development team that we brought together which is kind of a mix of national and local professionals in order to develop this project. And this is our standard that we do in every project. Our lead architect is a nationally known architect in the affordable housing world and in regular housing, Wallace Roberts Todd, known as WRT. The team we're working with is out of Philadelphia, and they've done all the initial site design that we've gone through on this particular project.

We have a local Florida architect, Bessolo Design Group. They're actually -- their main office is in St. Petersburg, but they work all over the state and have done several projects down in this area.

Our civil engineer, Schnars Engineering is just south of here in, I think, West Palm Beach or one of the cities close to. They're our civil engineer. We have a landscape architect/land planner, Land Design South, that has done, I think, Woodline, is in Riviera Beach. They've done a lot of work in this area and they actually are our lead -- they submitted this plan that I'm going to show you, to the staff at the City already. We've received our first round of comments and we will be answering those shortly. So someday soon we'll be in front of your Planning Board and in front of you to try to get approval for this.

We go through a lot of effort to get where we are now as far as project planning. We met with the board of directors of the housing authority and got input from them and local residents to come up with this plan. We -- once we develop a plan, we actually

submit it and we look for federal tax credits in order to finance this.

That program is administered by Florida Housing in Florida, which is kind of in a state of change right now. Their universal application cycle is probably going to change its format so we're kind of waiting to see where that all goes at this point.

The plan is to put in for a 9 percent tax credit application in the 2013 cycle so potentially this could start in 2014.

Just normally have community meetings. And we will have those on this particular project at some point. WRT -- this is just a standard WRT design slide that talks about safety, eyes on the street, outdoor living, public parks, etc. And we do have copies of this, which I guess were already given to you so you can follow through on that.

CHAIRPERSON BROOKS: Question: Would it happen to be on the website anywhere that if persons in the community desire to review it --

JOHN HURT: We will post it.

RICHARD CAVALIERI: We will post it at some point. We haven't done that yet.

CHAIRPERSON BROOKS: Okay. All right. Very good.

RICHARD CAVALIERI: Okay. This is a before slide of the site, satellite view just showing what was there, formerly Ivy Green. I don't remember how many units were on the site, but we're -- the site is zoned for 179 units. Our first planned phase is actually a senior building. It's a -- it's a three-story, 75-unit building, have interior corridors, mostly one-bedroom. We normally put two -- 10 percent two-bedroom units. The rest would be -- just be one-bedroom units. Nice units. Full kitchen. ENERGY STAR appliances. Mostly tile. So they're very nice units.

And then we have a lot of amenities internal to the building. We'll have a -- an eat-in kitchen or a warming kitchen with a dining area, a library, computer area, recreation area. Normally we have a television room so people can come in and -- the idea is to get people to socialize.

CHAIRPERSON BROOKS: Uh-huh.

RICHARD CAVALIERI: We normally have common laundry on each floor so people can get -- we want to get people out of their units instead of staying in their units all the time. And this would most likely be a 65 -- 62 and older community.

CHAIRPERSON BROOKS: Uh-huh.

RICHARD CAVALIERI: So -- this is kind of a skeleton look at the potential elevation for the building. It's not colorized and it certainly doesn't look very nice but it'll be a good-looking building when it's done. And again, there on the bottom it lists some of the amenities that would be included with the building.

CHAIRPERSON BROOKS: And I have to assume there will be an elevator, correct?

RICHARD CAVALIERI: Yes.

CHAIRPERSON BROOKS: Okay.

RICHARD CAVALIERI: Elevator. Actually, there might be two.

CHAIRPERSON BROOKS: Okay.

RICHARD CAVALIERI: Okay. And then this will be a LEED-certified building so it'll be Green building, a lot of insulation, low-flow plumbing fixtures, energy efficient windows. We're in a high-velocity wind zone in this area so, of course, we'll have impact windows and everything that we need to do for hurricane protection, also.

Whether we can take advantage of solar and some of the other things, we'll just have to see. That's a lot of budget -- based on budget so it's hard to say whether we'll be able to afford that or not.

We do have a minority coordinator, Ariel Business Group, Thomas Huggins. He's actually out of the Tampa area but he's already -- already coming into the community and made some contacts. He's actually part of our team everywhere that we go in Florida. Very good. Our goal is to get as many minority women-owned businesses, Section 3 businesses and Section 3 employees on to the job as we can. We try to use as many local businesses as we can, local material suppliers.

We do have target goals with the housing authority based on our agreement with them but typically we far exceed those goals. Just to give you an example, in Fort Myers we hit 57 percent on minority and women-owned businesses. Right now we're at 43 percent plus in Pinellas County. So we -- we do a good job in that perspective. And Thomas holds meetings with the community before the job starts, gets everyone involved. He negotiates. If we have an electrician sub, let's say, and we'll try to get other subs to work underneath him to bring in other minority subs, etc., to get as much participation as we can.

Again, talking about local hiring. We try to bid everything locally. We normally define local -- in this case it would probably be Riviera Beach and then Palm Beach County, depending on the subcontractor base in Riviera Beach. Sometimes we have to reach out beyond the local community.

Financing. Again, we were going -- we're going to go after 9 percent tax credits. The application process will happen sometime this year. We're not exactly sure when that's going to happen. Part of the package that was just passed on the federal level keeps 9 percent credits at 9 percent through the end of 2013, as long as those credits are awarded in that time. So we feel that's going to be motivation for Florida Housing to get it done in 2013.

First phase, approximately cost, \$10 million into this area. We're going to build, again,

75 units. An additional phase of approximately 104 units. And that will be family units, probably combination two-, three-, four-bedroom units.

And then the last thing I wanted to talk about was just some of the local benefit. There was a study done by the National Home Builders of the benefit of bringing a project like the first phase of 75-unit senior building, and it should generate about \$5.5 million into the local economy, generate about 576,000 in taxes, 85 full-time equivalent jobs. That's just in the first year. And then on a recurring basis annually after that, 1.75 million into the local, 207,000 in taxes and 24 full-time equivalent jobs each year.

So you can see the impact of this is pretty substantial into the community. We're excited about it. Hopefully we'll be able to get it financed this year and get it done. So if anyone has any questions, I'd be happy to answer them.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mayor?

MAYOR MASTERS: I do. First of all, you're doing a great job. Okay?

RICHARD CAVALIERI: Thank you.

MAYOR MASTERS: I'm proud of you. I'm certainly proud of the Riviera Beach Housing Authority. I appointed every one of you, just about. I think every -- yeah, everyone. So you guys are right on it.

I would like for you -- I don't know whether you've met Tony Brown from the CRA yet?

RICHARD CAVALIERI: No, I haven't.

MAYOR MASTERS: I'd like for you to meet him and maybe have a conversation, 'cause I don't know anybody in America that can find money like Tony Brown can find money. He can find it from heaven almost.

RICHARD CAVALIERI: It's not easy to do these days.

MAYOR MASTERS: Yeah. And he --

JOHN HURT: Mr. Mayor, I had a meeting with Tony Brown this afternoon.

MAYOR MASTERS: Oh, okay.

CHAIRPERSON BROOKS: Oh, good.

MAYOR MASTERS: See how perfect that was?

JOHN HURT: My second meet -- my second meeting with the CRA and we're -- we're committed to, you know, continue to work with --

MAYOR MASTERS: Yeah, 'cause that's why I was thinking it might -- might be a possibility that this could be -- I don't know. But I just --

RICHARD CAVALIERI: I mean, one -- one thing I did fail to mention that I should have mentioned is that Florida -- one of the edicts of the Florida Housing is they expect local support from the community. And that's monetary support. In the past, that's been \$100,000 for a large community like Palm Beach County. And that can be in the form of a grant, waiver of impact fees, deferral of impact fees or a loan.

MAYOR MASTERS: Well, you keep talking to Tony Brown.

RICHARD CAVALIERI: So -- but I just -- I needed to mention that because at some point we may be coming back to you to want to talk about that.

CHAIR PRO-TEM PARDO: Yeah. It's in (Inaudible).

MAYOR MASTERS: Yeah. Just one more thing. I -- I'm -- I'm certainly impressed with -- and I wish more people who -- who were coming to the community would -- would come in with the same type of vision of including the neighborhood and local community as much as possible. And the jobs -- of course you know, that's for -- I like to do, is to make sure that people from the community get these jobs. Now, the guy that you're bringing in from Tampa, he -- he works with you with -- with all these projects?

JOHN HURT: Correct.

MAYOR MASTERS: And his role specifically is -- tell me one more time?

RICHARD CAVALIERI: He is -- you want to answer it?

JOHN HURT: Yeah. His role specifically is for local participation of minority contractors, women-owned business contractors. Public housing has what they call a Section 3 program that's compulsory that would involve local residents or local eligible low-income persons. We, the Riviera Beach, unfortunately does not have any residents at the present time. So we'll be looking to our area which is the City of Riviera Beach, for low-income individuals to participate under the Section 3 program.

And we want to say that one of our commissioners, Commissioner Rodney Roberts, heads our subcommittee on Section 3 and minority participation. And he'll be working with Mr. Higgins [sic] and all of us, you know, to ensure that we're in the position to be prepared when this all gets off the ground, to have available contractors, have available local individuals that'll be prepared to be available for work and those kinds of things.

MAYOR MASTERS: Well, Rodney Roberts is -- is heading that?

JOHN HURT: Yeah. He's the chair of that particular subcommittee.

MAYOR MASTERS: You're in good hands. Thank you.

JOHN HURT: Just wanted to have the opportunity very early on in this process to inform, you know, this body as to what we're doing. You know, we're a small organization and we just don't have the profile that some of the other entities in this city has. So we thought we'd start early to keep you informed so you know what we're doing and as we try to go forward and partner, you know, with other entities in the city to bring this off.

We -- we focus all of our energies on this first phase, that's the senior facility. And that's what we hope to bring to fruition, you know, in the next 18 to 24 months.

MAYOR MASTERS: Good.

JOHN HURT: After that, you know, we are looking for -- to do family -- multi-family projects and also perhaps some home ownership, particularly for veterans. So that's the vision that the board has developed. That's who -- those are the kind of activities that we anticipate to be doing over the next two to five years. And we'll be seeking your support and cooperation in trying get it done.

MAYOR MASTERS: When -- when it comes to veterans, make sure that you also have a conversation with Kelly Morrison who works with our Office of Veterans Affairs in our office.

JOHN HURT: Okay.

MAYOR MASTERS: And she's with Housing almost every day, trying to get housing for veterans. So I'm sure -- I think Kelly is here -- would see you, uh -- Kelly, raise your hand. Make sure you see Kelly 'cause that's -- she sleeps and loves veterans and making sure the veterans get housing.

JOHN HURT: Absolutely. Absolutely.

MAYOR MASTERS: Thank you.

JOHN HURT: Thank you.

MAYOR MASTERS: Thank you, Madam Chair.

JOHN HURT: Any other questions?

CHAIRPERSON BROOKS: Um, I just want to make -- add a comment here.

COUNCILPERSON DAVIS: And I'm here.

CHAIRPERSON BROOKS: Oh, yeah. We had -- yeah, let the record show that Commissioner Davis is -- Councilwoman Davis is here. And we're so glad that you were able to -- to make it.

Mr. Hurt is -- is there going to be any plan for any kind of health unit or service within the

complex? And I tell you why I'm asking. Very recently, I met with a gentleman with Morgan Stanley. Morgan Stanley, the Kresge Foundation -- I think I'm saying that correctly -- and LSIC or --

COUNCILPERSON DAVIS: LISC. LISC.

CHAIRPERSON BROOKS: -- LISC.

JOHN HURT: LISC, yeah.

CHAIRPERSON BROOKS: That they have come up now with a \$100 million fund that they are going to -- they're looking for cities with low-income neighborhoods and they want to invest in these neighborhoods. And I didn't bring the information with me so I'm just kind of talking off the top of my head here. But they want the low-income housing to be connected with health care.

And I will bring that information to you and it might be worth a conversation with this gentleman. I took him on a tour. Tony and I took him on a tour of Riviera Beach, because he does City at the Table on behalf of Morgan Stanley. And if there's a city that he smiles upon, then we could have favor.

The other is, um, I received a proposal from two gentlemen who are interested in affordable housing for female veterans. And that, too, I will discuss with you. So these are things that I'm looking at, because partnerships are just so important. They're so critical to our development. So I will make you privy to that information.

JOHN HURT: Okay. Thank you, uh, Madam President. I would want to say that it's been my experience than in these senior facilities, that we have community and supportive services there. We're very early in the predevelopment phase now. But as we go forward, we will be looking for partnerships for supportive services within the building. That includes health care, diagnostics --

CHAIRPERSON BROOKS: Uh-huh.

JOHN HURT: -- recreational support. And so all of those kinds of things will come into play as we go forward.

CHAIRPERSON BROOKS: Good. Good. Very good. Any other questions, comments?

MAYOR MASTERS: I have one more question.

CHAIRPERSON BROOKS: Just wanted to let everybody get a chance to say something. Judy?

COUNCILPERSON DAVIS: Uh-uh. Go.

CHAIRPERSON BROOKS: Okay. Mayor?

MAYOR MASTERS: Yeah. Also with the seniors, will you also be -- have an outreach as it relates to the blind and people that may be physically disabled to live there, as well? 'Cause there's a great need for that in our --

JOHN HURT: Absolutely. The -- the --

MAYOR MASTERS: -- city.

JOHN HURT: -- the facility more -- more defined would be for age 62 years of age, handicapped and disabled.

MAYOR MASTERS: Okay.

JOHN HURT: Uh-huh.

MAYOR MASTERS: Thank you.

CHAIRPERSON BROOKS: Okay. Thank you so much for that wonderful presentation.

JOHN HURT: Okay. Thank you.

CHAIRPERSON BROOKS: You're welcome. All right. We'll get -- move now into our regular meeting. We have about 18 minutes before we'll get into Public Comments. Number 15, please.

CITY CLERK WARD: Resolution 2013, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving amendment 003 to the Disaster Recovery Initiative Program agreement between the City of Riviera Beach and Palm Beach County to define services and establish a budget for a rehabilitation consultant not to exceed \$105,000, authorizing Mayor and City Clerk to execute the agreement amendment and providing an effective date.

CHAIRPERSON BROOKS: Okay. We need a motion, please. Need a motion.

COUNCILPERSON DAVIS: So moved.

CHAIRPERSON BROOKS: Need a second.

COUNCILPERSON THOMAS: Uh, second.

CHAIRPERSON BROOKS: Okay. Let's pay attention. All right. Miss McKinney?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Good evening.

CHAIRPERSON BROOKS: Do we have anything on (Inaudible)?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Mary McKinney, Director of Community Development. And this is an amendment to the agreement that we have with Palm Beach to, um, provide for our Disaster Recovery Initiative Program. And this

amendment would allow the City to hire a consultant to assist in finalize -- finalizing the cases that we have open between now and June. The consultant's fee would be capped at \$105,000, which we have ample funding in the budget for that. And we think that it will allow us to complete at least of the 20 rehabilitations that we have left.

CHAIRPERSON BROOKS: If there are any questions, comments from the board?

COUNCILPERSON LOWE: Uh, yes.

CHAIRPERSON BROOKS: Mr. Lowe?

COUNCILPERSON LOWE: Well, a couple of months ago, a resident, Miss Coleman, contacted -- contacted us about her DRI situation.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

COUNCILPERSON LOWE: How soon are these folks going to be made whole? Because --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: The applicants that we still have that are open?

COUNCILPERSON LOWE: Yeah. I mean, they call me and, you know, I can't do anything to help them. And that's bad.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Well --

COUNCILPERSON LOWE: And I've been to this woman's house. You know, the roof on the inside is falling in, caving in. And, you know -- I engaged her around about November or October. But you know, she had to go through the holidays with -- living in those conditions.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON LOWE: And every time she calls me, I -- you know, I don't know what to tell her anymore.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I know. I totally understand and empathize. And the -- the --

COUNCILPERSON LOWE: Can you guys call the people that are currently on the list and follow up with them?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. And we -- we will. We'll call all of them. And we have been intermittently in touch with all of the applicants. It's a very, very, very complicated bureaucratic process. And when an applicant will submit one form or one piece of documentation, by the time they may get five more pieces, the first one has become out of date. It's -- it's complicated. It is frustrating.

We're all frustrated with the program.

But we really believe that bringing on a consultant group that has a lot of expertise and will be devoted totally to this program will assist us in getting through these applications.

COUNCILPERSON LOWE: Yeah. If we can contact the -- the folks that is on the list, then --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh. Yes. We can.

COUNCILPERSON LOWE: -- just kind of settle them down and --

CHAIRPERSON BROOKS: Uh-huh. Reassure them.

COUNCILPERSON LOWE: -- you know, address their expectations and reassure them that --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. We will.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON LOWE: -- we're still here and we're on the case.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. And -- and we have done that. And, um -- and we'll do it again.

COUNCILPERSON LOWE: Thank you.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

CHAIRPERSON BROOKS: Miss McKinney, how many people are on the list now?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Let's see. We're -- there are 35 that are done, being completed or ineligible out of the 85. So that leaves 50 left on the list.

CHAIRPERSON BROOKS: Okay.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: And some of them may be ineligible, too.

CHAIRPERSON BROOKS: Okay. I guess what some persons -- I don't know if it's a matter of the roofs are leaking -- I know some -- I don't know if we could get tarp or do we have that kind of fund to allow for --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We -- we do and we --

CHAIRPERSON BROOKS: -- maybe just placing tarp over --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. And we have -- right.

CHAIRPERSON BROOKS: -- their roofs?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We have done that with some of the -- with the ones that we knew that needed that kind of --

CHAIRPERSON BROOKS: So we do have monies in there for that?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes, we do.

CHAIRPERSON BROOKS: Okay. Okay. All right. Any further questions? If not we're ready for the vote.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: Number 16.

CITY CLERK WARD: Resolution 2013, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing Mayor and City Clerk to execute an agreement for rehabilitation consultant services between the City of Riviera Beach and Guardian Community Resource Management, Inc., in association with Disaster Recovery Initiative Program agreement allocating no more than \$5,000 per rehabilitation project not to exceed a total of 105,000 commencing February the 7, 2013, through June 15, 2013, and providing an effective date.

CHAIRPERSON BROOKS: Motion, please?

COUNCILPERSON LOWE: So moved.

CHAIRPERSON BROOKS: Second?

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Miss McKinney?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Yes. This is the contract with the consultant that would be -- we will engage for the Disaster Recovery Initiative Program. They came very, very highly recommended by other municipalities and counties that have utilized their services.

Their name is Guardian Group. One of the representatives is here there this evening. Um, I'll introduce you to him. His name is Antonio Jenkins, and he has already started going through the files and organizing and I -- I've already been impressed and amazed what he has done in one day.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. -- Mr. Thomas?

COUNCILPERSON THOMAS: Miss McKinney, I'm sure that you have picked a qualified company. I just want to know how did we go about doing this?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We went through our standard RFP process.

COUNCILPERSON THOMAS: Okay.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Responses --

COUNCILPERSON THOMAS: That's all I needed to hear.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Right.

CHAIRPERSON BROOKS: Okay. Any further questions? Let's call for the vote, please. Was there any card on this?

CITY CLERK WARD: No.

CHAIRPERSON BROOKS: Okay.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: Number 17, please.

CITY CLERK WARD: Resolution 2013, a resolution of the City Council -- Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing settlement in the matter of Riviera Beach Citizens' Task Force and Emma Bates versus the City of Riviera Beach, Dawn Pardo, Billie Brooks, Cedrick Thomas and Shelby Lowe in the official capacity as members of the City Council of the City of Riviera Beach, Palm Beach, Florida, case number 502011CA001501XXXMBAA, in the total amount of \$20,000, authorizing Gallagher Bassett to make payment on behalf of the City after receiving a general release and providing an effective date.

CHAIRPERSON BROOKS: Need a motion, please.

COUNCILPERSON DAVIS: So moved.

CHAIRPERSON BROOKS: Second, please? May I get a second on this? Pass the gavel so I can second it. I've passed the gavel so that I can second this motion.

CHAIR PRO-TEM PARDO: Okay. Properly moved and second. Madam Manager?

CITY CLERK WARD: There are Public Comment cards.

CHAIR PRO-TEM PARDO: Okay. I think she should give us a -- who's doing this?

CHAIRPERSON BROOKS: (Inaudible) or Legal.

CITY MANAGER JONES: Our legal expert.

CHAIR PRO-TEM PARDO: Okay. Miss Ryan?

CITY ATTORNEY RYAN: Um, Madam Chair, the first thing I want to say is that we neglected to add Judy Davis's name to the -- the name of the case style. So that should read all the council members and Judy Davis in their individual -- in their official

capacities.

This item is a request to settle a case for \$20,000. Although the amount is within the City Manager's authority, there was at least one councilperson who requested that we have a public discussion about this matter. And that is why it is on the agenda at this time.

CHAIR PRO-TEM PARDO: Okay. Before we hear from Council we'll go to the public. First Public Comment card, Mary Brabham, and then after Miss Brabham, Eddie Strick. Miss Brabham?

MARY BRABHAM: Good evening.

CHAIR PRO-TEM PARDO: Good evening, ma'am.

MARY BRABHAM: Mary Brabham, Riviera Beach Place. Um, on this particular item, I would like for you all to listen attentively. We are beginning to move forward. The past is the past. We have all been wrong in some aspects. But if we are deciding to move forward, it has been open wounds in this city here. Let's close these wounds. We are beginning to come together because a lot want you all to move forward.

Not saying who was right or who was wrong. It doesn't matter in this instance. It's not where we have been; but it is where we are going. Let's close these wounds so that we can move forward. Settle this agreement. You may have reservations but settle it. Let's move on. When the pages of history in this city is turned, residents, as well as far and near, will -- will read what has happened. Remember what I said. It doesn't matter where you've been but it matters where you're going. Because if you set the record straight, the history books will also reveal we made amends.

Because no man is perfect. Miss Brabham is not perfect. You are not perfect. We're willing to forgive each and every one. That's the love that we all should have. Let's settle this. Let's put it in the history books that whatever we have done, citizens, we do love you. Because you represent us. And we either make you or break us.

So let it be known, let it be said, we're moving forward. We have a lot at stake here at this city here. Last week or week before last we stood up here; we're working, playing, Viking. And we said we wanted to move on. Let's bite the bullets, because we all have been shot one time if it's not been by a bullet.

So let's move on. Please. Let's move on. Settle the things that we can settle and let's say to ourselves we ask for -- for forgiveness from you, them, from everyone. So our history will be with it that we corrected whatever that was wrong. Thank you.

CHAIR PRO-TEM PARDO: Thank you, Miss Brabham. Eddie Strick, and after him we have Carol Strick.

EDDIE STRICK: Hello. Eddie Strick.

CHAIR PRO-TEM PARDO: Good evening, sir.

EDDIE STRICK: Good evening. I have three main points that I want to make. I've been a member of the task force since the beginning. Um, the referendum should have been implemented from the start 'cause that was the will of the people. And if it was, all of this -- the rest of it wouldn't even have happened.

But if you do settle this case, there's still two major points that have to be addressed. Number one is that the taxpayers are footing the bill while private industries are profiting. And that's -- that's not right, what's going on.

And the third point is that the environmental costs are going to be -- the residents are going to pay a heavy price because when you put up a power plant and you do a port project and you have incinerators going up at Jog Road by the garbage dump, it's going to add up. And that's going to cause major health concerns to the people and to the planet. And so far, nobody's even discussed that. But that should be discussed. Thank you.

CHAIR PRO-TEM PARDO: Thank you, sir. Carol Strick.

CAROL STRICK: Hello.

CHAIR PRO-TEM PARDO: Good evening.

CAROL STRICK: Hi. My son kind of preempted me. But what I wanted to add was we were with Emma from the very beginning. Nobody in their right mind would even dare suggest and put Emma's name down to bargain away the referendum for \$20,000. Emma wouldn't have bargaining away this referendum for \$20 million.

Because she knew that this referendum was -- concerned the health of the people of Riviera Beach. She herself being victimized by all the industry here and certainly the environment in general. There are too many sick kids here. There are too many kids with asthma. The gall of anybody to suggest that Emma would bargain away this referendum is totally insane. That was the first thing I wanted to say.

The other thing I wanted to say was that we can't easily write off this referendum and say, Oh, come on, folks. Let's all be peace and happy together. This is concerning. This is the most utmost concern in the city, in the country, in the nation, in the world. It's the environment. The environment is eroding fast and the only thing we can do with it to try to salvage anything for our children and grandchildren is to slow down this and stop this insane building.

The other thing I wanted to say was you -- my son mentioned that you hadn't mentioned the fact that the task force -- the city council was supposed to have implemented the referendum. That should have been the law. But since it was ignored, there's some kind of talk about a meeting at Lonnie Lovett's house and we all knew that this referendum was going to be traded. I was at that meeting. The word referendum never came up, not one time. And I was listening very carefully.

So to say that these people whoever are supposed to have signed off for the task force, are they also signing off for the 10,000 people who voted for the referendum? What about them? 10,000 residents of Riviera Beach wanted this referendum to be the law and as of this moment, it is the law.

So as far as I'm concerned, this -- the conversation hasn't -- isn't even justified. It's not a legal conversation because you haven't addressed the main point of referendum from the beginning. So this really can't be written off and say, Okay. Vote yes or no. It's more than that. It's the health and the well-being and the ecological environment of this city. And actually, not just this city. Certainly where I live on Congress and 45th, I'm as vulnerable to being sick as anybody in Riviera Beach. Certainly the people in Lake Park are as vulnerable. This is a serious health hazard for all of us. And somebody has to rethink your priorities. It's not about money. It's about keeping the planet going. Thank you.

CHAIR PRO-TEM PARDO: Thank you, ma'am. Bessie Brown? And then after Miss Brown we have Fane Lozman.

BESSIE BROWN: Good afternoon. Bessie Brown.

CHAIR PRO-TEM PARDO: Good evening.

BESSIE BROWN: I -- I'm -- I'm here to ask you all not to settle this matter because the way the settlement has gotten to you was not proper. And I -- and -- and because of all the citizens that voted for referendum in November 2010. I would beg of you not to sign this settlement because it does not give them a voice at all.

CHAIR PRO-TEM PARDO: Thank you, ma'am. Fane Lozman and then Reverend Burrs.

FANE LOZMAN: Fane Lozman.

CHAIR PRO-TEM PARDO: Good evening.

FANE LOZMAN: Nice to see you all after a couple of years.

COUNCILPERSON DAVIS: Hi.

CHAIR PRO-TEM PARDO: Same here.

FANE LOZMAN: Um, the night the November referendum passed, November 2010, I guess that was, Emma Bates -- I was over at her house. And when it passed, we all jumped out and let out a big cheer. We thought that would be the end of it.

The referendum passed. People passed it. So be it. I know the Mayor and Councilperson Lowe felt that way. Because when the second referendum came up a few months later, they were like, "Wait a second. What's going on here?" Especially when it was pointed out that the signatures to put that on the ballot, there was

something improper about them and they were concerned about the integrity of those signatures.

Well, it turns out they were right. That those signatures were improper. It never should have gone on to the ballot. As a member of the task force who put in his time and his money, I have told the chairperson of the task force that there certainly can't be any settlement that's purely financial in nature.

The only settlement that I would agree to would be that the second referendum is void; it never happened. So if you want to void out the second referendum, that's one thing. But if you just want to say give \$20,000 to our attorney and that's going to settle this case, that's not going to happen as long as I'm around, if I have to intervene on behalf of this court file or whatever I have to do. That's not what Emma Bates wanted.

This case has been litigated for years to get rid of the second referendum. If you want to voluntarily get rid of it, fine. If you don't, it will continue through the court process, and the Court will say basically what Councilperson Lowe and the Mayor said where the second referendum improperly made it to the ballot.

So there should be no settlement unless you're going to agree to get rid of the second referendum. And if you don't, then it will proceed to trial one day.

AUDIENCE: Right.

CHAIR PRO-TEM PARDO: Thank you, sir. Reverend Burrs.

REVEREND BURRS: Madam Chair, Council, Reverend Burrs, President of Riviera Beach Citizens Task Force. I didn't anticipate all these people coming to speak on this issue. But they have their right to say what they please. But as the President of the task force, we're suggesting and saying under the terms of the agreement, I don't accept them and we'll not sign on the -- accept the -- the settlement. Thank you.

COUNCILPERSON THOMAS: Excuse me, Madam Chair?

CHAIR PRO-TEM PARDO: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: Um, Reverend Burrs, I didn't -- I didn't quite hear what you said. Would you -- would you repeat that, please? I didn't --

REVEREND BURRS: I said -- first of all, I said I didn't know all these -- the members were gonna come and speak their concerns on this settlement, which they has a right to, which they called me concerning this settlement, saying they don't agree with this settlement, when I read the terms of this settlement. Uh, I wasn't at the meeting last night because it's my church services. And -- and I don't agree with the terms of the settlement, as well. And we would not accept the terms of this settlement.

MAYOR MASTERS: Madam Chair?

COUNCILPERSON THOMAS: Okay.

MAYOR MASTERS: You are the President of the --

CHAIR PRO-TEM PARDO: Hold on. Hold on, Mayor. Mr. Thomas, are you going to say --

COUNCILPERSON THOMAS: Yes. No. Well, my issue is if we didn't ask for a settlement, a settlement was proposed to us, so I'm -- I'm not understanding how --

REVEREND BURRS: Well, Mr. Chairman -- Mr. -- Madam Chair?

COUNCILPERSON THOMAS: -- you know, so -- hold on just for one second, please.

CHAIR PRO-TEM PARDO: Hold on.

COUNCILPERSON THOMAS: Well, you know what? He had his time. Let me -- let me -- I thought you were finished with your time. I just wanted to hear -- but I don't want to interrupt you on your time.

REVEREND BURRS: Go ahead. Go ahead.

COUNCILPERSON THOMAS: I just want to make sure that -- that we understand this. This settlement was brought to this board. We didn't go out looking for a settlement. So you know, if all of the members or the -- the board and you're saying that you're the president or -- if you're not agreeing with the settlement, why do we even have it on the agenda, you know, to --

REVEREND BURRS: I didn't know it was on the agenda till last night.

AUDIENCE: Right.

CHAIR PRO-TEM PARDO: Okay.

COUNCILPERSON THOMAS: Okay.

REVEREND BURRS: I -- I didn't know it was on the agenda.

CHAIR PRO-TEM PARDO: All right. Thank you, Reverend Burrs. Mayor, did you have something?

MAYOR MASTERS: No. He -- he cleared it up. I just -- he was president. That's all I wanted to --

CHAIR PRO-TEM PARDO: Okay.

COUNCILPERSON DAVIS: Madam Chair?

MAYOR MASTERS: -- clear the --

CHAIR PRO-TEM PARDO: Miss Davis?

COUNCILPERSON DAVIS: Question. And I think -- this is to Miss Ryan -- do -- does the task force, um, have the -- the task force attorney, I'm assuming, does he have the right to bring this forward or --

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON DAVIS: -- does the task force themselves have to bring it?

CITY ATTORNEY RYAN: Madam Chair, on January 11th, 2013, I received a letter -- Rick Girollam [phonetic], who's also the City's outside of counsel, and I both received a letter that is four pages long from, um, the attorney for the task force, Mr. DeGraffenreidt, which starts out, "Please be advised that my client has authorized me to offer to settle the pending suit between the parties for the sum of \$25,000."

COUNCILPERSON DAVIS: And who was --

CITY ATTORNEY RYAN: I received that letter. When an attorney sends a letter on behalf of their client, which is the ordinary course --

COUNCILPERSON DAVIS: Uh-huh.

CITY ATTORNEY RYAN: -- then we proceed. After that time I sent the council a memorandum which I'm -- I'm required to have some contact with you to, um, advise you of settlement offers.

I sent you a, um -- a confidential memo about the case, letting you know that it was set for summary judgment in the middle of February. And I surmised that because of that, that they were coming to the table to settle the matter with the City.

Our outside council reached out to Mr. DeGraffenreidt. I spoke with staff members about this, and we -- we -- he had conversations with them about lowering the amount. And Mr. DeGraffenreidt write -- wrote a second letter on January 24th stating that, um, he would -- that he was changing his offer from \$25,000 to \$20,000. Again, I have an obligation to present that to my -- my council.

And I spoke with you about it. I let you know that it was in the manager's authority and that she could sign on behalf of the City. However, I had one councilperson -- I would say request but really insist that it be placed on the agenda, and that's why it's on the agenda.

As late as today, Mr. Girollam was contacted by Mr. DeGraffenreidt who said that, um, he was fully advised of the fact that it was on this agenda. He was given a copy of the resolution. And it was my understanding that the task force was aware of this and certainly gave authority to their attorney to offer to settle. We have -- we --

COUNCILPERSON DAVIS: Is -- is -- is Mr. DeGraffenreidt here?

CITY ATTORNEY RYAN: I have no idea. I don't know if Mr. DeGraffenreidt's here.

COUNCILPERSON DAVIS: Because he needs to clear it up.

REVEREND BURRS: Madam Chair?

COUNCILPERSON DAVIS: Okay. But, um --

CHAIR PRO-TEM PARDO: Um, Reverend Burrs, hold on. Is Mr. DeGraffenreidt outside?

CITY ATTORNEY RYAN: But I -- I really just wanted to clear that up for the record.

COUNCILPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: That the only reason this is on the agenda is because --

CHAIR PRO-TEM PARDO: I asked for it.

CITY ATTORNEY RYAN: -- a councilperson -- well, you all didn't know that each of you asked for it, but at least one councilperson asked that it be placed on the agenda. If we -- look, the City is fully prepared to move forward with the -- the cross motions for summary judgment. I pointed that out in the agenda item. Um, this matter will be heard by Judge Kelley on the 18th or the 19th and we're fully prepared to move forward.

So if the task force does not want to settle, this item can be withdrawn. It's --

CHAIR PRO-TEM PARDO: Okay. Anything more from the council?

CITY MANAGER JONES: Do we have any more comment cards.

CHAIR PRO-TEM PARDO: Reverend Burrs, please sit down. We heard from you.

REVEREND BURRS: Okay. I'm through with this.

CHAIRPERSON BROOKS: Any other comment cards?

CHAIR PRO-TEM PARDO: No. We're good. Anything more from the council?

CHAIRPERSON BROOKS: Well, I just really wanted to get the advice of Legal --

MAYOR MASTERS: Well -- right.

CHAIRPERSON BROOKS: -- as to how -- how to go forward. We -- we've got some -- I assume that the attorney was acting on behalf of his clients. And that's all we have to go on. And we put it on the agenda to approve it or disapprove it.

COUNCILPERSON LOWE: Madam Chair?

CHAIR PRO-TEM PARDO: Wait, hold on. Are you done, Miss Brooks?

CHAIRPERSON BROOKS: Well, I just want to know from -- from Legal, what are you - what are you saying here about moving forward with going to trial? You know, just what are we doing? Do we accept -- are we bound -- well, I guess you'd bring it to us to bring it --

CITY ATTORNEY RYAN: Correct.

CHAIRPERSON BROOKS: -- here to us for us to make a decision as to whether or not we want to accept the attorney's recommendation. I guess what's somewhat confusing is that they've had an attorney, and I would assume that the attorney is advising his clients --

AUDIENCE: No.

CHAIRPERSON BROOKS: -- of his position? I -- that's just an assumption. I just thought that's how things worked, that attorneys and clients have conversation with each other.

COUNCILPERSON DAVIS: But being that Miss Bates was the president, is there another official person who is the --

CITY ATTORNEY RYAN: I'm gonna ask Mr. Girollam if he wants to speak on it. He has had conversation -- I've not spoken with Mr. DeGraffenreidt directly. Mr. Girollam has spoken with him. He's the attorney who's handling the case. And we are certainly surprised about this. We are surprised.

RICK GIROLLAM: Good evening, everyone.

COUNCILPERSON DAVIS: Good evening.

RICK GIROLLAM: Nice -- nice to see you. Um, this -- these developments that we've heard throughout the course of tonight are catching me quite off guard. As a matter of fact, this afternoon I confirmed with Mr. DeGraffenreidt that -- whether or not we should move forward, if everything was in order, if anything -- if we were to address anything.

Mr. DeGraffenreidt, on his correspondence, the offer was originally open through January -- excuse me, through February 1st. However, when we -- when we informed him the first public meeting was February 6th, he extended the offer open through February 8th. I expected him to be here tonight. He, in fact -- I had a conversation directly with him asking or pretty much asking if he intended to attend this evening, being that his settlement offer that he conveyed to the City was going to be placed on the agenda and discussed.

He advised me that he would absolutely be here. I'm -- I'm perplexed as to why he's not, although based upon the comments we've heard, I think I have a fair idea. Um, with -- with regard to being prepared to go to hearing, we are -- we are back up on the

week of February 19th. How the courts work is you get set. Courts generally book like airlines on a holiday weekend. You get double and triple booked. And if those in front of you settle or get taken care of, you get called up. We're ready to go. The -- this is a summary judgment proceeding, which means that all the issues are legal in -- in basis. All the evidence that the court needs to determine it has already been submitted. It's simply argument. And we are ready to go.

CHAIR PRO-TEM PARDO: Okay. Thank you.

COUNCILPERSON DAVIS: I'd like to know who (Inaudible).

CHAIR PRO-TEM PARDO: And let me say something. This is exactly --

COUNCILPERSON LOWE: Can I say something? I -- I asked for the chair --

CHAIR PRO-TEM PARDO: -- this is exact -- yeah, I'm the chair.

COUNCILPERSON LOWE: Oh. We don't get --

CHAIR PRO-TEM PARDO: This is exactly why I had asked for this item to be on the agenda. I wanted to hear from the task force members. I wanted to hear from the public if everyone was ready to move forward. The message that we got tonight was, We are not ready to move forward, and we need to have a court decide who is right.

If we -- my feeling is if we settle this suit tonight, there will be another suit tomorrow. All right? So my opinion is it's out in the open now. We -- you know, everyone knows about this settlement that Mr. DeGraffenreidt brought forward and now let's just go to court. We'll know in a week or so, you know, who is going to move forward, what plan is going to move forward. So I'm -- I'm very happy that everyone came out tonight. We heard it from the task force. And we'll move forward. Mr. Lowe?

CHAIRPERSON BROOKS: Was there another card that we missed?

WARRIE LEONARD: No, you did not miss them but I need to say something. I'm the vice chair of the task force.

COUNCILPERSON DAVIS: Oh.

WARRIE LEONARD: I would like to speak for one minute, please.

CHAIR PRO-TEM PARDO: Okay. Please come up.

WARRIE LEONARD: Warrie Leonard, 1901 W. 23rd Street, vice chair of the Citizen Task Force. It seem that everybody's trying to look at Mr. DeGraffenreidt as not being a vital person for our task force.

I'm here to set that straight. We did the (Inaudible). So I'm going to straighten that out now. We met as late as last night and we agreed to settle. Now, in between that time,

stuff has come up and they have changed their mind.

But I don't want to defame Attorney DeGraffenreidt and let anybody say that he's going against the task force or any -- or any client that he represent. I just have to get it out. Now, if we as a task force changed our mind, say we changed our mind. Don't defame anybody.

COUNCILPERSON DAVIS: Thank you.

CHAIR PRO-TEM PARDO: Thank you, ma'am. Okay. Mr. Lowe?

COUNCILPERSON DAVIS: I -- oh.

COUNCILPERSON LOWE: Yes.

CHAIRPERSON BROOKS: Mr. Lowe's next. Oh, all right.

COUNCILPERSON LOWE: I just wanted to remind folks that the attorney works for the task force. Just like our attorney works for us. And it's the task force decision, not the attorney's decision, to decide whether to go -- go forward with this or not. Evidently there's some uncertainty, but even if we say yes, we want to settle, it takes two parties to settle. So I mean, we're just talking a lot about nothing.

CHAIR PRO-TEM PARDO: That's right.

COUNCILPERSON LOWE: We can go ahead and move on and say -- either we say we're going to settle and approve it or just move on.

CHAIR PRO-TEM PARDO: Uh-huh.

COUNCILPERSON DAVIS: Madam Chair?

CHAIR PRO-TEM PARDO: Yes, Miss Davis. Hold on a sec.

COUNCILPERSON LOWE: 'Cause even if we say yes, doesn't mean they have to say yes. It's a mutual agreement. That's the definition of a settlement. So --

CHAIR PRO-TEM PARDO: Okay.

COUNCILPERSON DAVIS: Madam Chair?

CHAIR PRO-TEM PARDO: Councilwoman Davis?

COUNCILPERSON DAVIS: Yeah. I -- I heard Miss Leonard say she is the vase chair. But I think what we need is to see the structure of the task force, who -- who exactly is the president.

AUDIENCE: Reverend Burrs.

COUNCILPERSON DAVIS: Reverend Burrs. And, um -- and if it -- I don't know how many members are there but I think probably it needs to -- we need to maybe table it until the task force either votes or whatever and bring us back that vote that will dictate, you know, the forward movement that we need to make. Because I -- I mean, it's -- it's - - it's -- this is --

CHAIRPERSON BROOKS: Madam Chair?

COUNCILPERSON DAVIS: -- we don't have another meeting --

CHAIRPERSON BROOKS: Oh, is anybody --

COUNCILPERSON DAVIS: -- before the 19th anyway but --

CHAIRPERSON BROOKS: -- else is --

CHAIR PRO-TEM PARDO: Right.

COUNCILPERSON DAVIS: -- you know, I -- I --

AUDIENCE: Can I just say one thing?

CHAIR PRO-TEM PARDO: No. Hold on, please.

COUNCILPERSON DAVIS: -- I just think that what Miss Leonard said --

CHAIRPERSON BROOKS: Madam --

COUNCILPERSON DAVIS: -- would -- had -- carried some weight, as far as I was concerned. If that is actually, you know, what happened, I mean, somebody -- this needs to be straightened out.

CHAIR PRO-TEM PARDO: Right.

COUNCILPERSON DAVIS: You know, we're only going on what we had presented to us, you know? And I mean, if that was what was said by the group or majority of the group and, you know -- I would understand Mr. DeGraffenreidt wants to be paid and -- and I -- I'm not sure exactly what we need to do right now. Table it until the next meeting, perhaps.

COUNCILPERSON THOMAS: Madam Chair?

CHAIR PRO-TEM PARDO: All right, wait. Hold on. Miss Brooks?

CHAIRPERSON BROOKS: Yes, I was -- I'm -- I'm really feeling like I'm between a rock and a hard place because I've been in conversation with, um, you know, some of the members of the task force and I thought that it was evident that they really wanted to settle.

So it was just a bit of a surprise for me tonight to hear -- and I'm certainly listening --

COUNCILPERSON DAVIS: Uh-huh.

CHAIRPERSON BROOKS: -- and being sensitive to what -- what they're saying. But it's just a little bit surprising because now we're hearing that, well, they don't want to settle. And it seem like this was something that we were driven, Please let's settle. Let's get it behind us and move forward.

And now, you know, so how much do we get involved with matters between the -- the -- the --

COUNCILPERSON DAVIS: Yeah. That's between them.

CHAIRPERSON BROOKS: -- the -- the lawyer and the client?

COUNCILPERSON DAVIS: Right.

CHAIRPERSON BROOKS: I mean, our lawyers have been negotiating with DeGraffenreidt and we're here tonight really to, you know -- to act upon what the attorneys have agreed. You know, this could go on forever, going back to the attorney and the meeting with -- meeting with the task force. It's just a very difficult situation that we're in.

COUNCILPERSON DAVIS: Uh-huh.

CHAIRPERSON BROOKS: And I -- I really want to do what is right. So I'd just listen to all of my colleagues here and see what kind of --

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: -- consensus we can come to.

CHAIR PRO-TEM PARDO: Right. Mr. Thomas?

COUNCILPERSON THOMAS: Yes. Um, well, first, I understand what's been said here tonight. And technically, you know, I just don't, you know -- if it's attorney/client -- well, attorney/client, if you retain an attorney, um, you know, I don't think that we should be discussing it back and forth. We've heard their views on it. Um, and we should -- if -- if they don't want to do it, um, I've heard Miss Leonard, which I'm glad she did get up and say that they did give permission for this to be on the agenda. So I understand that part.

If they changed their mind, they have a right to change their minds. And if several members of the task force just got up and said, "Listen, we don't want this --" I heard one member of the task force say that -- that he would be willing to even file some type of order or whatever he wants to do to preserve the -- the right for -- for them to have this.

You know, I just think that, you know, moving forward at this point, you know, would -- would not be advisable. So I mean --

CHAIR PRO-TEM PARDO: Uh-huh.

COUNCILPERSON THOMAS: -- is it -- you know, if -- if you want to table it or let it fail or however you want to do it --

CHAIR PRO-TEM PARDO: Right.

COUNCILPERSON THOMAS: -- I just think at this point, you know, debating it back and forth is -- is probably going to be a moot issue.

CHAIR PRO-TEM PARDO: Correct. And if we table it, the -- we go to court next week and we don't have a meeting again till next month. So tabling it really isn't going to do anything. I suggest we either vote it up or vote it down. Okay? We -- everyone had their say.

MAYOR MASTERS: No, I --

CHAIR PRO-TEM PARDO: Madam Clerk?

MAYOR MASTERS: Madam Chair?

CHAIR PRO-TEM PARDO: I'm sorry. Mayor, you have something? And then we'll go to the vote.

MAYOR MASTERS: Yeah, Reverend Burrs, I need to ask you something, please. Reverend? Yes. This is easy for me because, um, lawyers know that things can change at any minute. You know, people go out and decide they -- they want a new lawyer or they decide they don't want that motion. They decide to settle or unsettle. Change -- things happen in -- in -- in a legal thing that can change any minute.

My question is for you. As the president of the task force, are you saying that the attorney that did the agreement no longer represents the task force?

REVEREND BURRS: No, I didn't say that.

MAYOR MASTERS: Well, that's what I'm asking.

REVEREND BURRS: No. What -- what -- didn't -- I didn't finish my three minutes before, but my comments is this, I'm not -- the price that Mr. DeGraffenreidt wanted --

CITY CLERK WARD: Reverend Burrs?

REVEREND BURRS: -- that he had as -- as Miss Leonard pointed out --

CITY CLERK WARD: Reverend Burrs, we can't hear you.

REVEREND BURRS: Okay. As the -- as the -- the comments that Miss Warrie Leonard pointed out, Andy has represented this organization well. My only concern was that when I read the document, some of the contents of the document that I don't agree with. Not the whole settlement. There's some contents in the agreement that I don't agree with.

MAYOR MASTERS: So my --

REVEREND BURRS: we -- and somebody come in saying that who was -- we wasn't wrong.

MAYOR MASTERS: Right.

REVEREND BURRS: This -- this -- this agreement sounded like we was wrong. And we're not.

MAYOR MASTERS: So let me ask you. Let me ask you this.

REVEREND BURRS: We did -- we did --

MAYOR MASTERS: I'm sorry.

REVEREND BURRS: -- we did discuss with the -- with the -- with the attorney sometime ago, 'cause the City Manager was trying to get a settlement. But they wouldn't listen to us at that particular time. They listened to us at this particular time we wouldn't be standing here now.

MAYOR MASTERS: Well, as you know, you have a very good attorney who I -- who I have much respect for. But this is what I need to get in my mind. As the president of the task force, are you asking this council to vote this down and throw it out and see you in court?

REVEREND BURRS: If that's what they decide to do. But my thing is if they want to look at this in content and change some of the words of this content, I would agree with that, really. But I don't agree with all the contents of this agreement.

MAYOR MASTERS: So you're -- so you're against the settlement?

REVEREND BURRS: Yes and no. If you understand what I'm trying to say.

MAYOR MASTERS: Okay.

COUNCILPERSON DAVIS: Madam Chair, I withdraw my motion.

MAYOR MASTERS: Hold on. Hold on. Hold on. Hold on. I'm speaking.

REVEREND BURRS: I'm -- I'm making it clear that there's some contents in the agreement that I don't agree with. It's not I disagree with all the -- the settlements. There's some contents in this settlement that I don't agree with.

MAYOR MASTERS: Okay. Okay. I understand. I get it. Madam Chair, I --

REVEREND BURRS: That's all, if I'm --

MAYOR MASTERS: -- I, um -- I feel because it -- it is -- the members and the president have some reservations and some thoughts about some things that they don't agree with, I would ask the -- the council to vote it down.

REVEREND BURRS: Thank you.

COUNCILPERSON DAVIS: Madam Chair, I withdraw my motion.

CHAIR PRO-TEM PARDO: Okay.

CHAIRPERSON BROOKS: And I withdraw my second.

CHAIR PRO-TEM PARDO: Okay. That's fine. No new motions on the floor? Okay. This motion failed. We will move on. Um, at this time -- what time do we do Public Comments?

CHAIRPERSON BROOKS: Public Comments now.

COUNCILPERSON DAVIS: Now.

CHAIR PRO-TEM PARDO: All right. We will start --

CHAIRPERSON BROOKS: Yeah.

CHAIR PRO-TEM PARDO: -- Public Comment and I will give the gavel back to Miss Brooks.

CHAIRPERSON BROOKS: Thank you.

CHAIR PRO-TEM PARDO: Thank you.

CHAIRPERSON BROOKS: Okay. All right. We will begin now with our Public Comments section. And each person is allowed three minutes. The first person to come up is Richard Wester. Please let's have it quiet. If you need to make conversation, might need to go outside the chambers. Richard Wester and after Wester --

RICHARD WESTER: Okay. On the way.

CHAIRPERSON BROOKS: Okay, honey. I see you -- Reverend Burrs.

RICHARD WESTER: Good evening.

COUNCILPERSON DAVIS: Good evening.

RICHARD WESTER: Richard Wester, 331 W. 23rd Street, Riviera Beach. I was born and raised in this town when it was majority white. I served through -- this community well, grew up here in the '40s, '50s and '60s.

I had to wait until I came to this city, retire, for a city councilman to call me a nigger. I was born -- I was -- been here 67 years. Came to this city. Not -- not one white person in the history of this town ever called me a nigger. Never. And a city councilman here wants to be our mayor called me a nigger. I was appalled when that happened.

Mayor Masters was standing right there next to me when Councilman Shelby Lowe called me a nigger. Mayor looked around and the other young lady there -- I can't think of her name, but she was standing there, too. And she told me, said, "Chief, don't say nothing." And I didn't. And he walked off, said, "Niggers like you, why we don't have nothing today. It ain't nothing but a bunch of nigger shit." Now, I'm telling you what --

CHAIRPERSON BROOKS: Watch the profanity.

RICHARD WESTER: -- listen, I'm telling you what Lowe told me. So don't try to shut me up. And don't raise your hands at me. 'Cause nobody raised their hand at him. I'm just letting the taxpayers and you all know what was said out there. And if you think I'm lying, catch the Mayor in the corner and ask him. He'll tell you. I know why he don't want to tell you, 'cause he's running against him.

And then he had the young man come up and tell him, "Have some shirts printed up, say Nigger Please." And that was, uh -- running for City Council -- Terence Davis. That's what he told him. "Have some shirts printed up with Nigger Please on it." Now, that's what this city council has come to. I done sent about as -- as many e-mails I can -- can send out. I'm going to send some to the White House and the governors next about Councilman Shelby Lowe and what his comments were to me. Thank you.

CHAIRPERSON BROOKS: Okay, Mr. Wester. We're really sorry that you were offended. Reverend Burrs. And after Reverend Burrs we have Fane Lozman. Is Reverend Burrs -- okay. Fane Lozman.

MAYOR MASTERS: I think I heard him.

CHAIRPERSON BROOKS: If he comes in I'll -- I'll call him back.

COUNCILPERSON LOWE: (Inaudible) tape showing out here.

CHAIRPERSON BROOKS: (Inaudible). It goes from bad to worse.

FANE LOZMAN: Fane Lozman. It's important that this council understand what's fact and what's fiction.

CHAIRPERSON BROOKS: Wester, please. Let's respect the process.

FANE LOZMAN: What's fact --

RICHARD WESTER: You don't know me. You don't know nothing about me.

CHAIRPERSON BROOKS: Officer?

FANE LOZMAN: I'd like 10 seconds added to my time.

RICHARD WESTER: (Inaudible).

CHAIRPERSON BROOKS: Just a minute, Mr. Lowe [sic]. I'll give you your three minutes. Let's set the time back so Mr. Lozman has his three minutes. Okay. Okay, Mr. Lozman.

FANE LOZMAN: It's important for the people of Riviera Beach and for the elected officials to understand what's fact and what's fiction. Now, some of that facts you're aware of and some of the fiction has filtered down through your in-house lawyer and lawyers that the City has hired. April 1st, 2009, I gave a rent check to the City for my slip rental at the marina. On April 1st, 2009, the City turned my electricity off. They broke the law and conducted a self-help eviction.

April 17th, the City sent my rent check back to me. On April 17th, Judge Peter Evans gave a court order to the City to turn my electric back on. The City did not comply. The City instead went April 20th to a federal judge and said, "Oh, Fane hasn't paid his electricity -- hasn't paid his slip rental." We have a maritime lien on a floating home, which the City had already argued in a state eviction case that came under landlord/tenant law. The judge signed the writ of arrest.

When we went to a hearing a few days later and the judge realized that a fast one had been pulled on him, he was this close to saying, "Take that back to state court." But he said, "Well, you know, I want to send it back," but he was, like, that close saying, "Let's - - I -- I can't make that decision at this hearing. We're going to have to have some briefing." And he thought there's no way the City would brief this case through the district court process.

Well, they did. And I briefed it, also. And the judge and I, we didn't really get along so it wasn't a surprise that 10 months later I lost that case. After I lost I said, "I will put up the maritime lien. Give me my home back." The City said no. They fought that. I went to the appellate court and said, "Give me my home back." The City fought that. I lost that. And here is a critical point for you all to understand.

A credit bid. The Court says, you know, "You've kept -- you spent all this money on storage costs and towing costs. I'm going to give you that credit if you want to go to the auction to buy Mr. Lozman's home. You don't have to go to the auction but if you want to buy it, you can." The City went to the auction. Somebody here made a decision to go to the auction and outbid the public that attended.

I did not register to bid. Okay? A member of the public went there and bid \$4,000. He wanted this home for his family and his children. The City's outside council from Tampa bid \$4,100, so therefore, the City forewent the \$4,000 so that they could have the

vindictive pleasure of destroying my home for \$6,900. Okay? Therefore, I was damaged. I didn't have my home anymore.

I had the legal right to appeal this to the 11th Circuit Court of Appeals, which I did. Ultimately it went to the U.S. Supreme Court. I won. Now, I have to be made whole because of the malice and bad faith that occurred here. My attorney's fees per case law are going to have to be paid back to me and an evaluation of my home is going to have to come back. So remember what the whole credit bid process is about.

CHAIRPERSON BROOKS: Can you kind of wind it up 'cause your time is up. Okay, Mr. Lozman. Thank you. Um, did Reverend Burrs come back into the chambers?

AUDIENCE: He said forget about it.

CHAIRPERSON BROOKS: Okay. All right. Mike Mahoney? And following that will be Emma Brown.

MIKE MAHONEY: Good evening, Council. Mike Mahoney. 2120 -- 2120 Broadway.

CHAIR PRO-TEM PARDO: Evening.

MIKE MAHONEY: I didn't know the City hired another attorney, Mr. Gerolan [phonetic], on these matters. I -- I guess we need it 'cause the attorney we got can't do the job, apparently. I -- I think you'd be better off hiring a firm that could do it, do the total package. But that's not why I came up here.

You guys remember me coming in here many times talking about the street lights on U.S. 1. I finally found out what the issue was today because of myself. I can't credit any of you guys for doing anything unless one of you guys want to speak up in your defense. My council member Judy Davis -- you know, I was hoping as my council member, she would have taken this and ran with it. But just for the record, I called FP&L in the last month three times and had a case number.

I called back yesterday and was bitching at them on the phone, demanding an investigation on why these lights are going out so frequently. I live in North Palm Beach. Those lights never go off in North Palm Beach. You guys are being treated -- I don't know, as second class, or the equipment in this City is crappy or whatever the deal is, but as is -- as a business owner, when you've gotta go outside your business three times in a month, you know, for a week at a time, that's unacceptable.

So anyways, the FP&L guy came out there today and found out what the problem was. But it wouldn't have happened if I don't do my diligence. So I'm asking somebody up there to do something. You know, and this is just another example why this City's getting in all these problems. It's a little incident like this. Somebody should have taken it and done their work like I did.

Simple phone calls demanding somebody to come out and investigate the problem and the problem was resolved. So at -- the same things going on with the attorneys and

everything else in this city, what I can see. These issues with Fane Lozman, with myself, with the task force, should never be going this far 'cause the taxpayers are wasting hundreds of thousands of dollars, probably millions by the time this is over with. So I think you guys need to consider your -- your Legal that you have working for you 'cause -- and your city council members, that you guys need to do your job and keep people like me and other people from coming up here and reminding you of that. It's a simple solution. But you guys aren't resolving the issues. You're just letting the courts do it. And that's not fair for the taxpayers.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis?

COUNCILPERSON DAVIS: Just a quick comment. Um, I am the representative for the area in which Mr. Mahoney speaks of. I have called FP&L, contacted FP&L. And just because it doesn't get done right away does not mean that the issue is being worked on. And it just so happened that maybe when you made the phone call, you know, they were ready to come out and fix the problem.

So, you know, I -- if I tell you that I've made the call, it's not going to make any difference to you, Mr. Mahoney because --

MIKE MAHONEY: That's not what (Inaudible).

COUNCILPERSON DAVIS: -- I'm -- I'm -- I don't need you to come up and talk.

CHAIRPERSON BROOKS: Mr. Mahoney?

MIKE MAHONEY: (Inaudible).

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON DAVIS: Because whatever I say makes no difference to you. So, you know, the -- the issue was taken care of a long time ago.

CHAIRPERSON BROOKS: Okay. We next have three persons who wish to come and speak. Emma Brown, Ida Irving and Madeline Irving.

MAYOR MASTERS: Madam -- Madam Chair, while they're coming, I think the process, if there's a problem with a resident, FPL, street lights, I think they're supposed to be directed to the manager. Council people will -- you know, we just do policy but the city manager is responsible for the day-to-day operation of the city. So for those residents out there who have those problems, in the future, it should be directed to the manager's office. Thank you.

CHAIRPERSON BROOKS: Thank you for that comment, Mayor. All right. So you all want to --

EMMA BROWN: Uh, good evening.

CHAIR PRO-TEM PARDO: Good evening.

EMMA BROWN: My name is Emma Brown, 1647 W. Ninth Street, Riviera Beach, and I'm here with a few of my other neighbors, residents of Ninth Street. And we're all here because on January the 25th, we received certified letters from -- from Ranger Construction Industries from a project manager by the name of Tony Grout [phonetic] reference State Road 710/Beeline Highway/Martin Luther King Boulevard, same street.

The letter informed us that our fences falls within the FDOT right-of-way and is in conflict with the -- the proposed improvements in the area and that we must make arrangements to have the fence removed prior to February the 6th, 2013, today, or they will be removed by them.

I don't understand this because prior to us having fences placed around our house, we had to come to City Hall to get permits.

CHAIRPERSON BROOKS: Uh-huh.

EMMA BROWN: So for them to say that we are in conflict with FDOT, that we're on their property, we don't understand that. We all have permits to have our fences in our back yards. And not only that, prior to them building this road in the back of our houses, at one point there were new houses all built in the back of our houses. But I think maybe due to the eminent domain, those houses were destroyed. And I don't know if that time land was sold to FDOT but now they're telling us that part of our land belongs to them. And they're going to remove our fences and take another five foot of our land for easement.

CHAIRPERSON BROOKS: Miss Brown, um, who -- who's the person who signed that letter?

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Who sent that letter to you, Miss Brown?

COUNCILPERSON THOMAS: Madam --

EMMA BROWN: Uh, Tony Grout.

COUNCILPERSON THOMAS: -- Madam Chair?

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON THOMAS: Let me add some clarity to that.

EMMA BROWN: Project Manager Tony Grout.

CHAIRPERSON BROOKS: Hold on just one minute. Okay. Sir, I'll give it to you

'cause that's in your district.

EMMA BROWN: Huh?

CHAIRPERSON BROOKS: Miss -- okay. Mr. --

COUNCILPERSON THOMAS: Let me -- let me -- let me, um -- let me just add some --

CHAIRPERSON BROOKS: -- Councilman Thomas will comment here.

COUNCILPERSON THOMAS: -- clarity. I received that same letter that was sent by Ranger Construction. I immediately contacted Miss Ryan and Miss McKinney.

AUDIENCE: (Inaudible) speak up.

COUNCILPERSON THOMAS: I'm sorry. I'm definitely trying to --

CHAIRPERSON BROOKS: Is his microphone working? It's --

COUNCILPERSON THOMAS: -- it -- it must not -- my mike --

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIR PRO-TEM PARDO: Everything's low tonight.

CHAIRPERSON BROOKS: Everything here -- the volume is very low on all of these mikes.

COUNCILPERSON THOMAS: Testing. Testing, testing.

MAYOR MASTERS: We're about to get a whole new system (Inaudible). Things are falling apart.

COUNCILPERSON THOMAS: I received that same -- yeah, I'm pushing all the way off. I received that same letter and I, too, was -- I was a little bit bothered by it 'cause I don't actually -- and we'll give you another minute if you need the time.

CHAIRPERSON BROOKS: Oh, yeah. There's three of them so they're entitled to nine.

COUNCILPERSON THOMAS: Because I -- I received that letter and I don't have a fence in the back of my -- my yard.

EMMA BROWN: Yeah. I'm aware of that.

COUNCILPERSON THOMAS: So you know, I -- I told the attorney that I thought that this might be something generic. There are a chain of correspondences that have been going back and forth between our Community Development, our attorney and Ranger Construction. I don't exactly know about the additional five feet or a letter that you may have received about the additional five feet.

EMMA BROWN: Yeah. We received these schematics. I'm pretty good with schematics thanks to IBM 'cause I had to do some work in there. These schematics here show where --

COUNCILPERSON THOMAS: I -- okay. I just wanna -- I just wanna just finish telling you where we are with the --

EMMA BROWN: Okay.

COUNCILPERSON THOMAS: -- with that process. The right-of-way that they're claiming that they have, I have -- we have no way to say whether they do or not. If you have a deed that says it's your property, then it's your particular property. Um, I'm not sure that their assessment is correct. We did discuss about the fence. If the fence is in their right-of-way, then they have the right to utilize or to -- to -- to have that removed.

It's no way that we would know unless you have a deed that says that you're in the right-of-way and that's something that has to be addressed individually. The people who fence will be taken, they will replace the fence after they're finished with whatever part of that right-of-way that they're using. It will be a --

UNIDENTIFIED SPEAKER: (Inaudible).

COUNCILPERSON THOMAS: -- right. And I'm getting to that part, as well. I know that some individuals have wood fences and I've asked about that. They're saying that the Ranger Construction -- is Miss McKinney here?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I'm right here.

COUNCILPERSON THOMAS: Would you just step aside just one minute? Let me just make sure because it's a -- it's a lot of individuals. They're -- they're saying that it's going to be a -- a regular chain-link fence that they're going to put back and I don't know what -- what correspondence that the residents can have to give. So if you can shed a little bit more light on what we've been working on with that, it would be helpful.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I've spoken to the Ranger Construction representative and I've attempted to speak -- speak to the D.O.T. project manager but he's been on vacation. He won't be back until, I believe, Monday.

I told them that we need -- if they -- D.O.T. plans to replace the fences that are on their right-of-way and they have surveys. So if you have a survey that contradicts theirs, I -- it -- it would be --

EMMA BROWN: I have a deed to the house and also have --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay. Right. Well --

EMMA BROWN: -- my permits.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I'll get your name after this and we'll --

EMMA BROWN: (Inaudible).

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- I'll be able to contact you and I'll set up a meeting with them.

EMMA BROWN: What is your -- what is -- what is your --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I'll get their name and I'll set up a meeting with them in my office.

EMMA BROWN: What is your responsibility? I mean, what is your --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I work for the City of Riviera Beach and I've been trying to find the information that's been going back and forth between the Ranger Construction and the residents.

And right now D.O.T. is saying that they're going to replace the fences with a chain-link - vinyl-clad chain-link fence along their -- their property, their right-of-way line with the private property line. One of the things that I had asked for and -- because the project manager's not available right now -- is that at the very minimum they put vegetation along the chain-link fence to act as a screen between the residents and any of the public right-of-way.

COUNCILPERSON THOMAS: Right. Miss -- Miss McKinney, what I -- I -- because what I'm believing that most of the residents are having -- and I want to know what the City can do in this case and maybe it should be addressed toward Miss Ryan, as well. If they -- if the residents believe that they put your fence on their own property --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON THOMAS: -- then it's not a right-of-way issue unless they pay the resident to take whatever property that they're now claiming that's right-of-way. And you know, I'm not sure that everyone in that area is allowed or -- or has the financial capacity to retain their own attorney to fight that issue. What I want to know, is there something that we can do to immediately get some clarity there as just a city saying, Wait a minute.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Uh-huh.

COUNCILPERSON THOMAS: Don't just come in here thinking that you're going to take something. We need to, you know -- so is there -- and I don't know if Miss Ryan needs to answer that or you, but immediately what needs to happen is we need to be able to say, Look, we don't -- we -- we disagree with what you're saying and we want to make sure that we're allowed to at least see the surveys.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON THOMAS: At least let your department or somebody in the City verify that their surveys match with the surveys that --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

COUNCILPERSON THOMAS: -- the homeowners have. So I -- I mean, that's what I'm interested in, as well as the -- the fence being replaced. But that is what I'm really interested in.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay. We'll contact the Ranger Construction first thing in the morning and tell them, "Do not take any action whatsoever until we verify that your surveys are correct."

COUNCILPERSON THOMAS: I think that that will be fine. Will that work for you, ma'am?

EMMA BROWN: Okay. Even with them taking the fences, okay, we do know that State Road 710/Beeline Highway/Martin Luther King, whatever you wanna call it, has one of the most busiest trucks roads in Riviera Beach. So for them to even take our fences down and tell us that they're going to replace them with a chain-link fence, you're bringing a road now almost 10 to -- well, I won't say -- but 15 to 20 foot close -- feet closer to my bedroom.

And to replace it with a chain-link fence now that you're widening this road and bringing it that much closer to my bedroom, my back door, I can't see a -- a -- a chain-link fence stopping a semi tractor-trailer truck. It needs to be a concrete wall put up there.

COUNCILPERSON THOMAS: I -- I do understand your concern, ma'am. And we're going to talk with them again, definitely in light of this fence issue, and see what we can do with that. Your fence will not be removed at this point because we're going to -- to have that worked on. And we've been working on it before tonight. I'm just trying to give you some of the play-by-play of what's been going on.

As far as the design of the road, the design plans have been, you know, going on for a while. And they've already started construction. Can a concrete wall be put in? That's not a question that I can answer. Can it? Yes, I'm sure it could. Will it?

EMMA BROWN: (Inaudible) --

COUNCILPERSON THOMAS: I'm -- I can't answer that at this time. That'll be something that we will have to --

EMMA BROWN: -- we were told --

COUNCILPERSON THOMAS: -- try and ask D.O.T. about.

EMMA BROWN: -- that a concrete wall was going to be placed years before they started this construction. And now and the construction has started, they've put new FP&L cement poles up, and now there's a problem with them putting up a concrete wall. Walls are up all around Riviera Beach.

CHAIRPERSON BROOKS: Uh-huh.

EMMA BROWN: And they don't live in a danger area. Congress, walls all up everywhere on Congress. Martin Luther King, walls are -- I mean, not Martin Luther King but Military Trail. Everywhere you go, these developers come in here and build these projects.

CHAIRPERSON BROOKS: Uh-huh.

EMMA BROWN: Walls are up. They don't live in the danger area that we live in with truck road behind us. We need a wall.

CHAIRPERSON BROOKS: And --

COUNCILPERSON THOMAS: I do understand that, Madam Chair, and you can -- you know, I just want to give them their last minutes.

CHAIRPERSON BROOKS: Okay. All right. Okay.

COUNCILPERSON THOMAS: I just wanted to, uh, make sure that they knew where we were --

CHAIRPERSON BROOKS: I got it. Okay. All right.

COUNCILPERSON THOMAS: -- with it.

CHAIRPERSON BROOKS: Okay.

EMMA BROWN: And then they were supposed to start as of today taking the fences up, as of the 6th. So --

MAYOR MASTERS: Well, that's not going to happen now.

EMMA BROWN: -- more than likely tomorrow they're supposed to (Inaudible).

CHAIRPERSON BROOKS: Well, you know, you've got a safety issue here, too, and security issue. And that's -- and that's a very, very serious concern. You're just right across the street from a neighborhood --

EMMA BROWN: Yeah, it is a safety issue. (Inaudible).

CHAIRPERSON BROOKS: -- where shootings and all kind of criminal activity going on.

EMMA BROWN: (Inaudible).

CHAIRPERSON BROOKS: And I think that as a council or whomever, we need to really push for even the -- what do you call, the soundproof wall?

EMMA BROWN: Yes. It's a barrier.

CHAIRPERSON BROOKS: They have it along these other --

EMMA BROWN: It's a noise barrier, a concrete wall.

CHAIRPERSON BROOKS: -- gated neighborhoods.

EMMA BROWN: Yes.

CHAIRPERSON BROOKS: Why can't we have a soundproof -- the trucks are going to be making a lot of noise. We can at least go to bat for it.

UNIDENTIFIED SPEAKER: Thank you.

EMMA BROWN: Well, when I (Inaudible) yesterday --

CHAIRPERSON BROOKS: And if they say no -- but at least we're going to bat for our citizens. And I -- and we're behind you.

EMMA BROWN: Yeah.

CHAIRPERSON BROOKS: We're behind you. We just need to go for it.

EMMA BROWN: I'm gonna talk with, uh, I think Terrence Bailey on Monday and he called Tony Grout. And Tony Grout told him he's really only working for FDOT. He didn't put this contract in place, Tony Grout.

CHAIRPERSON BROOKS: Uh-huh.

EMMA BROWN: So he gave me the name of the FDD -- FDOT person.

CHAIRPERSON BROOKS: FDOT? Uh-huh.

EMMA BROWN: Okay? So -- but I'm still being told that it's too costly to put a concrete wall up. It's too costly to protect these residents who have been here over 40 years?

CHAIRPERSON BROOKS: That's right.

MAYOR MASTERS: And they should be respected.

EMMA BROWN: No. I don't think so.

CHAIRPERSON BROOKS: Well, we should go for it. We should still be very strong,

uh, in our resolve for it. Let's go on record for it. Let us write to all of our legislators. Let's write to everybody that we can, citizens, all of us, and push for this.

EMMA BROWN: Yeah, because they're widening this road for more traffic.

CHAIRPERSON BROOKS: Absolutely.

UNIDENTIFIED SPEAKER: Yes. Yes.

CHAIRPERSON BROOKS: And Tropical Shipping is expanding. Rinker, Sysco. This is just truck road.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: I know. Yes, Miss Davis?

MAYOR MASTERS: Madam Chair, I had --

COUNCILPERSON DAVIS: Oh, Mr. Mayor responded first.

MAYOR MASTERS: I was first.

CHAIRPERSON BROOKS: Okay.

MAYOR MASTERS: Thank you. Let me just say this. What's -- what's your name, again?

EMMA BROWN: Emma Brown.

MAYOR MASTERS: Miss Brown, I don't care what FDOT wants. It's what the people want that -- that live there, you know?

EMMA BROWN: That's right.

MAYOR MASTERS: And I think that you -- you -- you have heard from the Chair and also distinguished Councilman Thomas, as well. But as the Mayor, I'm going to be on your side.

EMMA BROWN: I already know you're --

MAYOR MASTERS: And I'm going to advocate and I'm going to fight.

EMMA BROWN: Hallejulah.

MAYOR MASTERS: And we're all going to fight in -- in our own ways. But -- so what they -- what they're saying, you know, that's what they're saying. But they don't live there. And -- and --

EMMA BROWN: See, and --

MAYOR MASTERS: -- hold on. And --

EMMA BROWN: -- (Inaudible) I knew that they knew about this project before two weeks ago.

MAYOR MASTERS: Yeah.

EMMA BROWN: We just got a notice two weeks ago.

MAYOR MASTERS: And let me just say this. From what I'm hearing is that, you know, some disrespect here, you know, of the people --

EMMA BROWN: A great deal of disrespect.

CHAIRPERSON BROOKS: Uh-huh.

MAYOR MASTERS: -- the people that live there. And I'm not -- I'm not gonna stand for that. I'm gonna fight with you.

EMMA BROWN: Thank you.

MAYOR MASTERS: Not on the side of you.

EMMA BROWN: Thank you. Hallejulah. We appreciate it.

MAYOR MASTERS: So when you're ready to fight let -- when you're ready to fight let me know. We're gonna fight for the right thing.

EMMA BROWN: We're ready.

MAYOR MASTERS: That's where I am.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: And the entire council is behind you. We all are fighting for you.

EMMA BROWN: All right. All right. Thank you.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRPERSON BROOKS: We all are fighting for you. Yes, Miss Davis? You wanted to say something?

COUNCILPERSON DAVIS: Uh, yes, ma'am. I just wanted to say that you are absolutely correct. The wall was in the plan. I don't know exactly when it was removed from the plan, but what we were -- what we were told by FDOT is that the residents wanted it removed. Now, I don't know who -- who all it was.

EMMA BROWN: No.

UNIDENTIFIED SPEAKER: No.

EMMA BROWN: No.

COUNCILPERSON DAVIS: Okay. But that's what they told us. And as recently as -- let's see. What is this? February? I think it was our -- our January meeting at the MPO, uh, Secretary Wolfe was -- he attended that meeting, as well as Senator Clemens and I made comments as it relates to that wall. Because, you know, even if the residents chose to do it, decided they didn't want a wall, knowing the number of trucks, semi tractor-trailers, heavy-duty trucks coming through that area and some of them are very close to residents' --

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON DAVIS: -- homes, why in the world would FDOT take the fence -- the -- the wall away? And -- and that was my question to Secretary Wolfe. The only person who spoke up in favor of my comments to Secretary Wolfe was, you know -- yeah, let me just back up. The economy changed. You know, and the council changed. There were -- there were many changes during that period of time from '06 to 2011 when we learned that the wall was -- was removed. There were a lot of changes. But still, FDOT in their professional capacity, why in the world would they even consider taking the wall out knowing how close the trucks were going to --

EMMA BROWN: Exactly.

COUNCILPERSON DAVIS: -- no, no. How -- how close the trucks were to people's homes. So the only person at the MPO who spoke up in my favor of my comments to Secretary Wolfe was Commissioner Paulette Burdick. So, you know, at this point, I mean, if what FDOT says is true -- I don't know but this is what they said -- you know, my only concern is I just want to know what people want. I mean, and -- and as far as -- let me just tell you about the encroachment.

The same thing happened with the -- the cemetery.

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

COUNCILPERSON DAVIS: You remember? There was that issue. The cemetery -- a lot of times, yeah, you'll come to the City and get the permit, but you don't get the survey of -- that defines what your property lines are. And you just put up the fence of what you think it is. Um, so, you know, it's what happened with the cemetery. The cemetery went ahead and put their wrought-iron fence up and they were encroaching on the County's right-of-way. So that's why we went through that whole process and the County just gave the land to the cemetery.

Okay? Because that land was theirs to give. But in this case, this land does not belong to the City; it belongs to FDOT. So that's where the -- the problem lies. Um, but, you

know, I'm -- I'm behind you in -- in -- in this case, because if I were living there, I wouldn't want the trucks that -- coming that close to my home. So, you know, if, Madam Chair, you need to write a letter, or Mr. Lowe -- I mean, I'm sorry, Mr. Thomas, you know, I'll stand behind you and see how --

COUNCILPERSON THOMAS: Well --

CHAIRPERSON BROOKS: Miss -- Miss Brown -- let me just make a suggestion, Miss Brown, so that there will not be any confusion as we're going forward with this. That FDOT will say, Well, we're getting a difference here of what the residents want. Get a petition. Get people to sign, say --

COUNCILPERSON DAVIS: Absolutely.

CHAIRPERSON BROOKS: -- This is what we want. There's strength in that.

UNIDENTIFIED SPEAKER: Yes.

EMMA BROWN: Absolutely.

CHAIRPERSON BROOKS: Then we can take that and said, Okay. The persons who are affected by this, we have their signatures. This is what they want. Please do that.

COUNCILPERSON DAVIS: And do a -- do a draft -- a form letter.

COUNCILPERSON THOMAS: Well, Madam -- Madam -- Madam Chair?

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON BROOKS: Okay. Mr. -- okay. Let her finish. Okay.

COUNCILPERSON DAVIS: No.

CHAIRPERSON BROOKS: Okay.

CITY CLERK WARD: Madam Chair?

CHAIRPERSON BROOKS: Madam --

CITY CLERK WARD: Madam Chair?

CHAIRPERSON BROOKS: Yes?

CITY CLERK WARD: May I remind you all that you are in the Public Comments mode that was scheduled to begin at 7 p.m. and you have quite a few Public Comment cards.

CHAIRPERSON BROOKS: How many more do we have? Oh, yes, we do.

CITY CLERK WARD: You have quite a few Public Comment cards.

CHAIRPERSON BROOKS: Yes, let's move forward.

CITY CLERK WARD: So perhaps the elected officials may respond during their time of --

CHAIRPERSON BROOKS: Of Comments.

CITY CLERK WARD: -- Mayor and Council Comments.

CHAIRPERSON BROOKS: Thank you. All right. Let's --

COUNCILPERSON THOMAS: Madam Chair, I do want to just --

CITY CLERK WARD: Thank you.

CHAIRPERSON BROOKS: Yes. Yes. Yes. Yes.

COUNCILPERSON THOMAS: -- add one point to that.

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON THOMAS: There will be access land that will be deeded to the City. So the City can make a point to address that once they're finished with the road, of about 40 extra feet will be deeded to the City so the City can then -- then deed that on to the -- the property owners that stay there or they can, you know, surplus it out or however they want to do it. So I just want to, you know, put that, you know, comment out to let everyone know that it would be extra land that's going to be deeded to the City. They've already said that approximately 40 feet in the rear of the -- the homes. So it's a lot that can be done with it.

CHAIRPERSON BROOKS: Next, Ron Leonard followed with Kelly Morrison.

RON LEONARD: Good -- good evening, Ron Leonard, 2501 Avenue H East. It's been a long day for me. Uh, let me give you an update on Dr. Umar Johnson who came to town a couple of weeks ago. I want to thank Mr. Daniel Jones, Miss Ruth Jones and the other persons who gave to allow Dr. Johnson to come. And I want to give a word out to my Commissioner Shelby Lowe.

One of the things that Dr. Johnson instilled in the teachers that we trained -- over 15 teachers that night -- of who -- were quite concerned on how to bridge the gap with African-Americans as well as bridge the gap between the cultural divide.

One of the things he made very important, that we need more after-school programs. And I want to commend Commissioner Lowe for instilling his Chess Program.

That's a very -- very indicative program. It will bring higher learning. It will allow -- and I -- I have -- allowed -- I've asked the district to give your teachers training and give them in-service points. They will get the points, sir. I clarified that today. He will -- they will

get the points on -- upon their training and signing on the form..

But this is what we need in the area. We need more after-school programs. And I commend you for that effort, sir. And I will -- the Black Caucus will help you implement your program.

Secondly, I want to talk about what I'd like for the council to do for me. Someone's always saying I'm begging. Yes, I am. I will beg for kids till I die and I hope that's 'cause I believe in students. I taught school for 38 years, have an excellent record in that. And I believe that we need to work for our young people.

I have -- I had some young people that come to Dr. Umar's training, and there were 50 of them. I'm going to take them to the school board and I want them to hear what they told us that night in the meeting. Many of them from various schools, from Palm Springs. Came from way -- from Palm Springs. And they're quite concerned about the district. And I want the district to hear what these young people have to say about how they feel about the district.

We're going to arrange that. And they came. They poured their hearts out to us. And he was very frank, very candid with them. Those young people expressed how they felt about some of us, what's going on in the city. They said that we're concerned about adults being safe. What about our young people? They mentioned that. So I want to continue to work till I get this thing resolved to where I want it resolved, and I ask the council -- thank you. Many of you have received my phone calls.

And last I want to mention he is coming back in May to do -- and I also want to thank Miss Cobb. He's coming back in May to do another training. I'm going to continue to train teachers who teach our children, who don't understand our children, who need to understand how to teach our children. It's not a thing you can do every day. I -- there's certain people who need to learn how to talk to our children, how to address them. You know, some things they can -- I can say to a child, they can't say. But anyway, we're going to work toward that end.

I also want to let you know -- I also want you -- those of you who know about the, um, Valley of Love Ministries on -- on -- on Broadway, 1901, I was there today. She needs help. A council person will go by there, she needs a lot of help. I'm going on a mission with them to Haiti, but then she needs a lot of help. About to have her lights turned off. But she feeds a lot of poor people in the city.

So please, if you have time, go by and let's not forget about Dan Calloway's banquet on the 8th. We'd recognize Mr. Danny Jones, and I'm sorry if I've offended anybody this week trying to do what he asked me to do, but the banquet is Friday night at Presbyterian Church. I still have tickets to sell. Thank you.

CHAIRPERSON BROOKS: Kelly Morrison.

MAYOR MASTERS: Madam Chair, while Kelly Morrison --

CHAIRPERSON BROOKS: And after that, David Cross.

MAYOR MASTERS: -- while she's coming, Mr. Leonard, the Black Caucus is also on record supporting the metal detectors in schools, as well, right? Just -- you can stand. Just say it.

RON LEONARD: Yes. We are.

MAYOR MASTERS: Okay. Thank you.

KELLY MORRISON: Good evening. I'm Kelly Morrison from the Mayor's Office of Veteran Affairs.

CHAIR PRO-TEM PARDO: Hi.

MAYOR MASTERS: Good evening.

KELLY MORRISON: I'm just giving you an update as to what we've gone through, what we've been doing. We have now been open since the 14th of December, a little over a month and a half. We've assisted 200 heroes and their families. We've assisted the (Inaudible), um, with ditty bags, blankets, sleepers, food coupons and hygiene products. We've been feeding the homeless. We've been assisting with both filing state and federal aid, and a lot of foot traffic has been coming in with basic inquiries. If I don't have the answer, give me 24 hours; they have their answer.

We've also done 400 hours in volunteer, whether it's going out and, you know, canvassing the areas -- we are now on board with Palm Beach County Food Bank and the Homeless Coalition of Palm Beach County. I want to give special thanks to the First Studio Arts Food Bank who has been opening their doors specifically for veterans on one day a week.

Also, the American Legion Post 268 over here in Avenue H, they have bent themselves - - I'm -- I'm also a member, but they've bent over backwards to give us volunteers and time and some money to help the veterans that need a little bit of gas money when they have it. Also, VFW 4143 and VFW 9610.

One final note: I don't know if anyone is aware of it but we do have a veteran's place. It's called the Vet's Place. It's just opened. It's been open about six months. The executive, um, director is Mr. Bosley [phonetic]. It's 3501 N. Dixie Highway. And he came into my office on Thursday so we'll be working together with him. I'll help him and he'll help me. But there's a lot of things that we've done with our due diligence that we can actually help him more and I'm really proud of that.

Um, that's all -- that's all I have. But we're continuing to move forward and I look forward to continuing it. I -- I love doing it. It's awesome.

CHAIRPERSON BROOKS: Thank you so much for what you're doing. David Cross?

MAYOR MASTERS: And, Madam Chair --

CHAIRPERSON BROOKS: And after David Cross we have Dr. Angela Wynn.

MAYOR MASTERS: -- what -- what is noted, Madam Chair, is that Miss Morrison is a volunteer that works in -- in our office every -- almost every single day giving her service and her time for the veterans.

CHAIRPERSON BROOKS: Okay.

MAYOR MASTERS: And we're so appreciative.

CHAIRPERSON BROOKS: Let Mr. Cross -- go ahead on, Mr. Cross. We're trying to get out of here with these comment cards.

CITY CLERK WARD: Yes. (Inaudible).

DAVID CROSS: David Cross, 1030, uh, Sugar Sands. Hey, we made The Palm Beach Post, front page.

CHAIRPERSON BROOKS: Uh-huh.

DAVID CROSS: My gosh, what's going on here? Has there been a change? Good Lord. I was recently at a candidates' -- is this okay? I was recently at a candidates' meeting and one of the questions asked by the moderator was, What would you do as elected officials to improve the image of our city?

I felt that their responses were kind of inadequate and none of them addressed the question which really bothers me is why we get such poor coverage in the media. I'm going to specifically address The Palm Beach Post because that's our local paper. You know, what is wrong with our relationship with the Post? Now, people say to me, Well, the Post hates us. You know, they -- they won't do anything for Riviera Beach 'cause the circulation of the paper is not big enough.

I think that's absolute nonsense. Lake Park right next door to us on page 3 of the local paper, every day, pretty much, gets a little byline. Usually about the library or something relatively innocuous. But they're in there every day with something positive. Boynton Beach. I -- I -- I could go on with -- I'm sorry. I get sort of confused about this 'cause I get so angry.

What -- why aren't we building a relationship with the Post? You know, we've got a Public Information Officer full time. You know, I'd be taking these guys in the Post out to lunch or whatever you have to do. You know? Let -- there is no reason that the Post should be ignoring Riviera Beach and all the great things that are going on in Riviera Beach.

You know, no wonder we -- you know, our reputation if -- if you look at page 3, reports from Rose Anne Brown on, you know, this shooting and that stabbing and that -- that's

all that people will see. They see nothing of the great stuff that's going on here. This is a multi-million dollar, uh, Palm Beach County project. Huge. The day after the -- the ceremonial opening, there was nothing. Absolutely nothing. I don't even know if the Post was invited. I'm going to just switch gears for a second 'cause I can see my time is running out.

Wikipedia. If you go on to Wikipedia and you look up Riviera Beach, here's what it -- here's what it says, "Riviera Beach is a predominantly American -- African-American city. It is on the list of U.S. cities with African-American majority populations," yada, yada. "Is the home of the Port of --" yada, yada. "The City consistently has crime rates well in excess of United States average and is also notable for its high levels of poverty."

You have somebody interested to coming in Riviera Beach, and you read that in Wikipedia, Wikipedia can be changed. I told Jiles the day he came in here, We need to change this. You know, you can go to Wikipedia and get this stuff out of it.

CHAIRPERSON BROOKS: Okay. Thank you.

DAVID CROSS: What sort of a position does that give us with people that want to come and set up businesses and live here? Thank you very much.

CHAIRPERSON BROOKS: Okay. Next? Thank you, Mr. Cross. Was there a response, Miss Jones?

CITY MANAGER JONES: Not a response but just to highlight that, um, we have been working with The Palm Beach Post, but any of you that know journalism know that you're taught, if it bleeds it leads. That's journalism. That sells newspapers. They teach you that in journalism school. You want a story that bleeds, that's what -- leads, that's what sells papers.

And we will continue to work with the Post. But rather than the Post, I think it's better that we have had coverage on all three news channels about the marina and the things that are taking place. And due to the fact that the distribution and the circulation of the Post is decreasing due to Internet and everything else, we have decided that one of the other areas to concentrate on is the television stations.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: So we're trying to keep a balance as it relates to information about the City of Riviera Beach in the Post, but also on your major television channels.

COUNCILPERSON DAVIS: Have we also contacted Google about, you know, what comes up?

CITY MANAGER JONES: Well, what we have done -- there's two things. First of all, let me talk about the Wikipedia. We have gone in and changed it and they've gone and changed it back.

COUNCILPERSON DAVIS: Yeah.

CITY MANAGER JONES: The company that works with us to do that is called Reputation.com. They watch Riviera Beach every day.

CHAIRPERSON BROOKS: Hmm.

AUDIENCE: (Inaudible).

CITY MANAGER JONES: That's it. Somebody else back there knows. And so what we do is send to them good information to push down all of the bad information. But you can change Wikipedia every other day 'cause you go in and change it and they'll go and -- they can tell when it's been edited. And they go back and put it back just like it was.

So it's just a reminder to all of us that we need to continue to work on improving the image of the city and we're going to do that.

CHAIRPERSON BROOKS: Thank, Miss Jones. Dr. Wynn, I -- if you're -- is Dr. Wynn still here? You're next, Dr. Wynn.

DR. WYNN: (Inaudible).

CHAIRPERSON BROOKS: You pass?

DR. WYNN: Yeah, I pass.

CHAIRPERSON BROOKS: Okay. Alvonza [phonetic] Clark? Mr. Clark? And after Mr. Clark we have Mary Brom.

UNIDENTIFIED SPEAKER: Brabham.

CHAIRPERSON BROOKS: Brabham. I can mess up her name.

ALVONZA CLARK: Good evening, city councilmen.

CHAIR PRO-TEM PARDO: Good evening.

MAYOR MASTERS: Good evening.

ALVONZA CLARK: I would like to speak in behalf of Mayor Masters and Councilman Lowe for sponsoring me in the city here in the municipal building with my arts. And I'm also set up at the City Public Library through Miss Cobbs here. And I'd like to thank them for allowing me to do so.

CHAIRPERSON BROOKS: Yes.

ALVONZA CLARK: I'm also at the Green Market on Saturdays from 1 to 7. Y'all need to -- to participate and help us out in coming out and seeing what the residents of -- of --

of Riviera Beach has to offer. I'm just coming out. I've been doing this about 10, 20 years. I have a lot of stuff to show and, in fact, a lot of people --

MAYOR MASTERS: That's good.

ALVONZA CLARK: -- you know, came out to -- to give me comments plus --

CHAIRPERSON BROOKS: Uh-huh.

ALVONZA CLARK: -- for the artwork that I do. So I want you to be cognitive of the Green Market and help us out and -- because it's just getting off the ground.

CHAIRPERSON BROOKS: Uh-huh.

ALVONZA CLARK: And we need assistance from the public to come out and -- and -- and --

CHAIRPERSON BROOKS: And support.

ALVONZA CLARK: -- patronize the businesses and so forth.

CHAIRPERSON BROOKS: Uh-huh.

ALVONZA CLARK: It's a good thing. It's an opening for your new project with development in the City. At least it's a -- it's a beginning to see something that's happening. I used to love to -- to do the, uh, Jazzfest that we used to have. And in fact, I had a -- a vendor's -- I got my vendor's license to get my first show way back then. So this is -- I'm coming back out now because of what the City is doing. And I love to show, you know, my stuff and I'm sure the other vendors are happy to, you know, portray and show what they have.

Also, I'd like to thank Mayor Masters and Miss Kelly Morrison for the initiative that they've taken in dealing with Veterans Affairs. I know they're just beginning from December but I'm a person who -- I'm a veteran.

I came up here -- her diligence, you know, she just came to me off the cuff because I was taking a computer class in the library, which I'm happy for. Because I intend to get on the Web. But I -- I'd like to say she's very efficient at what she does. I mean, it's like, she's on the one, so to speak, if you want to use that expression. So I'd like to thank all you city officials for the due diligence. Thank you very much.

CHAIRPERSON BROOKS: Thank you for your comments.

MAYOR MASTERS: Thank you.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: And -- yes, Mr. Lowe?

COUNCILPERSON LOWE: Um, I can't speak highly enough about his work and his artistry. I had the pleasure of personally visiting his home/studio and was just in awe with the work that he does with his hands. And if you haven't seen his work, you know, please stop by either the library or downstairs and take a look at it and how detailed it is. It's craftsmanship at its best, and it's right here in Riviera Beach. And he also debuted at our market last weekend and had pretty good response.

And I know there's other people out there that have talent that needs to be exposed. And that's what the market is all about. And it's reasonable, and it's there for you. And thanks for coming out, sir.

MAYOR MASTERS: Madam Chair?

MARY BRABHAM: Good evening, Miss Mary Brabham.

CHAIRPERSON BROOKS: Yes. Yes. Miss Brabham.

MARY BRABHAM: Thanks, those who are my neighbors. Others would have come but I told them that we will take care of this. I've been in conversation with Cedrick so we will take care of this.

We know that we have surplus land there because when FDOT came in there -- and Miss Brabham has been in every meeting. Whoever said that we did not need a fence, Miss Brabham never said it. The neighbors never said it. So the ball dropped somewhere.

So we can go back in, make some amendments to get that done. I emphasize that the port will utilize that road more than we will. So as good neighbors and good partners, perhaps not all of that board, but we need to work in conjunction to make that road there walk. And we do need a wall. We live across from Stonybrooks, and everybody knows what goes on over there. Our homes are nice and decent and we should not have to be -- put up with all of that along with the traffic.

And especially the cars and trucks that will travel that highway in the back of those people's homes. I have twins that lives on my street. Not only twins, but children. So we need that road to be fixed whereas a fence is not sufficient. And also with FDOT, they took down our sign. We want our sign back, Cedrick. I don't care who has to pay for it. We want Harmony Heights sign back. Now, with those six parcels and that partial easement, \$366,400, find some way to incorporate that within our neighborhoods. Okay?

Not just Cedrick. The whole board as a whole. If you advocate for us, we will advocate for you. And Miss Brabham knows what's going on with FDOT, and she has expressed her points. And they said that if the City steps up, you have to -- you have to come to the table. We have to be persistent. How many times have I said FDOT is we?

CHAIRPERSON BROOKS: Uh-huh.

MARY BRABHAM: FDOT is we. So thank you. Also, too, I have nothing wrong against children. Everybody knows my pet peeves are seniors and children. But when Masters -- when the Mayor says his Youth Advisory Council -- what's wrong with the other programs in the city? The Youth Empowerment. The Boys Club. The Eiticacy [phonetic] Program.

These kids are in our city here and they are doing wonderful things. You don't have to go -- and then what about the Youth Justice? What about the Youth -- I -- I was just in a meeting here about two months ago, Masters. So if you -- if you're looking for positive kids with the array of talent, array of what -- of how they've changed their lives around, you can utilize some of them. So hey -- so come on, now. Come on: Residents, get up and vote.

Let's keep that same momentum that we had for this past election, because your local government is important. Your local government is important. Get up and vote. And stop letting your children be a pawn in these elections. I've said it over and over and over and over again. Get up and vote. Thank you.

CHAIRPERSON BROOKS: Thank you, Miss Brabham.

MAYOR MASTERS: Madam Chair, I asked to speak a minute ago.

CHAIRPERSON BROOKS: Next Lynne Hubbard -- Lynne Hubbard and then Margaret Shepherd. Miss Hubbard --

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: -- while you're coming up, yes, Mayor, please, Jesus.

MAYOR MASTERS: I asked to speak. We know who you're supporting, I guess, Miss Brabham, you called me Masters. But I just want to say --

MARY BRABHAM: Mayor Masters. Okay. I apologize.

MAYOR MASTERS: Thank you.

MARY BRABHAM: Mayor Masters.

MAYOR MASTERS: Thank you. I just wanted to say --

CHAIRPERSON BROOKS: Let's just be mindful that we're really trying to get people out of here, Masters.

MAYOR MASTERS: -- the -- the -- well, but Madam Chair, listen.

CHAIRPERSON BROOKS: You know?

MAYOR MASTERS: Every time I want to say something it's a problem.

CHAIRPERSON BROOKS: Go ahead on. Go ahead on. Please go on.

MAYOR MASTERS: Everybody up here speaks when they get ready to speak. I have that right.

COUNCILPERSON LOWE: I don't.

CHAIRPERSON BROOKS: Disregard Miss Hubbard. Disregard Miss Hubbard.

MAYOR MASTERS: Well, you should.

CHAIRPERSON BROOKS: Miss Hubbard, just have a seat. We'll let the Mayor speak.

MAYOR MASTERS: Well, I'm -- I want to speak like everybody else --

CHAIRPERSON BROOKS: Go ahead on.

MAYOR MASTERS: -- when they want to speak.

CHAIRPERSON BROOKS: Go ahead on.

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

CHAIRPERSON BROOKS: Go ahead on.

MAYOR MASTERS: Thank you.

CHAIRPERSON BROOKS: Go ahead on.

MAYOR MASTERS: If not, I don't need to be here. I just want to say about the young man that has the artwork downstairs. You -- it is for sale. And anyone that wants to purchase it can come and see it, as well as others. This is African-American History Month. Anyone who has artwork and crafts can bring their work to City Hall and appreciate the work of our citizens. Please bring. That's all I wanted to say.

CHAIRPERSON BROOKS: Miss Hubbard, please. We're sorry for that.

LYNNE HUBBARD: Not a problem at all. Lynne Hubbard, uh, 1405 W. 23rd Street. Didn't get an opportunity to speak when we were actually discussing the item that -- that died concerning the -- the settlement. But I did want to go on record having worked with that project and saying that I'm -- I'm -- one, I'm glad that the council did not vote on that, that they heard the -- that they heard the public. Surely there was a meeting of some group of people.

But as you can see, it evidently wasn't the same group of people. So -- and I -- and -- and from what I am -- I am hearing and the calls that I -- that -- that I got, the difference in what some people thought was going to happen, they thought the settlement was about the money, not necessarily vacating all the wins that had taken place in court. But in actuality, it was the money and what -- the wins that they had taken place. So

that's what the confusion was, the amount that would be settled to pay the attorney. And that's what the people thought was taking place.

I don't think anybody came to deceive the council or switch back and forth or have a change of heart. When it dawned on them or was explained clearly, that there was two different things going on there, that's where the rub became, and the fact that all the -- when the -- the people that weren't at the meeting and some that was realized that, we wanted to come up and say, No, that is not the settlement that, one -- that we were looking for after the hard work that had taken place and the long time -- the long time coming.

So I wanted to come -- I wanted to come in and make sure that I got on the record to say that, that the settlement is not what -- it was not a switch and bait or a bamboozle here. It was just a difference in terms as what was presented and what was understood. Thank you.

CHAIRPERSON BROOKS: Okay. Margaret She been heard. Thank you, Miss -- Miss Hubbard.

MARGARET SHEPHERD: Good evening.

CHAIRPERSON BROOKS: Good evening.

MARGARET SHEPHERD: You're right, Mayor. You're still the Mayor. You're still the Mayor.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: And we respect you for that.

MAYOR MASTERS: Thank you.

MARGARET SHEPHERD: To all of you --

MAYOR MASTERS: Somebody needs to.

MARGARET SHEPHERD: -- thank you for being so kind for -- to Summer, Youth of the Year. She was unable to come due to the heavy scheduling of schooling and going to the library downtown and trying to get the essays together, but we want to thank you for your kindness and your understanding.

I want to flip over -- and -- and Mrs. Pardo, I do want to thank you for the Christmas gift. For sometime Summer has been mimicking your hair. Unfortunately it grew before we knew it and when she came, she said, "Now it's time." So you gave her the curling iron and we can't keep the iron out of her hand. So she finally got her wish to get -- to get hair like yours.

CHAIR PRO-TEM PARDO: Use the curling iron.

MARGARET SHEPHERD: So she use her curling iron. It's funny. But we thank you for that gift. Really, it was -- it was marvelous to us.

I want to go back and say thank you, Mrs. Brooks. That was an excellent little short piece I saw the Maritime Academy. Unfortunately, by the Maritime Academy being back in the Boys & Girls Club, it does not get the recognition that it needs. The young lady that is the director, Mrs. Tonya Hicks-Brown, she is a --

CHAIRPERSON BROOKS: Right.

MARGARET SHEPHERD: -- bona fide preacher and she is such an -- yes, she is. Her husband is a Christian rapper. Excellent -- excellent --

MAYOR MASTERS: And a preacher.

CHAIRPERSON BROOKS: Oh, I never knew about that.

MARGARET SHEPHERD: -- set of people. I don't think nobody could have hand-picked those people but whomever. So when you did that little, you know, piece, I was quite pleased 'cause I never saw anything like it. And I hope people will go back and make sure that they patronize that particular school, because it is nestled in our community and they're doing an excellent job over there. So I want to thank you for that.

CHAIRPERSON BROOKS: Yeah. You're welcome.

MARGARET SHEPHERD: I want to go back to the market. That market was excellent. That's the first time I really spent all day over there. The vegetables, Mr. Lowe, was wonderful. I did spend all my money and then I had to stop begging for money and then I had to go get some money because the vegetables was just excellent. And we just want to tell you that we hope it will continue for a while longer.

And with that, I want to say I didn't hear all of the conversation. My time is going on. JFK asked a question, "Don't ask what you can do for your country. Don't -- don't ask what you can do --"

CHAIRPERSON BROOKS: What your country can do for you.

MAYOR MASTERS: What your country can do for you.

MARGARET SHEPHERD: Well, what your country can do for you. And I want to say that although The Palm Beach Post do dictate some rather bad things, we don't have to fall in that category. It's up to us to pull our city together. It's up to us to talk about our city. And I want to really, you know, tell you that the things that's said on Channel 18, it's quite deplorable. When you start talking about race -- my granddaughter was here a couple of times and Summer said, "Nanna, that is just not the thing to say." And I'm so glad that my father took my mother who look half white, my dad who look like Cedrick, which I guess is why I like Cedrick so much -- took my mother to Detroit --

CHAIRPERSON BROOKS: She's (Inaudible) --

MARGARET SHEPHERD: -- married and brought her back. Never once -- never once us growing up did I hear the word nigger. I never heard that. Black, white. I -- and I asked my mom one time, "Why -- why do we never repeat that stuff?" She said, "Because I never taught this to you." And so I'm grateful for her, that upbringing. And when you get on Channel 18 and say such things, I want to say to you it is just deplorable to our children and the system. It should never be said. I heard someone say Miss -- Mrs. Pardo is a racist. Miss Pardo has been a part of my life ever since I can remember. And I have never --

CHAIRPERSON BROOKS: Okay.

MARGARET SHEPHERD: -- seen her treat nobody different.

CHAIRPERSON BROOKS: We have to wind it up, Miss Shepherd.

MARGARET SHEPHERD: So I hope that you all will stop and please watch what you say. Thank you.

CHAIRPERSON BROOKS: Next we have Ida Irving and after Miss Irving we have, um, Attorney DeGraffenreidt. I believe that's the last one. Is Ida Irving here?

MAYOR MASTERS: She's here.

UNIDENTIFIED SPEAKER: Yeah.

CITY MANAGER JONES: Check and see (Inaudible).

CHAIRPERSON BROOKS: Okay. Yeah. Is --

CITY MANAGER JONES: -- DeGraffenreidt, see if he's out there.

CHAIRPERSON BROOKS: -- Attorney DeGraffenreidt still here?

UNIDENTIFIED SPEAKER: I think he left, too. I think.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON BROOKS: 18A. Okay. 18, um -- we're now to -- back to our regular meeting items. 18 and then after that 18A.

CITY CLERK WARD: Presentation of our Director of Finance and Administrative Services on the Utility Special District and Utility Billing Relations as to the office environment, staffing, billing, cashiering, policies, procedures, work flow, management tools, banking services, technology and customer, related to concerns, responses and recommendations.

CHAIRPERSON BROOKS: Okay. I need a motion, please.

COUNCILPERSON DAVIS: So moved.

CHAIR PRO-TEM PARDO: So moved.

CHAIRPERSON BROOKS: Second?

CITY MANAGER JONES: Madam Chair?

CHAIRPERSON BROOKS: We had -- well, one --

FINANCE DIRECTOR RANDY SHERMAN: Do you want (Inaudible) something before me?

COUNCILPERSON DAVIS: I'll second.

CHAIRPERSON BROOKS: -- she'll second. All right.

CITY MANAGER JONES: I'm looking at the time.

CHAIRPERSON BROOKS: Yes.

CITY MANAGER JONES: And I know that when we changed the time of the meeting, we also have in that resolution that the meeting and -- can -- ends at 10:00.

CHAIRPERSON BROOKS: Yes.

CITY MANAGER JONES: It's after 8:30 and I know that this is a very detailed presentation and a lot of questions and a lot of interest by all of you and all of our residents.

CHAIRPERSON BROOKS: Right.

CITY MANAGER JONES: There's nothing really to act on tonight, but it is a lot of information that we need to try to impart. And so I was wondering with the other things that you have on the agenda and considering, uh, the time of an hour and 35 minutes, whether you want to hear this tonight or move it to the next agenda.

COUNCILPERSON THOMAS: Move it to the next agenda would be fine.

CHAIRPERSON BROOKS: Okay. That be the consensus, then we'll move it to the next agenda.

COUNCILPERSON DAVIS: (Inaudible).

CHAIRPERSON BROOKS: Which will also give us more time to review it, make our questions and comments and even have you even more prepared.

FINANCE DIRECTOR RANDY SHERMAN: Yeah.

CHAIRPERSON BROOKS: Because it is a wonderful document and I -- I want to ensure that my colleagues, should they have any questions or comments, will have plenty of time to read this document --

FINANCE DIRECTOR RANDY SHERMAN: Yeah.

CHAIRPERSON BROOKS: -- get their comments together and even ask of you clarification on certain matters. All right. So that --

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON DAVIS: I just have one comment on this. When I looked through it, Mr. Sherman, I did not -- I thought that, um, there was also going to be some kind of policy that you developed as it relates to how the elected officials govern themselves in relation to spending dollars that may need approval.

CITY MANAGER JONES: There are two --

CHAIRPERSON BROOKS: Yeah, but they're totally different --

CITY MANAGER JONES: -- yeah. They're --

CHAIRPERSON BROOKS: It's not a part of this.

CITY MANAGER JONES: -- two --

COUNCILPERSON DAVIS: So this is -- okay. That's fine.

CITY MANAGER JONES: This is just Utilities.

CHAIRPERSON BROOKS: Yeah, this is just Utility.

COUNCILPERSON DAVIS: Okay.

CITY MANAGER JONES: We -- the other two, one was as it related to your -- the budgets.

COUNCILPERSON DAVIS: Yes.

CITY MANAGER JONES: And the other one was the use of the credit cards.

COUNCILPERSON DAVIS: Okay.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: Those two policies have been drafted by, um, Mr. Sherman.

COUNCILPERSON DAVIS: Uh-huh.

CITY MANAGER JONES: Currently now being reviewed by Legal.

COUNCILPERSON DAVIS: Okay.

CHAIRPERSON BROOKS: This came about as a result of some issues that I, you know, positioned here to the council and also to Mr. Sherman and the Utility director because of many little things that have been happening. And of course they inherited a system that really needs reviewing and looking at, and we're not here to hold anybody account -- well, accountable but you're all new and we just want to look at what can we do to make life better for our Water/Utility customers. You know, what do we look at to help the staff. Just what do we need. And you have certainly come up with a document with some changes.

The resolution that was passed November the 7th, that offered to Water customers who received these peak water cost bills with no explanation -- the plumbers had been out. Our water utility people have been out and there was nothing to be found. We're saying to you we can relieve you from having to pay that month when that bill spiked 100 percent above, we'll relieve you from that and allow you to pay the previous month bill and then average out what your monthly charges will be forth going. It's really to give people really -- we get people complain about \$400 water bills, \$1,800 water bills, \$2,000 water bills.

COUNCILPERSON DAVIS: Can we (Inaudible) now?

CHAIRPERSON BROOKS: And then it drops back down to \$60 the next month. So we know that something is wrong and that's what the group is doing here now is trying to find out what is going on. But in the gap, we're giving you that opportunity that you don't have to pay for that -- those water bills that are unusually high. So know that the City's really very sensitive with what's going on with our community and if you have any questions, 845-3586 is my number and we're trying to help them process some of these, um, water bills.

All right, sir. Thank you much and we'll go to 18A.

MAYOR MASTERS: I -- Madam Chair, I have a question on --

CITY CLERK WARD: A resolution -- a resolution --

MAYOR MASTERS: -- on that. I'm sorry.

CITY CLERK WARD: -- of the City Council --

MAYOR MASTERS: I'll wait.

CITY CLERK WARD: -- of the City of Riviera Beach, Palm Beach County, Florida, authorizing -- authorizing the demonstration for the City support for bill HB97 sponsored

by Representative Bobby Powell, Florida House of Representatives, to restore control to local government as it relates to the possession of concealed weapons in the government-owned facilities and government-sanctioned events.

CHAIRPERSON BROOKS: Motion, please?

COUNCILPERSON DAVIS: So moved.

CHAIRPERSON BROOKS: Second?

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: (Inaudible) read this again.

CITY MANAGER JONES: The item that you have before you is a resolution that has been requested by Representative Bobby Powell. If you'll recall in the last legislative session, we worked with our state lobbyists because we were concerned with, um, the changes in the concealed weapons law and the exemptions that recreational -- municipal recreational activities were not exempt --

CHAIRPERSON BROOKS: Exempt, right.

CITY MANAGER JONES: -- which meant someone could come to any of our recreational activities carrying their weapons, and we don't want to deprive people of their rights, but we also want to make sure that our children are in safe environments. What this legislation does is re-introduces that --

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: -- and other exceptions as it relates to the concealed weapons bill. There are a couple of bills that have been, um, dropped at the legislature. It's real interesting 'cause there's a bill out there that adds specifically that municipalities cannot be exempt for their activities.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: So in order to strengthen theirs, they're making sure that that is an addition in one of the bills that's out there.

Um, so this was a request of Representative Powell so that when he goes to Tallahassee, sits in committee with individuals, there's a resolution from the City of Riviera Beach supporting the legislation.

CHAIRPERSON BROOKS: Wonderful. And I know we're all in support of that. Do we have any comment cards on that?

CITY CLERK WARD: No, ma'am.

MAYOR MASTERS: And Madam Chair, he's also --

CITY CLERK WARD: (Inaudible).

CHAIRPERSON BROOKS: Hold on, Mayor.

MAYOR MASTERS: Madam Chair, I'm sorry, he's also asking all the cities that's within his district to -- to do the same thing. So we will be joining other cities within Bobby Powell's jurisdiction with this resolution, as well.

CHAIRPERSON BROOKS: And we will be going to Tallahassee and writing there, as well, to support him in this regard. Roll call for the vote, please, unless there are further questions?

CITY CLERK WARD: Councilperson --

CHAIRPERSON BROOKS: Comments? Okay.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: Okay. That would be -- let's see, do we have any other --

CITY CLERK WARD: 19.

CHAIRPERSON BROOKS: -- that would be -- you have 19?

CITY CLERK WARD: Uh-huh. 19.

CHAIRPERSON BROOKS: Okay. That goes to Community Benefits. So we're through with everything under Regular Business. Nothing under Discussion and Deliberation. Uh, Community Benefits Request.

CITY CLERK WARD: Riviera Beach Civil Drug Court \$500, Mayor Thomas Masters, to assist in providing services to clients on their journey to recovery.

COUNCILPERSON DAVIS: So moved.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Okay. Roll call, please.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: Number --

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, ma'am?

COUNCILPERSON DAVIS: On the next, um, item 21 --

CHAIRPERSON BROOKS: We're up to 20.

COUNCILPERSON DAVIS: -- item -- item 20 --

CITY CLERK WARD: 20.

CHAIRPERSON BROOKS: We're at 20.

COUNCILPERSON DAVIS: -- I will --

CHAIR PRO-TEM PARDO: 20.

CHAIRPERSON BROOKS: We're at 20.

COUNCILPERSON DAVIS: I understand. Item 20. I will be abstaining. This is your list.

CHAIRPERSON BROOKS: Oh, yes, yes, yes, yes.

COUNCILPERSON DAVIS: I have a nephew who is receiving a scholarship.

CHAIRPERSON BROOKS: And having said that, let me further say that I did not review any of these scholarship applications. They were all done by Dr. (Inaudible) and her committee. So -- all right.

CITY CLERK WARD: Bobbie E. Brooks Scholarship Fund, \$1,400, Billie E. Brooks. Fund will be added to an existing balance to award 15 Riviera Beach students the Bobbie E. Brooks Scholarship.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Roll call.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Davis.

CHAIRPERSON BROOKS: She abstains.

CITY CLERK WARD: She needs to state it for the record, please.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON DAVIS: I am abstaining from this vote due to my nephew receiving a scholarship.

CITY CLERK WARD: Thank you, ma'am.

CHAIRPERSON BROOKS: 21.

CITY CLERK WARD: Washington Elementary School Safety Traffic Club, \$300, Judy L. Davis, to support the Safety (Inaudible) Club trip to Washington, D.C.

CHAIR PRO-TEM PARDO: So moved.

CHAIRPERSON BROOKS: Need a second.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Okay. Roll call.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: 22.

CITY CLERK WARD: Black Educators Caucus, \$250, Shelby L. Lowe, to defray costs of the visit by Dr. Umar Johnson of Philadelphia.

CHAIRPERSON BROOKS: Need a motion.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Roll call.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: 23.

CITY CLERK WARD: Riviera Beach Municipal Library, \$400, Shelby L. Lowe, to provide funding for an award given to the 2013 Martin Luther King -- Dr. Martin Luther King, Jr. Essay Contest.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Roll call.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: And we have an addition, 23A and B. 23A first, please.

CITY CLERK WARD: 23A, Dr. Mary McLeod Bethune Elementary School, \$300, Billie E. Brooks, to defray costs of educational trip for fourth grade students to St. Augustine.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON THOMAS: Second.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON BROOKS: Roll call, please.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON BROOKS: And let me just add to this. If any of us who are -- terms expire, and of course, you need to spend all these monies between now and -- and March -- if there -- you all have any extra money, this group could really, um -- they would love to benefit from this. For many years they've been trying to get a group of

fourth graders to get to St. Augustine. They need \$6,000. They have a deadline to come up with half the money, I believe, February the 14th. So if you have any extra money, um, please consider that. Miss Jentine [phonetic] Davis is, um, over that group.

MAYOR MASTERS: (Inaudible).

CHAIRPERSON BROOKS: 23B.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes?

MAYOR MASTERS: That's the one -- I think that's mine, right?

CHAIRPERSON BROOKS: 23B is yours.

MAYOR MASTERS: Yes.

CHAIRPERSON BROOKS: Uh-huh.

MAYOR MASTERS: Um, I want to donate \$800 to the Youth Recreation Association, to Mr. Calloway's group, who are assisting students from Washington Elementary School and Lincoln Elementary School who need to be assisted in the various programs. And you know, Mr. Calloway's always doing something for everybody.

CHAIRPERSON BROOKS: Uh-huh.

MAYOR MASTERS: So whatever he's doing, I'm supporting it with Washington and Lincoln Schools through this grant. Thank you.

CHAIRPERSON BROOKS: Okay. Thanks. So it would be to Washington and Lincoln?

MAYOR MASTERS: Well, no. It's to the Youth Recreation but I just wanted to give an explanation how he's going to be --

CHAIRPERSON BROOKS: Oh, you -- okay.

MAYOR MASTERS: -- using it.

CHAIRPERSON BROOKS: Gotcha. Okay.

MAYOR MASTERS: That's --

CHAIRPERSON BROOKS: Okay. All right. Very good. And I think that ends all of our Community Benefits.

COUNCILPERSON THOMAS: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON BROOKS: Oh.

COUNCILPERSON THOMAS: We gotta vote on it. We gotta vote on it.

CHAIRPERSON BROOKS: Okay. Vote. Let's vote.

CITY CLERK WARD: Councilperson Davis? Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: That vote passed with Councilperson Davis out.

CHAIRPERSON BROOKS: Okay. Now we're down to Board Appointments and 24.

CITY CLERK WARD: Board appointment by Mayor Thomas A. Masters of Lynn Hubbard to serve a four-year term on the Riviera Beach Housing Authority Board.

CHAIRPERSON BROOKS: Need a motion, please. Well, actually, it's just to ratify his appointment.

MAYOR MASTERS: It's to ratify, that's right.

CHAIRPERSON BROOKS: Correct. Uh-huh. So, um -- but I still need a motion to ratify.

COUNCILPERSON LOWE: Motion to ratify.

CHAIRPERSON BROOKS: I guess we do.

COUNCILPERSON LOWE: So moved.

CHAIRPERSON BROOKS: We do it always.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON BROOKS: Need a second. Okay. Uh, there's no comment card on that. All right. The -- let's vote.

CHAIRPERSON BROOKS: Councilperson Davis? Councilperson Thomas?
Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CHAIRPERSON BROOKS: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CHAIRPERSON BROOKS: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CHAIRPERSON BROOKS: Okay.

CITY CLERK WARD: That vote passed with --

CHAIRPERSON BROOKS: We also --

CITY CLERK WARD: -- Councilperson Davis out. Councilperson Pardo, did you --

CHAIRPERSON BROOKS: She voted.

CITY CLERK WARD: You voted?

CHAIRPERSON BROOKS: Um, Thomas was not here.

CHAIR PRO-TEM PARDO: No, Thomas is out.

CITY CLERK WARD: And Thomas is out.

CHAIRPERSON BROOKS: Okay. We have another Board Appointment, 24A.

CITY CLERK WARD: Board appointment by Councilperson Shelby Lowe of Keith Courtway and Craig Pollak to the Waterfront Advisory Board.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Okay. Roll call, please. Let me -- just for clarification. So there are two positions that we're filling with these names?

CITY CLERK WARD: Correct.

COUNCILPERSON LOWE: Well, Mr. Jim Williams came before us last week and said that we are --

CHAIRPERSON BROOKS: Yeah. I remember. I just --

COUNCILPERSON LOWE: -- in dire need of a quorum.

CHAIRPERSON BROOKS: So we need two people?

COUNCILPERSON LOWE: Well, they don't have a quorum.

CHAIRPERSON BROOKS: No. I'm just saying there's two positions that we're filling here?

COUNCILPERSON LOWE: There's probably more than two.

CHAIR PRO-TEM PARDO: Yeah. Yeah, there are. I think there's four.

CHAIRPERSON BROOKS: Okay. We're filling two today. Okay. Very good. Okay. Very good. I just wanted to be clear.

COUNCILPERSON LOWE: How many are there existing on the Water -- Waterfront Advisory Board?

CITY MANAGER JONES: I don't know what the exact number is. Mr. Legue can tell us.

CHAIRPERSON BROOKS: Yeah. He did say he -- they really need to get --

MARINA DIRECTOR ED LEGUE: There's -- it's a seven- --

CHAIRPERSON BROOKS: -- functional.

MARINA DIRECTOR ED LEGUE: -- seven-member board. Currently we have three members. So --

CHAIRPERSON BROOKS: Hmm.

CHAIR PRO-TEM PARDO: Right.

MARINA DIRECTOR ED LEGUE: -- I do have one other application that I got a week or so ago for -- for another one. So if -- if that gets approved, we'll be down one member, which is far better than we have been the last year.

CHAIRPERSON BROOKS: Well, hope --

COUNCILPERSON LOWE: So do you have the other --

CHAIR PRO-TEM PARDO: Can you bring that application to us?

MARINA DIRECTOR ED LEGUE: Yes, ma'am.

CHAIRPERSON BROOKS: Okay. Great.

COUNCILPERSON LOWE: Oh, okay.

CHAIRPERSON BROOKS: Okay.

MARINA DIRECTOR ED LEGUE: Okay?

CHAIRPERSON BROOKS: Okay. That's all it is for Board Appointments. I do have a question.

COUNCILPERSON LOWE: Did we approve it?

CHAIRPERSON BROOKS: Okay. I'm sorry.

CHAIR PRO-TEM PARDO: You need to (Inaudible) --

CHAIRPERSON BROOKS: Let's go ahead on and approve it. I'm trying to run this. Okay. Roll call, please.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis? That vote passed with Councilperson Davis out.

CHAIRPERSON BROOKS: Speaking of board appointment, Miss McKinney, we -- we're talking about the need to fill a position on the Planning & Zoning?

DIRECTOR OF COMMUNITY DEVELOPMENT MCKINNEY: Yes.

CHAIRPERSON BROOKS: And I received an application -- a resume.

DIRECTOR OF COMMUNITY DEVELOPMENT MCKINNEY: Okay.

CHAIRPERSON BROOKS: Who is the one that processes it and brings it before --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We just have -- get it to Manager's office or to my office and we'll get it processed for the agenda.

CHAIRPERSON BROOKS: Okay. Very good. Thank you much. All right. We're down to --

CITY CLERK WARD: 25.

CHAIRPERSON BROOKS: -- Discussion by City Manager, number -- item number 25.

CITY CLERK WARD: Tiki Waterfront Sea Grill lease agreement update.

CITY MANAGER JONES: Thank you, Madam Chair, and members of -- of the Council. Um, what I have is an update as it relates to the Tiki Waterfront Grill lease. As you know, last week or was it on the 30th, we heard a presentation by the master developer -

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: -- Viking Development, LLC, and their partner, Live, Work, Learn and Play, that laid out all of the respective phases in the development of the up lands of the marina. As a part of that, we know that the Tiki lease was initially entered into in 19 -- in 19 -- in 2003 and renewed again in 2008.

As we were going through that three-year cycle of that lease, we began to finally start developing the marina first with the sea wall which we started late summer of 2011, and of course the docks that we're currently enjoying on the north end.

But in order to make sure that everything is clean and that we are, um, responsible to our tenant, in light of the fact that the master developer is the one now that's responsible for that commercial development and no longer the City or the CRA, the CRA is going -- is instrumental and will be funding the public elements.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: I would like for Council to consider, um, us writing to the owners -- well, it's really GR -- RG Group is actually the name of the company -- and informing them of the situation and -- so that we can put them on notice, because at some point with the uplands, in order for us to save money, the most efficient way to develop the uplands is to do all of your infrastructure at one time.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: Which means there will be, at some point, the situation arising where the Tiki would probably need to close. And we want to be a good partner to Tiki like they have been to us and give them adequate enough time so that they can

do what they need to do with their operations so they would know when they would need to shut down. And we would commit to them to giving them a minimum of a 90-day notice as to when that would occur.

CHAIRPERSON BROOKS: Okay. Any comments from the -- the board?

COUNCILPERSON DAVIS: I'm sorry. I'm confused.

DR. ANGELA WYNN: I have a -- I have a card up there.

COUNCILPERSON DAVIS: Are we --

DR. ANGELA WYNN: I have a comment card.

CITY CLERK WARD: Yes.

COUNCILPERSON DAVIS: Okay. We have it.

DR. ANGELA WYNN: Okay.

COUNCILPERSON DAVIS: Are we saying that we're only to give them a three-month notice?

CITY MANAGER JONES: We can decide on how long we want to give them. Generally somewhere -- three to six months is generally about the notice as to when -- as it relates to the development schedule.

COUNCILPERSON DAVIS: Uh-huh.

CITY MANAGER JONES: So based on the development schedule, giving them that notice as it relates to what would be happening with them.

COUNCILPERSON DAVIS: Wow.

CITY MANAGER JONES: Yeah.

COUNCILPERSON DAVIS: I -- I just think more is better, especially when it comes to something like this.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON DAVIS: Um, to give them time to, you know, do whatever they need to do. You know, I -- I -- I wouldn't feel -- just to avoid any kind of conflicts, you know, give them at least -- at least six months. Most six months. I'll put it that way.

CITY MANAGER JONES: What, six to nine months?

COUNCILPERSON DAVIS: No. I would just say six months.

CHAIRPERSON BROOKS: Definitely six months.

COUNCILPERSON DAVIS: Yeah.

CITY MANAGER JONES: Six months? Okay.

CHAIRPERSON BROOKS: What she's saying. Miss Jones, would we -- and maybe I should ask Legal -- are we going to be held accountable or responsible for any relocation? You know, we got into this conversation the other night at the CRA meeting. What will be the response -- financial responsibility, etc., of --

COUNCILPERSON DAVIS: The City.

CHAIRPERSON BROOKS: -- the City in relocating them should they decide to relocate? And I think we need to -- Miss -- Miss Ryan?

CITY ATTORNEY RYAN: Yeah. Madam Chair, um, that is an excellent, excellent question. And I think the Council really has to make a decision about how -- where it wants to go with the current lease. As the Manager explained, right now we are on a month-to-month lease with them.

And one of the purposes of writing them a letter is to put them on notice that even though they are in a negotiation stance with Viking, it is not the City's intention to move forward with this lease anymore. If this council is done with this lease, I -- you know, I -- I want -- I would make this letter even stronger. If you're done with this lease and if negotiations break down with Viking, we need to tell them and we need to tell them now.

They may say, You know what? We -- we want out. So go ahead and terminate the lease.

COUNCILPERSON DAVIS: Six months.

CITY ATTORNEY RYAN: And we -- we -- we may want to consider that. But I think right now we are not -- we have not been clear with our intentions to them. They -- they are working under Viking but if -- if Viking -- their negotiations with Viking break down, the question is do they have -- do they feel like they have a right to negotiate further with the City.

And this council need it is make a decision. I know there was some discussion at one point about going out for RFP if the negotiations break down. And if this council is in a position to say what it wants to do, that would be great. And I would add that to this letter.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Thomas?

COUNCILPERSON THOMAS: Um, how much more time is left on this current lease?

COUNCILPERSON DAVIS: It's month to month.

CHAIRPERSON BROOKS: There is no more --

CITY MANAGER JONES: They're on a month-to-month.

CITY ATTORNEY RYAN: The -- 'cause it's expired.

COUNCILPERSON THOMAS: Okay. Well, I would just say just to be fair, they have the six months and that's -- that's done. I'm -- you know, they -- they can, you know, negotiate with master developer or whatever they want to do. But as far as I'm -- as far as my position as a part of this board, six months is, I think, ample enough time. And I'm -- I'm done. So I'm just stating my -- my position on it.

CHAIRPERSON BROOKS: Well, let me just be clear about where we are really legally postured in all of this. I agree. We don't want to give -- we do want to give them advance notice. Six months, no less than. But I also hear that Viking is now at the table with this.

COUNCILPERSON DAVIS: Uh-huh.

CHAIRPERSON BROOKS: With them being at the table -- I mean, they're currently sitting at the table with this lease --

CITY MANAGER JONES: With the lease?

CHAIRPERSON BROOKS: -- I need -- I just really -- okay. Do we need --

COUNCILPERSON DAVIS: They're -- they're negotiating --

CHAIRPERSON BROOKS: -- do -- they're negotiating with them?

COUNCILPERSON DAVIS: -- with them.

CHAIRPERSON BROOKS: There's a negotiating process that's going on between Viking and the Tiki?

CITY MANAGER JONES: Yes. For their future and the future location and who builds and -- 'cause Viking is responsible for the private elements in the development.

CHAIRPERSON BROOKS: Right. Right. Right. I'm just trying to -- well, it's left up to Legal as to how we go forward with this. If Viking is negotiating and -- well, it seem like a lot involved here legally.

CITY ATTORNEY RYAN: It -- it's -- it's complicated. It is. But I really -- I think a clear understanding from the council would be very helpful for everybody.

COUNCILPERSON THOMAS: Let me reiterate just for Cedrick.

COUNCILPERSON DAVIS: Madam --

COUNCILPERSON THOMAS: Six months. That's ample enough notice. And if anything else is going to transpire from there, it needs to either go out for bid or needs to be done at another -- but I'm done with the Tiki lease. I'm done, you know?

COUNCILPERSON DAVIS: -- Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis?

COUNCILPERSON DAVIS: As, um, City Council that was sitting at the table when the lease was initially brought forward, I know for a fact that they clearly understood that the City was going to be developing the property and that they were eventually going to have to close or relocate. So I agree with Mr. Thomas that we should be very clear in that the six months -- giving them six months notice, that the City will be moving forward with developing our marina.

CHAIRPERSON BROOKS: Any further comments?

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Lowe?

COUNCILPERSON LOWE: Um, when do we anticipate the infrastructure improvements?

CITY MANAGER JONES: You are probably -- '14, 2014, first quarter.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: First quarter. First quarter of '14.

CITY MANAGER JONES: Yeah.

CHAIRPERSON BROOKS: And what did you say, Miss McKinney?

CITY MANAGER JONES: First quarter of 2014.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: (Inaudible) 2014.

CHAIRPERSON BROOKS: Okay. Okay.

COUNCILPERSON LOWE: And, okay. So six months out from that, that would be --

COUNCILPERSON DAVIS: June, July.

COUNCILPERSON LOWE: -- June and -- June or July. We'd have to provide them with the notice prior to that.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON BROOKS: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: They -- they have to --

COUNCILPERSON LOWE: We're still getting money from them, though?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- they have to -- they cannot be there when we start the -- bringing in the fill and the grading and the infrastructure.

COUNCILPERSON DAVIS: Uh-huh. Right.

COUNCILPERSON LOWE: But they can be there up until that time? Money's still coming to us. That's what -- that's --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Up until --

COUNCILPERSON LOWE: -- the point that I'm trying to --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. It can be up until the time that construction will start.

COUNCILPERSON LOWE: Okay. Well, let's just kind of, uh, keep that in mind, too, when we're going over these issues, because I'd rather have some money than -- than no money. And that they're still doing. They're still paying the City. And we have them budgeted to pay us through what? October or September?

CITY MANAGER JONES: September.

COUNCILPERSON LOWE: So that -- that money has already been factored in our budget?

CITY MANAGER JONES: So what this means is that we would not build them into the revenue for the next year's budget.

COUNCILPERSON LOWE: But they're already in this year's budget?

CITY MANAGER JONES: They're in this year's budget.

COUNCILPERSON LOWE: So we at least need to have them covered until the end of this fiscal year. No? Or you can stand to lose that --

CITY MANAGER JONES: I can't stand to lose a thing.

COUNCILPERSON LOWE: Oh, okay. And I see Mr. Legue shaking his head out there.

COUNCILPERSON DAVIS: And he's shaking his head, yeah.

COUNCILPERSON LOWE: All right. Well, yeah.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: If you could just keep that in mind when you're doing your -
- when they're doing their negotiations.

CHAIRPERSON BROOKS: All right.

CHAIR PRO-TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo?

CHAIR PRO-TEM PARDO: I have a question. City Manager, so how much do we get
a month from the Tiki? Like, \$6,500?

CITY MANAGER JONES: On the lease for the rent we get, um, \$6,500. They also pay
their solid waste authority assessment fee every month. We pay it and then it's added
on to their respective bill as to what that is. So that's the major revenue coming from
this lease.

CHAIR PRO-TEM PARDO: Okay. And let's just be clear. Did we -- I don't recall. I
remember it was a -- a major issue a couple years ago with the utilities. All of the
utilities have been separated?

CITY MANAGER JONES: No. If you'll recall a couple of years ago --

CHAIR PRO-TEM PARDO: Something with the gas?

CITY MANAGER JONES: -- when we --

CHAIR PRO-TEM PARDO: Right?

CITY MANAGER JONES: -- made -- right. The electric has been separated.

CHAIR PRO-TEM PARDO: Uh-huh.

CITY MANAGER JONES: The water and the gas remained as it is with them being --
Tiki being responsible for the gas; the marina being responsible for the water. 'Cause it
was determined that the cost to separate gas lines and water lines, knowing that we
were getting ready to redevelop and do infrastructure anyway --

CHAIR PRO-TEM PARDO: Yeah.

CITY MANAGER JONES: Yeah.

CHAIR PRO-TEM PARDO: But the marina has been under construction for almost a
year. We haven't had really many live-aboards there, right? So is it a fair trade?

CITY MANAGER JONES: With us paying water --

CHAIR PRO-TEM PARDO: Well, do we know the cost of the gas?

CITY MANAGER JONES: They are figuring -- I want to say they're running about \$1,600 a month is what they're saying.

CHAIR PRO-TEM PARDO: Okay. So do we see those bills or does the Tiki just pay them? How does that work?

MARINA DIRECTOR ED LEGUE: Ed Legue, Marina Director. Uh, we don't see the bills on a regular basis. I don't ask them for that. They pay the gas. I see the gas truck there about twice a week so I know it's happening and we have hot water in our showers and our laundry room. So when I -- when I did the original assessment on that, the gas for them was about between 14 and 1,600 a month and our water bill ranged anywhere from as low as -- as low as, like, 9 to as high as, like, 14, 16. So it was going to take -- cost just about \$11,000 to do the switch. And while we would have saved about \$700 a month, we would have then had to buy our own gas and so forth, which would have been about \$700 a months.

CHAIR PRO-TEM PARDO: Right. Now this is all coming back to me.

MARINA DIRECTOR ED LEGUE: Okay.

CHAIR PRO-TEM PARDO: And this was originally when we had said -- and I -- I believe there were documents where we had said that everything was supposed to be split. Not split. Everything -- all of the utilities were supposed to be, um --

CITY MANAGER JONES: Kind of -- kind of equal, yeah.

CHAIR PRO-TEM PARDO: Right.

CITY MANAGER JONES: Kind of equal.

CHAIR PRO-TEM PARDO: Right. Well, no, no. Not equal. We were supposed to separate the gas lines. The utilities were supposed to be separated. Now I recall. It's all coming back. Everything was supposed to be separated and then I guess it was the interim city manager or the assistant city manager had decided it would be too costly. And then they decided on -- on this scheme.

Okay. Well, I think, um, I'm with the six months. I think six months is being very generous. And by that time, you know, we'll know exactly how we're moving forward. And if we sign the agreements with the master developer and he's going to take care of it, then it's up to them to decide how they're going to move forward with the Tiki.

COUNCILPERSON DAVIS: Yeah, Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis.

COUNCILPERSON DAVIS: There's just one clarification. I -- I think Mr. Thomas said if they don't go forward, then we go out for an RFP. The RFP goes against the master developer agreement. So they -- we need to make it clear that if they -- give them the six months notice and, you know, they have to deal with Viking or they're gone.

CHAIRPERSON BROOKS: So the letter that has been drafted, and it's a part of your package here, we knew that we would need to change on page 2 from --

CITY ATTORNEY RYAN: Yes. I'll make adjustments, yes.

CHAIRPERSON BROOKS: -- okay. To six months. Is there any other -- from the comments that you've heard here tonight, Miss Ryan, would you need to --

CITY ATTORNEY RYAN: Okay.

CHAIRPERSON BROOKS: -- make any further adjustments at this time?

CITY ATTORNEY RYAN: Well, I just -- I'll make some adjustments. Please give me the liberty to make other adjustments.

CHAIRPERSON BROOKS: Okay.

CITY ATTORNEY RYAN: But it'll all be based upon the comments made tonight.

CHAIRPERSON BROOKS: Okay.

CITY ATTORNEY RYAN: But just so that I'm clear, the Council basically wants to terminate the lease and give them six months notice.

CHAIR PRO-TEM PARDO: Well, I thought we didn't have a lease.

CHAIRPERSON BROOKS: We don't have a --

CITY ATTORNEY RYAN: It's a month-to-month. It's a -- just say it --

CHAIR PRO-TEM PARDO: Right. But there's nothing in writing either -- even saying there's a month-to-month, right?

CITY ATTORNEY RYAN: There's nothing in writing.

CHAIR PRO-TEM PARDO: Right. So we don't have a lease.

COUNCILPERSON DAVIS: There's an --

UNIDENTIFIED SPEAKER: But the agreement -- the agreement allows month to month.

CITY ATTORNEY RYAN: Please.

CHAIRPERSON BROOKS: He said the agreement allows month to month.

CITY ATTORNEY RYAN: There's -- the agreement -- that's just by law. It's by operation of law. It's not anything in the agreement that says month to month.

CHAIR PRO-TEM PARDO: But there's nothing with the City's signature giving them --

CITY ATTORNEY RYAN: No. It's by operation of the law. But we never --

CHAIR PRO-TEM PARDO: Right.

CITY ATTORNEY RYAN: -- um, it expired. We'll give them six months notice to vacate and they can continue to negotiate with Viking.

CHAIRPERSON BROOKS: And -- and I did pose a question. Will we have -- as the landlord, will there be any responsibility placed on us for their relocation should they decide to do it? They would need to find out about that.

CITY ATTORNEY RYAN: We will look into that but at this point I will say no because the agreement has expired. But, um --

COUNCILPERSON DAVIS: It's between them and Viking.

CITY ATTORNEY RYAN: -- we'll -- we'll look into that further, of course.

CHAIRPERSON BROOKS: Please, let's just -- let's just get some legal clarification on that, opinion on that, I should say.

CHAIR PRO-TEM PARDO: And Madam Chair?

CHAIRPERSON BROOKS: Yes, ma'am.

CHAIR PRO-TEM PARDO: All right. One more thing. So Miss Ryan, will we see this letter again or --

CITY ATTORNEY RYAN: No. I'd like --

CHAIR PRO-TEM PARDO: -- prior to it going out?

CITY ATTORNEY RYAN: -- if there's a consensus or a vote from the Council, um, I can definitely send you a draft before it goes out but it won't come back to this board.

CHAIR PRO-TEM PARDO: Okay. That's fine.

CITY ATTORNEY RYAN: I'm getting my direction tonight.

CHAIR PRO-TEM PARDO: I -- I want to make sure I get a copy of it, please.

CHAIRPERSON BROOKS: So everybody should get a courtesy copy of the draft?

CITY ATTORNEY RYAN: You will get a -- you'll get a courtesy draft copy --

CHAIRPERSON BROOKS: Okay.

CITY ATTORNEY RYAN: -- before the final is done.

CHAIR PRO-TEM PARDO: Right.

CHAIRPERSON BROOKS: Okay. And there's -- okay. We're now down to 26A --

CITY CLERK WARD: Public Comment Cards.

CHAIRPERSON BROOKS: Oh, we do have -- okay. I'm sorry. We have Fane Lozman followed with Dr. -- Dr. Wynn. Okay.

FANE LOZMAN: Fane Lozman. Uh, Michael Gelles [phonetic] asked me to appear before you tonight to tell you and remind you that back in 2008 you said when that lease expired it would go out for bid. At that time Michael Gelles offered \$22,500 a month to lease the Tiki Bar. That was above the City's appraised value of \$19,000. That was mentioned in the Joint Legislative Audit Report. And members on this panel said when that lease expires in 2011 an RFP will go out for bid.

UNIDENTIFIED SPEAKER: Uh-huh.

COUNCILPERSON DAVIS: (Inaudible).

FANE LOZMAN: Michael Gelles is prepared to come in this week with a cashier's check for 22,500 times three, first month, last month and security deposit, to run the Tiki Bar for the next year. And given how this City gets caught up in all its stuff, it could be two or three years until the groundbreaking occurs. But the point is, you have an obligation as elected officials, especially after you saw what happened in the Joint Legislative Audit Report, to maximize the income coming into that Tiki Bar. You feel bad for the Gregory Group. One of his former managers told me he makes over a million bucks a year there. So you're walking -- you walked away since you renewed the lease last time of over \$800,000.

Now, I've been told -- and federal investigators are looking into it -- as to why did you do that. Why would you walk away from the extra couple hundred thousand dollars a year? Hmm? Well, we can allege why we think you did but we have a feeling why at least one person on this board did do that. Now, why? I think -- I'm not going to say who it is but let me ask you a question.

I'd like to say Mr. Lowe said when that lease is up and Miss Pardo said when that lease is up, it's gotta go out for bid. We can't keep getting 6,500 bucks a month when the appraised value is 19,400 and we have an offer for 22,500. Why are you continuing to subsidize a guy who makes over a million bucks a year? You ought to put the guy -- 30 -- month-to-month lease means you don't get any notice.

Your lease is over after 30 days. You gotta kick this guy out and put it out for bid for the next year. For the next two years. You don't know how long it's gonna be. But why are you basically defrauding the City of that money? What's your motivation? Gregory's making a ton of money. He's been making a ton of money there forever.

Why are you defrauding the -- this city of money when a guy wants to come in here at 22,5? You may put it out for bid and Johnny Longboats will come in there for 30,000 a month. You have an obligation to follow the law. The law is when you expanded their lease area, you didn't put that extra lease area out for bid. You expanded their lease area from '04 to '08 and you didn't put that other 6 or 8,000 square feet out for bid. You sole-sourced that.

COUNCILPERSON DAVIS: Council didn't do that.

FANE LOZMAN: A state of -- and that example, state prosecutor can nail all of you. And I've been trying to get the former state attorney to do that very thing. And I said, "Don't take my word for it. Look at the Joint Legislative Audit Report." But the fact that here you are four years later doing the same thing, congratulations. We've got a new state attorney. Some of you guys are gonna have a big problem.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis?

COUNCILPERSON DAVIS: Just to clarify one thing: Council did not authorize the extension of the Tiki. It was done without my knowledge, anyway. It did not come to the board.

CHAIRPERSON BROOKS: And the records just stand for that, not any of us were aware of it. Next we have 26A.

CITY CLERK WARD: Miss -- Miss, uh, (Inaudible).

CHAIRPERSON BROOKS: Oh, I'm sorry, Dr. Wynn. Please. I --

DR. ANGELA WYNN: Hey, how you doing?

CHAIRPERSON BROOKS: I got a card.

DR. ANGELA WYNN: Hi, everybody.

CHAIRPERSON BROOKS: Trying to get out of here.

DR. ANGELA WYNN: I -- I am so happy today to hear that the Tiki Bar lease is up. I do believe it's on a month-to-month basis. I think 90 days -- you should give them 90 days. As I heard, he's a month-to-month tenant. But it's proper to giving at least 90 days for -- for him to move out. And I believe that's, you know, enough time.

You don't have to have six months when you have a lease, month-to-month lease. So asking -- you know, as a matter of fact, he should have been gone a long time ago. Yes, he made millions of dollar. There is nothing wrong with people making money.

But you're talking about the lease he got for (Inaudible) nothing. The City lost a lot of money to the Tiki Bar. So I'm -- I'm glad he's going. Very happy he's going. And that's all I have to say. I'm glad the Tiki Bar is going and it should be gone a long time. Amen.

CHAIRPERSON BROOKS: Okay. Thank you, Dr. Wynn. Any other cards on that?

CITY CLERK WARD: No. That's (Inaudible).

CHAIRPERSON BROOKS: Well, that was just a discussion. No need for a vote. Next, 26A.

CITY CLERK WARD: 26, Property acquisition update, 1481 W. 15th Street, Riviera Beach, Florida.

CITY MANAGER JONES: Right now I'd like to ask Danny Jones, the Interim Deputy City Manager, to give you an update. You have a written, um, memorandum and supporting documentation of the things that have occurred since we last met and reported to you. We have been diligently working through this due-diligence period in order to uncover every rock, everything that we possibly can in order to make sure that we are comfortable with the acquisition of this property. So right now I'd like to ask Mr. Jones to give you a summary of the things that have taken place. And then at -- we will answer any questions that you may have.

INTERIM DEPUTY CITY MANAGER JONES: Madam Chair, members of the Council, on December 17th at a workshop, the city council requested a -- an additional 45-day due-diligence period for the acquisition of the property, and the owner at that -- GEU agreed to allow us more time to investigate.

The -- one of the key issues we wanted to investigate was the hardening of the building, including the roof and windows. The City contracted with Andrew Morgan, a licensed professional, to evaluate the roof windows and doors and determine if those items met the current building code which changed after -- the building was built in 2006 to a set of building codes which changed in 2012. And we wanted to know if that -- those particular areas met the current building code.

After the professional we hired, Andrew Morgan, looked at the doors, windows and roof, it was determined that the doors and windows did not meet -- actually, I'm sorry, the roof did not meet the code and we notified the seller. The seller then hired a separate engineer to look at ways of retrofitting the facility to make it meet the 180-mile-an-hour wind codes.

Our professional reviewed those documents and agreed with the method that will be used to make the building meet the 180-mile-an-hour wind code. We then had BRI

Consulting Group do an entire inspection on all the facilities there. And there were some routine maintenance-type items that were in -- and your backup you'll find all the different reports that I'm speaking to.

BRI Consulting Group found some routine maintenance-type items that needed to be taken care of. And those items are listed as a part of the second amendment for the seller to provide those improvements and a specific timeline has been outlined. As well as those things listed in number one for hardening the roof and doors, will be paid for by the seller and a specific timeline has been outlined for those upgrades.

We also had our consultants look at the cost to building out the facility. The City retained Song + Associates to conduct the analysis of the program and space proposed in association with the project. And at this time it has been determined that an estimation of approximately \$7.9 million would be needed to build out the facility.

Those were our three major issues for the due-diligence period. The staff still remains committed to the original budget of \$13 million to get this project done, but those are our estimates that we received from the professionals that we consulted with at this time.

All the documents that you have in your backup support the findings in the due diligence, and the amendment along with the second amendment outlines how the seller will be responsible and outlines a timeline when those items will be upgraded and improved. If you have any questions I'll be more than happy to try to answer those questions now.

CHAIRPERSON BROOKS: Okay. Open to the board, please, if you have any questions.

CHAIR PRO-TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo?

CHAIR PRO-TEM PARDO: I have a couple of questions. Mr. Jones, did I hear you right? You said that the building was built in 2006?

INTERIM DEPUTY CITY MANAGER JONES: Well, it was C-O'd -- it was -- I think they started building in 2004 and I think it was C-O'd in 2006.

CHAIR PRO-TEM PARDO: Okay. And so the seller is going to give us \$50,000, right, for improvements?

INTERIM DEPUTY CITY MANAGER JONES: The seller will make the improvements to the facility and that's an estimated cost of those improvements.

CHAIR PRO-TEM PARDO: And do we have any idea how much a roof would cost for the 60,000 square feet building?

INTERIM DEPUTY CITY MANAGER JONES: At \$8 a square foot, Terrence Bailey?

CITY ENGINEER TERRENCE BAILEY: A budget that size --

INTERIM DEPUTY CITY MANAGER JONES: Here, stand over here.

CHAIR PRO-TEM PARDO: Uh-huh.

CITY ENGINEER TERRENCE BAILEY: (Inaudible). Terrence Bailey, your City Engineer. A 60,000-square-foot roof on a project that size going up to the 180-mile-an-hour wind load --

CHAIR PRO-TEM PARDO: Uh-huh.

CITY ENGINEER TERRENCE BAILEY: -- has an estimate of 8 to \$10 a square foot, which would put us solidly in the half a million to \$650,000 range to replace that roof.

CHAIR PRO-TEM PARDO: Okay. And I'm asking that because I did read the inspection by BRI. And it says in here -- you know, they're talking about the main building. And it says the roof system is approximately halfway through its life expectancy. So I just want to make sure that you're also accounting for that cost. You know, down the road, all right, halfway through its life expectancy, and here's a building --

INTERIM DEPUTY CITY MANAGER JONES: That's an estimation on their part.

CHAIR PRO-TEM PARDO: Okay.

INTERIM DEPUTY CITY MANAGER JONES: I think it was a 20-year roof and they're in year eight.

CHAIR PRO-TEM PARDO: Uh-huh. All right. Well, I'm just saying, you know, we're not the engineers here. You know, we hired a consultant, right? And we're going along with everything else he says so I think, you know, that's something that we all need to consider, too. The other thing, um, you know, the other meetings we had, you guys were touting that we were going to save two and a half million dollars. Are we still saving two and a half million dollars on this project?

INTERIM DEPUTY CITY MANAGER JONES: Based on the original budget and what was -- we originally spoke about, no, ma'am. The estimated savings will be approximately a million dollars now. The costs for the Public Safety facility were higher than anticipated. The cost for the --

CHAIR PRO-TEM PARDO: Of course.

INTERIM DEPUTY CITY MANAGER JONES: -- the estimated cost for the Public Works facility was estimated pretty correct.

CHAIR PRO-TEM PARDO: Okay. So we're still estimating. So it can be, you know -- that million dollars can be even less?

INTERIM DEPUTY CITY MANAGER JONES: No, Song + Associates did the cost estimates for us, anticipated costs.

CHAIR PRO-TEM PARDO: Uh-huh. And didn't they do that originally, too, for the two and a half million dollars that we were going to -- you know, the original savings?

INTERIM DEPUTY CITY MANAGER JONES: No, ma'am.

CHAIR PRO-TEM PARDO: But you know what? I'm not gonna beat the horse.

INTERIM DEPUTY CITY MANAGER JONES: Okay. Right.

CHAIR PRO-TEM PARDO: I think everyone knows how I feel about this. I still think that the City of Riviera Beach deserves a brand new, spanking new police station and a brand new Public Works building. I am just so sick of it. It's, you know, hand-me-downs and it's almost like we don't believe that we deserve better. And to go and take, you know, the property over in the warehouse district, I don't think it's the right thing to do. We're taking the public safety off of Blue Heron Boulevard, out off of, you know, the main thoroughfare of this city.

And I spoke with residents who were part of the committee back when Mayor Brooks was able to find the money to build this facility. There was a group of residents who got together and they looked all around the city to decide where the best place for City Hall was. And this is where -- this is what they came to.

All right? And I think they made a great decision. And now to say we're going to take some guy out of his bad investment, we're going to throw money into the building and rehab the building and you have an engineer here telling you that the roof is halfway through its life expectancy -- there's other things. You know, we see the pictures. And again, I'm not an engineer. But, um, to me, it doesn't -- it still doesn't make sense.

And I understand, you know, back when the city manager was telling us we were saving two and a half million dollars. Then maybe it was a little more appealing. But now we're down to maybe saving a million dollars and that's an estimate. The City of Riviera Beach deserves more. The people deserve more. The employees deserve more. We've been budgeting for a brand new building for years.

And I didn't support it months ago. I'm not supporting it today. 'Cause I believe we deserve brand new. Not, you know, hand-me-downs. Thank you, Madam Chair.

CHAIRPERSON BROOKS: You're welcome, Miss Pardo. Well, you know, this due-diligence process was to allow us to see if, in fact, this is something that we need to move forward with, and that's really what this report is all about. And we can just, you know, make a decision from that. I -- I also --

AUDIENCE: (Inaudible).

CHAIRPERSON BROOKS: Yes?

AUDIENCE: (Inaudible).

AUDIENCE: Yes.

CHAIRPERSON BROOKS: Uh-huh.

AUDIENCE: Okay.

CHAIRPERSON BROOKS: Yeah. Given -- we were talking about the original amount of what, \$20 million, was it? That was going to go forward for the different -- for the police department and --

INTERIM DEPUTY CITY MANAGER JONES: 15.5.

CITY MANAGER JONES: 15 point --

CHAIRPERSON BROOKS: It was 15 something? Okay.

CITY MANAGER JONES: -- 15.5.

CHAIRPERSON BROOKS: Right. Okay. So now we're down to a savings of about one million. With what was proposed back then when we came up with 15 million, would that figure still be the same today at 2013 that was given in 2011 or 2012? We said it was 15 million now -- then; would it be 15 million now? I mean, it's just a guess, but given --

INTERIM DEPUTY CITY MANAGER JONES: That's one of the considerations is that when we originally programmed the police building, it was prior to 2012, so the code was different. So we would have to reprogram the facility if it was here. And there may be some added costs because of the -- the code change and the code upgrade I think took place in March of 2012.

CHAIRPERSON BROOKS: So when we say 15 million and looking at the difference between that cost then and this cost now, the figures could change?

INTERIM DEPUTY CITY MANAGER JONES: Yes, ma'am.

CHAIRPERSON BROOKS: How many days we have now? You said there's been additional days given to us. So this is it?

CITY MANAGER JONES: The end of your due-diligence period was Monday the 4th.

CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: And if you go along with staff's recommendation, because we can't see any major impediments to this, then tentatively the closing is set for Monday, February the 11th.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes. Yes, Mr. Thomas.

COUNCILPERSON THOMAS: Um, I have -- I have a few questions. I just want to make sure I heard you correctly. If the building was -- if we didn't -- if we did not go forth with this particular plan and we built the buildings that we need to build, are you saying that there are going to be some added costs to -- to that? Did I hear you correctly with that?

INTERIM DEPUTY CITY MANAGER JONES: Could be added costs because the programming was based on the codes prior to 2012.

COUNCILPERSON THOMAS: Well, how -- I mean, that's -- that's something vital to, you know -- to -- to know. Because what I'm concerned about is the -- in the police station that was originally designed to be here, there was an emergency center in there, correct?

INTERIM DEPUTY CITY MANAGER JONES: Yes, sir.

COUNCILPERSON THOMAS: An EOC in there?

CITY MANAGER JONES: Yes.

COUNCILPERSON THOMAS: And is there -- now that you can't put the emergency center in the building that's on 13th Street?

INTERIM DEPUTY CITY MANAGER JONES: No, sir. Those estimates do include the EOC Center.

COUNCILPERSON THOMAS: So those -- the -- the estimate that we have, it's -- it includes the EOC Center for --

INTERIM DEPUTY CITY MANAGER JONES: -- for the location on 1481 W. 15th, the GEU property.

COUNCILPERSON THOMAS: Okay. All right. So I -- I mean, I've just been hearing -- I just want to make sure I'm clear. Is -- does this have to be a stand-alone building now?

INTERIM DEPUTY CITY MANAGER JONES: No, sir. It will be a building contained inside of the main facility. But the EOC will be included in this -- in the renovation and the upgrade of the property.

COUNCILPERSON THOMAS: Okay. And the two and a half million that was originally supposed to be realized, um, that -- which was supposed to be some seed money for some other development, how does that affect the new -- how does that affect the -- the development past the police department? With the loss of that revenue, the million and a half dollar loss of revenue, how does that affect the original seed money that we were going to have for phase 3 and 4?

CITY MANAGER JONES: With phase 3 and 4, um, you still have resources in order to do your plans and to get done all of your preliminaries, your drawings, your engineering. You are always going to have to go out and get the money for construction.

COUNCILPERSON THOMAS: I mean, well, if you're saying that we've lost a million and a half dollars in savings, that's significant. So I'm trying to figure out how can we still do all of this if we lost a million and a half dollars in savings. That's what made it attractive to me, the amount of money that we --

CITY MANAGER JONES: Yeah.

COUNCILPERSON THOMAS: -- were saving to be able to do the -- so I -- I mean, how -- how do -- how does it still work if we've lost that amount of money?

CITY MANAGER JONES: What you do is you value-engineer the project. And you'll hear in construction used like design build, maximum price. This is how much money I got. When you send your solicitation in to -- to construct, this is all the money that I have. That's kind of value engineering, negotiating with individuals. 'Cause when you get an estimate from a professional, the professional is going to make sure it's a good number in order to keep up their credibility in the field and with their colleagues.

And staff feels that we can value-engineer this particular project as well as we have began to identify additional grants for the EOC Center, which was always the intent, even when it was in the police department, to get -- there are monies from -- that you can get for hardening or either building new EOCs like the one Jupiter and Gardens, they just did.

And so we are looking and have began working with our lobbyists at the state, how do we go about making sure that we try to get additional monies which then means that you get --

COUNCILPERSON THOMAS: I -- I follow -- I follow --

CITY MANAGER JONES: Yeah.

COUNCILPERSON THOMAS: -- I follow what you're saying on that.

CITY MANAGER JONES: Yeah.

COUNCILPERSON THOMAS: This is my -- this -- this -- this to -- for me, this was attractive because we would have two and a half million dollars seed to go and do some of the other redevelopments that I thought were essential. So I was willing to forego these -- these two buildings and combine them into that property because I'm looking at the savings that were realized.

But I really need to get comfortable with you telling me that it's approximately a million and a half dollars that we would no longer save that we can still do this. And I just want to make sure that we're just not saying, Well, you know, we've done all this work and we

end that -- we're just going to make it fit some kind of way, because at the end of this, I want to make sure that we got what we say that we want to get. So that, you know, I'm -- I'm -- I'm -- I'm being honest with you. I'm -- I'm not very comfortable right now hearing that we're going to lose a million and a half dollars in savings. And if we're -- if we're not going to really -- if you're not going to be able to articulate how we're going to still do this project, just, I mean, on the -- on the -- on a sound, just hard money versus brick and mortar type thing, then I'm -- I'm very uncomfortable with going in saying that, you know, we're going to try and get grants and we're going to try and do some of those things, when we can go to construction immediately. I was willing to forego that for this particular deal 'cause I -- I still believe it's a good deal if we are able to articulate and make sure that we can do the same things that you originally said after we've gone through this due-diligence period.

CITY MANAGER JONES: Yeah. Um, and -- and -- and we recognize, and we have agonized with the same thing, in that the original cost estimates were on estimates of about \$65 a square foot. And now we're being told that it runs about \$90 a square foot. So that's where you lost your million and a half. It was --

COUNCILPERSON THOMAS: And how do we know by the time we actually go to retrofit it in another year --

CHAIR PRO-TEM PARDO: Amen.

CHAIRPERSON BROOKS: Yeah.

COUNCILPERSON THOMAS: -- that it's not gonna be more? I -- I -- and I'm not trying to just -- I'm not trying to beat up on the work that you've done. I'm just trying to think ahead a little bit and say, Listen. We thought it was 65 a square foot. Now we find out that it's \$90 a square foot and it's only been 90 days. What happens when, you know, we're not in there for another year, you know, a year and a half? Do you -- do you estimate -- is -- are we going to be able to lock in that price now for two years from now? If we are, then I'm okay. If we're not, I have a problem. So if you're saying we can -- we can get that \$90 and it's going to stay \$90 from -- from here until the time we actually take possession of the building, then I'm okay.

CITY MANAGER JONES: Yeah.

INTERIM DEPUTY CITY MANAGER JONES: Councilperson Thomas, our initial assessments were made internally in house and those numbers -- the number of \$65 a square foot was done internally. And when -- we had to come up with a number to bring forth to the Council to start the process. And as a part of our due diligence, when we really start digging -- you know, we dug down deep into the, uh -- the EOC part of this particular project and the upgrades for the code, that caused change.

But you have to keep in mind, too, that the facilities we were building was about 65,000 square foot total. And the facilities we're looking at purchasing now would be over 122,000 square foot. So there's some -- that's --

COUNCILPERSON THOMAS: I understand that. That's --

INTERIM DEPUTY CITY MANAGER JONES: -- double.

COUNCILPERSON THOMAS: -- double.

INTERIM DEPUTY CITY MANAGER JONES: Yeah.

COUNCILPERSON THOMAS: I understand that they're double. Let me -- let me ask you this question. This will be my final question: If we did not do this project, when could we go out for construction on the Public Works and the Police building? If we did not do this project, when can we go out? When can we -- when could we be going out for -- going out to bid to build these two facilities?

INTERIM DEPUTY CITY MANAGER JONES: I'd say Public Works could be within three to four months because they've already had site plan approval. And the police department would be about eight or nine months because we've yet to do the design.

COUNCILPERSON THOMAS: Okay. That's it for me.

CHAIRPERSON BROOKS: Well, then, I really feel that what should have been a part of this report was what might be the increased cost for the police building and for Public Works. And given that information, we might see that, in fact, we would still have a savings based upon purchasing this property as compared to what the new figures might be for the police and Public Works.

Um, we don't have it. I believe that it's going to be more and maybe we'd still come up with the same kind of savings. Like Councilman Thomas, you know, we were just excited about that \$2.5 million and right now we're -- it has been reduced to one million and it might even be reduced even further. And it --

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes. Yes.

COUNCILPERSON THOMAS: I just need to make sure that I'm understanding this right. Being that we passed Monday, if we don't take this -- if we don't do this, then we lose the quarter of a million dollars? We forfeit that?

INTERIM DEPUTY CITY MANAGER JONES: The due-diligence period ended Monday afternoon at 5.

CHAIR PRO-TEM PARDO: Without coming to us.

CHAIRPERSON BROOKS: So you're saying what, now? We -- we're about to lose what, now?

INTERIM DEPUTY CITY MANAGER JONES: The due-diligence period ended Monday

afternoon at 5.

CHAIRPERSON BROOKS: And? But is there -- are you saying that there's a cost now that we must bear?

INTERIM DEPUTY CITY MANAGER JONES: If we decide not to close, yes, ma'am.

CHAIRPERSON BROOKS: And what is that cost?

INTERIM DEPUTY CITY MANAGER JONES: Our deposit.

CHAIRPERSON BROOKS: And that is --

COUNCILPERSON THOMAS: But did -- 250,000.

INTERIM DEPUTY CITY MANAGER JONES: 2 -- yeah, \$250,000.

COUNCILPERSON THOMAS: But didn't -- did we not say that we wanted to make sure before we lost anything? That was what the additional 45 days was for. So why is it now that we're going to lose \$250,000 when I know for a fact that is why we asked for the additional 45 days? Why is that?

CITY MANAGER JONES: The -- the -- the issue -- in fact, we were working on these reports and with the developer up till Monday. Um, and getting them -- and once they got the reports, to say, Look, you need to fix this. You need to be responsible for this. You need to be responsible for this and doing the second amendment to the contract so that they would sign saying, Yes, they would do all of these things. And we finally got that complete 5:00 on Monday.

COUNCILPERSON THOMAS: Miss Jones, I'm sorry, but this is unacceptable.

CHAIR PRO-TEM PARDO: It is --

COUNCILPERSON THOMAS: This is unacceptable.

CITY MANAGER JONES: Okay.

COUNCILPERSON THOMAS: And if we lose the \$250,000, I'm very upset by that because that's what the initial 45 days was. That's not up to us to make sure that we're keeping up with the dates. That's up to the staff.

CHAIRPERSON BROOKS: Right.

COUNCILPERSON THOMAS: And if we were coming close to that time, we should have called a special meeting.

CHAIRPERSON BROOKS: Special meeting.

COUNCILPERSON THOMAS: We should have done whatever it took. That's

unacceptable. I'm really not happy about that. That makes me not be able to trust what you all are telling, you know, us about this. I'm -- you know, I'm trusting you all. I'm trusting you all to give that to me because that's what I'm giving to the citizens. That's ridiculous. That is so ridiculous and I'm not trying to chastise you but that's ridiculous to lose a quarter of a million dollars just because we didn't call a meeting like this to say whether we wanted it or not. I cannot move forward like that.

CHAIRPERSON BROOKS: And I would like to have all of the council members present when we make a decision on this. And Miss Davis has had to leave because there's been an emergency with her. And I would like to know if the -- if the board would just like to wait till -- when we can have the full board to discuss this and move forward?

COUNCILPERSON THOMAS: Might as well.

CHAIR PRO-TEM PARDO: Well, I don't --

COUNCILPERSON THOMAS: We're going to pay \$250,000.

CHAIRPERSON BROOKS: Yeah. We've already lost that so --

CITY ATTORNEY RYAN: Well, what we would --

CHAIR PRO-TEM PARDO: Well, do we have to do something by Monday?

CITY ATTORNEY RYAN: Well, I -- Madam Chair?

CHAIRPERSON BROOKS: Yes.

CITY ATTORNEY RYAN: -- the closing is set for Monday. The -- the due-diligence period ended at 5:00 on -- on -- on Monday and that's why I don't -- I don't think Miss Ward read the resolution but we drafted a resolution for the city council to ratify the city manager's -- the fact that she executed the first amendment, which was to extend the days to 45. And -- an extra 45 days. And the second amendment which allowed them to give us an additional \$50,000 in escrow. So they -- so that we could move forward.

So she did that and the resolution that is before you tonight would have ratified that because you all have -- you need to do that. And also, um, we were requesting that you authorize the manager to sign the closing documents because the Mayor has refused up to date to -- to this date, to sign any of the documents associated with this purchase and sale.

CHAIR PRO-TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo?

CHAIR PRO-TEM PARDO: I just think it's very curious that we didn't reach an agreement with this guy until 5:00 on Monday with him knowing that the due-diligence period ended at that time. You know, you would think if, you know, someone's going to

negotiate in good faith, we would have been at the table with him last week. There would have been, you know -- he would have come to us with the \$50,000 and then called a special meeting. All right? So he's the guy -- either way, whatever we do, he's the guy walking away with money in his pocket.

INTERIM DEPUTY CITY MANAGER JONES: The -- the main delay for the due diligence were the two professional engineers coming together on the upgrade of the roof. If you look at the dates on the letters, they kind of outline those dates and when those documents were sent to the City and to GEU.

COUNCILPERSON THOMAS: But a deadline is a deadline.

CHAIR PRO-TEM PARDO: But a deadline --

CHAIRPERSON BROOKS: A deadline, yeah.

CHAIR PRO-TEM PARDO: -- absolutely.

COUNCILPERSON THOMAS: You know, a deadline is a deadline.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON THOMAS: And we -- we just can't keep operating like that. A deadline is a deadline. You know? So I mean, I -- I do not want to close. Now, I'm just putting what I want to do out there. I do not want to close, especially under this type of condition.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mayor?

MAYOR MASTERS: Thank you. I read somewhere about the handwriting on the wall. And someone interpreted the handwriting on the wall when others did not or could not.

I've said that to say this. It's -- it's clear to me that we've had sign after sign after sign that this deal has just fallen apart. And, um, for me and my house, whoever house that is -- me and my house, that -- that Scripture that says, "Me and my house will serve the Lord," well, me and my house -- me and I, I didn't sign it from the -- from the beginning 'cause I -- in my heart I knew then something was wrong.

This guy is all over the place. And I don't think that we ought to be on a -- go any further with -- with this guy. And he tried to lease it. He couldn't lease it. Couldn't rent it. Then he found us and we became gullible to this -- this sale. I think it's a bad -- I'm just gone that call it like it is, the way I see it. No one has to see it the way I see it. It's a bad deal. It was bad from day one. It's bad now. It's gonna be bad tomorrow.

UNIDENTIFIED SPEAKER: (Inaudible).

MAYOR MASTERS: So I feel we ought to just move on. The police -- let me just finish, please, and I'll be through. Our police department deserves a new police department, state of the art from the ground up.

CHAIR PRO-TEM PARDO: That's what I say.

MAYOR MASTERS: And the same thing with Public Works. That's what I'm for. That's why I didn't sign it and I'm not going to sign it. We need to move forward. I can't sign it in good faith. Thank you. I'm finished.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Mr. Lowe?

COUNCILPERSON LOWE: Yes. I think this deal is getting picked apart. And I believe that first of all, you're talking about 60,000 square foot versus 120,000 square foot. Those aren't the same numbers. That's -- that's double the value, double the property value. The numbers -- the numbers aren't going to match anyways. The value is there. If the code changed in March, it's going to change for the new building.

You know, you're still going to incur that cost when you go back and do the design and construction for the new building. This deal is just getting picked apart. That's -- that's all it is. It's the same old, same old that goes on here with this -- with this -- with this body. You know? Things change. Things change. And, you know, we're -- we're getting where we can realize improvements, not only to the service to our residents, improvements to the neighborhood, improvements to response time -- because we're locating our facilities in areas that need this kind of help. The areas are close to Federal Gardens, Harmony Heights, Monroe Heights, all of the -- all of the areas that -- that -- that require a lot of attention and services in this -- in this community. Um --

CHAIR PRO-TEM PARDO: I'm comfortable voting it down.

COUNCILPERSON LOWE: -- I mean, the wheels were set into motion. We did our due diligence. The two main concerns were the -- the roof issue and one other concern and they've addressed it. They said that they would pay for it. Am I -- am I -- am I right in --

CITY MANAGER JONES: Uh-huh.

COUNCILPERSON LOWE: So nothing -- I mean, there's no significant change. All the numbers that's being thrown around, Song -- Song + Associates could have been high. They're customarily high, in my opinion.

I know they're high. So I mean, we're in a position to -- to, um, move leaps and bounds. And if we miss out on this opportunity, I just don't think it'll ever come around again. And brand new -- brand new facility, this is a -- this will be a new facility. You know? And we'll get a police station. We'll get a Public Works building and we'll get an Emergency Operations building. And we'll have double the room to conduct all of this --

all of these services out of it. You know, it's -- it's -- all of this -- all of this speculation and fear, it's just -- it's killing the deal. You know, I'm comfortable with it and I live here just like everybody else. Just because I'm on the council don't mean I care less. And you know, it would be arrogant of me to say that I care more but I do care a great deal. And I wouldn't want to be a part of any situation that would put the City in bad light or waste the taxpayers' money. This is different. And different things scare people. But you know, I'm still confident that this would be a good move for the City. And that's -- that's just my opinion. But I happen to be a little bit more optimistic about Riviera Beach than most. So --

CHAIR PRO-TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo.

CHAIR PRO-TEM PARDO: Well, I'm optimistic and a realist and a taxpayer. And --

COUNCILPERSON LOWE: And I'm one, too.

CHAIR PRO-TEM PARDO: -- and I think one thing that we need to remember, you know, we're throwing around how the -- the facility in the warehouse has more space. But you also need to remember with the Public Works building, we're not moving the fuel tanks. So our crew will still have to go over to the old Public Works facility to fuel the trucks, just like the fire engines and everyone else. All right? So that's something that we need to take into consideration.

And I think if anything is compelling, it is the statement that the engineer just made that we can start -- we can go out for bid in three months to get that Public Works building moving. And the -- and the police station within six months.

MAYOR MASTERS: Brand new.

CHAIR PRO-TEM PARDO: Instead of -- brand spanking new, instead of waiting 18 months for the tenant to move out. And remember, the tenant who is paying his rent to the seller. So it's very compelling for me to, you know -- y'all know I didn't like this deal in the beginning. We're now down a half -- a million and a half in savings and God knows if we're going to be expending even more money at the end.

CHAIRPERSON BROOKS: Mr. Sherman?

FINANCIAL DIRECTOR SHERMAN: Yes, Randy Sherman.

CHAIR PRO-TEM PARDO: It is what it is.

FINANCIAL DIRECTOR SHERMAN: Director of Finance and Administrative Services. Let me clarify two points. If you walk away from this deal, they get the security deposit and that's \$250,000. You no longer will have enough to go back to the other plan. The other plan was 15 and a half million dollars. You'll no longer have 15 and a half million dollars. And we don't know if the code will actually add to that 15.5. That's the first

point.

Second point that I want to make is we did the cost estimates. Song + Associates came in, made some cost estimates. As was stated, the staff is still committed to that \$13 million budget that's passed. We can't spend any more than \$13 million without coming back. When you issue the RFP, the RFQ, however you want to phrase it, it is going to say this is the amount of money that we have to spend. You design it within that budget. You build it within that budget.

Now, if somebody comes back and you don't like the finishes that come back because they're trying to stay within that budget, then we can talk about trying to find some more money to put into the project if that's really what you want to do. But the budget that you've adopted is only \$13 million. The documents will be released and will say that and that was where the bids are going to have to come in.

Now, again, we have no guarantees. We have estimates right now. We have no guarantees what constructions are going to be 18 months from now. I'll give you that. But we also don't have a competitive bid. We have one firm's opinion. Okay? And as - - as Miss Jones said, they're always going to be high. They don't want to get caught being low.

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

FINANCIAL DIRECTOR SHERMAN: Nobody's going to come in and give you a low number just to make the number look good. They're always going to be on the high side. Okay?

COUNCILPERSON THOMAS: Mr. Sherman? Madam -- Mr. Chairman?

CHAIR PRO-TEM PARDO: Madam --

CHAIRPERSON BROOKS: Uh, wait. Just a minute. Hold on. Who --

CHAIR PRO-TEM PARDO: -- Mr. Chair?

CHAIRPERSON BROOKS: -- Miss Pardo, are you finished?

CHAIR PRO-TEM PARDO: No. I have a question.

FINANCIAL DIRECTOR SHERMAN: Yeah.

CHAIR PRO-TEM PARDO: Going back to the engineering. I was on the board when we hired that -- the company up in Orlando. What was it, ADG?

FINANCIAL DIRECTOR SHERMAN: Okay.

CHAIR PRO-TEM PARDO: Okay. Now, there's -- we hired them because they're supposed to be the top in the field. They're the guys that build these, um -- these

facilities. All right? Police stations, fire stations. So you're telling me that they didn't know that this code was coming down in 2012?

FINANCIAL DIRECTOR SHERMAN: (No audible response).

CHAIR PRO-TEM PARDO: I just -- I have a hard time believing that.

CITY ENGINEER BAILEY: We -- we would have to research but I believe that RFP was done in late 2009 and 2010.

CHAIR PRO-TEM PARDO: Right. But weren't they still doing work in

CITY ENGINEER BAILEY: What's that?

CHAIR PRO-TEM PARDO: They were still doing work for us.

CITY ENGINEER BAILEY: They were -- they were doing -- they were doing conceptual design during that period.

CHAIR PRO-TEM PARDO: Right.

CITY ENGINEER BAILEY: Interviewing the occupants.

CHAIR PRO-TEM PARDO: Right.

CITY ENGINEER BAILEY: Understanding the program and what the needs were during that time.

CHAIR PRO-TEM PARDO: Right. And they're the ones that came to us and said that it would cost us, well, anywhere -- I think we approved budget for -- I'm just --

UNIDENTIFIED SPEAKER: Yeah. (Inaudible) million (Inaudible).

CHAIR PRO-TEM PARDO: Right. Originally it was gonna be nine million and then we said --

INTERIM DEPUTY CITY MANAGER JONES: No, it was originally --

CHAIR PRO-TEM PARDO: -- Okay. We would -- we would raise it to either 10 or 11 million in

INTERIM DEPUTY CITY MANAGER JONES: It was about approximately 11 million.

CHAIR PRO-TEM PARDO: Right.

INTERIM DEPUTY CITY MANAGER JONES: And we never got to the design level to get to those specifics.

CHAIR PRO-TEM PARDO: Okay.

INTERIM DEPUTY CITY MANAGER JONES: We never -- the most that they've done is completed the survey work on this site.

CHAIR PRO-TEM PARDO: Okay. But when did we approve that \$11 million? A year and a half ago?

INTERIM DEPUTY CITY MANAGER JONES: I want to say --

CITY MANAGER JONES: Longer than that.

INTERIM DEPUTY CITY MANAGER JONES: -- January -- June 16th of 2010, I think.

CHAIR PRO-TEM PARDO: Okay. So they had no clue that these regulations were going to change?

INTERIM DEPUTY CITY MANAGER JONES: I can't answer that but I know we didn't get to the design part of it, which --

CHAIR PRO-TEM PARDO: Uh-huh.

INTERIM DEPUTY CITY MANAGER JONES: -- would have -- those -- those regulations would have come out then.

CHAIR PRO-TEM PARDO: Right. But you would think that, you know, if they're experts in their field, they would have been aware that these changes were coming down the pipeline. Whatever.

COUNCILPERSON THOMAS: Madam Chair.

CHAIRPERSON BROOKS: Were -- the changes in these new codes that we're talking about now, were they in effect at the time when we looked at the proposed cost for both the police and Public Works?

INTERIM DEPUTY CITY MANAGER JONES: They -- they went in effect in March of 2012. But we were unaware of those codes until we actually started looking at retrofitting the building and having Song + Associates and the engineers look at it.

CHAIRPERSON BROOKS: No, I meant when we -- when we came up with a projection of the cost for Public Works.

INTERIM DEPUTY CITY MANAGER JONES: No, ma'am. We did not. We did not take that into account.

CHAIRPERSON BROOKS: Those codes -- so what I'm getting to here is that whatever costs were given to us as an estimate for those two facilities will, in fact, increase because of the code?

INTERIM DEPUTY CITY MANAGER JONES: There's a great possibility, yes, ma'am. Because the original --

CHAIRPERSON BROOKS: My question is the codes did change since we got the original estimate for those buildings?

INTERIM DEPUTY CITY MANAGER JONES: Yes, ma'am.

CHAIRPERSON BROOKS: Which you said was in 2009?

INTERIM DEPUTY CITY MANAGER JONES: I think it was June 16th of 2010.

CITY MANAGER JONES: '10.

INTERIM DEPUTY CITY MANAGER JONES: And the code changed March of 2012.

CHAIRPERSON BROOKS: So we know that there will be some additional --

INTERIM DEPUTY CITY MANAGER JONES: Added costs.

CHAIRPERSON BROOKS: -- there's gotta be if the codes have changed and the plans that we had were not in compliance -- are not in compliance now with the -- with the existing codes.

INTERIM DEPUTY CITY MANAGER JONES: They couldn't build a building that was designed in 2010 to 2012 unless it met those particular codes, and chances are they probably wouldn't have met those codes so it would be increased costs.

CHAIRPERSON BROOKS: That's what I'm --

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: -- you know, I'm just trying to get all this information. We're not voting on it. This is brought up for -- really for a discussion.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes?

COUNCILPERSON THOMAS: I want to make sure that I heard what Mr. Sherman said. You said that if we don't go forth with this, we don't -- we won't have enough money to do the original plan, either?

FINANCIAL DIRECTOR SHERMAN: Well, you had 15 and a half million dollars.

COUNCILPERSON THOMAS: Okay.

FINANCIAL DIRECTOR SHERMAN: If you walk away from the deposit, that takes \$250,000 out of that 15 and a half million dollars.

COUNCILPERSON THOMAS: Okay.

FINANCIAL DIRECTOR SHERMAN: If the original plan was 15 and a half million dollars, you now no longer even have enough money to do the original plan. And again, the original plan, if it was priced in 2010, is probably going to be more expensive than the 15 and a half million dollars that --

CHAIR PRO-TEM PARDO: Yeah.

FINANCIAL DIRECTOR SHERMAN: -- that you even thought at that point.

CHAIR PRO-TEM PARDO: Yeah.

COUNCILPERSON THOMAS: So I mean, you -- I'm just hearing you say we're stuck between a rock and a hard place.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON THOMAS: You know? I mean, that -- I -- I -- I'm -- I'm trying to get you to offer some --

FINANCIAL DIRECTOR SHERMAN: Well, again, what I -- what I'm trying to say is we put a budget in place for \$13 million. When we go out to bid, that -- now, I realize we're going to take the money out to purchase the property. So we're going to go out to bid and we're going to say we have \$6.4 million to design and do the fit up on these buildings. That's what we have. Bid on that. If you can live within that budget, if you think you can make both those budgets work, then bid on it.

COUNCILPERSON THOMAS: I get that. But what happens if no one bids? Actually, what happens if no one bids and -- because it's going to probably not be enough that no one is going to walk into something where they're going to lose money. And what was the cost analysis with ADG versus Song? What was the difference in those two?

FINANCIAL DIRECTOR SHERMAN: Do you remember?

UNIDENTIFIED SPEAKER: It was a lot.

FINANCIAL DIRECTOR SHERMAN: ADG, I believe, was higher, weren't they?

UNIDENTIFIED SPEAKER:

UNIDENTIFIED SPEAKER: I mean, it was much higher.

CITY MANAGER JONES: Uh-huh.

CITY ENGINEER BAILEY: We had never asked ADG to do a cost assessment on the entire project because they only do police buildings. That -- that was their specialty.

COUNCILPERSON THOMAS: Okay.

CITY ENGINEER BAILEY: They only do police. They don't have a clear

understanding of Public Works so we had never asked them to do a budget for Public Works moving to the new facility. So it --

COUNCILPERSON THOMAS: What about police? Just give me police, then. What -- what -- what was the cost between Song and ADG for the police building?

CITY ENGINEER BAILEY: I don't have that number on me available. I -- it's -- it's been a while since I -- I've seen it.

CITY MANAGER JONES: Was it a (Inaudible)?

CITY ENGINEER BAILEY: No. ADG had a -- a pretty significant estimate for doing the police component.

INTERIM DEPUTY CITY MANAGER JONES: When they talked about redoing the police component, ADG wanted to remove all the doors, all the windows, all of the, um, roof -- and the entire roof. So their estimate included replacing and removing all of those items. When actually, there could -- those items could have been upgraded. So their cost was exorbitantly high. because their costs were removing and replacing those items. They gave a cost of -- of a million dollars just to remove the roof. To remove and replace the roof.

CHAIR PRO-TEM PARDO: Mr. Chairman?

CHAIRPERSON BROOKS: Yes, Miss Pardo.

CHAIR PRO-TEM PARDO: Okay. Going back to, you know, building Public Works, you know, in three or four months from now and the police station by the end of the year, don't you guys think that the -- the cost to build is going to be less now than in 18 months or -- or two years? You know, there's speculation that the economy is going to be turning around, that, you know, housing starts are -- you know, they're starting to come around. So don't you think the price of materials would be higher in two years than right now?

CITY ENGINEER BAILEY: Currently the schedule that we were looking at under this proposed plan will be to do the design throughout the balance of 2013.

CHAIR PRO-TEM PARDO: Uh-huh.

CITY ENGINEER BAILEY: And go out to bid preferably in January of '14. Knowing that our procurement process is a two- or three-month, even four-month process, it was my hope to have a -- to be coming back to you in the first quarter of 2014, exactly one year from now, with a contractor on board. Therefore, freezing our costs of construction at a 2014 price. Again, we come to with counsel. We would have to execute the contract, do meetings, go through the permitting process or complete the permitting process through Community Development and not until May 1st, after Zachry had left the building, could they begin construction. So we're really looking at more of a nine- to 10-month cost difference in the way of commodities and materials for construction, not a

two-year period.

CHAIR PRO-TEM PARDO: Okay.

CITY ENGINEER BAILEY: Under the -- under the timelines that we have laid out.

UNIDENTIFIED SPEAKER: And it's supposed to be (Inaudible).

CITY ENGINEER BAILEY: Yes.

CHAIR PRO-TEM PARDO: But I could tell you Public Works is ready to go because we were ready to go out for bid --

CITY ENGINEER BAILEY: Yes, Public Works has a much shorter timeline to go out to bid.

CHAIR PRO-TEM PARDO: Absolutely.

CITY ENGINEER BAILEY: In the three- to five-month timeline.

CHAIR PRO-TEM PARDO: Right. All right. So you're talking about a savings there.

CHAIRPERSON BROOKS: You say there's -- there would be a savings?

CHAIR PRO-TEM PARDO: I think so. Based on what the markets are saying right now, next year is going to be -- everything is going to be much stronger. So I would think, you know, you're going to have, like I mentioned with the housing starts, okay, things are starting to turn around. So the cost of goods, you'll have more, you know, construction, increased construction going on next week when -- next year so when you have increased construction, the cost of goods go up. So I just -- I really think personally if we move forward -- if we don't move forward with this property over in the warehouse --

MAYOR MASTERS: (Inaudible).

CHAIR PRO-TEM PARDO: -- at the end of the day -- no, seriously, Mayor, you know, at the end of the day --

COUNCILPERSON DAVIS: It's not a warehouse.

CHAIR PRO-TEM PARDO: -- we will be saving money. And you know, you can try to convince me otherwise but I don't think you're going to.

CHAIRPERSON BROOKS: Just to make a comment. I'm -- I'm -- I'm listening to everyone and just trying to write down the -- what we consider the good points here and what we need to be cautious about.

Mr. Lowe mentioned something that's very significant and that is we're getting twice the amount of space for the dollars that we're talk about here, no matter what; is that

correct?

INTERIM DEPUTY CITY MANAGER JONES: Yes, ma'am. And -- and the costs, it wouldn't be for brick and mortar and trusses and those major construction components. The costs for this particular project will be for interior components, just to build out and put walls up and to construct the interior components. So some of those major components, we would -- we would not need concrete, truss, roof. And -- and in answer to your question, yes, we would immediately receive 100 or 2 -- 122,000 square feet.

CHAIRPERSON BROOKS: Uh-huh.

INTERIM DEPUTY CITY MANAGER JONES: Which is double the amount we anticipated building with the original 15.5. Those spaces could be increased to an additional 50,000 square feet if the City so desire today do that.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: You say that -- let me just finish -- that the 13 million -- that the staff is committed to 13 million. I heard Mr. Sherman say that we would go forward with the bids or whatever to ensure that we would be able to trim it to within 13 million. Is that what I'm hearing?

INTERIM DEPUTY CITY MANAGER JONES: The budget you approved in December - - I think it was December the 5th when the -- the money was moved around, Mr. Sherman allocated the budgets in such a fashion that only \$13 million was allocated to this project.

So when we go to move forward with this project, the only thing you've approved is the \$13 million. Now, staff is committed to keeping the project under 13 million with value engineering and by seeking other opportunities. But what you've approved now is 13 million. In order for the -- us to spend more or the -- for this project to cost more than 13 million, this board would have to approve those costs.

CHAIRPERSON BROOKS: Of course you know that's what's scaring some of my members here.

UNIDENTIFIED SPEAKER: Yeah.

CHAIRPERSON BROOKS: Now, with the other 60 -- was it 60 square feet for the other two buildings?

INTERIM DEPUTY CITY MANAGER JONES: Yes, ma'am. Uh-huh.

CHAIRPERSON BROOKS: Again you said that the codes that came into effect in 2012 were not factored in in the cost as projected with these two facilities?

INTERIM DEPUTY CITY MANAGER JONES: And that's all we ever had with ADG is a projection. We -- again, we started in -- technically, we started, I think, January the 6th in 2010, and we came back with a contract in June. So we've been in this police building process for quite some time. And we haven't gotten any farther than the survey level. To get the true cost of building this facility, we have yet to really determine. There's a budget established.

CHAIRPERSON BROOKS: Uh-huh.

INTERIM DEPUTY CITY MANAGER JONES: And that's what we've given our designer, was the budget that you approved for option C, which was a set amount of space. And there was a budget associated with that amount and he was gonna have to design the facility within that budget.

CHAIRPERSON BROOKS: Uh-huh. Okay. Those are just my comments. Miss Davis, uh --

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes. I didn't know if Miss Davis wanted to say something.

COUNCILPERSON THOMAS: I -- I just want to know what happens if no one bids? What -- what -- what -- what happens? 'Cause we've had some situations where no one has bid or just one person bids. You're saying that you're gonna have a cost -- you're gonna say, Hey, you just gotta do it within this cost. If -- if they -- if the -- if we -- 'cause we haven't had any construction companies actually give us any estimates on this. We only have had, you know, architects or whatever. What happens if the construction companies come and say, Look, you said we only got \$7 million to retrofit this. It really takes 8.5 or 9 million. We just won't -- we're just not going to -- to do the risk. What do we do then?

INTERIM DEPUTY CITY MANAGER JONES: I think we control the interior build-out for the facilities. And we control a lot of the -- what goes into the project and what's not in the project. And we have the ability to come back before Council and present to you what our recommendations will be if the \$13 million, along with the other outside resources, do not hold true.

CHAIR PRO-TEM PARDO: More delay.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes. Yes, Mayor.

PURCHASING DIRECTOR GUY: Excuse me. And, uh, just a point --

CHAIRPERSON BROOKS: Oh, I'm sorry. Okay. Mr. Guy.

PURCHASING DIRECTOR GUY: -- of clarification. I apologize, for the record. We -- I

-- I don't think in any recent time we've had a construction bid where we got no responses.

CHAIRPERSON BROOKS: Hmm.

PURCHASING DIRECTOR GUY: We've had different types of solicitations, but for construction, I can't recall one where we didn't get a bid in, where there were no bids.

CHAIRPERSON BROOKS: (Inaudible).

PURCHASING DIRECTOR GUY: And usually our expectation would be that we would get some, that we would always get responses.

COUNCILPERSON THOMAS: But this won't go out for bid for -- until when?

PURCHASING DIRECTOR GUY: We're saying within the next -- within the next nine months, though.

CITY MANAGER JONES: Yeah.

PURCHASING DIRECTOR GUY: Within the next -- within --

CITY MANAGER JONES: Before the next (Inaudible).

PURCHASING DIRECTOR GUY: -- yeah. Within the next nine months, within this year it would go out.

CHAIR PRO-TEM PARDO: All right. And when are you going to construct?

PURCHASING DIRECTOR GUY: That would be --

UNIDENTIFIED SPEAKER: The 1st.

PURCHASING DIRECTOR GUY: -- that would be --

CITY MANAGER JONES: May 1st.

PURCHASING DIRECTOR GUY: -- May 1st.

CITY MANAGER JONES: May 1st, '14.

PURCHASING DIRECTOR GUY: May 1st.

CHAIR PRO-TEM PARDO: Right. When the other company's out, when they leave?

PURCHASING DIRECTOR GUY: Yeah.

COUNCILPERSON THOMAS: You -- you're basically saying that we're -- we're pretty much forced, you know? That's -- that's basically what you're saying. You're saying,

Hey, look. You're losing 250 no matter what you do.

CHAIR PRO-TEM PARDO: Heads should roll on that.

COUNCILPERSON THOMAS: You close or you don't close, you're losing 250. And if you -- if you're saying, Okay. Well, fine, no problem. We'll go back to the -- to the -- to the original plan, you're saying we don't have enough money to do the original plan.

PURCHASING DIRECTOR GUY: Right.

COUNCILPERSON THOMAS: You know, so you pretty much --

PURCHASING DIRECTOR GUY: We -- we may not, but again, I -- I -- I would say this. To -- to keep a perspective, the 15 million and everything that we'd hoped to get with that, it was always based on the estimate anyway. We're talking about this estimate versus that estimate from them.

CHAIRPERSON BROOKS: Uh-huh.

PURCHASING DIRECTOR GUY: And if you're talking about calibrating the dollars or adjusting them from maybe potential future inflation or that thing, that's the same whether it's the project that we're looking at originally or this project. Especially when you look at the public safety component, because regardless, whether it's this process or the original process, we won't be able to be out on the street for nine months to a year.

If -- if right now, if you said, No, we're gonna go back to the original plan, you're still gonna be a year before you can go out and go out for bid for public safety. And I will say with the staff estimates that were generated for Public Works, those came in at the right figure. They came in at \$65. It's the public safety with the hardening that came in at the \$90. But, you know, either way, you're always dealing with an estimate. And with estimates, you're never gonna honestly know until you have the bids in.

COUNCILPERSON THOMAS: Okay. I get it. I get it. We just can't walk away from the 250. I understand that. My problem still -- and it won't end here -- is that we should not have been in this position where we're trying to decide --

CHAIR PRO-TEM PARDO: Yeah.

COUNCILPERSON THOMAS: -- after the fact of we have -- we've -- we've basically forfeited the -- the 45 days. That's an issue that I have a problem with. Fine. We're gonna have to go ahead with it. I -- I get it. No problem. But that is still an issue that will be addressed later. I -- I -- I don't think that that was the right thing to do. I -- I -- I think that it was a big problem for me. I don't know about anybody else but having us decide two days after you already gonna have the -- the -- you already gonna have to up a quarter of a million dollars, that's just hard to swallow.

CHAIR PRO-TEM PARDO: Yeah. (Inaudible).

COUNCILPERSON THOMAS: So we're gonna give you a quarter of a million dollars and we're going to walk away from the building. That's just -- that's -- that's -- that's too hard of a pill for me to swallow. So I guess -- I guess I gotta be in.

COUNCILPERSON DAVIS: Madam Chair?

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis. You haven't had a chance to speak.

COUNCILPERSON DAVIS: Um --

CHAIRPERSON BROOKS: And then you, Mayor.

COUNCILPERSON DAVIS: -- Mr. Guy and --

MAYOR MASTERS: Thank you.

COUNCILPERSON DAVIS: -- Mr. Terrence -- Mr. Bailey and Deputy Manager Jones, in the marina project, did you guys -- you guys managed that, right? Um, would you say that we had all the money that we needed to do everything we wanted to do or did you negotiate prices to get things done --

PURCHASING DIRECTOR GUY: Well, what we did was we did some value engineering and we also acted as our own contractor.

COUNCILPERSON DAVIS: Exactly.

PURCHASING DIRECTOR GUY: We managed it. We --

COUNCILPERSON DAVIS: And it's nothing different that -- than we have done --

PURCHASING DIRECTOR GUY: Right.

COUNCILPERSON DAVIS: -- in the past --

PURCHASING DIRECTOR GUY: You --

COUNCILPERSON DAVIS: -- for projects?

PURCHASING DIRECTOR GUY: Well, you have the commitment from the staff.

COUNCILPERSON DAVIS: Exactly.

PURCHASING DIRECTOR GUY: We're going to do all that's within our capacity --

COUNCILPERSON DAVIS: Exactly.

PURCHASING DIRECTOR GUY: -- to bring the project in according to what it was

initially presented.

COUNCILPERSON DAVIS: Okay. But it's nothing -- it's nothing different than what we have always done.

PURCHASING DIRECTOR GUY: But again, you're -- you're always working with -- with the estimates.

COUNCILPERSON DAVIS: And --

PURCHASING DIRECTOR GUY: And I will say if you --

COUNCILPERSON DAVIS: -- Mr. Guy?

PURCHASING DIRECTOR GUY: -- with the marina project, you make a -- a good comparison because all those figures came in --

COUNCILPERSON DAVIS: Right.

PURCHASING DIRECTOR GUY: Well, they came in lower than those estimates.

COUNCILPERSON DAVIS: Uh-huh.

PURCHASING DIRECTOR GUY: Every --

COUNCILPERSON DAVIS: Exactly.

PURCHASING DIRECTOR GUY: -- every engineer's estimate was higher --

COUNCILPERSON DAVIS: But this is -- this is my point.

PURCHASING DIRECTOR GUY: -- than what --

COUNCILPERSON DAVIS: This is my point.

PURCHASING DIRECTOR GUY: -- they came in at.

COUNCILPERSON DAVIS: Even though -- you know, I mean, contractors, yeah, they're going to come in at whatever they, you know -- bid they submit because that's -- that's what they want to charge. But if they want the job -- and most of them do -- they're going to work with you. Okay? So this is nothing different than what we have always done. So I'm ready to move forward, Madam Chair, and I'm ready to call the question.

CHAIRPERSON BROOKS: Well, it's not for a vote. It's not a vote.

CHAIR PRO-TEM PARDO: It's not a question.

COUNCILPERSON DAVIS: Well, vote to move forward.

CHAIRPERSON BROOKS: But there's a consensus here. Okay.

COUNCILPERSON DAVIS: Okay.

MAYOR MASTERS: Okay. Thank you, Madam Chair.

CHAIRPERSON BROOKS: Wait a minute. Let's see what Legal has to say, please. Let's defer to Legal right now. Mayor, then -- if you don't mind just -- 'cause it might impact on what you're going to say.

MAYOR MASTERS: I have the patience of Job.

CITY ATTORNEY RYAN: I -- I -- I -- we still have to deal with the resolution. We do need a vote on -- on that. And I think that --

COUNCILPERSON DAVIS: Yeah. And the resolution is -- I don't -- I don't have my stuff.

CHAIR PRO-TEM PARDO: So how come -- what's under discussion?

CHAIRPERSON BROOKS: Well, I'm -- I need to have Miss Brown speak before -- she's been patiently waiting. She does have (Inaudible). Can we --

UNIDENTIFIED SPEAKER: Read it.

CITY ATTORNEY RYAN: I don't have it. I'm hoping that the clerk has it. Okay.

CHAIRPERSON BROOKS: You have the resolution?

CHAIR PRO-TEM PARDO: How come it was under discussion, then?

CHAIRPERSON BROOKS: Okay. The City Clerk has the resolution. Miss Brown -- Miss Brown, just sit right there for a minute. She's gotta read the resolution. Come on up and have a seat. Okay. She's gonna read the resolution.

CITY CLERK WARD: Resolution 2013, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving the -- approving the first and second amendments to the purchase and sale agreement for the acquisition of property located at 1481 W. 15th Street, Riviera Beach, Florida, and ratifying the excuse of the documents by the City Manager, authorizing the City Manager to execute the original purchase and sales agreement and closing documents related to the property and providing an effective date.

CHAIRPERSON BROOKS: I need a --

COUNCILPERSON DAVIS: So moved.

CHAIRPERSON BROOKS: -- I need a second.

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Um, before we vote I will let Miss Brown -- Miss Brown -- we do have one comment card.

CHAIR PRO-TEM PARDO: We've been used (Inaudible).

BESSIE BROWN: Bessie Brown. You know, I just feel like y'all took all of this time. I'm sure y'all had the backup. If you read the backup and ask the questions, then we -- you know, I don't think it would have taken that long. And -- and somebody should be accountable. And you all need to start making staff accountable for losing money. For losing money. Bottom line.

CHAIR PRO-TEM PARDO: (Inaudible).

BESSIE BROWN: And then -- and -- and the thing about it, you still gotta go through plans and all of this. You have a plan. You had a plan. The original plan for the police department. You -- you need to use it. You -- Public Works is ready to go. Raring and ready to go. You can go there.

But the whole thing about it is that we -- you -- we -- we all sit -- some of us sit around and just figure out and conjure up ways that we can do something. It seems as those GEU saw you coming and he has you.

CHAIRPERSON BROOKS: Thank you, Miss Brown.

MAYOR MASTERS: All right. I'm ready.

CHAIRPERSON BROOKS: Okay.

MAYOR MASTERS: Thank you. I want to go back to the 5:00 hour, the 5:00 deadline 'cause I -- I missed a little something here. At 5:00 that was the --

CHAIR PRO-TEM PARDO: (Inaudible).

CHAIRPERSON BROOKS: What, now?

MAYOR MASTERS: At 5:00 on that day, that was the deadline. Is that correct? Whoever I'm talking to, but whoever was in charge of -- of this.

CHAIR PRO-TEM PARDO: (Inaudible).

CHAIRPERSON BROOKS: (Inaudible) was in our meeting at 10 (Inaudible).

INTERIM DEPUTY CITY MANAGER JONES: That was the end of the due diligence, sir, yes.

MAYOR MASTERS: And we were there and they were there. I mean --

INTERIM DEPUTY CITY MANAGER JONES: No, there was no meeting. That was the end of -- of the time period allotted for us to do inspections and request information and to decide if we're going to move forward.

MAYOR MASTERS: Okay. So we -- we knew that if we didn't make a decision by 5:00, what would happen? Is that -- that's correct --

INTERIM DEPUTY CITY MANAGER JONES: Yes, sir.

MAYOR MASTERS: -- to say? Okay. So -- thank you -- Madam Attorney, um, I take it that we don't have any legal recourse at all as relates to this \$250,000? We don't have a leg to stand on to even -- to -- to negotiate --

CHAIRPERSON BROOKS: She said no.

MAYOR MASTERS: I mean, I want her to say it on the record.

CITY ATTORNEY RYAN: Well, you know, I -- I would have to take a look at the agreement. But, you know, we did sign a document that said that we would forfeit our deposit of \$250,000 that I believe is in escrow at the end of the, um, inspection period. Remember, that's why we came back before and we got the extension. The extension extended the date until February 4th, which was Monday. And the closing is set for -- for the 11th unless he -- we're willing to --

CITY MANAGER JONES: Move the closing.

CITY ATTORNEY RYAN: Well, we could move the closing but it still doesn't change the fact that the inspection period is over and we, um -- we entered into an agreement that said at the end of the inspection period. And we -- we --

MAYOR MASTERS: So I guess what I'm -- I'm asking and you -- you kind of hinted -- hinted that, uh, possibly you need to re-examine, look at that -- the document again?

CITY ATTORNEY RYAN: Well, I never like to say anything definitively. But --

MAYOR MASTERS: Okay.

CITY ATTORNEY RYAN: -- especially when it's not -- it's against my client. But we made a deal. And we signed on the dotted line. And it says that if we get to the inspection period, and the inspection period was extended, then at the end of that period they would -- we would lose the \$250,000. We can still get out of the deal but you lose your deposit. And that's not uncommon. It's just not -- it's not uncommon.

MAYOR MASTERS: Not uncommon? All right. Secondly, during the debate between President Obama and Governor Romney, one of the things that the President said is that someone was all over the place. And for me trying to make sense of this is like all over the place because I hear one thing one week, another thing and another thing, and it can -- constantly, consistently changes. So this is for the Manager.

What are we going to do or what is the plan with the present City Hall where it is? Is it -- are we going to tear this building down? Are we going to go to Broadway? I just have a couple of questions because I've heard two or three things. And I don't know what -- what to believe now. But go ahead, Madam Manager.

CITY MANAGER JONES: We have talked about building a City Hall on property that we already own. And that's two locations. Either Broadway or here. No decision has been made.

MAYOR MASTERS: Okay. Which leads me to the next question. If, in fact, we move the police department to -- and I'm going to call it a warehouse 'cause right now that's what it is. What happens to the building that the police would -- would have been in? The old building?

CITY MANAGER JONES: In the short period of -- in the -- the short run, we would renovate that building so that we could get individuals out of lease space. HR could come back over on site. We wouldn't have to be paying for lease. All the people in the port could move back over in that building.

MAYOR MASTERS: Okay. The other question is I've -- I've heard people say a lot of space, you get -- you get more space with -- with -- in the warehouse. But --

CHAIRPERSON BROOKS: We gotta (Inaudible).

MAYOR MASTERS: -- many times it's -- it's not the -- the size of the ship but it's the motion of the ocean. It's the motion of what's going on here and I just think it's just horrible that our hands are handcuffed because we've blown \$250,000 deposit and -- and now we've got to move forward, which I was against from day one.

But let me ask you this. I know that by the police and -- and everybody being over there, UPS and the ambulance and the fire trucks in -- in -- in what of a residential neighborhood, all times of day and night, and -- and it will be -- and it is closer and Councilman Lowe is right to -- to Monroe -- to the south end, possibly to Monroe Heights. But it's further away from the north end.

COUNCILPERSON DAVIS: No.

MAYOR MASTERS: Right? I'm talking about Silver Beach and all those areas --

CHAIRPERSON BROOKS: It's central. It's central.

MAYOR MASTERS: -- over -- over there. So what I'm saying is, you know, you move over here. You're getting further over there, but that's why I think it's important that where we are now, it just makes sense to me that we're more centrally located and can just about go anywhere without going through residential neighborhoods. And just for the record, because I want to be honest and -- and they may not have said this to you, Manager, but -- Madam Manager, but there have been a few department heads who've said to me that they oppose this and it's not a good deal. But whether they say it to you,

probably not. But they've said it to me and I -- I'm putting it on the record because that's the truth. Thank you.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis?

COUNCILPERSON DAVIS: My last comment. Um, and there have been quite a few of them who have said they approve the project, too, to me.

MAYOR MASTERS: (Inaudible).

COUNCILPERSON DAVIS: And so -- and it's always like that. There's division even up here. And what I'd like to ask is if, back in December, was it? --

CITY MANAGER JONES: December.

COUNCILPERSON DAVIS: -- when it last came before us? If the vote of the council was to move forward with the closing, do the due diligence and everything, we're not losing \$250,000. We're simply going forward with the closing. How -- so I don't get it. Okay?

CHAIRPERSON BROOKS: Okay. Well, everybody's expressed their opinions and --

COUNCILPERSON DAVIS: I mean, we're simply moving forward with the closing. We're not losing \$250,000. Um, and I mean, I know -- I understand the arguments. You argue, you know, to -- to -- to -- to fight for what you want. You know, each of us does that. Um, and I know that some people don't agree with moving forward with this project. But to come up with, you know, every little thing, it -- it just doesn't make sense. And Madam Chair, again, I've called the question and I say we move forward with the vote.

CHAIRPERSON BROOKS: Okay. Let's do roll call on the vote, please.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Absolutely not. We deserve better.

CITY CLERK WARD: Councilperson Brooks?

CHAIRPERSON BROOKS: Yes.

CITY CLERK WARD: Councilperson Lowe?

COUNCILPERSON LOWE: Absolutely yes.

CITY CLERK WARD: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

CITY CLERK WARD: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

CITY CLERK WARD: That vote approved with --

MAYOR MASTERS: And absolutely no for me.

CITY CLERK WARD: -- Councilperson Pardo dissenting.

COUNCILPERSON DAVIS: You don't vote, Mayor.

COUNCILPERSON LOWE: You don't have a vote.

MAYOR MASTERS: I know. But I'm gonna make a vote.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: Yeah, well, (Inaudible) --

MAYOR MASTERS: I have a voice.

CHAIRPERSON BROOKS: Now, we -- let's please have some order. Let's -- let's have a little dignity about all of this. Let's just -- all right. We're on --

CHAIR PRO-TEM PARDO: I think she needs to be fired.

CHAIRPERSON BROOKS: All right. We're on, um --

CHAIR PRO-TEM PARDO: She needs to be fired.

COUNCILPERSON THOMAS: Do we have to end the meeting, Miss --

CHAIRPERSON BROOKS: -- number 27.

COUNCILPERSON THOMAS: -- Miss, um -- Miss Ward?

CHAIRPERSON BROOKS: I'm sorry?

UNIDENTIFIED SPEAKER: (Inaudible).

COUNCILPERSON THOMAS: Do we -- do we have to end the meeting?

CHAIRPERSON BROOKS: That's right. 10:00 is our --

COUNCILPERSON DAVIS: Well, we have to vote to -- whether to move, um --

CHAIRPERSON BROOKS: What do you mean?

COUNCILPERSON DAVIS: -- to extend it or move -- or (Inaudible).

CHAIR PRO-TEM PARDO: Motion to adjourn.

CHAIRPERSON BROOKS: Okay. What is the -- what is the pleasure?

COUNCILPERSON DAVIS: There -- what's left on the, uh, agenda, Madam Chair?

CHAIRPERSON BROOKS: Just, well --

CITY CLERK WARD: Item 27, 28.

CHAIRPERSON BROOKS: -- notification of -- this would be your second notification, to us as a board, that her employment agreement has -- will expire effective May?

COUNCILPERSON DAVIS: I say we -- I say we go ahead and finish.

CHAIRPERSON BROOKS: Well, that Ocean Mall status report is going to be a real long report.

COUNCILPERSON DAVIS: Okay.

CITY ATTORNEY RYAN: Yes.

CHAIRPERSON BROOKS: That Ocean Mall status report -- I mean, it -- whatever you --

CITY ATTORNEY RYAN: Madam Chair?

CHAIRPERSON BROOKS: -- whatever the consensus of the board, I'm here as your chair. I'll stay if --

COUNCILPERSON DAVIS: Whatever (Inaudible), I'm fine.

CHAIRPERSON BROOKS: -- we have to stay till midnight.

CITY ATTORNEY RYAN: Madam Chair?

CHAIRPERSON BROOKS: Yes?

CITY ATTORNEY RYAN: I think we should postpone the Ocean Mall discussion.

COUNCILPERSON DAVIS: Ocean Mall? Okay.

CITY ATTORNEY RYAN: I sent the council a memo. I'm happy to meet with you individually to discuss it. But it is a long, um, discussion. And I think it needs the council's full attention, as well as mine. And the hour is late. So I -- I would -- I think the Manager wants to have a special meeting at the end of February and this can certainly wait until then. But we're moving forward.

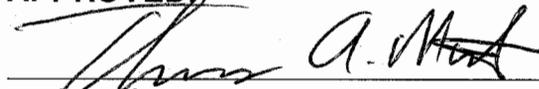
CHAIRPERSON BROOKS: Okay. I think you made the motion to adjourn?

CHAIR PRO-TEM PARDO: Motion to adjourn.

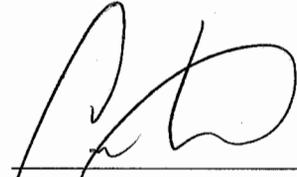
COUNCILPERSON THOMAS: Second.

(CONCLUSION OF MEETING)

APPROVED:



THOMAS A. MASTERS
MAYOR

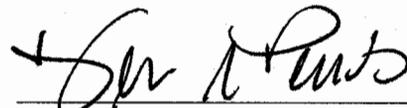


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



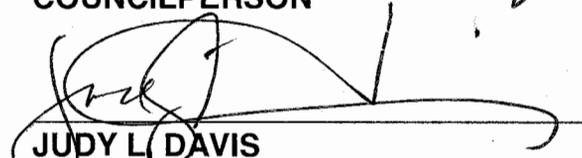
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



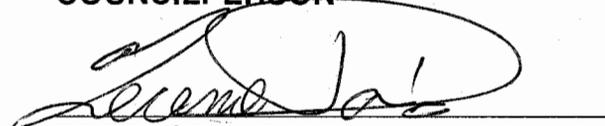
DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: D. Pardo

SECONDED BY: J. Davis

B. GUYTON aye

J. DAVIS aye

C. THOMAS aye

D. PARDO aye

T. DAVIS aye

DATE APPROVED: 05/01/2013