

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
CITY COUNCIL MEETING MINUTES  
WEDNESDAY, JUNE 5, 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 THOMAS:** Would everyone please return to their seats so we may start the meeting? Good afternoon, everyone, and welcome to our regular scheduled city council meeting. Madam Clerk, would you please call the roll?

**CITY CLERK WARD:** Yes, Mr. Chair.

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

**CITY CLERK WARD:** Mayor Thomas Masters?

**MAYOR MASTERS:** Present.

**CITY CLERK WARD:** Chairperson Cedrick Thomas?

**CHAIRPERSON THOMAS:** Here.

**CITY CLERK WARD:** Chair Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Present.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Present.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Here.

**CITY CLERK WARD:** Councilperson Terence T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** 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:** Present.

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

**CHAIRPERSON THOMAS:** Thank you, Madam Clerk. Would everyone please stand for the Pledge of Allegiance followed by a moment of silence -- followed by the Pledge of Allegiance led by City Manager Jones, please. (Everyone stood for a moment of silence with the Pledge of Allegiance being led by City Manager Jones).

**CHAIRPERSON THOMAS:** Okay. Are there any additions, deletions, or substitutions?

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

**CHAIRPERSON THOMAS:** All right. Hearing none, I'll entertain a motion for adoption of the agenda.

**COUNCILPERSON GUYTON:** So moved.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Any questions or additional concerns? Hearing none, Madam Clerk?

**CITY CLERK WARD:** Councilperson Davis, Judy Davis?

**COUNCILPERSON DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Councilperson Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON THOMAS:** Okay. Any disclosures by council? Okay. I'm going to take this time just to say that I will have to leave the meeting here approximately at 6 p.m. I will return. It's a very happy occasion. My daughter is graduating from middle school tonight and it was something that I just could not miss. So I will be leaving and I will return after the graduation has ended, just so you're aware. Vice Chair Pardo will be running the meeting at that time, just so everyone's aware.

Okay. We've adopted the agenda. We're down to Consent. I entertain a motion for the

Consent Agenda.

**CHAIR PRO TEM PARDO:** Madam -- Mr. Chair?

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

**CHAIR PRO TEM PARDO:** I'd like to pull an item.

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

**CHAIR PRO TEM PARDO:** I'd like to pull item 9.

**CHAIRPERSON THOMAS:** Item 9. Mr. Guyton, you wanted to pull an item, too?

**COUNCILPERSON GUYTON:** Yes. I'd like to pull item 8.

**CHAIRPERSON THOMAS:** Item 8. Okay. I'll entertain a motion --

**COUNCILPERSON T.D. DAVIS:** Davis.

**CHAIRPERSON THOMAS:** Mr. Davis?

**COUNCILPERSON T.D. DAVIS:** 12 and 14.

**CHAIRPERSON THOMAS:** You wanna pull which item?

**COUNCILPERSON T.D. DAVIS:** 12 and 14.

**COUNCILPERSON JUDY DAVIS:** Did he say 12 and 14?

**CHAIRPERSON THOMAS:** Yes. Okay. I entertain a motion for the Consent Agenda with 8, 9, 12 and 14 being pulled.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and seconded. Any additional questions or concerns? Madam Clerk?

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON THOMAS:** All right. Item 8.

**CITY CLERK WARD:** Resolution 64-13, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the Mayor and City Clerk to execute an amendment to the professional service agreement with J.H. Sprague Consulting to provide consultation service on the marina project to facilitate the development and implementation of the marina renovation and development and monitor grant application processes commencing April 1<sup>st</sup>, 2013, authorizing the Director of Finance and Administrative Services to make payment from the contract service account Other 001-0203-519-0-3406 in the amount not to exceed \$72,000 and providing an effective date.

**CHAIRPERSON THOMAS:** Is there a motion?

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON T.D. DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved.

**COUNCILPERSON T.D. DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second, Miss Pardo.

**COUNCILPERSON GUYTON:** That was mine.

**CHAIRPERSON THOMAS:** I'm sorry, Mr. Guyton.

**COUNCILPERSON GUYTON:** I just have a couple of questions for the City Manager. On -- I see that we're moving into phase 2. We've completed phase 1 of the marina, um -- the dock areas. And Mr. Sprague apparently is working to identify funds with us. I see that he has identified approximately 1.5 mill or 7.5 that we need. All right. What is the -- do we have any additional funds that we have accumulated or is the balance that we need 6 mill?

**CITY MANAGER JONES:** Okay. Let me do a minor correction. The grants that Mr. Sprague has brought in total 6.7 million. So that's the total number of dollars from state

and federal entities that we have received from grants that he has applied for. And we currently have an application out there for an additional 1.8 million for phase 2. And some of the other money is also for phase 2.

**COUNCILPERSON GUYTON:** So what is the balance that we actually need to complete the project?

**CITY MANAGER JONES:** The balance needed is -- if you're going to go all the way through phase 4 and 5, which is the last dock, dock F, if you're going that far out, you're still about \$2 million short in total. That dock, um, however, is a part of a long-term strategy. But the F dock and it's \$2 million.

**COUNCILPERSON GUYTON:** Okay. And -- and my last question, do we get monthly reports from -- from Mr. Sprague?

**CITY MANAGER JONES:** We don't get monthly reports from Mr. Sprague. I do get, from Mr. Sprague and his participation in the marina project team meetings, which are held every other Tuesday, information on what he has been responsible for and what he's been doing. But there's no monthly report submitted specifically by Mr. Sprague. But it's the marina project.

**COUNCILPERSON GUYTON:** Okay. And, um, do we pay monthly or do we pay quarterly or do we pay lump sum?

**CITY MANAGER JONES:** We pay as he invoices. The contract calls for the fact that he can invoice once a month.

**COUNCILPERSON GUYTON:** Uh-huh.

**CITY MANAGER JONES:** Um, however, Mr. Sprague invoices us at different times and so he may go a full quarter and then tell us all the activities in the quarter and invoice us for that particular quarter.

**COUNCILPERSON GUYTON:** Okay. Lastly, I would like periodic reports, be it quarterly or monthly, but I'd like to establish a regular reporting period just to get updates on what is going on, where he is and what the progress or lack thereof is.

**CITY MANAGER JONES:** Will do.

**COUNCILPERSON GUYTON:** Thank you.

**CHAIRPERSON THOMAS:** Okay.

**MAYOR MASTERS:** Mr. Chairman?

**CHAIRPERSON THOMAS:** Um, just one second, Mr. Mayor. Miss Brown, Miss Bessie Brown, I'll take you. I see here -- we'll do this tonight, but in the future, can you please put each item you want to speak on a different card? 'Cause I almost missed this. But

you can come on. You have 8. I'll take all of your items on this one as they go, but from here on out, please put them on separate cards. Mr. Mayor, I'll take you now right before Miss Brown goes.

**MAYOR MASTERS:** Madam Manager, my question is have we ever asked Mr. Sprague for monthly reports?

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

**CITY MANAGER JONES:** Initially when we first did the contract he gave us monthly reports. In the past year or so, because the marina team was meeting, there were not the reports from an individual. They came as from the marina team. So specifically in the last year, he has not been asked to do a separate report.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON THOMAS:** Miss Brown, good afternoon. You have three minutes to make your comments.

**BESSIE BROWN:** Okay. My question is that, um, I noticed that this is an amendment, a second amendment to his contract. Um, is that something we normally do, just continue to amend contracts? That was -- that was one of my questions. And what was his original -- what was the original contract for and what was the first amendment?

And my thing is that because of phase 2, the marina is approximately estimated at 7.5 hundred thousand. It seems as though that, um, you all will be -- well, they're going to be asking that the City also match this. But, like, possibly the 10 percent, \$750,000. And I -- I'd just like to know, you know, how much sense does this make to continue to amend contracts? That's -- that was the main question that I have.

**CHAIRPERSON THOMAS:** Okay. Thank you very much for your comments.

**COUNCILPERSON JUDY DAVIS:** Mr. Chair?

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

**COUNCILPERSON JUDY DAVIS:** Just a quick question. Um, I know in the past Mr. Sprague's duties, for lack of the better word there, extended to project management and I didn't have a problem with that. Um, in this particular instance, is -- for phase 2, is he going to be doing the same thing?

**CITY MANAGER JONES:** Mr. Sprague will continue to, um, work alongside the engineer and the director of the marina in a project oversight role. He has valuable experience in this area that will still be needed in phase 2.

**COUNCILPERSON JUDY DAVIS:** Okay.

**CHAIRPERSON THOMAS:** Are there any other questions regarding this item?

**COUNCILPERSON GUYTON:** Mr. Chair?

**CHAIRPERSON THOMAS:** Hold on one second, Mr. Guyton. Is there any other board member that would like to speak on this item?

**CHAIR PRO TEM PARDO:** Mr. Chair?

**CHAIRPERSON THOMAS:** Miss Pardo?

**CHAIR PRO TEM PARDO:** Yeah. I would just like to remind everyone that if it wasn't for Mr. Sprague, the marina, the docks would not look like they are, like they look right now. If you all recall, we had \$5 million to put a Band-Aid on the marina. We hired Mr. Sprague. Mr. Sprague has been able to double the money. And, um, I know that he was with the feds a couple of weeks ago trying to get us additional funds through the federal -- the Big P program. And also just recently met with FIND to secure additional funding. So if there is any consultant that this City ever hired that has brought back something, it's been Mr. Sprague. Thank you.

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Yes. I just want to establish some clarity as to what I want. All I want are updates as to what is going on. And I don't think that is unreasonable. And I would like to have them quarterly or sooner but at a minimum, quarterly.

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

**COUNCILPERSON GUYTON:** Thank you.

**CHAIRPERSON THOMAS:** All right. If there are no other questions, Madam Clerk.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** No.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** That vote passed with Councilperson T.D. Davis dissenting.

**CHAIRPERSON THOMAS:** Okay. Item 9.

**CITY CLERK WARD:** Resolution 65-13, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving the contract with Public Financial Management, Inc., for financial advisory -- for financial advisory services authorizing the Mayor and City Clerk to execute said contract and providing an effective date.

**CHAIRPERSON THOMAS:** Is there a motion?

**COUNCILPERSON GUYTON:** So moved.

**CHAIRPERSON THOMAS:** It's been properly moved.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** Just in the nick of time. It's been properly moved and second. I believe this was Miss Pardo?

**CHAIR PRO TEM PARDO:** Yeah, correct. I'd like a presentation on this.

**CHAIRPERSON THOMAS:** Do we have a presentation for item 9?

**FINANCE DIRECTOR SHERMAN:** Hi, good evening. Randy Sherman, Director of Finance and Administrative Services. Um, yeah, what this is is this is replacing the financial advisor whose contract expired last November. What a financial advisor typically does is they will guide the City through the process of debt issuance. They'll deal with the financial markets. They deal with the rating agencies. They deal with the underwriters. You know, they have people who actually, you know, are in the markets every day and can advise the City of the best timing, the best structures for debt issuances.

The difference between this contract and the prior contract that we had in place is there is actually no retainer on this contract. With Public Financial Management, they only receive payment at the time that the City issues bonds. So when the deal is complete they actually get paid out of the bond proceeds and that's how the deal would work.

**CHAIR PRO TEM PARDO:** Okay. So can you enlighten me on, you know, why we're moving forward with this right now? No one has spoken to me about going out and issuing bonds. And, you know, just tell us what the plan is.

**FINANCE DIRECTOR SHERMAN:** Uh-huh. Yeah. This really gets back to the Utility Special District again where they had presented their capital plan. And part of that capital plan is actually issuing debt. I believe -- I forget what the number -- I think it's

around 25, \$30 million. So what we want to do is have them in place, and again, they're not being paid. They'll -- they'll be part of the group, not only -- only the consulting group that, you know, the District has, but they'll be part of the group in looking at -- at the projects and figuring out the best way to get those projects financed.

**CHAIR PRO TEM PARDO:** Okay. And are they also helping -- you know, are you guys going -- is this specifically for the Utility District or are you looking to maybe bond money for the warehouse? You know, I'd like to know what exactly is going on. 'Cause this is the first time --

**FINANCE DIRECTOR SHERMAN:** No. No. That's -- right now --

**CHAIR PRO TEM PARDO:** -- I'm hearing about it.

**FINANCE DIRECTOR SHERMAN:** Yeah. No, I'll tell you. That -- that's the primary deal that we're looking at. We're not looking to issue any general obligation debt at this point. That's not in the discussion. The only other thing that we have potentially talked about is issuing pension obligation bonds.

**CHAIR PRO TEM PARDO:** For what?

**FINANCE DIRECTOR SHERMAN:** And what that does is that would fund your unfunded liability in your pension plans. In essence, what that is doing is, is refinancing that debt. But none of those, you know, numbers have been brought forward at this point. Nothing's been done. But as far as general capital projects, that -- that's not in the discussion at this point. It's primarily to cover us for the Utility.

**CHAIR PRO TEM PARDO:** Okay. Because -- all right. Because I think in the document I read something that you guys were going to hire them to look at ways to possibly move forward with capital projects.

**FINANCE DIRECTOR SHERMAN:** Well --

**CHAIR PRO TEM PARDO:** Our five-year projects.

**FINANCE DIRECTOR SHERMAN:** -- well, that's -- that's all in the scope. I mean, that is in this --

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

**FINANCE DIRECTOR SHERMAN:** -- scope. And if we choose during their term of their contract to do something, um, but we actually have already presented to Miss Jones, you know, what our debt capacity is, different ways to finance different projects that we have. And it's not project-specific. It's just looking at your available revenue streams and everything and really trying to figure out what you can do.

**CHAIR PRO TEM PARDO:** All right. Well --

**FINANCE DIRECTOR SHERMAN:** So that -- that -- that's already been done up front. Uh, their issue would be coming in and helping us actually get access to the markets.

**CHAIR PRO TEM PARDO:** Well, I'd appreciate you sharing that with us, also. And, um -- and then looking at the contract; I think some of your dates need to change. You know, the first sentence, "This contract is made as of --" the day of May; we're into June.

**FINANCE DIRECTOR SHERMAN:** Yes.

**CHAIR PRO TEM PARDO:** And then under Article II, you know, I don't think we want this to be retroactive. "The financial advisor shall commence services as of June 1." I believe today is the -- June 5<sup>th</sup>. And then the last thing, I have a problem with travel. I have a problem with travel. You know, we've gone through this with other contracts. We had a -- and I believe we still have a firm in Orlando who travels down here and, um, we were able to negotiate with them where we're not paying their travel.

We had an issue over at the CRA, the same thing. I don't understand why we need to pay for travel.

**FINANCE DIRECTOR SHERMAN:** The issue primarily on travel here is if we need to go to the rating agencies in New York City and then, you know, we would have to -- you know, clearly, we would be covering travel costs at that point. That -- that's not in their - in their base fee. And -- and I apologize for those dates. This was originally submitted for the May meeting and -- and got bumped to the June meeting. I apologize those dates weren't changed.

**CHAIR PRO TEM PARDO:** Okay. So if these guys are traveling up from Coral Gables, we're not paying them?

**FINANCE DIRECTOR SHERMAN:** We -- we wouldn't be paying them, correct.

**CHAIR PRO TEM PARDO:** For sure?

**FINANCE DIRECTOR SHERMAN:** Correct. And they also --

**CHAIR PRO TEM PARDO:** Okay.

**FINANCE DIRECTOR SHERMAN:** Yes.

**CHAIR PRO TEM PARDO:** Those documents that you mentioned, the pro formas that you gave the City Manager, I would appreciate having a copy of those. Okay?

**FINANCE DIRECTOR SHERMAN:** Yeah.

**CHAIR PRO TEM PARDO:** Madam --

**CHAIRPERSON THOMAS:** Miss --

**CITY MANAGER JONES:** And --

**CHAIRPERSON THOMAS:** -- I'm gonna --

**CITY MANAGER JONES:** -- I will make sure that --

**CHAIR PRO TEM PARDO:** -- Chair?

**CITY MANAGER JONES:** -- all of you get that document and, um, have it for your review. It was something that we were bringing forward for consideration if we get discussion of the first budget meeting. And so this way you can have it before then.

**CHAIR PRO TEM PARDO:** And when is the first budget meeting? Since we're in June already?

**CITY MANAGER JONES:** I have tentatively spoken with and the Chair has tentatively agreed to Monday, June 10<sup>th</sup>. We were going to confirm that during my comments tonight. It -- I sent it to all the legislative assistants for them to put it on the calendars. Um, that was our intent. And so if tonight we can decide that the button is ready to push in Novus, all we need to know is so we go push the button and post the agenda.

**CHAIR PRO TEM PARDO:** Okay. So -- so is it prudent to move forward and agree to this contract prior to our budget meeting, prior to really hearing what you guys are going to propose to us?

**CITY MANAGER JONES:** It is a contract in anticipation of -- we could always go back out on the street at a later date. What we would not want to do is to wait so long that this solicitation period expires, uh, and you -- you have to go back out. Um, they will only get paid if they work. They will not be working on anything that council has not decided that they want to do. Um, and we just need to always be prepared.

I don't know and we don't know what kind of arrangements might be coming from the CRA that -- or requests that might have an impact on us. So we just need to be ready in the event, um, it occurs.

**CHAIRPERSON THOMAS:** Okay. I'll take Miss Brown for your comment on this item. Good evening, Miss Brown. You have three minutes to make your comments.

**BESSIE BROWN:** I really appreciate Miss Pardo asking for a presentation on that because the reason I asked -- I have a problem, 'cause I knew nothing about what this was about. And I really appreciate that. And I, um -- Mr. Sherman said that, um, it was not for anything else; mostly the Utility District. But then I think I just heard Miss Jones said we're doing it just in case the CRA has something or stuff like that. So I think that's not, um, you know -- that they don't really match. So I'm just saying, you know, that that was the question.

I didn't know what it was really about but Mr. Sherman gave a pretty good explanation. But I also am surprised that we are negotiating contracts with things that have not, you

know, actually happened or they -- or the council has made any decision to go ahead and do something about it.

**CHAIRPERSON THOMAS:** Thank you for your comments. Any other comments from --

**COUNCILPERSON JUDY DAVIS:** Mr. Chair?

**CHAIRPERSON THOMAS:** Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Um, did we have a -- a Financial Services contract, uh, prior to?

**FINANCE DIRECTOR SHERMAN:** Yes. Yes. And --

**COUNCILPERSON JUDY DAVIS:** Okay. And that was with --

**FINANCE DIRECTOR SHERMAN:** -- that -- Dunlap & Associates.

**COUNCILPERSON JUDY DAVIS:** Okay.

**FINANCE DIRECTOR SHERMAN:** And that expired in November.

**COUNCILPERSON JUDY DAVIS:** Okay. So this is -- and -- and what was their role?

**FINANCE DIRECTOR SHERMAN:** Um, you weren't issuing any debt under their contract. What they were doing is they looked at some debt capacity. They looked at, um, some public/private, you know, presentations or proposals that the City had received.

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

**FINANCE DIRECTOR SHERMAN:** So again, they were looking at it, again -- if you're going to do a public/private, there's a funding at the public side and that's what they were looking at.

**COUNCILPERSON JUDY DAVIS:** And that was during the time when we were trying to -- to do some things and they wanted to see what our capacity was?

**FINANCE DIRECTOR SHERMAN:** Correct. That was last summer, correct.

**COUNCILPERSON JUDY DAVIS:** Okay. But with this, what is -- I mean, is this just to advise us of, you know, um, what we should be doing going forward?

**FINANCE DIRECTOR SHERMAN:** Well, what they'll -- what they'll do, if -- if we go in and we say, you know, We need \$30 million for the water treatment plant, okay?

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

**FINANCE DIRECTOR SHERMAN:** They're gonna go out and they're going to find people to buy your bonds.

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

**FINANCE DIRECTOR SHERMAN:** They're going to price the bonds. They will structure the bonds and -- and as far as when the maturities are. Uh, they'll deal with the rating agencies. They'll deal with bond insurers if -- if they come into play. They'll deal with the underwriters, who are the people who actually will be selling the bonds. Um, and that -- and that's their role. They -- they do it day in and day out. We don't do that. We know that we need 30 million and that's about, you know, where our expertise really ends on that. So that's the role -- that's the role that they serve. So you want to have them on board really during the process of trying to figure out -- you have a -- a capital project plan.

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

**FINANCE DIRECTOR SHERMAN:** But they will, now, take a look at that plan, try to figure out what the best way to finance that plan is.

**COUNCILPERSON JUDY DAVIS:** Okay. Do we have something in mind --

**FINANCE DIRECTOR SHERMAN:** Well, again, it would be the --

**COUNCILPERSON JUDY DAVIS:** -- at this point in time or --

**FINANCE DIRECTOR SHERMAN:** -- it would be the plan that was presented to you back in, I believe it was, uh, February.

**COUNCILPERSON JUDY DAVIS:** Okay.

**FINANCE DIRECTOR SHERMAN:** By Mr. Aurigemma.

**COUNCILPERSON JUDY DAVIS:** (Inaudible). Okay.

**FINANCE DIRECTOR SHERMAN:** Yes.

**COUNCILPERSON JUDY DAVIS:** Thank you.

**CHAIR PRO TEM PARDO:** Mr. Chair?

**CHAIRPERSON THOMAS:** Are there any other questions from the board?

**CHAIR PRO TEM PARDO:** Yeah. Mr. Chair, I have another.

**CHAIRPERSON THOMAS:** Uh, I heard the Mayor. Let me take the Mayor next, please.

**MAYOR MASTERS:** Mr. Sherman, the -- the, uh, consultants or whoever you bring on

board -- the name of the company that you're bringing on board?

**FINANCE DIRECTOR SHERMAN:** It's Public Financial Management.

**MAYOR MASTERS:** Okay. Did you know -- do you know them?

**FINANCE DIRECTOR SHERMAN:** I'm aware of them. Yeah, they're the number one firm in the country.

**MAYOR MASTERS:** Have you done -- dealt with them prior?

**FINANCE DIRECTOR SHERMAN:** I have dealt with the, uh, Minneapolis office, the Boston office and the Coral Springs office -- uh, Coral Gables office. I'm sorry. And -- and --

**MAYOR MASTERS:** In relation --

**FINANCE DIRECTOR SHERMAN:** -- Orlando, for that matter. Yes.

**MAYOR MASTERS:** So other than the fact that you've dealt with some of their chapters before in the past?

**FINANCE DIRECTOR SHERMAN:** Yes.

**MAYOR MASTERS:** So you did know of them through dealing with them, correct?

**FINANCE DIRECTOR SHERMAN:** Yes.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON THOMAS:** Miss Pardo?

**CHAIR PRO TEM PARDO:** I have nothing more. Thank you.

**CHAIRPERSON THOMAS:** Anything else from any of the other members?

**COUNCILPERSON GUYTON:** Just one quick question.

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Mr. Sherman?

**FINANCE DIRECTOR SHERMAN:** Yes.

**COUNCILPERSON GUYTON:** How would they be paid?

**FINANCE DIRECTOR SHERMAN:** They would get paid out of the bond proceeds. So when you issue the bonds, part of the -- the bond proceeds include the underwriters getting paid, bond counsel getting paid. All of the participants in a bond sale actually

get paid out of the proceeds.

**COUNCILPERSON GUYTON:** So it won't impact our general budget, operations budget?

**FINANCE DIRECTOR SHERMAN:** That is correct.

**COUNCILPERSON GUYTON:** Okay. So it won't be an -- until and if --

**FINANCE DIRECTOR SHERMAN:** And if, correct.

**COUNCILPERSON GUYTON:** -- we decide to actually float some bonds?

**FINANCE DIRECTOR SHERMAN:** Correct.

**COUNCILPERSON GUYTON:** Okay. Thank you.

**CHAIRPERSON THOMAS:** All right. If there's nothing else, Madam Clerk?

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** No.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** That vote passed with councilperson Dawn Pardo dissenting.

**FINANCE DIRECTOR SHERMAN:** Thank you.

**CHAIRPERSON THOMAS:** Okay. Item 12.

**CITY CLERK WARD:** Resolution 68-13, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending resolution 18-12 by correcting work order number one amount with Marinetek North America of St. Petersburg, Florida, to read 1,109,688.00 authorizing the Director of Finance and Administrative

Services to correct work order in that amount and adjust purchase orders accordingly and providing an effective date.

**CHAIRPERSON THOMAS:** Is there a motion?

**COUNCILPERSON GUYTON:** So moved.

**CHAIR PRO TEM PARDO:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. I want to say this was Mr. Davis?

**CITY CLERK WARD:** Correct.

**COUNCILPERSON T.D. DAVIS:** Yes.

**CHAIRPERSON THOMAS:** Mr. Davis?

**COUNCILPERSON T.D. DAVIS:** I'd like someone from Staff to come and explain to the board and the residents at home about how this mistake happened and who found this mistake.

**MARINA DIRECTOR LEGUE:** Good evening, Council. Ed Legue, Marina Director.

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

**COUNCILPERSON JUDY DAVIS:** Good evening.

**COUNCILPERSON T.D. DAVIS:** Good evening.

**MARINA DIRECTOR LEGUE:** As I put in the backup, this mistake probably occurred because I used -- it was my mistake. We -- I guess there's a -- one way they call it a scribbler's error. Um, but I used an older work order when I did this item and during that period of time we were doing a lot of different -- we were vacillating between having Technomarine as the prime and Marinetek as the prime. And the only thing I can -- I can guess is that I just didn't change it. Uh, the -- the 1,109,688 is the correct amount. It's the amount that was always budgeted. Um, this very simply was just the wrong amount on the resolution.

**COUNCILPERSON T.D. DAVIS:** So let me ask you a question. The invoice that you did give them, did they accept it?

**MARINA DIRECTOR LEGUE:** Well, the invoice? I don't understand, sir.

**COUNCILPERSON T.D. DAVIS:** It said -- oh, that says vice. I apologize. Right here with the first amount, which was the 1 million 9 --

**MARINA DIRECTOR LEGUE:** Yes, sir.

**COUNCILPERSON T.D. DAVIS:** -- and then you have the correction that you want us -  
- which is the 1,1 --

**MARINA DIRECTOR LEGUE:** Yes, sir.

**COUNCILPERSON T.D. DAVIS:** -- okay. Is -- are we budgeted for that?

**MARINA DIRECTOR LEGUE:** Yes, sir.

**COUNCILPERSON T.D. DAVIS:** Okay.

**MARINA DIRECTOR LEGUE:** Yeah, this doesn't increase the budget or expend any more funds.

**COUNCILPERSON T.D. DAVIS:** Okay. All right. Thank you.

**CHAIRPERSON THOMAS:** I'll take Miss Bessie Brown. Good afternoon, Miss Brown. You have three minutes to make your comments.

**BESSIE BROWN:** Bessie Brown. I'd just like to say I appreciate Councilperson Davis asking for an explanation on that, and what -- another thing that I have to say is that this was work order one. It took this long for -- for the department to find out that there was an error on work order one. I think, um, Mr. Legue needs to be more conscientious about spending -- spending the City's money and -- and -- and -- because he does -- 'cause this -- this is \$100,000 error. And that -- and -- and -- and -- and at -- and what's happening now, we -- the City -- citizens are already responsible for paying back a 30 -- the \$29 -- \$20 million, uh, CRA loan. So I think that we really need to look at how -- how we spend the City's money.

**CHAIRPERSON THOMAS:** All right. Thank you for your comment. And if you wanted to make any comments on Public Comment, you're going to have to put in another card. This was just for the consent items. Okay.

**COUNCILPERSON GUYTON:** Okay.

**CHAIRPERSON THOMAS:** Um, is there any other questions from the board?

**COUNCILPERSON GUYTON:** Just one quick comment.

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Miss Brown mentioned that there was a \$100,000 error. Um, there was no error in us having to pay any additional monies. We just corrected some numbers on a form. That's all we did. That -- that was no error where the City lost anything. That was some numbers incorrectly written and so we came back and corrected those numbers for the record. That's it.

**CHAIRPERSON THOMAS:** Okay. Are there any other questions? Hearing none,

Madam Clerk?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** No.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** That vote passed with Councilperson T.D. Davis dissenting.

**CHAIRPERSON THOMAS:** Okay. Item 14.

**CITY CLERK WARD:** Resolution 70-13, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, awarding bid number 394-13 and authorizing the Mayor and City Clerk to execute the proposed material and installation contract with Koldaire, Inc., of Sunrise, Florida, for the installation of six new -- six new HVAC units at City Hall in the amount of 39,247.00, authorizing the City Manager to approve change orders up to 10 percent, authorizing the Director of Finance and Administrative Services to make payment for same from account number 310-1123-519-1-6251, and providing an effective date.

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. I believe this was Mr. Davis, as well?

**COUNCILPERSON T.D. DAVIS:** Yes, sir.

**CHAIRPERSON THOMAS:** Go ahead.

**COUNCILPERSON T.D. DAVIS:** Um, is Mr. Guy here? Mr. Guy?

**CITY MANAGER JONES:** Mr. Guy?

**CITY ATTORNEY RYAN:** Ben.

**COUNCILPERSON T.D. DAVIS:** Ben Guy.

**FINANCE DIRECTOR SHERMAN:** Yeah, Ben Guy is at the same graduation I believe you're probably trying to get to.

**CHAIRPERSON THOMAS:** Oh, yeah, I'm trying.

**FINANCE DIRECTOR SHERMAN:** I can try to answer the question for you.

**COUNCILPERSON T.D. DAVIS:** Okay.

**FINANCE DIRECTOR SHERMAN:** Or maybe Brynt Johnson.

**CITY MANAGER JONES:** Brynt Johnson from, uh, Public Works may be able to answer it.

**COUNCILPERSON T.D. DAVIS:** Mr. Johnson? Hello, Mr. Johnson. I have one -- a few questions. The first question is how long it's been since we replaced the units in this building?

**PUBLIC WORKS DIRECTOR JOHNSON:** Good evening, Brynt Johnson, Director of Public Works. Um, the units that are on the roof are approximately 15 years old.

**COUNCILPERSON T.D. DAVIS:** Uh-huh. Okay. Who's going to conduct the service plan on this?

**PUBLIC WORKS DIRECTOR JOHNSON:** We are -- we currently have a maintenance provider. We use CMI.

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**PUBLIC WORKS DIRECTOR JOHNSON:** They're out of Lake Park, I believe.

**COUNCILPERSON T.D. DAVIS:** That -- Lake Park?

**PUBLIC WORKS DIRECTOR JOHNSON:** Lake Park.

**COUNCILPERSON T.D. DAVIS:** Okay. So we're going to continue -- 'cause that's the question I had.

**PUBLIC WORKS DIRECTOR JOHNSON:** We're --

**COUNCILPERSON T.D. DAVIS:** I noticed that CMI had previously did quite a bit of work for us --

**PUBLIC WORKS DIRECTOR JOHNSON:** Yes. Yes.

**COUNCILPERSON T.D. DAVIS:** -- in the past last three years.

**PUBLIC WORKS DIRECTOR JOHNSON:** Yes, sir. We're still under contract with them.

**COUNCILPERSON T.D. DAVIS:** And -- and then I noticed that this company down in Fort Lauderdale got the contract.

**PUBLIC WORKS DIRECTOR JOHNSON:** Uh-huh.

**COUNCILPERSON T.D. DAVIS:** So we have a company that's been very loyal to us right here in Palm Beach County, but for some reason our money's going down to Broward County and they're benefiting. Um, I just want to know how -- how does something like this happen?

**PUBLIC WORKS DIRECTOR JOHNSON:** Um, we just used our standard procurement process.

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**PUBLIC WORKS DIRECTOR JOHNSON:** And Koldaire, Inc., came in as the lowest responsive and responsible bidder.

**COUNCILPERSON T.D. DAVIS:** By how much?

**PUBLIC WORKS DIRECTOR JOHNSON:** I want to say it was close to \$4,000.

**COUNCILPERSON T.D. DAVIS:** I think it was more like 400.

**PUBLIC WORKS DIRECTOR JOHNSON:** No, it was close to 4,000. It was at least 3,000, I believe.

**COUNCILPERSON T.D. DAVIS:** Well, my question -- my thing is -- and I just want to talk to the board now.

**PUBLIC WORKS DIRECTOR JOHNSON:** Oh, no. It was 400.

**CHAIR PRO TEM PARDO:** \$400?

**PUBLIC WORKS DIRECTOR JOHNSON:** 400, yeah, I believe.

**CHAIR PRO TEM PARDO:** \$400?

**COUNCILPERSON T.D. DAVIS:** It's 400. \$400.

**CHAIR PRO TEM PARDO:** A local company versus a Broward company?

**CHAIRPERSON THOMAS:** Whoa, Miss Pardo, please just --

**CHAIR PRO TEM PARDO:** I'm sorry. I'm sorry, sir.

**CHAIRPERSON THOMAS:** Yeah.

**CHAIR PRO TEM PARDO:** I'm sorry.

**COUNCILPERSON T.D. DAVIS:** The reason I say this, because, you know, once -- you know, I chose to represent the residents of Riviera Beach, we all fall in Palm Beach County. We have a company, CMI, who's been doing work with it -- with us for three years now. And we choose to go with someone over a difference of 400 bucks who's going to travel from Broward County to do some work when someone has been good to us here in Palm Beach County.

Um, I also had pulled up Apollo Air Conditioning here -- right here out of Riviera Beach, was a company that's very viable. And I looked at their history. And they've done some great work throughout Palm Beach County. And they also, too, missed out on an opportunity and wasn't notified when some of these other companies were actually personally notified.

We cannot allow our people and our local business owners here in Riviera Beach, as well as Palm Beach County, to miss out on these opportunities. So let's make sure that we notify them. All I ask this present board is to look at this situation. Do you want to send your money outside of Palm Beach County and Riviera Beach again? Thank you, Mr. Johnson.

**CHAIRPERSON THOMAS:** Okay. Are there any other questions?

**CITY MANAGER JONES:** Council --

**CHAIRPERSON THOMAS:** Miss Jones?

**CITY MANAGER JONES:** -- um, I just wanted to let Councilman Davis know that we will go back and look at the listing of those that get, uh, notification, 'cause like you and the rest of this council, we want our local businesses to get as much business as they can. Uh, however, in this particular case, this is a bid. An RFP we could take those kinds of things into consideration. And so that's why we couldn't use that as one of the factors --

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**CITY MANAGER JONES:** -- uh, like we could in an RFP.

**COUNCILPERSON T.D. DAVIS:** Yeah.

**CITY MANAGER JONES:** But we definitely support what you're saying.

**COUNCILPERSON T.D. DAVIS:** Yeah. Yeah, I understand that. I just noticed that, um, when I was doing my own research, me and my team, we was contacting staff --

business owners across Riviera Beach. And we asked them, Have you been notified about -- and how's your business relationship been with us here in the City of Riviera Beach?

Some have been really good, even BMI [sic]. They said some great things about us. You know, they felt great about -- I didn't know that they did the maintenance. They didn't tell me that. But the good thing I like about it is that we do have a good reputation. But I want to move forward and continue building that.

**CHAIRPERSON THOMAS:** Okay. Are there any other questions from the board?

**MAYOR MASTERS:** Yes. Yes. Mr. Chair?

**CHAIRPERSON THOMAS:** Mr. Mayor?

**MAYOR MASTERS:** In accord with Councilman Davis, it -- it is really sad that, uh, it turned out the way it turned out, because CMI has gone above and beyond the call of duty for us time after time and time again. And they really deserved this. But it didn't turn out that way and I'm very disappointed. Thank you.

**CHAIR PRO TEM PARDO:** Mr. Chair?

**CHAIRPERSON THOMAS:** Uh, Miss Pardo?

**CHAIR PRO TEM PARDO:** Yeah, I'll just make a comment. The one thing we need to consider is since CMI is a local company -- they're in Lake Park, probably a mile away from us, and they do provide 27, uh --

**MAYOR MASTERS:** 20 --

**CHAIR PRO TEM PARDO:** -- 24-hour service.

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

**CHAIR PRO TEM PARDO:** I'm sure that they're going to make out well on this, you know? Think of, you know, how realistic is it of, you know -- that the Fort Lauderdale company will be coming here at, you know, 6:00 on a Friday afternoon?

**MAYOR MASTERS:** Shameful. Shameful.

**CHAIR PRO TEM PARDO:** So as long as we have CMI who are still doing maintenance, we're fine. Okay. Thank you, sir.

**COUNCILPERSON GUYTON:** Okay.

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Yes, one -- one quick comment. Um, I, too, have a concern and fully support our locals.

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

**COUNCILPERSON GUYTON:** In the bid process, however, our hands are tied. As the City Manager indicated, whoever comes in the lowest, that's who we're required to go with. Am I correct in that, Mr. Johnson?

**PUBLIC WORKS DIRECTOR JOHNSON:** Yes, sir.

**COUNCILPERSON GUYTON:** And unfortunately, in this case it was so close but yet so far. But, uh, I'm not sure what the criteria was but in those circumstances where we can give additional points for being local, we need to ensure that whatever we can do within the parameters of the law to ensure that our locals get a fair opportunity, that is what I want to see, as well. But I do understand the circumstances here. And unfortunately, our local wasn't the lowest bid for this one. Okay.

**CHAIRPERSON THOMAS:** Are there any other questions? Madam Clerk?

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** No.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** That vote passed with Councilperson T.D. Davis dissenting.

**CHAIRPERSON THOMAS:** Okay. That brings us to the end of -- wait a minute. Yes. That brings us to the end of Consent. We'll now go to Petitions, Communications for Filing.

**CITY CLERK WARD:** None.

**CHAIRPERSON THOMAS:** All right. We're going to go to Awards and Presentations from the Office of the Mayor, and at this time, Miss Pardo, take over.

**CHAIR PRO TEM PARDO:** Okay. May I have the Public Comment cards?

**CHAIRPERSON THOMAS:** Um, yeah. She has them all set up. (Inaudible).

**CITY CLERK WARD:** Presentation from the Office of the Mayor by Faith, Hope, Charity Veteran Outreach Network.

**MAYOR MASTERS:** Thank you, Madam Chair [sic]. I also will be going to Kennedy School. I'm invited to be a part of the graduation. But Douglas MacArthur said, "I shall return."

This is a presentation from Faith, Hope, Love and Charity. They deal with our veterans very proud -- in a very proudly way. Josh Maddox, Director of the Support Services for Veteran Families and Program, and Roy Foster, who is the Founder and Director of this program that is -- goes above and beyond the call of duty for men and women who serve and -- served and -- in our armed services. And they will come, along with Kelly Morrison, a lead volunteer out of the Mayor's Office as it relates to what they're doing to support and to enhance the quality of life for veterans and their families. Roy, Josh, Kelly?

**KELLY MORRISON:** Good evening, Councilmen.

**COUNCILPERSON T.D. DAVIS:** Good evening.

**KELLY MORRISON:** Congratulations on your elections. You haven't seen the rest of me yet. I'm still going. My name is Kelly Morrison. I am a veteran. I did 20 years. I did Lebanon, Grenada, Honduras and the liberation of Kuwait. **MAYOR MASTERS** came to me on the 14<sup>th</sup> of December of last year and asked me to start a Mayor's Office -- Riviera Beach Mayor's Office of Veterans Affairs, and I went in at full force.

I love it. I work 100 percent. To this day we officially have 400 heroes we have helped. It continually increases. However, in April, we had a visit from this young man, and him and Dr. Crockett came and spoke with myself and the Mayor. And once we explained what we were doing and how we do it and our policies and position -- procedures and missions, he then offered us a chance to stand with them, which I truly, truly believe, 'cause I am 100 percent leave no soldier behind.

The good thing about it is the Mayor's Office of Veterans Affairs is all volunteers. We take no money. We accept no money and what we do is out of the love of our heroes. However, there's many a night when I'm needing a bed, I'm needing people on the phone to help these guys. If I need to get these guys down to the hospital, if I need to get them to a bed, if I need to get them in housing, I'm unable to do it. Most of them are men and I'm a female. And I won't put myself in jeopardy.

However, I've got two of them now. So I want to introduce Roy and Josh and let them explain to you what their purpose in it.

**ROY FOSTER:** Good evening.

**COUNCILPERSON T.D. DAVIS:** Good evening.

**COUNCILPERSON JUDY DAVIS:** Good evening.

**ROY FOSTER:** I'm Roy Foster. I'm the founder of Faith, Hope, Love, Charity Stand Down House. It's good to be back in Riviera Beach again.

**COUNCILPERSON JUDY DAVIS:** You're welcome.

**ROY FOSTER:** Actually, we held our first Stand Down event here where Riviera Beach was so gracious to -- with their participation as to their identification with our veterans here. A Stand Down event is where we go out, we bring in the necessary services for homeless individuals that can't or -- or aren't aware of the VA Medical Centers.

I think we had over 45 vendors that was there. VA Medical Center was there for enrollment, medical care, claim services. I mean, the entire package was, um -- was inclusive. And it was Riviera Beach that -- I -- I mean, you guys -- you guys covered the whole load and that is gracious of a city of such a small magnitude to take on that responsibility. So I applaud you for that.

**COUNCILPERSON JUDY DAVIS:** Thank you.

**ROY FOSTER:** But as we continue with our quest with our veterans, our motto is No Man Left Behind. And that is we are still being challenged with veterans that are returning and they are becoming homeless. They are still being challenged with the PTSD, TBI, whereas their functionality within the community is very low at this point.

If we are speaking of ending homelessness for veterans, we have been addressing this issue from a back-end perspective, meaning we have been addressing the homeless individual, attempting to bring them into housing situations.

It's been somewhat of a losing battle. If you can't begin to prevent homeless intervention into that process, it's going to be very difficult to end it. So we have since initiated a new program which is a prevention as well as intervention along with our homeless component. Josh is our program manager with that particular program and I'll allow him to give you some insight as to how it might work. Thank you.

**JOSH MADDOX:** Thanks, Roy. Yeah, the Supportive Services for Veterans Families Program, it's a new grant program from the VA. And it's intended to fill the gap that Roy was talking about, because there was -- guys were coming to the VA. They'd have some issues. They'd be in homes. They'd be very close to making it by. But the VA would have to tell them, Come back when you're homeless, because we don't have any help for you.

Now with the Supportive Services for Veterans Families Program, we have two different parts, one of which is rapid rehousing for homeless veterans. Low-income homeless veterans, we can get them into housing, help them out with case management, housing stabilization, employment counseling, benefit counseling. We can also help with rental. We can help with rental, we can help with security deposits, utility deposits, that sort of stuff.

The other piece is prevention, which is for low-income veteran families who are in their - are in homes but are going through a difficult time. And we're able -- it's a crisis management situation so we're able to provide short-term assistance, both through case management and through temporary financial assistance.

As Roy said, the City of Riviera Beach has -- has worked with us wonderfully and we're very, very excited about the new initiative with the Veterans Affairs Office and the Mayor's Office. We've been working with Kelly. She's a dynamo. She's raring to go and does a great job.

**COUNCILPERSON T.D. DAVIS:** Thank you.

**CHAIR PRO TEM PARDO:** Thanks.

**MAYOR MASTERS:** Madam Chair, I'd like to read this in the record as it relates to veterans. I've talked a lot about my mother in the past but haven't said a lot about my father. And -- but I do want to say this for the record that I'm very proud of my father, as well.

"My father --" and this is the part of why I'm so dedicated to the veterans. "My father Alfred Masters, who's gone on home to be with the Lord, was the first black Marine to serve June 1<sup>st</sup>, 1942." And this is online; you can Google it. "The Oklahoma first Negro Marine enlistment. Alfred Masters, 511 N. Rhode Island, was the first Negro to take oath into the United States Marines since the ban against -- against Negroes' enlistments has been lifted. Masters was sworn in by the Secretary of the Navy Commander one minute after midnight June the 1<sup>st</sup>, and a certificate of enlistment was presented to his wife, Mrs. Isabel Masters, congratulating her for furnishing a husband that met the requirements and standards of the Navy Department. Masters completed four years as a student at Langston University majoring in vocational education. He received his high school education under the principal Professor F.D. Moon at Wewoka, Oklahoma."

**CITY MANAGER JONES:** Wewoka.

**MAYOR MASTERS:** You know about that. So it's a picture of my father, the first black Marine in the United States of America June the 1<sup>st</sup>, 1942. And I'm very proud. Thank you.

**COUNCILPERSON JUDY DAVIS:** Wow.

**CHAIR PRO TEM PARDO:** Okay. And thank you very much to everyone who is participating with that program. Okay. We'll go to item 7, Presentation from the Office of the Mayor to members of the community as thanks for helping grieving families. Mayor?

**MAYOR MASTERS:** Thank you. Madam Chair, this is very touching for -- for this -- for these presentations. As you know, over a month ago our city experienced the worst tragic -- fatal tragic accident in the history of Riviera Beach and Palm Beach County.

I was called upon by some of the members of the families that were impacted, as well as others, to get involved and to see what I could do. Um, sometimes people ask, Are you doing what you do as a minister or are you doing it as the mayor? And I say, Both. I don't even worry about that anymore. I am who I am. And I do what I do for people. I wear two hats and sometimes I wear them together.

Having said that, this was a very trying experience for me. I've dealt with one family or two but never five at one time. It was quite a challenge and I prayed and I asked the Lord for strength and wisdom. I want to thank Valerie Grimsley who was by our side from day one, who, um, volunteered around the clock to offer moral support and strength for the families. I want to thank Councilman T.D. Davis for joining in our efforts. I also want to thank Councilman Bruce Guyton for coming and sharing in the great celebration service at Hilltop to help with the support of the families.

So tonight we give out certificates of people who went above and beyond the call of duty without money, just with faith and being a good brother's keeper and a good neighbor. Jeff Braswell will accept on behalf of Joy who volunteered and fed these five families one time, along with a couple churches. And is Jeff here? We want to give you an award if you're present. Give him a hand.

Our own Clifton Smith, former, I think vice --

**UNIDENTIFIED SPEAKER:** Assistant chief.

**MAYOR MASTERS:** -- assistant chief was just noble in victim services and helping us around the clock to the call of duty. Clifton, are you here? Thank you so much. Susan Williams, Palm Beach County Victim Services. I wasn't there but Valerie Grimsley reported to me that you really went beyond the call of duty to make sure that whatever the families qualified for, you made sure that they would be right there for them. And you're still working.

I want to thank Royal Palm Memorial Gardens. They actually provided three or four plots at no cost to these families as a community partner. And Jay Barney [phonetic] will accept. Jay, are you here?

**JAY BARNEY:** Yes.

**MAYOR MASTERS:** Yes.

**JAY BARNEY:** Thank you. Thank you.

**MAYOR MASTERS:** Thanks so much.

**JAY BARNEY:** You're welcome.

**MAYOR MASTERS:** Thank you. Now, don't y'all be calling Royal Palm for free plots, now. This was beyond the call -- this was five -- it's an extraordinary situation. I want to save this one for last. P & J Seafood Service that provided the food for the repast for a

couple families after the funeral service. I couldn't be in there too much 'cause I have some allergies with seafood. But someone is here to accept this award? If not, we'll move on.

Security Works, who provided free the escort service. They do a wonderful job in providing security at some of the gated communities in our city, and they donated their escort services for the families. And let's give this young man a hand.

Yeah. They've also hired several of our young people in security and they will also be attending our job fair on the 11<sup>th</sup>, Tuesday at 10 a.m. at the Inlet Grove School. So Security Works, get ready to put some young people to work again.

Uh, Pepe Hendricks [phonetic], are you here? Pepe Hendricks -- Pepe Hendricks put together -- uh, we talked and -- and Pepe was able to put it in action. You know, I just did a lot of talking. They did the work. But Pepe Hendricks put together a benefit concert in the community for these five families at Hilltop Baptist Church, Pastor Griffin Davis. And through his efforts, that night over \$5,000 was raised to support all five families, each receiving a thousand plus.

Let me read it in the record. I'll be just finished in one second. (Inaudible). Valerie Grimsley again, who's not present, but certainly has -- has one. Camel's Funeral Home that assisted from Belle Glades with some services. And last but not least, 102 -- X102.3 donated thousands of dollars of radio time promoting the concert and keeping the community informed.

Last but not least, a young man who came to bat. And I had personally been talking to several funeral homes in the area. But Tim Kitchens from Kitchens Funeral Home called me the next morning and said, "Mr. Mayor, call the families and tell them that I will donate the entire professional services for those families." Tim, are you here? He was here. Yeah, here he is. Tim Kitchens. He did that.

Tim, I want to personally thank you for calling me and asking how to get in contact with those families. And you went beyond the call of duty and God bless you. And I'm going to ask you to have just brief comments on behalf of all the people that went beyond the call of duty, like you, and anything you would like to say to the City, you may do it now.

**TIM KITCHENS:** I first give an honor to God on today and to all of our city leaders and to the community of City of Riviera Beach. It is an honor for me to accept this appreciation on behalf of Timothy Kitchens Funeral Home. It was an unbelievable task that we had to -- to do in the wake of the tragedy that took place. But, however, through God's grace and through His mercy, we did -- we -- we were able to accomplish what we needed to do professionally for these families to make sure their loved ones were placed, uh, you know, to -- you know, at rest.

And I just want to thank again, uh, Bishop Masters -- **MAYOR MASTERS**. I'm sorry. I'm so used to calling him Bishop. But we just thank him for his untiring work in trying to make sure their families were comforted. And I want to thank you again to the City of Riviera Beach and this beautiful community of City of Riviera Beach. May God bless

you.

**MAYOR MASTERS:** Thank you.

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

**MAYOR MASTERS:** Madam Chair, that ends our report. And jokingly, I often say here lately, When God overtakes you, let Kitchens undertake you. Thank you.

**CHAIR PRO TEM PARDO:** Thank you. We have a comment card on this item from Miss Shepherd.

**MARGARET SHEPHERD:** Good evening. My name's Margaret Shepherd.

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

**MARGARET SHEPHERD:** In behalf of this memorial to the five families, I do want to thank T.D. Touchdown and, of course, Mr. Guyton for being there at Hilltop Missionary Baptist Church. As the Mayor said, it was a very moving and touching service. I have been to many, many services in my life but this was the most moving and dedicated service I have ever seen in my life. And I want to thank you so much, this city, for, um, really coming to Hilltop Missionary Baptist Church. Everybody know I love Reverend Griffin Davis. He is really a delightful person. And Reverend Davis do whatever he has to do. Sometime's it's overbearing but that is one church that I can say steps up to the plate.

This service would not have taken place without the Honorable Bishop Masters. Um, I think he was very delightful, very colorful and making sure that this service was put together for the family. Nobody knows what it takes to go through losing a loved one. I lost my son some 20 years ago and it was this community and my family, everybody kept me together. And when you lose a loved one, nobody never knows. That goes with you the rest of your life. Especially a child. We always think we will go before our children. But when you lose a child, it never leaves.

So on behalf of Hilltop Missionary Baptist Church and the very Reverend Griffin Davis and Huetta [phonetic] Davis, Bishop Masters, I take off my hat to you. It was a very moving service and I want to let you know, keep up the good work. And with that I thank you.

**CHAIR PRO TEM PARDO:** Thank you. And again, thank you to all the people that -- that helped these families. We truly appreciate it as a community. If you guys would like to leave you can. You don't have -- it's going to be a late night.

**MAYOR MASTERS:** Thank you once again. Let's give them a hand for their -- for all that they -- that they've done.

**CHAIR PRO TEM PARDO:** We have a couple of elected officials in the audience that I would like to acknowledge. We have the chair -- the vice chairperson of the Palm

Beach Port or the Port of Palm Beach, Commissioner Oppel, welcome. And we also have the Port of Palm Beach Commissioner Wayne Richards, welcome.

Okay. We will move ahead now to -- let's see where we are. All right. Public Hearings. Ordinances on first reading, item 18.

**CITY CLERK WARD:** Ordinance number 40-23, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, repealing the existing Chapter 2, Article V related to per diem and travel expenses, I assume of the Code of Ordinances, and providing an effective date.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIR PRO TEM PARDO:** Properly moved and second. Okay. Someone doing a presentation?

**CITY MANAGER JONES:** Okay. I would like to ask Randy Sherman, the Finance and Administrative -- Administration Director to come forward. This item is brought before you -- as we were following the directive of council and looking at our policies and procedures, there was one policy in particular that we noticed was established as an ordinance. And, um, it had not been looked at in quite a while. So what you have before you tonight and in the presentation that Mr. Sherman will give is the request to repeal the ordinance, because we have to do that first before we can establish another procedure, um, and to talk about why we are putting forward this particular change.

**CHAIR PRO TEM PARDO:** Okay, sir.

**FINANCE DIRECTOR SHERMAN:** Good evening. Randy Sherman, Director of Finance and Administrative Services. Um, the reason we're -- we're really doing this is we really need to update this policy and procedure. As Miss Jones mentioned, this is currently an ordinance and it hasn't been updated since, uh, the 1990s. What's happened since then is over the years miscellaneous little policies and memos and everything have gone out and it's really, again, caused a lot of confusion on how people actually handle their travel.

So the first thing we really want to consider here is changing it from an ordinance to a policy. Again, an ordinance is -- is really an enforceable rule. It's law. And policy is a little bit more broad and deals with procedures and -- and, um, you know, really on how to do things. And really, when you're dealing with something internal like this, it really needs to be a policy.

But when you're drafting the new policy, um, again, as -- as you know, the council knows, you know, we're trying to, you know, address the concerns of the Inspector General, address concerns of the auditor, and again, issues that have been brought up by this council.

One of the things that we really focused on here is exhibiting strong management practices and putting in some good internal controls within this policy. Um, you know, we are stewards of the public funds, and we really wanted to focus on -- on controlling those dollars and how they were being spent and making sure they were truly being spent on -- you know, for a City purpose.

Primary changes that you'll see in the policy, again, a lot of it is the basics. It's -- it's what we do now. It's how you authorize. It's who can authorize. It's, you know, what -- what travel is. But what we're doing in this policy -- again, it's been, you know, almost 15 years since this policy or ordinance went in place. We're really trying to modernize what's here. We're talking about, you know, using online forms, online approvals. You know, electronic document flow. We'll be paying all the advances through payroll rather than accounts payable checks. And then we're actually going to be, you know, pushing again to use the Procurement card, which again, saves us time, saves us money and actually gives us some benefits as far as being able to get refunds and enforcing some of the -- the provisions of -- of the -- of the policy.

Again, as I mentioned, you know, we're trying to clarify, again, all of these confusing procedural issues that we have, again, that have really ramped themselves up over the years as a memo has been issued here and there. Um, and then finally again, talking about, you know, really watching the City dollars, we have put in some stipulations on the spending limits. Uh, and here are the -- here are the limits that we put in place. Um, again, this is -- this is your policy and, you know, these are the -- the dollar limits that we put in the policy. You know, if someone would like to change any of these, recommend a change, that clearly is, you know, your prerogative to do that.

But what we looked at for lodging, we looked at \$100 per night or a conference rate. You know, when someone goes to a conference and there's a rate at that conference, you know, we feel it's right for the employee to be able to stay at the conference. I mean, part of the -- the deal is that, you know, the interaction with, you know, people who are doing the same jobs that you're doing. But \$100 a night there. The meals are \$60, which broken up, 12, 18 and 30 for dinner. So again, if you're only getting a breakfast, you only get the \$12.

Uh, we're changing the mileage rate. Uh, what is in the current ordinance is 33 cents. We're looking to actually go with the IRS published rate and that rate does change every year, or if there's some significant reason -- I have seen them change it midyear, but typically every January they release a rate.

Air fare, again, we're pushing, you know, coach or economy. And we will pay for a bag. You know, if there is a baggage fee, you know, we will pay that -- that baggage fee. Uh, tipping, again, 15 percent. You know, that's -- that's what we allow for the tipping. The dollar a bag, whether you're using a porter at the airport or you're using someone at the hotel, that's the rate that -- that we put in there for that.

And of course, you know, there is a provision in there that clearly, if there's some extraordinary reason why these dollar amounts don't work -- for example, good luck at

getting \$100 a night room in Washington, D.C. or New York. You know, we clearly, you know, allow for that to be overridden. You know, what we're trying to do with the policy is, you know, not -- not penalize a traveler, not penalize somebody for going on City business, but not necessarily giving him, you know, a financial reward for taking that trip, either, and overpaying.

So these are the limits in here. Again, if there's something specific in the policy you'd like me to address, I clearly can do that. But what tonight's issue is, it's the first reading of repealing the ordinance. At the July meeting we're going to ask for the second reading of repealing the ordinance and then the adoption of the policy at that point.

**COUNCILPERSON JUDY DAVIS:** Madam Chair?

**CHAIR PRO TEM PARDO:** And I think it's important that you mention to the public, especially, that if an employee decides to travel, it has to be approved by the city manager. It's just not willy-nilly.

**CITY MANAGER JONES:** Yes.

**FINANCE DIRECTOR SHERMAN:** Yes. No, there -- there is a series of approvals.

**CHAIR PRO TEM PARDO:** Right.

**FINANCE DIRECTOR SHERMAN:** It actually gets approved by the department head and then it goes to the city manager and then it comes to myself for -- you know, for the dollar amounts to look at for the travel, as well.

**CHAIR PRO TEM PARDO:** Right. We just need to make that clear.

**FINANCE DIRECTOR SHERMAN:** Yes.

**CHAIR PRO TEM PARDO:** Okay. Anything from the board?

**COUNCILPERSON JUDY DAVIS:** Um, yes, ma'am, Madam Chair?

**CHAIR PRO TEM PARDO:** Miss Davis. Yes.

**COUNCILPERSON JUDY DAVIS:** Um, for -- I -- I'm looking at the dollar a bag. I -- uh, gosh. For them to take your bag out of the car, I mean, I guess you could -- any -- any of us could give them a dollar a bag. But I think for me, I -- I would be more comfortable with two. You know, at least.

And also, for -- for the elected body, you know, we have a travel budget and sometimes, you know, decide that we need to go to Washington or to Tallahassee or to a National League of Cities or whatever. Um, we're -- are we not -- we're not saying that we need board approval, but, um, certainly the city manager signs off on all of the documents. Am I correct in that understanding?

**FINANCE DIRECTOR SHERMAN:** You -- you -- travel for the -- for the council actually goes through the same process but, again, we're not approving your travel, per se.

**COUNCILPERSON JUDY DAVIS:** You're just signing off on it?

**FINANCE DIRECTOR SHERMAN:** It's, Here's the policy. We're making sure it's here. And again, if you need an advance check -- I mean, those types of issues are what we're looking for.

**COUNCILPERSON JUDY DAVIS:** Okay. So, um, I guess to clarify, if there is no money in your travel budget and the budget would be impacted otherwise, then it needs board approval. That's to be clear. Okay?

**COUNCILPERSON GUYTON:** Okay.

**COUNCILPERSON JUDY DAVIS:** That's what I'm understanding.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIR PRO TEM PARDO:** They go to the city manager. Make sure that's what she understands, too.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIR PRO TEM PARDO:** Hold on. Miss Davis, you want to repeat that?

**COUNCILPERSON JUDY DAVIS:** Um, that I want to make sure that that is the proper understanding from the city manager, that any travel outside of what is in our budgets, in our individual budgets, must come to council for approval before your sign-off.

**CITY MANAGER JONES:** That is my understanding. That is not written in the travel policy. Where you will find that is in the legislative policy that we presented in a workshop. And that's where it's specifically spelled out, in that policy draft.

**COUNCILPERSON JUDY DAVIS:** Okay. But that -- that legislative policy has not come before the board yet for approval?

**CITY MANAGER JONES:** It has not come back for approval.

**COUNCILPERSON JUDY DAVIS:** When do we expect it to come before the board for approval?

**CITY MANAGER JONES:** Um, I am ready whenever board -- the council gives that directive. We can either workshop it first or just bring it, um, for consideration since it was at least introduced in a workshop. So whenever --

**COUNCILPERSON JUDY DAVIS:** Well, my --

**CITY MANAGER JONES:** -- the consensus is, um, we'll bring it back.

**COUNCILPERSON JUDY DAVIS:** -- okay. Well, my suggestion for that would be, um, that it be brought back for any discussion at that particular time because if we wait for it to come back on a -- you know, to a workshop, we could be waiting for a very long time. And I think the sooner the better. I'm -- this is something that, um, gosh -- and -- and I - - I've been trying to get done for a very long time because I think that the city manager and our finance director has a fiduciary responsibility to ensure that, um, you know, things are not being paid for that shouldn't be paid for. And, um, you know, it's time to get this done and, you know, make us accountable, because we're the ones who have to tell -- have to, you know, approve these things to be put in effect. So, you know, I would -- I'd like to ask my -- my colleagues if, um, we can request that these be brought back at the next council meeting, the other policies.

**COUNCILPERSON GUYTON:** Madam Chair?

**CHAIR PRO TEM PARDO:** Okay, yes. Mr. Guyton?

**COUNCILPERSON GUYTON:** I -- I agree with everything that, um, Councilman -- Council -- excuse me, Councilwoman Davis said.

**COUNCILPERSON JUDY DAVIS:** That's right, buddy.

**COUNCILPERSON GUYTON:** We do have a man up here, too. But I want to go a step further, quite frankly. We are dealing with a travel policy and the issue is whether a councilperson has the, um, funds in the budget to take the necessary travel. If we're dealing with travel, it should be in the travel policy, as well.

That's my position. It -- it can be in the legislative policy, too, but if we're dealing with the travel of council people and staff, I think that it needs to be clarified in a travel policy, as well.

**COUNCILPERSON JUDY DAVIS:** Absolutely.

**CHAIR PRO TEM PARDO:** So then maybe it would be a good idea to have a workshop. Everyone start thinking about this. Have a workshop. And we can tell the manager --

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM PARDO:** -- you know, have it in the next couple of weeks instead of waiting until --

**COUNCILPERSON GUYTON:** Well, it -- let me say --

**CHAIR PRO TEM PARDO:** -- you know, whenever.

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM PARDO:** And then, you know, just think about everything.

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM PARDO:** And then we'll just put it all on the table. I have no problem with that.

**COUNCILPERSON GUYTON:** All right. Well, I've already thought about it so my position won't be changing. We need to document, because we have to monitor ourselves. And right now, quite frankly, I don't think that we do that quite well.

**COUNCILPERSON JUDY DAVIS:** Uh-uh.

**COUNCILPERSON GUYTON:** We had an incident not too long ago where a councilperson or elected official, um, I think, kind of abused the privileges. And -- but the other thing that -- that I would like to see, as well, we need to reduce to writing what the penalty would be on council people who does not abide by that policy. If you travel, it's not in your budget, and you exceed your budget, we need to document that it is going to come out of your, um, pay that you get from the City.

We need to make it very clear that we have to be accountable as everyone else does. And it doesn't need to be fuzzy like, What's going to happen? It needs to be documented. If you violate the policy and it's not in your budget, you're going to pay. And I think it needs to be in writing. So as we talk about what we're going to do, we don't need to be making it a little fuzzy. We need to make it clear so that we all understand the consequences.

Staff is not going to say much to a council or elected official. We have to do that to each other.

**COUNCILPERSON JUDY DAVIS:** (Inaudible).

**COUNCILPERSON GUYTON:** And -- and now is the time to step up to the plate and make it clear and document it so when it happen, there are no questions about what the consequences are. Thank you.

**CHAIR PRO TEM PARDO:** Mr. Davis, do you have anything?

**COUNCILPERSON T.D. DAVIS:** I have nothing else to add.

**CHAIR PRO TEM PARDO:** Excuse me?

**COUNCILPERSON T.D. DAVIS:** I have nothing else to add.

**CHAIR PRO TEM PARDO:** Okay. So you heard what the council had to say. And quite honestly, I could care, you know, either way. I come in under budget every year.

**COUNCILPERSON GUYTON:** You do.

**COUNCILPERSON JUDY DAVIS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Um, and -- hold on, please. Um, so I would ask the city manager to poll the council and see, you know, if they want a workshop or if they want to put this on the next, um, agenda. All right. Miss Davis?

**COUNCILPERSON JUDY DAVIS:** I'd like a poll right now.

**CHAIR PRO TEM PARDO:** That's fine. Madam Clerk, can you poll the council to see if they would like a workshop or an -- or a, uh -- you know, an item on the next meeting?

**CITY CLERK WARD:** Okay.

**CHAIR PRO TEM PARDO:** On the next agenda.

**CITY CLERK WARD:** In agreement, Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** I'm saying yes to have it on the next agenda. What are you polling us for?

**CITY CLERK WARD:** A workshop.

**COUNCILPERSON JUDY DAVIS:** The next agenda.

**CITY CLERK WARD:** The next agenda.

**CHAIR PRO TEM PARDO:** Next agenda for --

**COUNCILPERSON GUYTON:** Yes. To -- to have these items that are not included on the next agenda for discussion and action.

**CITY CLERK WARD:** Correct.

**CITY ATTORNEY RYAN:** Okay. So you just want what you discussed tonight to be added into the policy that's a draft for tonight? So the -- the ordinance that's on first reading will be on second reading, and the policy that will come as a -- with a resolution, you want it to make -- you want to make sure that it includes the penalties for violation and coming out of the pay?

**COUNCILPERSON GUYTON:** And the procedure to --

**CITY MANAGER JONES:** Whatever --

**CITY ATTORNEY RYAN:** And the procedure for that.

**CITY MANAGER JONES:** -- was in the other -- the other legislative policy.

**CITY ATTORNEY RYAN:** Okay. So you just want that to be --

**CHAIR PRO TEM PARDO:** And it has to come back? Right.

**COUNCILPERSON GUYTON:** Yes. I -- I would like --

**CHAIR PRO TEM PARDO:** It has to come back in front of the council.

**CITY ATTORNEY RYAN:** Okay.

**CHAIR PRO TEM PARDO:** (Inaudible).

**CITY MANAGER JONES:** As well as the tip, the -- increasing the tip?

**FINANCE DIRECTOR SHERMAN:** (Inaudible) \$2.

**CITY MANAGER JONES:** Well, Miss Davis's recommendation was to increase the tip value.

**COUNCILPERSON GUYTON:** Yes. That'll be fine.

**FINANCE DIRECTOR SHERMAN:** Yes.

**CITY ATTORNEY RYAN:** Okay.

**CITY MANAGER JONES:** Okay.

**CHAIR PRO TEM PARDO:** And also, there needs to be a provision then in case baggage fees increase.

**COUNCILPERSON JUDY DAVIS:** It's on there.

**CITY MANAGER JONES:** Increase.

**COUNCILPERSON JUDY DAVIS:** It (inaudible) for increase.

**CHAIR PRO TEM PARDO:** So that needs to be in there, also.

**FINANCE DIRECTOR SHERMAN:** Well, what -- what I'll do is I'll change to that actual cost. We'll just make it an actual --

**CHAIR PRO TEM PARDO:** All right. That's fine.

**FINANCE DIRECTOR SHERMAN:** That's --

**COUNCILPERSON GUYTON:** I've -- I've got one more comment, if I may.

**CHAIR PRO TEM PARDO:** Wait. Hold on. Let's finish the poll.

**COUNCILPERSON GUYTON:** Okay.

**CHAIR PRO TEM PARDO:** Okay.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY MANAGER JONES:** So next meeting.

**CHAIR PRO TEM PARDO:** Okay. So it'll go on next --

**CITY CLERK WARD:** The resolution included?

**CHAIR PRO TEM PARDO:** -- right. Right. On the next agenda.

**CITY CLERK WARD:** Uh-huh.

**CHAIR PRO TEM PARDO:** Okay. Um, Mr. Guyton, you had something else to add?

**COUNCILPERSON GUYTON:** No, just -- just a question. On the, um, lodging, the -- the \$100 a night, if a staff member or council member is traveling on business, it's normally either to deal with a legislative body or to deal with a businessperson regarding city business and it's normally in the downtown area. I travel quite a bit and I don't think you're going to find \$100 --

**COUNCILPERSON JUDY DAVIS:** These are conference costs. Conference rates.

**CITY ATTORNEY RYAN:** It may not be the conference.

**COUNCILPERSON GUYTON:** It may not be a conference. It may just be on business.

**COUNCILPERSON JUDY DAVIS:** Oh.

**COUNCILPERSON GUYTON:** And we're trying to solicit investors to come to our city.

**FINANCE DIRECTOR SHERMAN:** Again, if you'd like -- if you'd like to raise that, again, that's -- that's your prerogative. I mean, we'll -- it's your choice.

**COUNCILPERSON GUYTON:** And, um, I -- I just travel and I don't see, in the downtown area next to, um --

**MAYOR MASTERS:** Conference. To the conference, yeah.

**COUNCILPERSON GUYTON:** -- some governmental center or --

**CHAIR PRO TEM PARDO:** Right. And I think, you know, there -- there needs to be some kind of discretion. Because I can tell you --

**FINANCE DIRECTOR SHERMAN:** Right.

**CHAIR PRO TEM PARDO:** -- you know, personally, as a woman, if I'm traveling somewhere, I'm not going to stay at a \$100 hotel, you know, in --

**COUNCILPERSON GUYTON:** That's way in the boondocks.

**CHAIR PRO TEM PARDO:** -- a very suspect neighborhood.

**COUNCILPERSON JUDY DAVIS:** Exactly. Just reasonable.

**CHAIR PRO TEM PARDO:** All right?

**COUNCILPERSON JUDY DAVIS:** But reasonable being --

**FINANCE DIRECTOR SHERMAN:** Well --

**CHAIR PRO TEM PARDO:** So I think you need to look at, you know, the city that you're traveling in. And, you know --

**FINANCE DIRECTOR SHERMAN:** Yes. No. No, I -- I tend to agree. The -- and I'll tell you, you know, I -- I looked at, again, what people were paying. Most of -- most of our trips end up being up to Orlando and -- but most of them are also conference type trips.

**CHAIR PRO TEM PARDO:** Right. So 159 or so.

**FINANCE DIRECTOR SHERMAN:** And that -- you know, so if you want to raise it to 150, I mean, I'm -- whatever -- I -- that's -- again it's your -- it's your number.

**MAYOR MASTERS:** Madam Chair? Madam Chair?

**COUNCILPERSON JUDY DAVIS:** I think you should --

**CHAIR PRO TEM PARDO:** One second. One second, Mayor.

**CITY ATTORNEY RYAN:** We'll work on it.

**COUNCILPERSON JUDY DAVIS:** Yeah.

**CITY ATTORNEY RYAN:** We'll work on it.

**CHAIR PRO TEM PARDO:** Am I -- yeah. So work on it and bring it back.

**FINANCE DIRECTOR SHERMAN:** We'll work on it. Okay. We'll -- we'll -- we'll do a little more research to change it.

**CHAIR PRO TEM PARDO:** Okay, Mayor?

**MAYOR MASTERS:** Yes. Um, I stepped out for a second but I'm glad that Mr. Guyton brought that up about \$100. You can't find a room downtown, uptown or no town these days for \$100 a night, even Days Inn or either Holiday Inn or any of the other hotels. I mean, the -- we are elected officials and we should be staying in four star or five star hotels. It's a reflection of the city.

**COUNCILPERSON JUDY DAVIS:** No. No.

**MAYOR MASTERS:** Four star -- well, wait a minute. Four star. I mean, you know, you gotta stay at a decent hotel. Four star, three star. But decent. But my point is, I think that should be at cost, at -- at -- as well. Not up to 100 or 125 or 50 but at cost. Um, you know, we represent the City of Riviera Beach, and we should stay at a decent hotel. Thank you.

**CHAIR PRO TEM PARDO:** All right. So staff will work on that.

**FINANCE DIRECTOR SHERMAN:** We'll work on that.

**CHAIR PRO TEM PARDO:** Okay. Okay? So you good?

**COUNCILPERSON GUYTON:** Yeah, we're good.

**CHAIR PRO TEM PARDO:** All right. Madam --

**COUNCILPERSON GUYTON:** And -- and for the record, no I wasn't advocating four star, five star. Um, just something reasonable for the travel that we may be taking.

**CHAIR PRO TEM PARDO:** Safe. Safe and reasonable.

**COUNCILPERSON JUDY DAVIS:** Reasonable. That's right.

**COUNCILPERSON T.D. DAVIS:** Can I ask the board a question?

**CHAIR PRO TEM PARDO:** Sure. Mr. --

**COUNCILPERSON T.D. DAVIS:** Or staff?

**CHAIR PRO TEM PARDO:** Go ahead.

**COUNCILPERSON T.D. DAVIS:** When we're looking at traveling, um, you look at someone like Marriott Hotel who's a partner of Riviera Beach, they're three star, the average Courtyard. They're three star. Yes.

**UNIDENTIFIED SPEAKER:** But they're not \$100 a night.

**COUNCILPERSON T.D. DAVIS:** Well, the point I'm getting to next is we as a city, could we negotiate a contract with people like Courtyard, the Hiltons and get a set rate

where we travel in certain cities so we can make sure that we fall within a guideline through their corporate sales department?

**FINANCE DIRECTOR SHERMAN:** And you actually will get a government rate. They already have a government rate.

**COUNCILPERSON T.D. DAVIS:** Yes, I understand that. But sometimes that government rate don't beat AAA. I'm sorry. I travel all the time. I'm --

**FINANCE DIRECTOR SHERMAN:** No, I agree. I agree.

**COUNCILPERSON T.D. DAVIS:** -- I -- I'm -- believe me, I'm good at that part. But what I do know, once you get a business, a city calling your office, Hilton, Marriott, saying, We want to establish a rate as we travel throughout this country, and make it a variable rate because some cities like New York or whether it's in Tampa Bay area, it does vary.

**COUNCILPERSON JUDY DAVIS:** It's worth a try.

**COUNCILPERSON T.D. DAVIS:** Where we can make sure that we fall within the certain guideline and see if we can negotiate that type of deal with the Marriott and -- let's say, or Hilton where we can have our options.

**COUNCILPERSON JUDY DAVIS:** It's worth a try. I agree.

**CITY MANAGER JONES:** It's worth a call.

**COUNCILPERSON T.D. DAVIS:** Yeah, it's worth a try.

**CHAIR PRO TEM PARDO:** Okay. We good? Madam Clerk?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Unanimous vote.

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

**FINANCE DIRECTOR SHERMAN:** Thank you.

**CHAIR PRO TEM PARDO:** Item 19.

**CITY CLERK WARD:** Ordinance number 40-24, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the City Code of Ordinances, Chapter 17, entitled Security and Fire Warning System, Article II entitled Burglar Alarms, by repealing the existing Article II and replacing it with a new Article II entitled Police Alarm Systems, providing for a repealer and severability, codification, and providing an effective date.

**CHAIR PRO TEM PARDO:** Do we have a motion?

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** So moved. Second.

**CHAIR PRO TEM PARDO:** All right. Properly moved and second. Do we have a presentation?

**CITY MANAGER JONES:** Burglar alarms? This is an item that the police department presented in a workshop. In fact, all of the next three. And we have an ordinance as it relates to burglar alarms. But, however, we have noticed an increase in the number of false alarms. So it's on the modification of one section of an ordinance and -- with that approval, and then on the final read we will bring back the penalties and fees as a result of a false alarm.

**CHAIR PRO TEM PARDO:** All right. So we don't have the penalty and fees now?

**CITY MANAGER JONES:** Not in an enforceable program in it. It just says we can impose fees but they're not in there set as it relates to what we would actually be collecting for false alarms, yeah.

**CHAIR PRO TEM PARDO:** Okay. So do you want to just tell the public? Because we have a community that has, you know, alarms in their homes. So can we just, you know, tell them what's changing so they're aware of this?

**CAPTAIN SNOW:** Yes, good evening. Vanessa Snow with the Riviera Beach Police. What will be changing is an ongoing effort to establish a permit fee and then also an enforceable way to reduce false alarms in the city and giving three false alarms for free before any type of fee is established.

**COUNCILPERSON T.D. DAVIS:** Excuse me.

**CHAIR PRO TEM PARDO:** Okay.

**COUNCILPERSON T.D. DAVIS:** Is that annually? They get three a year or three for the --

**CAPTAIN SNOW:** Annually. Yes, sir.

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIR PRO TEM PARDO:** Okay. Anything else from the board? All right. We have a public comment card. Bonnie Larson?

**BONNIE LARSON:** Good evening. Bonnie Larson. I have a comment about the alarm systems. And I'm wondering, is it legal to make it mandatory for new businesses which come into Riviera Beach to have an alarm system, make that mandatory? Is that possible?

Secondly, um, I'm very close to an alarm which has gotten better but it would go off several times a week, all night long. The thing is, I -- I just read part of this and there's a lot of sections in there about what we're going to charge for the fee to have an alarm. But I didn't really see anything -- and maybe it's in there; I just didn't get to finish reading it. But it needs to be that -- not just an alarm which makes noise. I'm talking about the business, now. Not just an alarm which makes noise which bothers everybody in the surrounding area. It's not our responsibility to monitor their thing. They should have an alarm which is purchased through a reputable company, in which case, that alarm goes off, the company is notified like that. We can't sit there and wait for the police to happen to drive by and hear the alarm.

I called up one night. I called the CRA director. I was up to here with the alarm and I said -- I know -- I knew he wouldn't answer. It was going to be his answering machine. I said, "Listen to this. This is what I've been listening to all night long." I called in the morning. You couldn't sleep. There was nowhere in the house to go to get away from that alarm. So that needs to be -- not just we worry about we're permitted with Riviera Beach, but those alarms need to be purchased from an alarm company which is notified when they go off so that we don't have to listen to those alarms all night long.

But I think it would be a good idea to have all companies which bring their businesses in -- for their own safety and for ours -- to have an alarm system, if we can make that mandatory. I'd like to know if that is possible. And if it's not in the new revision, I would like that to be put in there, that it is not just a noisemaker. Thank you.

**CHAIR PRO TEM PARDO:** Thank you, ma'am. All right. I have a question. Um, how are we going to go about collecting the penalty fees?

**CITY MANAGER JONES:** We will solicit either through direct procurement or piggyback a third-party vendor that will be responsible for collecting the fees.

**CHAIR PRO TEM PARDO:** Okay. And then what happens if someone doesn't pay it? What are we going to do? Can we go after -- did we look -- and I brought this up at the workshop. Is there any way of going after the company and then having the company

increase the fee? You know, because I hate --

**CITY MANAGER JONES:** Well, that was what -- yeah.

**CHAIR PRO TEM PARDO:** -- you know, we're saying, All right. We're going to increase the fees. You know, you -- you guys have three shots at this. If your alarm continues going off, we're going to charge you. You know, you know how it goes. People don't pay their water bills.

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

**CHAIR PRO TEM PARDO:** You know what I mean? So I -- I'm just trying to say, let's be realistic about this.

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

**CHAIR PRO TEM PARDO:** So what are you going to do?

**POLICE CHIEF WILLIAMS:** Clarence Williams, Police Chief. Thank you, Mrs. Pardo, for that question. And we did research and follow up on your suggestion. And, uh, at the time, staff thought it was a -- an excellent suggestion. We researched it legally and we're not able to assess the alarm company that way.

Um, so for us, the teeth in the ordinance is with the withholding of services if payments aren't made and then the -- of course, the assessment of -- of other types of liens and so forth against properties. But typically it's the withholding of services. So if you have not registered, if you are fined and you don't correct the alarm situation as is done with other municipalities, services are withheld. That's the leverage typically that the municipality has.

**CHAIR PRO TEM PARDO:** Okay. So if they don't pay, then -- and their alarm continues going off, we do not respond?

**POLICE CHIEF WILLIAMS:** That is one of the --

**CHAIR PRO TEM PARDO:** And legally --

**POLICE CHIEF WILLIAMS:** That is --

**CHAIR PRO TEM PARDO:** -- is that okay? Is that going to become a, uh -- an issue for us if --

**POLICE CHIEF WILLIAMS:** That -- that is not going to be an issue, uh, for us as a municipality from a legal standpoint, no, ma'am.

**CHAIR PRO TEM PARDO:** Okay. All right. Thank you.

**COUNCILPERSON JUDY DAVIS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Yes, Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Okay. So if, um -- if we are going to put liens on the person's property, uh, as -- that's what you said, if they -- for nonpayment.

**POLICE CHIEF WILLIAMS:** Well, no. That is one -- those -- those are some of the options that we were -- I was just talking about the options that are available. That's not what we're going to be suggesting.

**COUNCILPERSON JUDY DAVIS:** Okay. So -- oh, that's not what you're going to do?

**POLICE CHIEF WILLIAMS:** No. We're going to be suggesting the withholding of services.

**COUNCILPERSON JUDY DAVIS:** You're just going to withhold services? Okay. So that's why I was asking.

**POLICE CHIEF WILLIAMS:** Okay.

**COUNCILPERSON JUDY DAVIS:** Because I wanted some clarification on whether it was going to be on the tax bill or -- or whatever. But anyway, um, but as far as, um, telling a person --

**CHAIR PRO TEM PARDO:** um, excuse me. Excuse me a second, Miss Davis. Could everyone please keep their voices down? If you need to speak, please go outside the chambers. Thank you. Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Um, so as far as trying to tell a person that they have to buy from a reputable company, that's an infringement on their -- their right, isn't it? Or do you --

**POLICE CHIEF WILLIAMS:** Well, that's -- that -- that's not -- that would not be part of the enforcement provision of -- of, you know --

**COUNCILPERSON JUDY DAVIS:** I understand that. But I'm just -- I'm just saying from a legal standpoint is --

**POLICE CHIEF WILLIAMS:** -- so -- but -- oh, I don't know. To -- it would be -- to me that would come up during the, uh -- in a -- in a permitting process that, um -- or a business licensing process to require those kinds of things. We wouldn't want to do that in the enforcement component of it.

**CHAIR PRO TEM PARDO:** Right.

**COUNCILPERSON JUDY DAVIS:** No. I'm just saying --

**POLICE CHIEF WILLIAMS:** So I don't know what it --

**COUNCILPERSON JUDY DAVIS:** -- from a personal -- from a personal standpoint,

you know, I -- you know, I can buy whatever I wanna buy. You know, I'm -- I just think that -- that's --

**CITY ATTORNEY RYAN:** It -- it -- it may be a problem trying to make it mandatory. However, um, we could -- if it was something the City was interested in doing, we could offer incentives to them.

**COUNCILPERSON JUDY DAVIS:** We could -- incentives to do it?

**CITY ATTORNEY RYAN:** To, um -- to have them build in the burglar alarm systems in their -- their new buildings. I mean, you say new businesses, probably not. But a --

**COUNCILPERSON JUDY DAVIS:** But what about just private citizens?

**CITY ATTORNEY RYAN:** No, you can't make a private citizen --

**COUNCILPERSON JUDY DAVIS:** You know, and that's what I'm saying. You can't make --

**CITY ATTORNEY RYAN:** No. Absolutely not.

**COUNCILPERSON JUDY DAVIS:** Okay. So incentives for a private business -- for businesses, yes.

**CITY ATTORNEY RYAN:** Correct. Yes.

**COUNCILPERSON JUDY DAVIS:** Okay. All right.

**CITY ATTORNEY RYAN:** But, no, you can't make a private citizen get an alarm system.

**COUNCILPERSON JUDY DAVIS:** Okay. That's -- that -- that works for me. Thank you.

**CHAIR PRO TEM PARDO:** All right. Anything else? Okay. Madam Clerk?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIR PRO TEM PARDO:** Okay. Thank you. At this time we will go to Public Comments. Please -- please be reminded that the City Council has adopted a set of rules of decorum governing public conduct during official meetings which have been posted at the entrance at the council chambers. In an effort to preserve order, if any of the rules are not adhered to, the council chair may have any disruptive speaker removed from the podium, from the meeting and/or the building if necessary. Please govern yourselves accordingly.

At this time, Mayor, do you want to take a minute and introduce --

**MAYOR MASTERS:** Just 10 seconds. Certificate --

**CHAIR PRO TEM PARDO:** Yeah.

**MAYOR MASTERS:** -- of Appreciation. He just got here a little later but the grandson of Pastor Griffin Davis, Hilltop Baptist Church pastor, is here to accept the award on behalf of his father for all that Hilltop -- grandfather -- that the church and Pastor did for those five families. Brandon Davis. Thank you.

**CHAIR PRO TEM PARDO:** Thank you. Okay. Thank you. Okay. First card, we have Linda Warren and Caroline Hill and then after that we have Earl Davis, Southside Coalition. Good evening, ma'am.

**LINDA WARREN:** Good evening, everybody, the board, the councilmen and the community. My name is Linda Warren. I'm representing the Palm Beach County Health Department. I -- my business here today is to introduce to all of you a unique community event that we are bringing -- Triple H Ministry is one of my colleagues that will be working with me -- to Cunningham Park. It's a community event to -- it's sort of like an empowerment event for youth and their families. Our plans are to bring agencies that can better the livelihood and to make a difference in this community.

We're -- we're -- what we are planning to bring, programs like banking. You know, a lot of our -- our young people don't know a whole lot about banking and the offers that bankers could bring in terms of scholarships and -- and programs and to help them progress in their livelihood.

Um, we're hoping that the community will support us. If you have any agencies or know of any agencies that would offer volunteer assistance, the event is going to take place June the 22<sup>nd</sup>, um, from 3 to 5. We're going to have a beautiful audience. We're bringing in Craig Lawson, a prominent attorney out of Boynton Beach, to talk about youth and their legal rights. A lot of our youth don't know their legal rights when it comes to protecting themselves.

We're going to be talking about youth and domestic violence, families and domestic

violence. Also the epidemic. HIV is still growing strong in our community so we're going to be promoting HIV testing. We're going to have a lot of health programs, a lot of community service program. Palm Beach State College is planning on coming to offer programs that they have in terms of online classes and other classes that they could take in order to help themselves.

Hopefully the councilmen that are planning or thinking about helping us, we're reaching out to you, too, to see if there's anything within your power that you can help to make this event a success. We're going to have a lot of fun. A lot of energy is going to be -- is -- have already been thrown into this project. I'm looking forward to working with this community. I'm looking forward to meeting all the people that can be a part of this program.

If any of you are interested in helping us to make this community a better -- I'm not saying that Riviera Beach is not a better place to live in -- but to assist in helping this community be a better place for our community youth. I'm from Green Acres, Palm Beach County resident. Born in Palm Beach, but yet, still, this is part of my patrol. This is -- this is what I do.

**CHAIR PRO TEM PARDO:** Okay, ma'am. All right. You need to wrap up. Give us a telephone number in case the community wants to get --

**LINDA WARREN:** Okay. The telephone number is 561 --

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

**LINDA WARREN:** -- 635 --

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

**LINDA WARREN:** -- 4328.

**CHAIR PRO TEM PARDO:** Okay.

**LINDA WARREN:** You can reach me at that number.

**CHAIR PRO TEM PARDO:** Okay, great.

**LINDA WARREN:** Uh-huh.

**CHAIR PRO TEM PARDO:** And the event is June 22<sup>nd</sup> from 3 to 5 at Cunningham Park. Ma'am, thank you very much.

**LINDA WARREN:** Thank you so much for your time, ma'am.

**CHAIR PRO TEM PARDO:** Okay. Thank you.

**LINDA WARREN:** Thank you.

**CHAIR PRO TEM PARDO:** All right. Next we have Earl Davis, Southside Coalition, and after Mr. Davis we have Bridges of Riviera Beach, Terri Ferguson.

**EARL DAVIS:** Earl Davis, W. Fourth Street, uh, Riviera Beach.

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

**EARL DAVIS:** First of all, let me begin by saying Mr. Guyton, I want to say thank you for coming out, helping us with that project on, uh, W. Third Street 'cause we've been fighting, trying to get someone to help us with that project for over 17 years. And I must say by you coming out and bringing Danny Jones -- I don't ever remember ever seeing him out there but I guess you must have put fire up under him. But anyway, they started cleaning it up, I wanted to tell you. I think I told Sylvia Blue. They started cleaning it up Monday morning, and it looks real good right now. They got a few more things that they need to move, but right now the citizens are happy about it. I'm happy about it 'cause they call me. They don't call nobody from the City. They just call me.

But anyway, I would love for you or Terence Davis or Miss Davis or Dawn Pardo, somebody to step up to the plate to help us out over on the South side. Like, the Southside Coalition, the Concerned Mothers of the South Side and the other group. We don't have a councilperson over there.

I know Cedrick Thomas is your friend but we've called him. He don't return no calls. He set appointments to meeting with the group. He don't show up. And so by me being the president, I've had it up to here with him. I ain't gonna never call him no more and I told my group, Don't call him. Forget that he's even on the council, because you know, people are still calling wanting to know, Who is over this district? I said, We don't have a person that's over this district.

But anyway, when we call, the citizens, you know -- when we call the City officials, we expect for a phone call to be returned. Like, from Monday up until this morning, I got about 15 calls. Miss Jones, people have said they called. You didn't return no calls and they come by and they couldn't see you. And another thing that I would like for you to know, that when we call you and leave a message, we don't want you to send AC Jones. He's not the city manager. You are. You know?

And so the way things is going now, we really need a change in this place, in this City of Riviera Beach completely, because things are not going right. Like that property that I'm talking about, it's been over 17 years and you couldn't get nobody to do anything. I know Miss Davis tried but, you know, I don't recall one time I could get the city manager -- not this city manager -- to come out and look at the property. You know, it makes you feel real bad when you can't get your city manager to come out. And several times AC Jones come out and they said he was supposed to call me. That's been five months ago. I'm still waiting on that phone call. You know?

These guys don't do nothing to help the citizens of Riviera Beach. And I've been in the Crime Watch for over 39 years and I can just name the one -- name the ones that tried to help us on two fingers. You know? You guys need to step up or move out.

**CHAIR PRO TEM PARDO:** Thank you, sir. Terri Ferguson, Bridges of Riviera Beach.

**TERRI FERGUSON:** Good evening. I'd like to thank the council for this opportunity.

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

**TERRI FERGUSON:** Uh, my name is Terri Ferguson. I'm the director at Riviera Beach and I know -- I recognize some familiar faces in the audience and I've spoken with several of the council members in the past. But I want to begin just by giving a brief overview of what Bridges is for those who are not familiar with it.

Um, Bridges is funded through your Palm Beach County Children's Services Council. There are -- Bridges is a network of -- of 10 different centers that are positioned in high-risk communities to ensure that children grow up healthy, safe and strong. Bridges at Riviera Beach is here in your community. We're located at J.A.Y. Ministries. And we specialize in working to support parents.

What does this mean? We want to ensure that every child is born healthy. We want to ensure that every child enters kindergarten ready to learn and to be successful. We want to ensure that children are kept safe and free from harm and to ensure that children are performing at proficiency when they reach third grade and take that FCAT.

That is the main purpose for our presentation here tonight. Not necessarily to present a service but to promote a cause. That cause is reading is essential for our children. I want you to know, if you're not aware, that the 2012 FCAT tests, the students from third to 10<sup>th</sup> grade here in our black communities -- there's a hundred -- I'm sorry, there's 51,000 plus black students in Palm Beach County schools. Of those students only 35 percent performed at reading proficiency. It is outrageous. If our children cannot read at proficiency, what future do they have? Our purpose for being here is to encourage the council to come alongside us with a media campaign for the City of Riviera Beach to give parents, residents and caring adults the information that they need to make sure that children are reading at proficiency.

And there is misinformation with regard to FCAT scores. I'm a parent of three children. I was told that we need to have a score of 3 or higher on the FCAT. That belief is that once they have that score, they're performing at grade level. That is not the case. Grade level is 5. The -- the campaign that we would like to promote and we are asking the council to support is Step up Riviera Beach, Strive for 5. We want to invite you to attend a meeting July 27<sup>th</sup> at J.A.Y. Ministries.

**CHAIR PRO TEM PARDO:** At what time?

**TERRI FERGUSON:** And be part of --

**CHAIR PRO TEM PARDO:** At what time?

**TERRI FERGUSON:** -- at the -- the meeting will be at 6:30.

**CHAIR PRO TEM PARDO:** Okay.

**TERRI FERGUSON:** -- to hear a full presentation.

**CHAIR PRO TEM PARDO:** Okay.

**TERRI FERGUSON:** And agenda items for this campaign.

**CHAIR PRO TEM PARDO:** Great. Thank you very much, ma'am.

**TERRI FERGUSON:** Thank you.

**CITY MANAGER JONES:** Thank you.

**CHAIR PRO TEM PARDO:** Okay. Next we have Margaret Shepherd and then Norma Duncombe.

**MARGARET SHEPHERD:** Margaret Shepherd, Riviera Beach. To the Council, Chair, Vice Chair; to all of you --

**CHAIR PRO TEM PARDO:** Good morning -- good evening.

**MARGARET SHEPHERD:** -- let me first say -- I think in the last meeting -- and I'm sorry Cedrick is not here -- that an apology is due to you all. I think during the election being stressed out -- and it wasn't Democrat or Republican -- it was going out in the community and looking at the senior citizens and how they're being treated. I went to quite a few of their homes and there's leaks in the houses. They have buckets, no food in the refrigerator. Um, and it was sad. It was just sad. And I think I cried all that day. I just never was so touched.

And I think it took me back to when Clara was the mayor here in this great city. She did a lot of grunt work. She did a lot of going out and meeting people. And I was very sad that our city is still in that mode of not taking care of our own. I think T.D. Touchdown, you got that seat because you were out at Stonybrook. And a lot of people talked about your heartfelt warmth that was there, being at the schools. They saw you. They really saw you out there. And I think that's your gift and you must pursue your gift, and it's taking care of those that need you. And so I am saddened by the fact that people think that the City is not moving forward, that we're not taking care of our own, that we're making sure that everybody get a piece of the pie but us.

I want to go back to the storm. I want to thank Mr. Allen Davis who came out and capped our water system. The water was just going everywhere. And I thank his staff for coming out and Mr. Davis, I've seen him around quite a bit. But I want to thank him and I want to thank Public Works. Of course, Alan Winn is everywhere. The police department, everywhere.

And Mrs. Pardo, the thing that they said -- and I'm going to keep repeating some things that were said -- the stormwater. Stormwater. Back there where I live, the canal, it

flooded up into our back -- you came to the house. You know what the courtyard looked like. That water came to the front. And so they're very angry about it. I think there was, like, five feet of water out there on Blue Heron.

**CHAIR PRO TEM PARDO:** Yeah.

**MARGARET SHEPHERD:** That was the first time I ever saw those big trucks out there trying to get that water out of the drain. It's deplorable that we have to live like that. But I think this city, we are the best city, and I thank the department heads, utility and public works, all of you for doing the job that you have done. But I think that we have to get back out and do our job that we are elected to do. I shouldn't be -- well, I should be because I'm a resident here. When they come to me and complain, I complain. And with that, I do want to apologize for my actions. I was very tired. I was very worn.

Um, the night of the election, they called me because some card came in the mail, and it just started a direction of them putting someone else in office. So I had to go out in the middle of the night, 2:30, give them those Palm cards and make sure those senior citizens got to the election. And so with that, I thank you all. But I think you've got to go back to the basics and getting that stormwater drain fixed for these people. Thank you.

**CHAIR PRO TEM PARDO:** Thank you, Miss Shepherd. You know, every now and then we're all off on our game. So thank you for coming. Norma Duncombe and then Dr. Angela Wynn.

**NORMA DUNCOMBE:** Hi, Norma Duncombe. And I'm here to discuss something that I'm a little disturbed about in terms of being fair to all of the citizens of this city. Back a few years ago there was a referendum that came forward. I think it was 2008, somewhere in that neighborhood. And it limited the number of stories that a building could go up. There were some people who did not agree with that referendum, but it was voted in and a month later it was recorded in our charter.

Okay. I'm going now to 2010. There was a referendum that the City must own and operate its marina. And a lot of people said, Well, it was won but we don't understand it. The language on the referendum was very simple, that we owned and operate our marina. There were some people who said that, Well, then, we can't make any money. I'll give you an example, a good example of that is that Palm Beach County owns the airport. And they do a very good job of operating and making a profit from that airport.

And it's all right not to know how to do something. But there's always a way to learn how to do it. Now, in 2010 -- and I'm doing this because I was very moved by the work that Emma Bates did on this. She died trying to get this referendum through in terms of our owning and operating the marina. Her attitude was people in this city should benefit from their marina. Everybody on the East Coast owns a marina. Even little Lake Park. And they own and operate their own marina.

Because this -- the people on this board would not record this item on -- in the charter, the Citizen's Task Force -- and we're working because we were really moved by what Emma did and died doing -- went to court. Three months ago the judge made a ruling

that this referendum still stands. And what I'm here tonight to ask you, when do you plan to record it?

Now, it doesn't have anything to do with whether you like it or not. But it is your job to record this in the charter. It is your job to carry it out. Now, whether you like it or not -- and maybe the manager may not have had a clue in terms of this. But we have a city attorney, and she knows that this was passed by Judge Kelley and she knows that it should be put in the charter. I'm here to ask you when are you going to do it.

This goes all the way back to 2010. This is 2013. This is a disgrace the way you're treating some citizens of this city.

**CHAIR PRO TEM PARDO:** Okay.

**NORMA DUNCOMBE:** Reverend Masters is now ready for another referendum.

**CHAIR PRO TEM PARDO:** All right.

**NORMA DUNCOMBE:** Are you going to decide whether you will record that one if it wins?

**CHAIR PRO TEM PARDO:** Okay, Miss Duncombe.

**NORMA DUNCOMBE:** Thank you.

**CHAIR PRO TEM PARDO:** You're done. Thank you, ma'am. Miss Ryan, you want to say something?

**CITY ATTORNEY RYAN:** Yes. Um, Miss Duncombe is correct, that Judge Kelley did make a ruling in February. I don't know the exact date in February of 2013. And, um, Miss Duncombe is also aware, because she was at each of the hearings, that Judge Kelley has had two hearings, um, since that order and has not rendered a final judgment on the case. We are still waiting for the final judgment.

**NORMA DUNCOMBE:** I have it here. I have a copy of it here.

**CHAIR PRO TEM PARDO:** Okay, Miss Duncombe.

**CITY ATTORNEY RYAN:** That is the order granting in part the summary judgment.

**COUNCILPERSON GUYTON:** That's a summary. That's a summary. That's not a final.

**CITY ATTORNEY RYAN:** That is different from a final summary judgment.

**NORMA DUNCOMBE:** This is it.

**CHAIR PRO TEM PARDO:** Okay, Miss Duncombe. Are you done?

**CITY ATTORNEY RYAN:** Anyway, so the City is still waiting to get the final judgment. As soon as the final judgment comes in, then this council will make a decision as to whether or not it wants to appeal Judge Kelley's decision or place it in the, um -- the charter and move on. That will be done by the council once we have the order. But we don't have it yet. Mr. DeGraffenreidt, who is the attorney for the Task Force, himself, he asked the judge for a -- a hearing on the issues and the judge granted it. At that time the judge said, "I want to have another full-blown hearing." We attended a one-hour hearing last month on the issue.

We are anxiously waiting for Judge Kelley's ruling, as well. Every day we check to see if the order has been entered. I have several members of this council who call me on a weekly basis to find out if Judge Kelley has entered the final judgment. Until the final judgment comes, it is not appropriate for us to take action on the -- on placing it in a referendum or doing anything. We can't appeal it. We can't do anything until that's done.

**CHAIR PRO TEM PARDO:** Okay. Thank you. We'll continue --

**COUNCILPERSON GUYTON:** Uh, Madam Chair? Madam Chair, as the next speaker --

**CHAIR PRO TEM PARDO:** -- okay.

**COUNCILPERSON GUYTON:** -- come up, I have a brief comment, please.

**CHAIR PRO TEM PARDO:** Uh-huh. Okay. Next we have Dr. Angela Wynn and then Fane Lozman. Yes, Mr. Guyton?

**COUNCILPERSON GUYTON:** Yes. In regards to the marina referendum, what was neglected to be said was that the Committee for a Better Riviera Beach went out and did another referendum that reversed that 2010, and that is why this referendum has not been instituted yet, because that referendum was overturned and the judge just made a recent ruling, a summary, that that language needed to be clarified.

The other thing is there's this suggestion that we don't own and operate our marina. We've always owned and operated our marina. We will always own our marina. So I don't want people to get the impression that somehow we're considering giving our marina away or selling it.

**CHAIR PRO TEM PARDO:** Okay.

**COUNCILPERSON GUYTON:** That is not even a consideration. So I just want people to have accurate information that sometime people said things that are misleading. But if you want the accurate information, just ask for some documents and we'll give them to you. Thank you.

**CHAIR PRO TEM PARDO:** Okay. Thank you, sir. Good evening, Miss Wynn.

**DR. WYNN:** Hi. Good evening. Hi, Councils. Good night. And good night, Riviera Beach. Dr. Angela Wynn. Yeah, some time ago -- um, I'm gonna direct this to the Mayor -- there are times back that the Mayor and I do not see eye to eye. But at the same time, I believe it's not really getting the respect from the Council at times. That I mean, I did it and I repent and one day I was scold not to speak against the Mayor like that. And I take it to heart and I never do it again.

So there are times when I speak to the Mayor, it's been so disrespectful. And I know I did it and I apologize. But seeing it from the television part -- part at home, it doesn't look good. And upon saying so, I'm asking the residents of Riviera Beach to, uh -- I'm -- he's been -- the Mayor has been voted in four times as mayor. And I'm asking the residents of Riviera Beach to, um -- you're going to do a thing what you call put on the agenda, that the Mayor as Reverend -- I mean, **MAYOR MASTERS** -- Mayor and Bishop come together -- **MAYOR MASTERS** have a vote. I believe he should be a voting mayor.

And we are going to put it on the agenda. And we're asking the same crowd that came out and vote him in for three -- four terms to do it again. Let's do it again. It's time for him to have a vote. I know that the council may not like that, are not happy about that. But that's what you're gonna be and that's what I will be pursuing to -- for the Mayor to get a vote. And also, with that same also -- I'm going to talk to Attorney -- where is she at?

**CHAIR PRO TEM PARDO:** She just stepped off the dais.

**DR. WYNN:** She just stepped out? Well, you see, I'm not a hypocrite. And a lot of people talk behind people's backs. I just come and say the straight thing. I wish Attorney -- okay.

**CITY ATTORNEY RYAN:** I'm right here.

**DR. WYNN:** I'm waiting for you, dear. Well, saying so, Attorney Ryan, I always cared for you. I -- I've always respected you. But it's time for you to -- to step down as an attorney for the City of Riviera Beach. In saying that, there are -- you see, I'm going to come straightforward. They'll whisper behind your back. I talking straight.

There -- I don't see why you could not find an attorney in Palm Beach County. You -- you take a -- an attorney out of somewhere in Tampa or Tallahassee, wherever that is. Isn't that unbelievable that there is no -- no, uh, attorney here to take the case? And another thing I want the public to know, Fane Lozman gives hell. I know he give hell but he's not always wrong. He is not always wrong. And I don't think, Pam, that you -- you -- your contract should be renewed. We need another -- we need another attorney.

**CHAIR PRO TEM PARDO:** Okay, ma'am. You're done.

**DR. WYNN:** And that's what I have to say. Thank you.

**CHAIR PRO TEM PARDO:** Okay. Thank you, ma'am. We have Fane Lozman and

then Michael Brown.

**MAYOR MASTERS:** Madam Chair, as Mr. Lozman is coming, I -- I just want to accept Dr. Wynn's apology. Sometimes I do feel very disrespected up there -- not up -- down there and up here. And until the Mayor does have a vote or some authority -- I don't care who the mayor's going to be -- will be -- it's going to continue whether it's Michael Brown or Mayor Clara Williams or Thomas Masters. I do feel disrespected and treated like a stepchild from time to time. Thank you.

**CHAIR PRO TEM PARDO:** Good evening, sir.

**FANE LOZMAN:** Fane Lozman. I want to echo what the previous speaker said. I, too, have had my problems with the Mayor but I believe in the First Amendment, and I thought it was shameful what the council did at the last meeting when he was talking, to adjourn the meeting before he had the opportunity to finish his comments. The Mayor in many regards is more powerful than any of you. He is the only elected official that can suspend any employee on the spot. And that's a power, Mr. Mayor, that you need to use more often, sir.

**MAYOR MASTERS:** Thank you.

**FANE LOZMAN:** Uh, last week the 11<sup>th</sup> Circuit Court of Appeals issued two rulings in my favor. One, they denied the City's motion to go to the Florida Supreme Court to certify a question. And two, they denied the City's motion for -- for a panel rehearing. This -- my 1983 case will now be coming back to Judge Hurley and the Palm Beach County Court and next -- Palm Beach Federal Court, excuse me. Next year we expect the trial to last anywhere from three and a half to four and a half weeks.

Um, the clerk of courts asked if we wanted to respond to the City's question regarding certification and we said no. It was ridiculous. And everybody laughed. The federal court is not going to give up jurisdiction in the hope that maybe the Florida Supreme Court would take the case. The whole thing was just a complete waste of money and time.

At the last meeting, some pretty defamatory comments were said to me by Mr. Guyton. And I've immediately forwarded to the City a copy of a letter from Peacock & Lebeau of California dated December 11<sup>th</sup>, 2003. I asked that it be read into the record by the clerk. I don't know if she got it. I'm just going to read it briefly. It said, "To whom it may concern, I've been brought -- it has been brought to my attention the attorney for Shane and Sia Barbi, who are known as the Barbi Twins, that certain statements have been published about the Barbi Twins and Fane Lozman in a website sponsored by Save North -- SaveNorthBayVillage.org.

"I have reviewed the material on the web and conferred with my clients. My clients do not know Fane Lozman. They have never met Fane Lozman. No incident such as described in the website that occurred here in between the Barbi Twins and Fane Lozman. My clients are not and never have been showgirls in Las Vegas. If you have any questions, don't -- feel free to contact me."

I had the former U.S. Attorney, Kendall Coffey -- my bill was \$20,000 to get Kendall to track down these Barbi Twins to get to the bottom of this rumor. This rumor started because I went against a wise guy called Al Coletta who had corrupted a local commissioner Bob Dugger. I got Bob Dugger arrested and removed from office. Okay?

Al Coletta was screwing around with a disabled World War II veteran who was a friend of mine. And Al Coletta said, Oh, let's start some rumor that Fane raped the Barbi Twins. And that rumor got picked up and it got filtered and it ended up in a federal summary judgment motion as far as I was indicted or whatever. It was purely a rumor. And Mr. Guyton, it's one thing to say something's a rumor. When you crossed the line, you opened yourself up for a defamation lawsuit.

**CHAIR PRO TEM PARDO:** Thank you, sir. Michael Brown.

**COUNCILPERSON GUYTON:** Mr. -- Madam Chair.

**CHAIR PRO TEM PARDO:** Yes.

**COUNCILPERSON GUYTON:** He referred to me on several occasions. Um, Mr. Lozman has indicated that somehow I am facing some defamatory charges. Let me just clarify where I got that information from. That information is contained in a lawsuit. And he just read a letter from somebody who I don't know and I don't know if anybody knows. I don't even know if it's from an attorney. But I have a document here that, um, indicates that he was indicted, um, according to a private investigator who did a, um -- a background research on him.

And what the investigator determined and what is contained in these documents was that -- and I'll read it again. "The Mayor asked his son, Attorney Craig Dorne, to inquire into a Lozman, um, incident in Las Vegas as to find out whether the truth of the rumor about the Barbi Twins was accurate. Craig Dorne hired a private investigator and discovered that Lozman did indeed have a sealed indictment against him in Las Vegas."

All I did was read from a legal document. It wasn't from an attorney. An attorney didn't have to be under oath like people in court have to be. So, um, if you choose to think that I have done something defamatory, um, you're going to have to deal with the people who memorialized it into a case. Okay. Thank you.

**CHAIR PRO TEM PARDO:** Thank you. Michael Brown. Good evening, Mayor.

**MAYOR BROWN:** Good evening, Madam Chair, Mr. Mayor.

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

**MAYOR BROWN:** Council members.

**COUNCILPERSON T.D. DAVIS:** Good evening.

**MAYOR BROWN:** Uh, my name is Michael Brown. My legal address is 2620 Lake

Shore Drive, suite 100. I'm here tonight as a citizen to address two very important matters which pertain to one matter and that is the construction along Broadway.

Um, my office is located, uh, just behind the Publix supermarket. So like many of you all every day, I have to come through the intersection of Blue Heron and Broadway and try to use Broadway to travel and Blue Heron to travel and conduct business. The construction, uh, contractor who has been conducting the work along that route, in my view, and based upon my experience, is disrespecting the City of Riviera Beach, disrespecting the citizens and disrespecting the business people that are in that area.

And by that what I mean is as you all know the dollars for the improvement of U.S. 1 are federal dollars which come from Washington through Tallahassee and they're prioritized by the MPO. But Riviera Beach gets those dollars because we're citizens and we're a member of the State of Florida and Florida is a state in the union so we get to get those dollars. And there are guidelines that have to be followed. And usually what happens, the federal guidelines require that the state and the contractor have to treat everybody equally and fairly, and they have to try to coordinate the construction in a way that's least offensive to the residents.

Now, we know nobody's going to be happy with construction. And during a construction project, you're always going to have some people that are unhappy. But that's a long ways away from just totally ignoring the folks and ignoring the City and conducted in a reckless manner.

That construction at Blue Heron and Broadway is ridiculous. I rode through there today and I was going to come back next week 'cause I know you all have a lot on the agenda, but I said, I'm coming in today because they were dumping asphalt in the middle of the day in the middle of the road with no one directing traffic. And the traffic was just blocked up. You can't turn left. I was heading east. You couldn't turn left. You couldn't go straight. The cars coming east couldn't turn right or left. They just have no concern about safety.

And I asked the gentleman, I said, "This is unsafe." He kind of smirked at me. Uh, I saw him out there one day directing traffic like it was a joke. One of the construction men was directing traffic like you see on television. Someone's going to get killed at that intersection.

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

**MAYOR BROWN:** It's harming the City's businesses. It's harming our residents. It's harming our reputation because the people that come in or pass through here are just so furious 'cause they think it's Riviera Beach.

And what I suggest to you is that whoever you have that's supposed to be in the city who's supposed to contact those contractors and make them provide to Riviera Beach what they provide to Palm Beach Gardens and North Palm Beach and West Palm Beach, you need to have them to do it.

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

**MAYOR BROWN:** Now, if they don't know how to do it, you need to find someone who knows how to do it, because those contractors -- when the D.O.T. awarded those contracts, I guarantee you there is money in there for directional stipends and there's -- they have a requirement to do what they can to make it safe and to be compatible as much as they can with the City. And they're ignoring you. And the guy kind of smirked at me and he -- he had a smirk as if to say, We're not going to do anything. So what they're doing is the money that they're supposed to spend to do it right, they're putting it in their pocket. So whoever you have in this city who's responsible to make these people do what they're supposed to do, I suggest you make them do it 'cause they're not doing it.

And the second point I want to address is one thing -- I've called a couple times on this. I know that they had your -- they had our land up there where old City Hall used to be and they use it as a staging area. They would never come into a city and use it as a staging area anywhere else without paying you first. You're -- now they've moved off your property. You're entitled to be compensated for the highest and best-use rental value of that property. I bet you if you had it appraised it would be \$20,000 a month. If they were on there for 10 months, they owe you \$200,000. They need to pay you.

And what they did is they moved off of your property but they moved the pipes onto the road. If you look on Broadway, the pipes are on the road. Those pipes are unsafe. A car could hit them. A motorcycle could hit them. They're unattractive nuisance. And if the pipes were not on the road, if you think about it, they could use part of those lanes in the morning for traffic coming in and in the afternoon for traffic exiting.

I suggest that whoever you have here at the City that's responsible, to make sure that they provide Riviera Beach with the same, uh, duties and responsibilities they provide to North Palm, Palm Beach Gardens and West Palm. I suggest you have them do it and if they don't do it, I suggest you make them do it. Thank you very much.

**MAYOR MASTERS:** Madam Chair?

**CHAIR PRO TEM PARDO:** Thank you very much, Mayor. Yes?

**MAYOR MASTERS:** I suggest we hire Michael -- Attorney Michael Brown to get us through this mess with this construction. He seems to have -- just for -- seems to have his hand on the pulse of what's going on. But, um, in addition to what the honorable Mayor has stated, I concur. And I'd like to ask the Manager -- Madam Manager, we have any plans about this? Is there anything that -- that the honorable Mayor said that you can speak on behind this, please?

**CITY MANAGER JONES:** We will convene the group again that have dealt with this issue earlier and prior to. Um, I did realize that today they had, um, opened up one section. But we will get with them. One of the things that I will ask, uh, staff to do is to actually look at the contract so we can point to the section that says that they are paid for and need to provide the directional, uh, staffing for safety purposes.

**MAYOR MASTERS:** And question, Madam Manager, have they, uh, offered to pay us anything for using our property? Do they owe us? I mean, did they say us -- I mean, is there anything we can do about that? Can we ask for our money? I think he's correct.

**CITY MANAGER JONES:** When we, uh, approached them about paying for the use of it -- initially what it was going to be was that they were going to fix it up when they left. They were going to put down sod, landscape it. It would be a nice lot with the, um -- then when we approached them about payment for use of the lot, that's when they elected to move. And their statement to us was that they do not pay other taxing authorities -- in other words, municipalities -- for a lay-down area when they're in their respective areas. So we kept pushing for money and they said, Okay. We will leave.

**MAYOR MASTERS:** Well, I'd like to see us pursue that to the superlative degree. The honorable Mayor is correct. It's disrespectful and it's wrong and we need to do something about it. Thank you.

**COUNCILPERSON JUDY DAVIS:** Madam Chair.

**CHAIR PRO TEM PARDO:** Um, wait. Hold on one second. And you know, with all due respect, Miss Jones, I brought this up at the last meeting in May and I asked, you know --

**CITY MANAGER JONES:** Yes, you did.

**CHAIR PRO TEM PARDO:** -- staff to look into it. So here we are a month later, and, you know, we're still dealing with the same issue.

**MAYOR MASTERS:** Yeah. They just treating us --

**CITY MANAGER JONES:** And they did have a plan. Unfortunately it's longer than after Memorial --

**MAYOR MASTERS:** Just treating us like a stepchild.

**CITY MANAGER JONES:** -- so we've got to go back and revisit that plan.

**MAYOR MASTERS:** Just tell of anything.

**CHAIR PRO TEM PARDO:** Yeah, well, we need to do something. Yes, Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Yeah, Madam Chair.

**MAYOR MASTERS:** (Inaudible).

**COUNCILPERSON JUDY DAVIS:** At the last meeting, um, there was some talk about, uh, closing the intersection. And I think all of us up here about fell out of our chairs because, um, that was, you know, a bit drastic. But -- and -- and I had this conversation with Attorney Ryan, because I happened to be at the light one day when they had --

they were working on the, um -- the northwest and the southwest corners of that intersection. And they had the cranes and the front-end loaders and all that out there.

**MAYOR MASTERS:** Disrespectful.

**COUNCILPERSON JUDY DAVIS:** And there was -- it -- it -- I felt unsafe. Um, and I said at that particular time it's just a matter of time before somebody is killed at this intersection. And I really don't want that on my conscience. Um, I don't know why it is that it's -- it's a state agency. They could have had, um, state troopers out there. Um, but something definitely needs to be done because it is totally unsafe. And I don't know how much longer, um, they're going to have to be -- be there but it made me second-guess myself as to whether or not we should have closed it for three days and let them get through with whatever it is they gotta get done, um, instead of, you know, the piece by piece, whatever they're doing there, 'cause it is very dangerous.

**CHAIR PRO TEM PARDO:** All right. Well, I hope this --

**COUNCILPERSON T.D. DAVIS:** Excuse me, Madam Chair?

**CHAIR PRO TEM PARDO:** Yeah. Go ahead.

**COUNCILPERSON T.D. DAVIS:** I just want to say something really quick.

**CHAIR PRO TEM PARDO:** Mr. -- Mr. --

**COUNCILPERSON T.D. DAVIS:** Um, last week I was at a town hall meeting over at West Riviera Elementary school.

**MAYOR MASTERS:** Me, too.

**COUNCILPERSON T.D. DAVIS:** And, um, along with the **MAYOR MASTERS**, as well. And Mr. Tradrick McCoy was there representing, uh, State Representative Bobby Powell's office. And we had an issue as we know that's been fighting for a long time with D.O.T. about those, um, trucks coming down Australian Avenue and -- at a high speed. Um, those children was crossing the road at one location. Then they was crossing at another location but the crossing guard was on the south end of Australian. But we had children crossing on the north end of Australian more towards the MLK Road but there was no one there from the state representing us. Mr. McCoy set up a meeting within two days with West Riviera and D.O.T. I was over there -- was that Monday? What's today?

**MAYOR MASTERS:** 12:00 Monday.

**COUNCILPERSON T.D. DAVIS:** Monday. I saw two state troopers on MLK -- on Australian Avenue in D.O.T. One was on the east end; one was on the west end. And I wanna thank Mr. McCoy and State Representative Bobby Powell's office, because when they went and they put some pressure on the State and asked them what they need to do, the State responded very well. And what I did see, I saw children and their

parents walking from Lincoln Elementary now walking towards ML -- MLK and Australian Avenue, 'cause they see the safety there with someone standing there helping them across the road. And because those cars are there, now you're seeing those trucks slow down as they come down Australian Avenue and MLK. But thank -- I want to thank your office for what you did. I really appreciate it.

**CHAIR PRO TEM PARDO:** Okay. All right. So since our staff is having difficulties, maybe you guys can help us. Mr. McCoy?

**TRADRICK McCOY:** Thank you so much.

**CHAIR PRO TEM PARDO:** No, thank you.

**TRADRICK McCOY:** Tradrick -- Tradrick McCoy at 1465 W. 30<sup>th</sup> Street. And as you heard, I do have the privilege of working with the State Representative for this district and, uh, I do want to acknowledge our council and Mayor. And I seen a -- a port commissioner and port director, good evening. And I am -- I did put in a public comment card regarding the State Road 710 project. And as Councilman Davis mentioned, we did attend the town hall meeting and it was an informal meeting. I didn't expect to actually be on duty at 7:00 at night, but, you know, who much is given, much is required.

**COUNCILPERSON T.D. DAVIS:** Yes.

**TRADRICK McCOY:** It was an issue and -- and -- and what I'll say is our office, especially dealing with state issues -- in fact, we -- we -- we don't turn anybody away. Sometimes we're more of a social service agency director or intermediary. But please feel free to contact our office, especially when it concerns state road projects and that sort of thing. Because as you guys know, we do serve in -- in West Palm Beach and as well as in Tallahassee. And we rub shoulders with Department of Transportation on a regular basis.

So you know, I commend not only, uh, the Councilman Davis and **MAYOR MASTERS**, but staff, as well. You know, I actually called over to the city manager's office and we was able to coordinate a meeting, actually, the very next day. And we were able to get it all squared away. We had D.O.T. officials that came down from the district office in Fort Lauderdale, some from the West Palm Beach office. And we were able to get actual crossing guards. I'm -- I'm sorry. They're not crossing guards. State troopers.

**COUNCILPERSON T.D. DAVIS:** State troopers.

**TRADRICK McCOY:** And this was the first time I ever seen state troopers serve as crossing guards. So thank you, City Manager Jones and Deputy City Manager Jones. And again, I -- I want to provide my number and my e-mail address for our office, as well as for Mayor Brown. Those type issues relating to state roads and U.S. 1, which D.O.T. has a -- has a role in, please, feel free to contact our office and, you know, we will, you know, go through the necessary channels if possible to try to get some resolve to the situation.

And -- and I do understand the -- the Mayor mentioned that those projects should be fair and -- and -- and equitable. And it does involve you sometimes having to reach out to our office or the city council or the city manager's office. But our number is this: 561-650-6880. And we have about three people on staff or even the Representative may answer the phone. But certainly, if we can't help you, we will get you to the right people. So please feel free to contact us. Thank you.

**COUNCILPERSON T.D. DAVIS:** Thank you.

**CHAIR PRO TEM PARDO:** Thank you very much for coming out tonight. All right. Next we have Carol Strick and then Nora Mahoney.

**CAROL STRICK:** Hi. Hello. Um, I was glad to hear --

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

**CAROL STRICK:** -- um --

**CHAIR PRO TEM PARDO:** Wait, ma'am. Please state your name.

**CAROL STRICK:** Oh, Carol Strick, 3516 Whitehall Drive. I was glad to hear mention about Broadway and U.S. 1 but that's not what I wanted to talk about. This past Friday, by coincidence, I happened to be driving on U.S. 1 and when I passed Broadway, um, and Blue -- when I passed Blue Heron there was this terrible smell. Uh, it smelled like rotten eggs. It smelled like death. It smelled terrible. So I went and talked to people and found out what was going on.

The fact is when Walgreens first built that pharmacy, the D.O.T. knew that that land was contaminated. So I am trying to understand why, at that time, they didn't try to, in some way, to lessen the -- the pollution, the, um -- or alleviate it in some way. Nothing was done. It just sat and got worse. The pollution of the earth, just like the pollution in the air and the pollution in the water, travels so that Riviera Beach isn't the only community that's at stake here. So is our whole county. So is West Palm. So is Lake Worth. The entire area is polluted.

Now that it's come out that the D.O.T. knew at the time Walgreens bought the -- was going to build the store that that land was polluted, now they -- it comes out that there was a car wash there that was dumping. The car wash was dumping. The port is dumping. Every business in this town has been dumping. It's just not one isolated environmental disaster. It's the whole city. What are we going to do here? Rebuild the city? We've been -- spent -- spent the last few hours discussing tips for hotel rooms and travel fares but we haven't talked about the biggest problem in this city, which is the environment.

So I don't know what's going to be done. They're saying that it isn't the soil. Of course it's the soil. The smell was so putrid that it was everything that was -- everything there was involved and polluted. So that has to be really looked at. Maybe they have to have some kind of a moratorium on construction for a while and let this all settle, because

otherwise, there doesn't seem to be a way out.

Related to the pollution is the fact that the beach in Riviera Beach is closed. One of the signs says for chemicals. That's no surprise. There's been dumping in that intercoastal for the last 50 years. Eventually the chickens were going to come back out to roost and this place was going to be unlivable. Somebody has to really make a serious attempt to address the pollution and the environmental problems in this city.

And one last comment I'd like to make as a member of the Task Force, when we won that referendum in 2010, at that time, the city council was supposed to implement the referendum. This shouldn't have gone on for the last three years. Thank you.

**CHAIR PRO TEM PARDO:** Thank you, ma'am. Uh, Nora Mahoney and then Mike Mahoney.

**NORA MAHONEY:** Good evening. Nora Mahoney, 2120 Broadway.

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

**NORA MAHONEY:** Well, there is a big sign across the street from IHOP in Northlake Boulevard coming to Riviera Beach, and it says very clearly, "Use alternate routes because U.S. 1 construction in Broadway." My customers were coming everywhere and say, "What kind of route can we take?" And I said, "Why?" I didn't see the sign until somebody told me last week that it was over there in the road in the beginning of Northlake between Walgreens and CVS. And I said, "Well, that's kind of strange. The people are not coming to the City or what?" So, "No, no. You have to see the big signs."

So I went to, uh, the place that they told me and I saw the sign that they say, "Use alternate routes because of U.S. 1 Riviera Beach construction." My question is, you can use the roads but be careful or slow down, whatever. But to use alternate roads? I mean, where is the people going to be going? They think probably U.S. 1 is closed.

Um, the other thing, I complained, like, three or -- three weeks ago, the water was coming out in the streets. I -- I call EPA. I called the water management. I say, "Wow, we have clear water coming out from the soil." Especially between -- in my area, in 22<sup>nd</sup> Street, I say, "Whoa, we have waves here. Oh, my God. Many people would like to use this water. You can even drink it. It was so clear." I didn't know who I have to call.

So somebody told me that they couldn't shut down, uh, whatever they have to do, because, uh, the pipes -- they need to have some kind of connection. I don't know what it -- what was going on.

So all these three weeks -- all these three weeks I saw water -- water out -- I mean, coming out from the -- close to the hydrants and close to some places. And every day that I was coming from my place to my shop, I saw a lot of water. And I say, "What is going on?" I don't know. Do you know anything about it?

The other thing, when you call any department -- I know you have your -- your complaint paper that you give it to the city manager and she pass it to different departments to solve the problem. My question is, do you have a paper trail of that? Because when I ask for a report, they don't have it. Remember what happened in Boston. If they don't have a little paper trail, any little detail, they will not know how the problem started. You have to start doing something about it. Every little complaint, have it over there in the report. If something got bigger, you know where it started. So management here in the city is really wrong. I think it needs to be changed.

The other thing is still Planning & Zoning. Poor attendance. The board is very good. It's able to listen to get suggestions, to get information from the people or input from the people so they can make a decision. They deliver it to you later. No. It needs to be televised so the people gonna feel that they want to come to the -- to the Planning & Zoning and have their concerns and talk about it.

You don't -- I hope you have some money. You're spending a lot of money on a lot of things. All of you have aides. So before that I remember, 1999, you don't have no assistants. Now you have computers. You have, uh -- what is it, your cellular, your smartphone, and you still need aides. So I don't understand that. That's too much the waste of money. You can do it yourself. The Planning & Zoning Board, they don't have anything. It is all volunteers. So check it out about that.

The other thing about Code Enforcement. I saw sometimes you have the orange paper that you place on the property because it's not taking care. Okay. They clean it one time. Wow, it goes back again. So I don't know if they follow up, who the people are not doing their job or they're not cutting their grass or they have still garbage around. I know you love the city but come on, go around. Especially in my district. Thank you.

**CHAIR PRO TEM PARDO:** Thank you, ma'am. Mike Mahoney and then Bessie Brown.

**MIKE MAHONEY:** Good evening. Mike Mahoney, 2120 Broadway. Uh, I'd like to make some comments. One of the citizens made some comments earlier about the alarms and stuff at businesses and this -- and homes, I guess. But as a business owner, I've got alarms on my building and when I moved in, I chose to have an alarm. So when I chose to have an alarm I had an alarm company install it. And the way that alarm works, it activates, you know, the -- a call to the police department. A siren goes off or you could have it silent if you wanted.

But my point being is that I think the City could resolve the issues with, uh, alarms going off that businesses put in themselves that don't shut off by just saying, if you got a new business coming in or check the businesses that are here, part of the process would be if you want an alarm, you have to have it meet certain specifications, which would be installed by a company, and that would alleviate that siren going off all night. 'Cause my -- my sirens shut off after about five minutes and after the police are called, it shuts off. So that's -- that's a solution for that. That ain't a big deal.

Um, the other thing is the -- I appreciated somebody mentioning something about the City supporting local businesses, 'cause I've tried to be an advocate of that since I've been in the City forever and unless -- it seems like to me, unless I'm calling whoever's responsible for putting these bids out, I don't find out about them. So I would appreciate a little bit more contact from whoever in the City, you know, whether it's the Parks and Recs, whether it's the City department of whatever to try to go out of their way to e-mail me like other businesses and give us a fair shot at things.

Because I also have been passed up for -- several times for companies out of -- out of the city. And I don't have the time or energy to come in here or call whoever I'm supposed to to argue the point. You know what I mean? 'Cause I feel like it's just a frivolous thing to, uh -- to argue anymore. So I hope one of you guys, somebody does that, 'cause we -- we need more business in the city.

As far as the sign goes, up north of PGA, it -- it does direct traffic in other areas. So, uh, you know, with -- with no clear way to go, that -- that creates a problem. But the other thing I wanted to get to real quick was that lot that the construction company was using is adjacent to my property. And I -- I would like for somebody to get to the bottom of that 'cause I heard rumors of somebody in the City trying to strong-arm the construction guy into paying them off to use that lot.

So I'm not saying it's true. I heard somebody tonight saying, What's going on? But I hope you guys get to the bottom of it. If an internal investigation has to be done, I would like to find out why those guys pulled off. Because it -- it just doesn't seem right that a state agency like that would pull off a lot after being there for six months or so without something. So I -- I'd like to get a report on that and see what happened.

**CHAIR PRO TEM PARDO:** Okay. Thank you very much for your comments. Bessie Brown and then Gerald Ward.

**BESSIE BROWN:** Hello, Bessie Brown, Riviera Beach.

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

**BESSIE BROWN:** I'd like to, uh, speak about the November 2010 referendum again. And I've spoke about it several times, which -- in which we have an attorney that doesn't seem to know anything about it but the people have copies everywhere and I don't -- and -- and then we have a council that don't know anything about it.

On February or March or something, we -- the judge stated we did have a final -- a summary -- final summary judgment that the 2010 referendum stands and is good ever since the 10,000 voters voted on it in November 2010. Also, it stated that the 2011 referendum was not any good. And -- and we sit here every time we -- someone mentions it, our city attorney seems not to know anything about it.

This is something I'd like to say. In November of 2010, more than 10,000 citizens of Riviera Beach voted in support of the Riviera Beach Citizens Task Force referendum to protect the marina district and ensure the interest of the citizens of Riviera Beach are

first and foremost the fiduciary of the council. Every step of the way the judge has ruled in favor of the task force and the referendum.

It has been more than two years and several judges' decisions. You cannot continue to spend more money; that is as if you have nothing but contempt for the judges' decisions. You are using the people's money to object the will of the people. I'm not sure whether you, the city council, has more contempt for the people or the judges' decisions. How much more money are you going to spend? How far down this road are you going to go? We the citizens of Riviera Beach have to pay this money back to BB&T.

We are on the hook for every dollar and you still haven't been able to demonstrate how many residents of Riviera Beach have been hired, how much of this money stays in the city, and respecting consideration for the referendum. This referendum needs to be upheld and council needs to respect the will of the residents. It's our money and our vote. And -- and the -- and through -- and from all of that, I'd like to say items 6, 8, 12, 13, 22 and 24 is in direct conflict with the 2010 referendum. And -- and -- and we're -- and we're just moving right along, making plans without even considering the 2010 referendum.

**CHAIR PRO TEM PARDO:** Thank you, ma'am. Gerald Ward and then Veronica Waters.

**GERALD WARD:** Good evening. Gerald Ward, 2135 Broadway. Uh, the next items that you're going to see after the ordinances probably have some of the most minimal backup; I could not believe. You just heard that Bessie Brown went through most all of the items. I thought that that's what ought to happen. If you look at item 9, Mr. Sherman, you need to go back into that and detail it. Even the citation, the statutory citation for the travel is wrong. Somebody needs to fix that. The council should have modified their, uh, motion to say that they required him to do that. Instead the motion stood as made and was adopted. Uh, you need to follow a process and procedure. If you had problems which you detailed, then you should have changed the motion to say, We want it amended, or either vote it down.

There are 11 consent items. Total project cost is about eight and a half million dollars on those 11 items. Item number 12, I thought was very good that Council T. Davis and - - and Bessie Brown both pointed out how could a \$100,000 error exist for a year and a third almost? Um, that kind of stuff needs to be followed up by staff and before the next meeting you should have had the corrective agenda item.

The, uh, items for local preference. We have talked and talked and talked for 30 years, I think, about that. It should not be that the council has to agree to have an item come before them. Staff needs to bring this back. You -- staff has heard forever that we need to accommodate locals. You just heard another case from Mr. Mahoney that he does not get notice of simple things like T-shirts. He's a local business. There are a lot of local businesses. Treasure Coast found a hundred marine businesses within two blocks of U.S. 1 when they walked from the south limits to the north limits of town. They

couldn't believe how many businesses were related to marine. We need to fix that.

Communications. Tonight we're now over an hour at Public Comments. And what you've heard is communication of the public to you. And this needs to be honored because people are not happy with lots of things and if you follow a process you'll get things done much quicker. If something's wrong, the motion needs to be changed or voted down.

Um, 15 of the waste management slush fund items are on tonight. Why not think about taking them, the Community Benefits packages and the presentations and having a separate meeting? And State Road 5, I'd love to work on that. The ex-mayor has -- certainly had the right idea; that you should not use two lanes, the west two travel lanes for material storage.

**CHAIR PRO TEM PARDO:** Thank you very much. We'll be calling you. Veronica Waters and then Michelle Taylor.

**VERONICA WATERS:** Hello.

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

**VERONICA WATERS:** Good evening. My name is Veronica Waters, 2312 Pinecrest Court, West Palm Beach, Florida. We are under the umbrella of Riviera Beach Multipurpose Cooperation [sic] Society. Chu-Chu Productions has been birthed locally in the community. We are a moving train ministry. We move from city to city and venue to venue bringing the Bible to life, as well as contemporary plays. We go out into the highways and byways and usher all to come on board and utilize their God-given talents in a more positive light, which usually helps the youth stay out of trouble when there's harm in the streets.

Essentially what we do at Chu-Chu Productions is mobilize the City through arts and entertainment, notwithstanding holding a special emphasis on the lives of our youth and family and family values. Under our umbrella we also offer a community program free called Paul's Letter for young males just getting released from incarceration system to assist them with getting back into the mainstream society, offering entrepreneurship classes and short-term employment so that they may become positive, productive members of society again.

We also offer community service hours for our young people that perform -- that perform to be used towards college scholarships. We at Chu-Chu Productions, under the umbrella of Riviera Beach Multipurpose Corporate [sic] Society and under the leadership of Rabbi Gavriel is looking forward to producing a traveling skit to put a spotlight on the homelessness in our community.

We have been honored to be -- having graced the doors of Mr. Davis, as well as -- as well as Mayor Masters. We're part of their Back to Work Jobs Program, putting people back to work. We've attended several job fairs and have had several meetings at his church, New Macedonia Missionary Baptist Church. Essentially, have put the hurting

citizens of City of Riviera Beach back to work through our arts and entertainment program. I was just on the phone yesterday with his -- I think it is administrative assistant, Mrs. LeBlanc, confirming our attendance to your upcoming youth job fair that we're looking forward to.

In closing, yes, we at Riviera Beach Multipurpose Cooperation Society and Chu-Chu Productions ask for your support of our programs that we are using to impact your community. And we would like to humbly thank you for giving us the time to be heard by your fine panel. Thank you.

**CHAIR PRO TEM PARDO:** Thank you very much, ma'am.

**COUNCILPERSON T.D. DAVIS:** Thank you.

**CHAIR PRO TEM PARDO:** Thanks for coming out. Michelle Taylor and then Pastor Angela Williams.

**MAYOR MASTERS:** Uh, Madam Chair, while she's coming, is there a number, a phone number that -- for Chu-Chu Productions of anybody? Somebody give us a phone number of how they --

**CHAIR PRO TEM PARDO:** Yes.

**MAYOR MASTERS:** -- can be -- thank you.

**MICHELLE TAYLOR:** I (inaudible) my time.

**CHAIR PRO TEM PARDO:** Okay.

**MICHELLE TAYLOR:** I (inaudible) my time.

**CHAIR PRO TEM PARDO:** Okay. All right. Go ahead.

**PASTOR WILLIAMS:** Good afternoon, Madam Chairman.

**COUNCILPERSON T.D. DAVIS:** Good afternoon.

**PASTOR WILLIAMS:** To the --

**COUNCILPERSON JUDY DAVIS:** Good evening.

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

**PASTOR WILLIAMS:** -- um, Mayor. My name is Angela Williams from West Palm Beach, Florida. Well, I'm sorry, 4241 Waverly Drive, West Palm Beach, Florida, under the umbrella of Riviera Beach Multipurpose Cooperation Society. Um, we are part of Bruised but not Broken International. From the -- from the belly to the elderly we support and impact and we try our best to remove domestic violence, human trafficking under the umbrella of Rabbi Gavriel.

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

**PASTOR WILLIAMS:** Thank you.

**MAYOR MASTERS:** Thank you.

**CHAIR PRO TEM PARDO:** Okay.

**VERONICA WATERS:** I'm sorry.

**CHAIR PRO TEM PARDO:** (Inaudible).

**VERONICA WATERS:** Thank you, **MAYOR MASTERS**. You can reach Chu-Chu Productions at 561-441-6948. We are on Facebook and Chu-Chu is spelled like the first three letters of church, C-H-U, C-H-U --

**CHAIR PRO TEM PARDO:** Okay.

**VERONICA WATERS:** -- Productions@gmail.com. Thank you.

**CHAIR PRO TEM PARDO:** Thank you very much.

**MAYOR MASTERS:** Thank you.

**CHAIR PRO TEM PARDO:** Uh, Reverend Wallace?

**REVEREND WALLACE:** Good evening.

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

**MAYOR MASTERS:** Good evening, ma'am.

**REVEREND WALLACE:** Uh, my name is Reverend Wallace and I'm a visitor to your beautiful city.

**CHAIR PRO TEM PARDO:** Welcome.

**REVEREND WALLACE:** I'm representing today Riviera Beach Multipurpose Cooperative Society. Um, under Rabbi Gavriel Ogugua. I cannot pronounce it. And my invitation here came six years ago when I first came to this lovely city, uh, because of the crime that was -- statistics that was in Riviera Beach and Palm Beach.

At that time I got in contact with Chief, uh, C. Williams by telephone and to present something that I'm going to talk about today which really would impact our community to bring change. Um, so today I would like to just talk to you for these next two minutes about Peacemakers Prayer Patrol. This is a community safety initiative that has been used in Bristol, the UK, that completely was adopted by our government, local government, national government, to see change in our streets through the patrols on the street.

Um, the patrols impact and restore peace. As you know, crime in terms of drugs is spiritual because it's not natural. When people are out of their normal environment, they obviously do not, uh, you know, live up to their full potential. So what we're suggesting through Riviera Beach Multipurpose Cooperative Society is to have the support of the city manager and the mayor or all -- all the city council to support this initiative by, uh, finance and in any way you can for the patrols.

The patrols -- what is the difference, um, from -- there are many groups doing something towards your peace and safety. But what Prayer Patrol does is to offer a service that would be 24/7 on the street. I said, "Wow, how are you going to do that?" Well, that was done and practiced. You could look on Peacemaker's Prayer Patrols. You could Google it and you could see where we implement it in an area called St. Pauls Bristol where crime was overtaken, where the police could not go down our streets. And with this project, the street, in three months we had a 60 percent reduction in crime.

It has been adopted by many nations. I am now a NGO for UPF, which is an organization with the UN, and I'm a peace ambassador. So today I'm very grateful for your time. And I would just ask that you would, um, give further ado with Riviera Beach Multipurpose Cooperative Society. We believe that this is a fresh wave of hope to implement the Prayer Patrol with the community safety issues. Thank you.

**CHAIR PRO TEM PARDO:** Thank you very much, Reverend. The -- next we have Bishop Joan Richards, and after Bishop Richards we have Rabbi Gavriel Oguga, Ogugua? Okay.

**BISHOP RICHARDS:** I'd like to give my time to the respect of --

**CHAIR PRO TEM PARDO:** Okay. Thank you. Oh, no. I'm sorry. We can't do that. So you can either speak or them. If not, we'll go to, um -- to the rabbi. Okay? Okay, Rabbi?

**RABBI OGUGUA:** Good evening, Madam Chair --

**CHAIR PRO TEM PARDO:** Good evening, sir. Welcome.

**RABBI OGUGUA:** -- Mr. Mayor and council members. Uh, good evening, citizens of Riviera Beach. My name is Rabbi Gavriel Ogugua. Uh, 1411 W. 13<sup>th</sup> Street, Riviera Beach. We are here tonight to announce truly a real good citizens' grassroots, uh, change of hope that will breeze into the community.

We have a coalition that we have put together. Just in that two years of really meeting with different people -- we've had several meetings with the city manager, some of the departmental heads, and I want to thank Mayor Masters, who, on our arrival in this city two years ago, appointed me into the Mayor's Economic Development Task Force. And in that task force I was able to look at a situation that's going on in the city. And I know that there are resources here.

We have a lot of young men and women who are out of job, who have no job, maybe because they have felony records or whatever the problem is. But we believe that when we come together and begin to map the resources that we have, we can do better. We can do a great lot of things. And I challenge the City tonight through the Multi -- Riviera Beach Multipurpose Cooperative Society, that within the next two years, we will produce within the city 200 jobs for the residents of this community. Take me to -- take us to task on that.

You see, a lot has been said about the City of Riviera Beach, but since we came in here, we love this city. We see a lot of potential. It's just that we have to channel the resources appropriately. We have to bring back hope to these residents. We have to involve the residents back again in governing. We have to let them know that they, too - - their voices need to be heard and that they matter. You know, it is not -- it -- it demeans to just sit almost like condemned to your abject poverty and folks, strangers are coming into the city doing business, prospering and the residents are just looking and watching. So through the Riviera Beach Multipurpose Cooperative Society we truly intend to bring positive change.

You can look up -- look us up on, uh -- on the Web, [www.RivieraBeachCooperativeSociety.com](http://www.RivieraBeachCooperativeSociety.com) or you can contact us by telephone, 561-370-67 -- sorry, 8788.

**CHAIR PRO TEM PARDO:** Okay. Okay.

**RABBI OGUGUA:** Uh, I just want to let you know thank you so much for giving us the opportunity to speak to you tonight.

**CHAIR PRO TEM PARDO:** Thank you. Okay. All right. That's great.

**RABBI OGUGUA:** Thank you.

**CHAIR PRO TEM PARDO:** Thank you very much. Okay. We have Elder Jimmerson [phonetic] and then Hilda Gamble.

**HILDA GAMBLE:** Good evening.

**CHAIR PRO TEM PARDO:** Good evening, sir.

**COUNCILPERSON JUDY DAVIS:** Good evening.

**ELDER JIMMERSON:** My name is, uh, Elder Simeon Jimmerson. I'm a -- I'm a resident of, uh, Riviera in which I -- for years I was here and owned a barbershop business. Five barbershops. And, uh -- and I served in Riviera and I would like you to know that I thank God for Riviera. It has been a great help to me and I -- and the people here in Riviera, they have been very helpful to me.

And you know, sometime in life that you face the difficults in life with things happen. Uh, as a barber, I -- I -- I served the community and there was a time that we was going

through something. It's like a -- I had gotten a loan to help in my business. And also I was trying to help young men and women, uh, also to, uh, create jobs for them. But something happened along the way and, uh, happened -- so I had to, uh -- had to give up -- I tried to get a loan but couldn't get -- and I tried through the City and spoke to the various ones and there was no help there.

So -- but anyway, I want to say to you that, uh, I -- I'm still holding on and believing God 'cause He's going to work things out. And, uh, Brother Gavriel came to this city and I met him along with this beautiful group of people that are concerned about the city and want to serve here and -- and do what they can to help out.

So this mean something when you have people that come and want to lend a helping hand and where we need help at. So I want to say to you, we are here and I'm here backing him up, because I -- I believe -- I'm a man of God and I believe that things will change. And for the better if we City -- the -- the City will work along with us and -- and you in office that will help out and encourage us along the way. Thank you much.

**CHAIR PRO TEM PARDO:** Thank you very much, sir. Hilda Gamble and then our last speaker will be Royanna Afton.

**UNIDENTIFIED SPEAKER:** Miss Pardo? I had a card.

**COUNCILPERSON JUDY DAVIS:** (Inaudible).

**CHAIR PRO TEM PARDO:** Go ahead, ma'am.

**HILDA GAMBLE:** Hello. Um, I'm with the Multipurpose Cooperation of Rabbi Governor [sic]. Um, I'm one of those rehabilitative, um, forces that they're talking about with the felonies and so on that, um, have -- if you're not part of the solution, you're part of the problem. Well, at one point I was part of that problem. Um, I came to the City of Riviera Beach and I asked for a job to give me a chance to start over again. And I guess I'm giving you this story to let you know that people do change and to open up the City of Riviera Beach to these people; that they can have a job within the city to give them pride.

I still love Riviera Beach. I was born and raised here. But now I have a city at the City of Delray. They gave me that chance. And when they gave me that chance, they gave me a chance to put pride back into myself. I have my own home. I have a business. I have my grandchildrens that I raise all the time. So what I'm asking the City of Riviera Beach to do is to open your doors and allow your pride to be put into someone else, because I saw people there that had something and wanted something and was doing something different and wasn't taking from the City but giving back to the City.

**UNIDENTIFIED SPEAKER:** Hear, hear.

**HILDA GAMBLE:** And it made me want more. It made me change within myself. So that's all I'm saying in a nutshell. Thank you.

**CHAIR PRO TEM PARDO:** Okay. Thank you. Uh, Royanna Afton? Royanna? Royanna? Okay. That is the end of Public Comment. We will go to item 20 and I'll pass it back to the chair.

**UNIDENTIFIED SPEAKER:** You don't have my card?

**CHAIR PRO TEM PARDO:** I don't have your card? You have cards up here for item 20, 23, 25 and 26. There's no Public Comment card. Thank you. Here you go. Mr. Chair, we're on item 20.

**CHAIRPERSON THOMAS:** Thank you. Um, item 20.

**CITY CLERK WARD:** Ordinance number 40-25, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending Chapter 11, Article II [sic], of the Code of Ordinances entitled "Junked, Wrecked, Abandoned Property" of the City Code of Ordinances by creating a new division for the regulations of shopping carts, providing for severability, conflict, codification and providing an effective date.

**CHAIRPERSON THOMAS:** Is there a motion?

**COUNCILPERSON GUYTON:** So moved.

**CHAIR PRO TEM PARDO:** So moved.

**CHAIRPERSON THOMAS:** Second?

**COUNCILPERSON GUYTON:** Second.

**COUNCILPERSON T.D. DAVIS:** Second.

**CHAIRPERSON THOMAS:** Okay. It's been properly moved and second -- second. Um, we have one comment card, uh, Bonnie Larson. I'm sorry, two comment cards. Bonnie Larson, you'll be first.

**BONNIE LARSON:** (Inaudible) number?

**CHAIRPERSON THOMAS:** 20.

**CITY MANAGER JONES:** Shopping -- number 20.

**CHAIRPERSON THOMAS:** Miss Larson, we --

**BONNIE LARSON:** I'm coming.

**CHAIRPERSON THOMAS:** Well, we -- we're going to go ahead and --

**BONNIE LARSON:** (Inaudible) comment card.

**CHAIRPERSON THOMAS:** -- start your time.

**BONNIE LARSON:** Things to say. All right. This is about junked, wrecked, abandoned property. Another thing I'd like to bring up on shopping carts, we already have a shopping cart ordinance so if you could tell us how this one's being changed, because we've had that for a couple years. There's a shopping cart in my neighborhood been sitting there for at least three weeks. Um, something I'd like to -- to bring up in regard -- sort of like this, is there's been an 18-wheeler sitting on our property. It's been visible from Broadway. I'm surprised nobody has seen this; nobody's reported it. It sits there overnight. It sits there for a couple days.

The other day I was there and I reported it to someone and then when I came home that night, there was a car parked right there and the gentleman was, like, circling that truck, circling that truck. A little later on there was someone out there in the pouring rain circling that truck. What's that truck doing there sitting on City property? Besides the shopping carts, we've got 18-wheelers sitting there. I don't believe they should be -- they have the right to sit on our property. It's highly visible from U.S. 1. It shouldn't be sitting anywhere.

So I'm wondering where in an ordinance do we have that? Can we add it to this one? The police need to know that they can ticket those cars or do whatever. The police need to know what they should do. But we should not be having those 18-wheelers sitting on our city streets. Thank you.

**CHAIRPERSON THOMAS:** Thank you very much for your comment. Next up will be Nora Mahoney. Good evening, Miss Mahoney. You have three minutes to make your comments.

**NORA MAHONEY:** I'm gonna be short. 22<sup>nd</sup> -- Nora Mahoney, 2120 Broadway. Um, there is a car that is now for probably a year -- it's a green car parked where the City Hall used to be before. No license plates. It's old. I would like to know who is liable for that. Do you have an ordinance for cars that don't have no license plates and they are abandoned in City property? 'Cause as you know, this is City property. Doesn't belong to anybody. Belongs to the City of Riviera Beach.

So I would like to know if you already have an ordinance to, um, take care of the problem, like, withdraw or tell whoever is in charge of the car, whoever is the owner. 'Cause you have a fire, who's going to be liable for that? That was my question. Thank you.

**CHAIRPERSON THOMAS:** Okay. Those -- those comments that the last two speakers had, those -- those are comments that you can refer to the police department. The nonemergency line is 845-4123. Um, and they definitely know how to respond, uh, to that. I don't know what address that you were speaking of, Miss Larson, but the --

**BONNIE LARSON:** Well, that was (inaudible) --

**CHAIRPERSON THOMAS:** -- chief -- no, no, not -- not -- not back and forth like this. I'm just giving you the direction. You can, uh -- the chief is right there. You can talk to him before he gets out and I'm sure that he will, uh, take care of that traffic complaint for

you.

Okay. Are there any questions from the board? Hearing none, Madam Clerk?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON THOMAS:** Item 21.

**CITY CLERK WARD:** Ordinance number 40-26, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending Chapter 11 by creating Article VI entitled "Registration of foreclosed and mortgaged real property" of the Code of Ordinances of the City of Riviera Beach, repealing all ordinances or parts of ordinances in conflict herewith, providing severability clause, conflict, codification and an effective date.

**CHAIRPERSON THOMAS:** Is --

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. There are no comment cards. Anything from the board?

**CHAIR PRO TEM PARDO:** Yes. Mr. Chair?

**CHAIRPERSON THOMAS:** Miss Pardo?

**CHAIR PRO TEM PARDO:** All right. I would like us to consider putting this language in

regarding the annual registration. If we could just add, "The annual registration fee may be subsequently changed or amended by resolution." You know, just in case we decide to change the fee, you know, in the future, then we don't have to come back and do an ordinance, you know, twice. We could just do it by resolution.

**COUNCILPERSON JUDY DAVIS:** I agree.

**CHAIRPERSON THOMAS:** Who -- who's the maker of the motion?

**CHAIR PRO TEM PARDO:** I am.

**CHAIRPERSON THOMAS:** Okay. Do you want to amend your motion to include that?

**CHAIR PRO TEM PARDO:** Yes. I would like to amend the motion to add this language, "The annual registration fee may be subsequently changed or amended by resolution."

**CHAIRPERSON THOMAS:** Does your second still stand?

**COUNCILPERSON GUYTON:** Yes, with a question.

**CHAIRPERSON THOMAS:** Of course.

**COUNCILPERSON GUYTON:** All right.

**CHAIRPERSON THOMAS:** It's been properly moved and second on the amended motion. Question, Mr. Guyton?

**COUNCILPERSON GUYTON:** I -- I have a question for the attorney. Can -- can we change an ordinance with a resolution?

**CITY ATTORNEY RYAN:** Yes. If you put it in there, if you put in your ordinance that any further changes in terms of the fees will be by resolution, you can -- you can certainly do that. Yes. Yes.

**COUNCILPERSON GUYTON:** Okay. I just wanted some legal clarification.

**CITY ATTORNEY RYAN:** Yes. Absolutely.

**COUNCILPERSON GUYTON:** Okay.

**CHAIRPERSON THOMAS:** The amended motion has been properly moved and second. Are there any additional questions? Is there anyone from the audience that would like to speak on the amended motion? Okay. Hearing none, Madam Clerk?

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Unanimous vote.

**CHAIRPERSON THOMAS:** Okay. Item 22.

**CITY CLERK WARD:** Resolution 72-13, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, awarding bid number 395-13 for the construction of 248 feet of new seawall and related demolition at the city marina to Murphy Construction Company of West Palm Beach, the lowest responsive and responsible bidder in the amount of 501,056.00, authorizing the Mayor and City Clerk to execute the proposed construction service contract, authorizing the Director of Finance and Admin Services to establish a budget and make payment for same from the General Fund account number 422-0000-575-4-6251 and providing an effective date.

**CHAIR PRO TEM PARDO:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. One comment card. Miss Bessie Brown. Miss Bessie Brown going once, Miss Bessie Brown going twice -- okay. We're moving on. Anything from the board? Hearing none, Madam Clerk?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** (No audible response).

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** No.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** That vote passed with Councilman T.D. Davis dissenting, Councilman Guyton out.

**CHAIRPERSON THOMAS:** Okay. Discussion and Deliberation. Um, we're going to go ahead and take the comment card first, um, for number 23. Mr. Gerald Ward.

**CITY CLERK WARD:** Use of \$550 from the Ocean Mall to increase the City's fund balance.

**CITY ATTORNEY RYAN:** 50,000.

**CHAIRPERSON THOMAS:** 550,000.

**CITY CLERK WARD:** 550,000.

**CITY ATTORNEY RYAN:** Oh, Jesus.

**CHAIRPERSON THOMAS:** Mr. Ward?

**GERALD WARD:** Has she completed at least announcing?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Uh-huh.

**GERALD WARD:** Gerald Ward, 2135 Broadway. Uh, there's no backup. No discussion other -- the minutes are not done. I did happen to go in on the Internet and - and listen to what you could hear, uh, given the quality of the Internet and the microphone system. It was broken.

Uh, we have \$14 million worth of debt. There's no pro forma so that you know how you're going to -- to, uh, pay all this back by just transferring \$550,000 to the General Fund. So, uh, it -- it seems like it's grossly deficient for you to make this decision, uh, and I'm not quite sure, uh, it's -- it refers back that, "This item was requested by council during the special meeting." And does it really even say, other than use of 550 from the Ocean Mall to increase the City's fund balance? That really is not proper process/procedure. Somebody needs to get it tightened up.

**CHAIRPERSON THOMAS:** Okay. Thank you for your comments, Mr. Ward. Next will be Miss Bonnie Larson.

**BONNIE LARSON:** I was hoping you would discuss this first so we know what we're discussing here. And there's no backup in the book so I can't even read it. The only thing I know is that at the last meeting Miss Pardo asked that the money from the Ocean Mall be put into a special fund for the Ocean Mall rather than dumping it into the, um, General Fund. Put it in a special fund till we decide what to do with it.

And my age-old question is -- the CRA spent a lot of money over there at the Ocean doing the recreational facilities and whatever. But my age-old question is the CRA seems to pay a lot of the bills, but when the money comes in it goes to the City. So those are my two questions. What are -- again, I wish you would have discussed this first so we would have known 'cause there is no backup in the book. But it should not be dumped into the -- the, um, General Fund. Thank you.

**CHAIRPERSON THOMAS:** Thank you. Um, Miss Pardo, you asked for this to be put on for us to discuss what we should do with the money. And this is the time that we'll do that.

**CHAIR PRO TEM PARDO:** Okay. Well, first of all, I'd like to know why staff is recommending that the \$550,000 go into the, uh, City's fund balance. And the second question I have is what are we going to do with the \$366,000 that we received from the sale of properties on State Road 7?

**CITY MANAGER JONES:** The --

**CHAIR PRO TEM PARDO:** Miss Jones?

**CHAIRPERSON THOMAS:** Miss Jones?

**CITY MANAGER JONES:** Okay.

**CHAIRPERSON THOMAS:** Uh-huh.

**CITY MANAGER JONES:** The established process here is that unless monies are allocated or received for a particular separate purpose like impact fees -- impact fees have to go for capital projects of the departments of which they receive the fees. Um, but they go into General Fund until they are appropriated. Um, at this point, of course, by motion you can establish any kind of fund, but right now there's no other fund legally established in the budget other than the General Fund.

**CHAIR PRO TEM PARDO:** Okay. Well, this is my issue. I want to make sure -- you know, this is almost \$920,000 that we're talking about, close to a million dollars. And I want to make sure that this money is used wisely. I don't want it used to balance a budget, to hire new employees, you know, to go over to the warehouse district. You know, we have streets in our city that are in disrepair. You drive around this city, there's major potholes. You can -- you can see that there is severe, um, sewer issues because the -- the streets are collapsing. They're collapsing.

So we have the chance right now to take almost a million dollars and put it into

roadwork or put it into projects that are going to make a difference instead of, you know, putting it, you know, to build something. And, you know, that's why I brought this up. And we really need to decide what we're going to do with the money.

To just say we're going to put it in fund balance, then the next thing you know at budget time, well, we're budgeting -- you know, we're going to balance the budget and we have this extra million dollars, you know? This is -- this is -- it's not once in a lifetime but, you know, something like this doesn't come around very often. So I think we really need to think about what we're going to do. And I would suggest that the majority of the money go into starting to repair our streets.

**COUNCILPERSON JUDY DAVIS:** Madam --

**CHAIRPERSON THOMAS:** Miss Pardo, you said -- just one second, please, Miss Davis. You -- I'm looking at 550,000, but you said that there was some other monies that were --

**CHAIR PRO TEM PARDO:** Correct. We just received \$366,400 from, um -- I believe it was FDOT. We received an e-mail from --

**CITY MANAGER JONES:** Right. There was an e-mail that was --

**CHAIR PRO TEM PARDO:** -- right. From Miss McKinney --

**CITY MANAGER JONES:** Yeah.

**CHAIR PRO TEM PARDO:** -- recently.

**CHAIRPERSON THOMAS:** And -- but does that not -- does that money not already have a place to go?

**CITY MANAGER JONES:** Because of the nature of how we got the money, it would determine whether we could just do whatever we want with it. But we will entertain a -- a motion and then bring back appropriate budget resolution. Because this money has not been budgeted, it wasn't in the original budget, you're gonna -- we would bring back to you a budget resolution to allocate it for a particular purpose or to expend it for a particular purpose.

**CHAIRPERSON THOMAS:** Okay. Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Oh, yes, sir. Um, I, um, did see the e-mail about the \$366,000 that we received from FDOT, um, about some properties they bought along MLK. And one of my questions was, um, understanding that I -- I heard what Miss Pardo said, but the question I had -- was going to ask is, um, the process has already been explained to me as to how we go about expending the dollars. My question was going to be, being that, um, I think it was a little over a million dollars that we saved in, um, asking our employees to take a furlough, one-day furlough per year, last year we were able to reduce that 96-hour furlough down to 48 hours furlough.

So my question is, I think, um, as for roadwork, a million dollars is not going to go a long way because roadwork is very expensive. But my question would be, um, you know, if we would be interested in using these dollars to end this last six months of furloughs for our employees.

Um --

**CITY MANAGER JONES:** We really don't have but two more left. We didn't have the six. Four of them are already gone.

**COUNCILPERSON JUDY DAVIS:** Oh, that's right. Okay. Well, what -- how -- how -- whatever amount it is.

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

**COUNCILPERSON JUDY DAVIS:** I'm still thinking 12 days per -- per year. But, um, whatever that amount is, if we could use those dollars to end the -- end those furlough days for -- for every employee.

**CHAIRPERSON THOMAS:** Okay. Is there any other board member that would like to speak?

**MAYOR MASTERS:** Yes.

**CHAIRPERSON THOMAS:** Mayor?

**MAYOR MASTERS:** Yes. I certainly understand the -- the -- the -- both viewpoints. Certainly I've opposed furloughs from day one. And certainly we don't want to be driving and fall in a hole, either. So both of them -- both points are very valid. But I -- I just want to put on the record, I just don't want to see -- wherever you put it and whatever you call it and how you do it, I just don't want to see a dime going in to do anything as we have phrased it, the leaky, rustic warehouse building. Thank you.

**CHAIR PRO TEM PARDO:** Um, Mr. Chair?

**CHAIRPERSON THOMAS:** Hold on one second, Miss Pardo. Let me see if anybody else wants to say anything.

**COUNCILPERSON T.D. DAVIS:** Yes.

**CHAIRPERSON THOMAS:** Mr. Davis?

**COUNCILPERSON T.D. DAVIS:** Um, I'm going to follow Miss -- Councilwoman Davis. Um, to the city manager, could we look at the cost of how much it would cost for those two months of removing those furlough days and seeing if there's a difference and what's ever left over, we can -- looking at putting that maybe into some road projects or the library? As you know, we need help on the library, as well. So we can look at maybe we can get two for one with the, you know -- look at those costs?

**CITY MANAGER JONES:** Yes. We can let you know what the, um, remaining days or dollar values are for furlough, as well as we can let you know any potential dollars as it relates to the library. Any other suggestions?

**COUNCILPERSON T.D. DAVIS:** Or the --

**CHAIR PRO TEM PARDO:** And roadwork.

**CITY MANAGER JONES:** So we've got roads.

**COUNCILPERSON T.D. DAVIS:** And road.

**CITY MANAGER JONES:** Library.

**COUNCILPERSON T.D. DAVIS:** Yeah.

**CITY MANAGER JONES:** We eliminate furlough as the three --

**COUNCILPERSON T.D. DAVIS:** Okay.

**COUNCILPERSON JUDY DAVIS:** Yeah.

**CITY MANAGER JONES:** -- cost items that you would like to have brought back. And with the roads, we would be able to tell you how much and -- we'd be able to do with a certain amount of money.

**CHAIRPERSON THOMAS:** Mr. Davis, are you finished?

**COUNCILPERSON T.D. DAVIS:** I'm done.

**CHAIRPERSON THOMAS:** Mr. Guyton, did you want to say something?

**COUNCILPERSON GUYTON:** Yes. I have a question for the city manager, if I may. Um, I, too, am interested in totally eliminating the furloughs. Um, I do have a question regarding, um, after this year, that would be a recurring expense. And I would like to ensure that there is a funding source that would support the move from this point forward.

**CITY MANAGER JONES:** I can assure you I want to eliminate furlough from any future budgets, as well. So that's not a recurring expense that we would need to do. The, um, roadwork, unfortunately, would have to be a one-time fix for whatever linear feet we could get fixed within that particular time span. Um, the library would take care of the issues right now, um, that they're facing within that particular building. So at this point, nothing has been suggested is a recurring expenditure. And these dollars, we will only get for one time.

**COUNCILPERSON GUYTON:** Okay. Um, reinstating or eliminating the furlough is a recurring expense because whatever we reinstate, we're going to have to pay. And I support it. I -- I'm not saying I don't.

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

**COUNCILPERSON GUYTON:** So -- and I don't understand that you're saying it's not recurring because next year we're going to have to pay them. The year after that we have to pay them.

**CHAIRPERSON THOMAS:** She's doing away with them.

**COUNCILPERSON JUDY DAVIS:** With no furlough days.

**COUNCILPERSON GUYTON:** Yeah, with no furlough days. So -- and that is considered to me recurring.

**CITY MANAGER JONES:** Okay.

**COUNCILPERSON GUYTON:** So we don't have to, um, do something that would impact our -- our budget in areas that -- that we can avoid. So that -- that is what I mean recurring, because we won't institute those furlough days anymore. We -- we'll continue to pay them each year and I support that. But I want to identify a funding source.

**CITY MANAGER JONES:** That's correct.

**COUNCILPERSON GUYTON:** So do we have a funding source to continue without the furloughs, not just for one year but into the future?

**CITY MANAGER JONES:** Your funding source, um, could be anything that is a part of the revenue in the General Fund. And the property values are -- and the assessed values, let me say, are beginning to rise. And therefore, we feel as though there will be recurring revenue in order to take care of that recurring expenditure.

**COUNCILPERSON GUYTON:** Okay. So we're on the same page now, that it is a recurring expense, since we would eliminate it and pay it from year to year to year to year?

**CITY MANAGER JONES:** Uh-huh. Yeah, 'cause we would go back and pay on the full salary.

**COUNCILPERSON GUYTON:** Yeah.

**CITY MANAGER JONES:** As -- as budgeted.

**COUNCILPERSON GUYTON:** Okay. All right. Thank you.

**COUNCILPERSON JUDY DAVIS:** So Madam --

**CHAIRPERSON THOMAS:** All right. So, uh --

**COUNCILPERSON JUDY DAVIS:** Mr. -- I'm sorry. Go ahead.

**CHAIRPERSON THOMAS:** No. Well, I'm just going to make my comments, then I'll go to Miss Pardo and we'll go down the second round. For the 550,000 from the Ocean Mall, um, whatever the board wants to do, I'm fine with it. For the additional 366 that we got from the sale of the homes, I think that ought to go back into some of our housing issues where we have problems where people can't afford to fix their homes or -- it came from the sale of homes. I'm forever getting e-mails about some home that needs some type of repair due to, um, you know, a senior or someone that can't afford to -- to do those repairs. I think that the money that we got from the sale of homes should go back into, um, that particular, uh, pot for -- you know, for those repairs. That would be just my suggestion.

Miss Pardo, you are going to be next for the second round.

**CHAIR PRO TEM PARDO:** Okay. If you want to end the furloughs for this year, right -- how many furlough days do we have left? We have two days left. You know, bring us back the numbers and we'll take a look at it. But, you know, at the end of the day, we need to make sure that the taxpayers are going to get something out of this. And that's why I had suggested the roads. We have people complaining about the roads all the time. And, you know, if we're not going to lower the millage, you know, we could do it that way, too. You know, a million dollars, they'll get something. You know, if we're not going to do that, at least, you know, repair the roads. You know?

You want to do something with the employees, that's fine. But at the end of the day, this money belongs to the taxpayers of Riviera Beach and they need to get something out of it, also. And that's all I have. Thank you.

**CHAIRPERSON THOMAS:** Okay. Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Never mind.

**COUNCILPERSON GUYTON:** I -- I have --

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Yes. I would just like to point out that many of our employees are residents and they do pay taxes. And they, too, are entitled to some of these funds, as well. And I understand Miss Pardo point, but I don't want it to be glossed over as if none of our employees are not paying taxes and no taxpayers would benefit.

The other thing that I would like to say is I think that the Chair is on, um, a good track with the 360. Um, and if we were to do that, I would like to suggest that -- I've gotten comments about some of our welcome signs that are in need of replacing. And if we use some of that money for our housing, could we possibly use some of that to also, um, replace some of our deteriorating welcome signs into the city?

**CHAIRPERSON THOMAS:** Mr. Guyton, that's a very good point. I see Miss Mickey's in the audience right now. She -- she must call me at least once or twice a day about

the sign. No, just kidding. She calls quite a bit about the sign at First and, uh -- and Dixie. I mean, she's extreme -- she's -- she's -- she's right. It's a horrible-looking sign. I think that that's an excellent, you know, idea. Um, is it a way that we can -- since we clearly are kind of -- you know, everybody's kind of in a different area. Is there a way that staff can come and work up some of these, um --

**CITY MANAGER JONES:** We'll bring back those.

**CHAIRPERSON THOMAS:** And bring back and let us look at those from the roads to the -- to the, uh -- you know, how we can lower millage --

**COUNCILPERSON GUYTON:** Furloughs.

**CHAIRPERSON THOMAS:** -- from the furloughs, you know, everything that everybody has, uh, brought up and just have us just deliberate on that? I don't think we have a -- a true consensus from one issue. So if everybody can -- can work that up, I think that would probably give us a -- a tool to use.

**CITY MANAGER JONES:** Okay. And if I may just summarize.

**CHAIRPERSON THOMAS:** Sure.

**CITY MANAGER JONES:** We -- we -- we have roads. We have the elimination of furlough for the remainder of this year. We have the library. We have housing issues and we have welcome signs, lower millage. Those are the optional things you would like for us to all look at?

**CHAIRPERSON THOMAS:** I think that covered all of what I heard. Am I missing anything from any of the board members?

**CHAIR PRO TEM PARDO:** Yes, sir.

**CHAIRPERSON THOMAS:** Miss Pardo?

**CHAIR PRO TEM PARDO:** Um, and something we need to consider -- and this is a major issue in this city. And if you speak with the police department and also the fire department, they'll tell you. A lot of the homes in the city do not have house numbers on them. And, you know, maybe we can have a program. If you can't afford a house number, let's go out, buy some numbers and have people come in and, you know, we'll donate them to the homes. But it's -- you know, it's a very serious situation.

And it's something that, you know, I know the police and the fire bring it up occasionally. I've been out with them several times and, you know, it's difficult to find the homes that you're looking for. So maybe we could do that, too. Maybe, you know, take some of the money and allocate it toward numbers for homes.

**CHAIRPERSON THOMAS:** Okay. Is there any other comments on item 23? Okay. We'll move on to the next discussion item, which is the 1996 interlocal with City of

Riviera Beach and Port of Palm Beach and I see Pier 3 construction is also on here. I'm going to go ahead and get the concerns and questions from the -- the -- the public first and first up I have, uh, Mr. Gerald Ward. Good evening, Mr. Ward. You have three minutes to make your comments.

**GERALD WARD:** Gerald Ward, 2135. Well, as I told you under Public Comments, no backup again. Uh, and the description is -- is obviously flawed. Doesn't make any sense. Um, I don't know where a Pier 3 is in -- in, uh, the Port of Palm Beach, and I've been working around this area since '65.

The, uh, interlocal agreement is something that I spent six months on. It went through numerous drafts in 1996 and finally was adopted in November of 1996. It started out because, uh, the Port came up with the crazy Skypass and we had to stop the march north because they needed to condemn lands and wanted to incorporate them into the Port properties. So that's the reason for this agreement.

Uh, if you look at the agreement, the whereases talk about coordinate planning, zoning and building issues, uh, in the resolution. If you go to the, uh, agreement, I would have known if I -- if I knew the subject, which Commissioner Richards gave me a one-minute dissertation so I was able to come up with the fact that, yes, we addressed what was going on. The whereases, again, talks about approvals of construction projects within the port area, and then when we go to item 2D, we talk about permits, which is apparently what the problem is that you want to extort out of the port fee. But under 2C -- correction, 2E, we except out that maritime facilities and we were very clear about the definitions of maritime facilities. It includes slips and bulkheads. The pier doesn't have a thing to do with the project and that's just plain false in the, uh, agenda item. So we addressed it.

Now, I hear rumor but don't have -- didn't have the backup in order to come up with a, uh -- any change in statutes and I would hope that somebody on the -- the dais describes it. But we did put two paragraphs in there. Paragraph 6, mutual cooperation. The Port has always been kind of cantankerous. And so people have to cooperate. That's -- read number 6. It's only three lines. And then read number 8. Number 8 says it constitutes -- "This agreement constitutes the entire agreement." Now, if there is some statute that's occurred since 1996, let's hear about it. And let's let us maybe talk about it again.

**CHAIRPERSON THOMAS:** Thank you, Mr. Ward, for your comments. Uh, next will be Mr. Fane Lozman. Good evening, Mr. Lozman. You have three minutes to make your comments.

**FANE LOZMAN:** Fane Lozman. Mr. Ward echoed my comments. When I come to meetings, I like to look at the backup. I like to see what the item is about. It's not described on the agenda itself. There's nothing in the back to look at. And there should be something to review.

I mean, it's a pretty complicated subject. Where is the presentation about what it's all

about? Why isn't it available for the public to look at? I don't even know if you guys have anything to look at, either.

Who's going to brief you on this pretty sophisticated item that Mr. Ward seems to know more about than probably anybody in this room? Who's going to brief you? Does Miss Jones understand those technical details of all the statutes it may impact in and out? That's something that the public deserves to -- to know. My suggestion would be make that available to the public and take it up at the next meeting.

**CHAIRPERSON THOMAS:** Thank you very much for your comments. I don't have any more comment cards on item 24. Miss Brown, I'm sorry, I don't have a --

**CITY CLERK WARD:** You called her -- oh, that was --

**CHAIRPERSON THOMAS:** Yeah. That was earlier. I don't -- I don't have a comment card for you on 24. I'm sorry.

**BESSIE BROWN:** No, it was on another card. 22 and 24 were together. That -- that's the card (inaudible).

**CHAIRPERSON THOMAS:** Okay. We're going to allow it tonight.

**BESSIE BROWN:** Thank you.

**CHAIRPERSON THOMAS:** Come on up. Three minutes. I don't see that card. I don't know if Miss Pardo had that card or not but --

**CHAIR PRO TEM PARDO:** I don't have any cards here.

**CHAIRPERSON THOMAS:** I'm saying prior to.

**CHAIR PRO TEM PARDO:** Oh.

**BESSIE BROWN:** Yeah.

**CHAIRPERSON THOMAS:** Go ahead. Good evening. You have three minutes to make your comments.

**BESSIE BROWN:** Well, my -- my question, too, was about the, uh, backup. It says -- the only thing in here is the interlocal agreement and then it has Pier number 3 construction but nothing is in here pertaining to construction. And if you all are going to have a presentation after -- after the comment cards, after you have the people come up -- it would be nice to be able to comment after -- after the presentation is done.

**CHAIRPERSON THOMAS:** Thank you. Uh, the reasoning for having you come up before is so some of your questions can get answered in the presentation, so we can make sure of that. That's the way that I think it's most beneficial. Um, I put on the 1996 interlocal agreement to discuss. The Pier 3, I did not want to discuss, uh, because that

has been the issue with everything that's going on.

**COUNCILPERSON GUYTON:** Slip (inaudible).

**CHAIRPERSON THOMAS:** Well, it says Pier 3 on the agenda so I'm just putting what - I'm saying what's on the agenda. That's been the -- that's been the issue. Um, and that's been the problem and that's been the media attention and that's been the -- the focus of -- of all of these particular, um, problems that we've been having.

The 1996 interlocal agreement, which I will have the attorney go over in just a minute, um, is -- is something that we need to look at to see if it's even still valid, to make sure that we understand it properly to see if, you know, several years later, some 20 -- almost 20 years later, uh, that -- that it's -- if it's still valid. I don't know why Pier 3 is on here. Um, they're not one and the same. Um, and we're going to go ahead and let our residents be aware of what's going on with all three of these items, including the, uh, last media blurb that I happened to see at 11:00 at night and received several calls for in reference to the, um, police contract.

Um, I did see the public information officer for the City of Riviera Beach. I would have liked to have gotten that information before it went out to the public. And we still are not able to get that information. Um, I didn't think that he answered the question very well or made Riviera Beach, um, look like what had actually happened. I did see the, um -- the Port's public information officer who I thought did a very good job at, um, at least giving the facts, you know, and not really, uh, placing blame.

We need to deal with all of the issues. We need to go ahead and put them out here right now. Um, and I'm asking that we all deal with these issues in truth and integrity and let everybody know what's going on so that we can -- we can clear it once and for all. If there's going to be a problem or if there's going to be some severance in contracts or whatever it's going to be, we just definitely need to know it. So let's deal with the interlocal agreement first and how it pertains to the fees that were, um -- that were required from the Port for this construction project. Miss Ryan?

**CITY ATTORNEY RYAN:** Well, I don't know if that -- you want to talk about the interlocal agreement, the legal issues, or how we got to this point?

**CHAIRPERSON THOMAS:** Well, you can -- you can give it a -- a summation but the -- the major issue is the Port feels like they shouldn't have to pay this money. The City feels like they should have to pay the money. And they feel like this because of the interlocal agreement. So you can give a, um -- a summation and just make it plain.

**CITY ATTORNEY RYAN:** Well, let me say this, because I don't want to -- I don't want us to -- to -- to be, like, the Port was apparently at their meetings, which I did not attend. I will say that number one, the Port has paid the fee and that's important to know. They've paid the fee and, um, the City has already issued the permit that, um -- that they were seeking. Um, Riviera Beach staff had a -- a very long meeting with Port staff last week, I believe. These weeks go by so fast. And it was an extremely productive meeting. We talked about the, um, police services agreement and we talked about this

interlocal agreement, why, uh, different parties have different recollections as to what the intent was, um, and what's actually on paper.

What we have agreed to do at this point is, um, the -- as I said, the Port has their -- their permit and they understand that since the City has already reviewed the permit, that they have to pay that portion. And they have to pay an administrative portion. There is a section of Florida Statutes, um, Section 553 --

**CHAIRPERSON THOMAS:** Okay. Hold on one second. I just want to -- you said "what we agreed to." And this board didn't agree to anything. Staff -- staff had a meeting --

**CITY ATTORNEY RYAN:** Correct.

**CHAIRPERSON THOMAS:** -- with the -- hold on one second -- with the Port. And I don't want people to continue to feel like that. That's why I want you to take your time. This board didn't decide anything. You had a meeting and you all should have deliberated on something to bring to us to decide if that's what we wanted to do. So --

**CITY ATTORNEY RYAN:** Hold on. Hold -- let me just say this.

**CHAIRPERSON THOMAS:** No, no, no. What you said was, "We decided," and we did not decide on this. And that's the political issue that keeps sparring out of control. So you can finish but please just say this is --

**CITY ATTORNEY RYAN:** Okay.

**CHAIRPERSON THOMAS:** -- what you discussed, not what you decided.

**CITY ATTORNEY RYAN:** Yes. This is what we discussed. Under 553.791 of the Florida Statutes, the Port has an absolute right -- and that's -- you know, I say decided, but they have an absolute right to, um, have their own inspector on their, um -- their project if they do all of the things that are set out in that statute. They have asked the City to, um, give us a breakdown of the fees as it would be if they decided to go that route.

And Community Development is right now researching it and they are putting together their fee schedule which would separate the, um -- the administrative fee and the review of the -- the permit application, which we've already done, and the inspection fee. Once we give that to them, they -- they can make a decision as to whether or not they want to, um, continue with the City services. But if they decide to have their own inspector on the -- the site, under Florida Statutes, we would have to refund a portion of the fee that they've paid. They've paid us over -- 199,000 plus change in permit fees. Because they have that absolute right, when -- when I say we -- they -- you know, we decided, that's something that they can do themselves. Of course, once that decision is made, we are bringing that back to city council.

**CHAIRPERSON THOMAS:** Okay. Hold on for one second. So you said that because

of a statute?

**CITY ATTORNEY RYAN:** Absolutely. A Florida Statute.

**CHAIRPERSON THOMAS:** So why -- why didn't we get this prior to saying they must pay the fee? Why didn't we look at that prior to saying, You must pay this fee?

**CITY ATTORNEY RYAN:** Number one, we've never had anyone to use that section. Um, it was only in my discussions with their attorney that they brought it up. That is not something that we bring up to, um -- to, um, the Port or private individuals. They -- we said to them, You have to pay the fee. Our Florida -- Florida Statutes, the building code require the payment of fees for all construction. And they were mandated to pay that fee. Under 553.83, they -- I'm -- I'm not going to say they gave in on that, but they realized that they could not, um, start their project until they paid the fee.

As a part of that Florida Statute, 553.80, it references the alternate -- and this is all very technical but it references an alternate procedure that they can go through.

**CHAIRPERSON THOMAS:** Okay.

**CITY ATTORNEY RYAN:** And they decided -- they came to us and said, All right. We paid the fee. What if we want to do this process?

**CHAIRPERSON THOMAS:** No problem. I understand that. My issue and what I want to make -- what I want you to make me totally clear on is --

**CITY ATTORNEY RYAN:** Yes.

**CHAIRPERSON THOMAS:** -- while all of this was going back and forth -- 'cause I think they just paid the fee trying to work through this before now.

**CITY ATTORNEY RYAN:** Correct. Yes.

**CHAIRPERSON THOMAS:** Did this 550 statute, was this a statute a couple of weeks ago?

**CITY ATTORNEY RYAN:** Yes. And you -- if --

**CHAIRPERSON THOMAS:** So I want to know why wasn't that brought at least to my attention? I don't know what was brought to the rest of the council's attention. But to my attention. I was told by you that it was a statute --

**CITY ATTORNEY RYAN:** Yes.

**CHAIRPERSON THOMAS:** -- that they had to pay this fee. I was never told of a statute that they can choose another route and not have to necessarily pay that fee. So this -- this is why I'm saying this is a bit -- I don't want to say disingenuous 'cause I don't think you're trying to be disingenuous. But I do think it's a lack of giving us all the

information that we need in order to make a decision. Because when you said to me, at least --

**CITY ATTORNEY RYAN:** Yes.

**CHAIRPERSON THOMAS:** -- they must pay this fee by Florida Statute, Hey, Port, you gotta pay this fee. Now we'll work through it but Florida Statutes say this is what you gotta pay. I was never told about a statute that says they can go another route where they may not have to pay this fee. Because that could have made all of the difference. We could have said, Instead of paying 199, we'll estimate what you have to pay, and then we'll work from there, other than say, Let me take 200,000 from your -- from your budget until we decide. I think that that --

**CITY ATTORNEY RYAN:** It's not until we decide. We -- they have to make the decision, and they still haven't made the decision. It was important -- go ahead, Miss McKinney -- it was important for the Port to start the process. Under this alternate program, they are not ready for that program. It is very extensive and it's probably going to be more expensive.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** And Council Member Thomas, they never brought it up until after they applied for their permit, after they paid their permit fees. Then they brought up, We might want to go this route. They brought that up after all that. And we said, Okay. And that's -- we talked to them and I think that --

**CITY ATTORNEY RYAN:** Last week.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- Attorney Ryan did mention it to you when we were in the office meeting with you one day, but it's very complicated so it's hard to grasp. But they did not initiate that to begin with. They submitted their plans with building permit to be reviewed. They never asked or suggested that they may want to go that route.

**CITY ATTORNEY RYAN:** Right.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Until, I think, that they may have got a -- a bit, um, disconcerted because they had to pay the fee that some of them thought that they might not have to pay. And then they thought, well, then, why would we -- if we could go another route where we didn't have to pay them all the fee or we got some refund for the fee that we paid, then we might want to go that route. Although that route is very expensive and I don't know if they've done their analysis. They hadn't done it when we talked to them. But that's a decision that they can make and they can follow.

But there is strict criteria in the Florida Statutes and the building code that you have to follow, that they would have to follow in order to do that. And it's not, We don't use the City at all. They still have to be monitored by the City when they use that route. So there's still a cost for that.

**CHAIRPERSON THOMAS:** Miss McKinney, do you think that -- with this interlocal agreement that's currently in place, is it your feeling, is it what you believe that they should still have to pay the permit fee?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Yes, I do. And as a matter of fact, just as another -- in January of this year -- I think it was this year -- they had a contractor working on slip number 2. And if you get any of the verbatim minutes that we got from some of the meetings you will see this discussion that they had about Rosso Paving for slip number 2. They came to the City with their plans. They paid their permit fees. They got the permit. Never said anything about, We shouldn't have to pay the permit fee.

**CHAIRPERSON THOMAS:** They've already paid a permit fee?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** That was a separate project but it was also the same -- similar -- similar type of thing. They were working on slip number 2. The slip is number 3. But they were working on slip number 2. The project was, I think, um, 1 -- \$1.2 million, something like that. And they paid the City the permit fee for that.

**CHAIRPERSON THOMAS:** And how much was the permit fee then?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** It was about \$11,000.

**CHAIRPERSON THOMAS:** Well, 11,000 and --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** But this project --

**CHAIRPERSON THOMAS:** -- 190 -- 90 --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- right. Well, this project is a \$16 million project on slip number 3.

**CHAIRPERSON THOMAS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** So the permit fee is higher.

**CHAIRPERSON THOMAS:** Oh.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** But they did pay -- I mean, but, um, theoretically and logically, what they did previously with the others working on slip number 2 was exactly the same only it was -- only this one is more money. They came in. They submitted for permit. They paid their permit fee. They didn't say anything to the City like, We're not complying with the agreement.

This one here, when they found they had to pay this fee -- and we had told them months earlier. This came up January, February. We were getting calls from contractors when they put out the RFP because in their RFP, for slip number 3, is the requirement for the

contractor to pay the permit fees. So the contractors were calling the City to get the estimate of the permit fee cost. So that was months ago.

It wasn't a secret. They all knew. It was in their RFP. When they brought their RFP, they selected their contractor and they took the contract back to their board. In the contract -- which I have on my desk that they have with their contractor, Shoreline Foundation -- is the requirement that they pay building permit fees.

**CITY ATTORNEY RYAN:** And Mr. Chair --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** So it wasn't something that they hadn't -- and they had approved it. Their board had actually approved it so then it was after that it came up. They brought it up, Well, maybe we shouldn't have to pay them per the agreement. It's like, No, you know, we discussed this for months. You've paid it -- I -- they already put it in their RFP and put it in their contract with the contractor. So it got kind of -- I think some of their -- their board thought they didn't have to pay it, although -- and Attorney Ryan can explain to you, their agreement does not say they do not have to pay fees.

**CHAIRPERSON THOMAS:** The interlocal agreement?

**CITY ATTORNEY RYAN:** Right.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** The interlocal does not say that.

**CITY ATTORNEY RYAN:** Right. And the --

**CHAIRPERSON THOMAS:** Okay.

**CITY ATTORNEY RYAN:** And I want to get to that. The only -- my -- I started my comments by I wanted to tell you where we were first to let you know that we're trying to work through it. But backing up to the beginning of this whole issue, the Port's -- it's my understanding and I received a letter from their attorney -- it was their position that under this interlocal agreement from 1996, that they did not have to pay permit fees at all.

I wrote their attorney back and to let him know that number one, this interlocal agreement does not state that you don't pay permit fees. It says in one section under General Facility Building Permits that the City would waive fees, um, for any projects that were going on while the -- when the interlocal agreement was being entered into. It was a one-time waiver, and it did not contemplate waiving fees in the future.

And then I said, Even if the agreement did state that, you would be in violation of Florida Statutes because an amendment to Florida Statutes in 2003 and 2005 specifically stated that governments are not going to be exempt from paying permit fees. So even if you thought this was legal, and you -- well, I shouldn't say legal. Even if you thought that this agreement addressed the issue of permit fees, the City's argument would still

be you have to pay your fees. Everybody has to pay fees. And the Port is not exceptional.

The Port, you know, they -- they make money the same way other businesses do and they have to pay permit fees. That is not a City of Riviera Beach rule. That is a Florida Statute. So that's -- that was the letter that I sent to them. I know members of their board completely disagreed. They, um -- from what I understand, um, they stated at Port meetings and continue to state that this agreement does not require them to pay permit fees.

And what Miss McKinney just talked about is the fact that they have been inconsistent in their own understanding. They paid permit fees here. At -- sometimes we've -- we've gone back. We -- we're now going to start going to all of their meetings. We see where they haven't paid permit fees on some projects where they should have paid permit fees. So I think at the very least this agreement is confusing to the parties. And, um, what staff --

**CHAIRPERSON THOMAS:** Do we still need it? Do we still need this agreement?

**CITY ATTORNEY RYAN:** Well, staff has recommended -- you received a memorandum from the City Manager today per the request of Councilperson Guyton. He asked for the pros and cons of the interlocal agreement. And that memorandum was provided to you. And the bottom line is, is that this memorandum -- it's so old. There are provisions in here that are outdated. Florida Statutes -- there is no Department of Community Affairs. Some of these sections in the interlocal agreement no longer exist in Florida Statutes. Um, it's -- it's outdated and at the very least, it needs to be, um --

**MAYOR MASTERS:** Updated.

**CITY ATTORNEY RYAN:** -- updated, amended. I would say scrap the whole thing and start over again --

**COUNCILPERSON JUDY DAVIS:** And start -- uh-huh.

**CITY ATTORNEY RYAN:** -- if the City were inclined to have an interlocal agreement. But this agreement does nothing for the City. It says that -- the only benefit that the City got was that the Port would not expand its boundaries north of 10<sup>th</sup> Street. Well, um, they can't do that anyway without going through our processes.

Our -- we have a comprehensive plan that everybody has to abide by, including the Port. The Port may think it doesn't have to abide by it but it does. Everyone has to abide by it. So we don't need an interlocal agreement to say, You can't expand your boundaries. They have to comply with our comprehensive plan and our land use map. They have to do that anyway. So there is no real benefit at this point.

You know, Mr. Ward talked about 1996 and what was going on at the time. And maybe they thought that it was important to have this agreement then. But, um, it's -- staff

would certainly recommend that the City Council consider, um, some kind of a change in this agreement.

**COUNCILPERSON JUDY DAVIS:** Mr. Chairman?

**CHAIRPERSON THOMAS:** Miss Davis?

**COUNCILPERSON JUDY DAVIS:** And I remember seeing an e-mail, uh, and it -- it was between two, um, employees from the Port that clearly, um, knew that they had to pay impact fees. Um, so I -- I don't -- I -- I guess I could understand if they had some concerns and tried to -- to, um, figure out a way to make it less. But, um, in my mind, from reading that e-mail, it was very clear from the very beginning.

**CHAIRPERSON THOMAS:** Okay. I do want to -- before I take any more, I do want to make sure that I, um -- I give the Port the same respect that they gave me and allowed me to speak at their meetings. If any -- I see a couple of the Port commissioners and their lobbyists. If any one of you would like to speak -- Commissioner Oppel, would you like to speak or -- please.

**COMMISSIONER OPPEL:** (Inaudible).

**CHAIRPERSON THOMAS:** No, no, no. No, no, no, come -- come on up, 'cause you -- you did allow me to speak a couple of times. And I just want to extend that. And, um, Mr. Brown, I also want to call you, if you don't mind, up, as well.

**COUNCILPERSON GUYTON:** And -- and -- and Mr. Chair, could you --

**CHAIRPERSON THOMAS:** Yes.

**COUNCILPERSON GUYTON:** -- we kind of jumped into this from Murphy's.

**CHAIRPERSON THOMAS:** Yeah. You want a little history.

**COUNCILPERSON GUYTON:** And we didn't explain to the public --

**CHAIRPERSON THOMAS:** Yes.

**COUNCILPERSON GUYTON:** -- what all this is about.

**CHAIRPERSON THOMAS:** We will.

**COUNCILPERSON GUYTON:** About they're attempting to build a slip and they had Murphy's --

**CHAIRPERSON THOMAS:** We -- we -- we will. We will. We will definitely do that.

**COMMISSIONER OPPEL:** Thank you very much, Mr. Chairman, for allowing me to address the council. It's great to see everybody here. And, uh, I want to thank you for coming to our meetings and hearing what we had to say. The, uh -- I just came back

from a two-day seminar on communications between port commissioners and port directors. And you made -- you made an offer at the last board meeting of the Port that was the -- the most intelligent thing that I'd heard through this whole fiasco, and that is that we gotta get together and sit down and work this thing out.

**CHAIRPERSON THOMAS:** That offer still stands.

**COMMISSIONER OPPEL:** And I -- I tell you, I'm ready as at least one of my five board members -- and I think I have majority -- to have that joint session and work this out, because this has snowballed and it's a fiasco. There's plenty of blame to go all around, including everything that Miss McKinney said about my guy going over there and getting permit fees, which we don't think he should have gone but he did. Uh, there's no impact fees. There are fees that had been negotiated and I'm proud to see my --

**CHAIRPERSON THOMAS:** If you want to answer that, we'll wait.

**COMMISSIONER OPPEL:** No. I'm sorry.

**CHAIRPERSON THOMAS:** Oh, all right. Go ahead. No, go --

**COMMISSIONER OPPEL:** I'm sorry.

**CHAIRPERSON THOMAS:** -- go ahead.

**COMMISSIONER OPPEL:** It is coming -- I'm proud -- I'm proud to be here with, uh, my former port commissioner and former mayor, Michael Brown. You have no idea how much time he put into this agreement and how much he worked on it and how much he had to do with the final passage of it. So he should know every single word, item and everything about this agreement the way it was originally structured. And I hope he will stand up. He was a great asset for both the Port and Riviera Beach, that he took charge of this agreement when it was negotiated.

So my only thing is that -- my only thought is that, um, no, we don't agree that we should pay the fee. We think it's very clear. It's in the English language that those slips are exempt from any, uh, building fees. We had no problem with any buildings that were put on the port. Any structures that required a possibility of life safety from a -- the police department and the fire department reviewing them, we wanted to be certain that those buildings were safe and we gladly paid the fees. But that exemption, I mean, if we turned this over to the City to look in -- do you -- have you ever hired a person to go out on a boat and sit there and watch manatees for two years? You know how much -- expensive that is, Miss Ryan? That's part of our responsibility when we're doing work on the slips. To actually have a guy go out on a boat, sit there in the boat every day that we're in construction for two solid years. That's a cost. I mean, it's just one thing that you don't do in the City, but we do at the Port.

I just wanted to say let's have that meeting. I welcome your suggestion and I welcome the opportunity to be a part of it. Thank you, Commissioner.

**CHAIRPERSON THOMAS:** Thank you. Thank you, Commissioner Oppel. Thank you for being here. Mr. Brown, if you -- if you wouldn't mind, I mean, we happen to be fortunate enough to have a person that worked on it and -- and if you wouldn't mind --

**MAYOR BROWN:** Thank you, Mr. Chair. Again, my greetings to all of you on the council. Number one, I want to point something out. When I was on the Port Commission -- for those of you all who are young enough not to recall that, I was on the commission when this happened. And you know, history sometime will allow you to lose sight of the benefits. At the time that I got on the Port, the City and the Port were at each other's throats. And when I served on the Port for four years and I went to the various conferences around the country, guess what? Just about in every place where there's a port, the port and the cities are always in a conflict because they really have two different goals and missions. And so this is not unusual. So when I got on the commission, the Port and the City had had a problem regarding whether or not the Port was required to get permits from the City and whether the Port had to pay the fees.

So we came together with this interlocal agreement that addressed that issue, but also was put in place to help the two parties to go forward. At the time, there was no slip 3. There was no, uh, new port building. There was no Skypass. In fact, what the Port did was a redevelopment plan in those four years that set forth its plans for well into the future, many of those things that they're still operating under now. The City had the right then, as they do now, to make sure that the Port's plan tied in with the City's comprehensive plan. So the City does have some authority over the Port on comprehensive plan issues.

If you remember, even when I was mayor, they had an issue where the City allowed them to close off MLK and put up the little barriers there. All right? On a lot of those issues the City -- the Port still has to come into compliance with the City's comprehensive plan, the issues regarding the trains going back and forth. The City has jurisdiction over that. Now, the goal was for the two parties to put together an agreement that would help the two parties move forward and not have these little bumps.

If you remember -- I forget the year -- the first major issue that came up when I was the mayor is when the Port built the new cruise terminal, which I voted for. The Port then, after I left, decided that they weren't going to pay for the road to go into the cruise terminal. And so we objected to their stormwater permit. And as a result of that we had a big meeting and then the Port and the County and the City sat down and then the Port had to put in millions of dollars to help pave the road. The County put in some money and the City put in some money. And so now when you go down 13<sup>th</sup> Street from the Port past to the Tiki, over the tracks to Congress Avenue -- to, uh, Old Dixie, that is the result of another one of these dust-ups that we had with the Port and the City. So we sat down and resolved it.

Now, the issue of fees. All right? The goal was at that time, since there was a dispute between the two entities -- what the City -- what the agreement addressed -- 'cause I was a big part of it -- is the -- the Port said, Look, we have these projects that are

underway right now and we haven't paid you the fee 'cause we don't think we're supposed to pay you the fee. The City's position was, You're supposed to pay building and permit fees. So we came together with this interlocal agreement and that agreement addresses on the projects that were underway at that time. One, two or three projects, whatever they were. The City agreed, All right. You don't have to pay the fees on those. But going forward, you have to pay the fees.

And the deal was, like Ed had indicated, there are some issues over at the Port that this City, nor the City of West Palm, nor Palm Beach Gardens probably don't have the expertise or the requirements to count manatees. But on those issues building-wise that dealt with life, safety and health issues, and on those issues that dealt exclusively with the Port, that the City would defer to the expertise of the Port on those issues, but the Port would still have to pay the fees.

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

**MAYOR BROWN:** The only waiver that was supposed to occur was for those projects that were underway, because the City wouldn't, shouldn't and didn't give up fees because think about it. That's the primary source of your revenue.

**COUNCILPERSON JUDY DAVIS:** Yeah. That's right.

**MAYOR BROWN:** It would be the equivalent of the Port giving up dockage and wharfage fees that it charges its customers and tenants over at the Port. You can't do that.

Now, the goal, though, is why would the agreement remain in place or what was the purpose of it? The purpose of it was for two entities which had a conflict in interest but at the real -- at the same time, really had one goal 'cause the Port really needs the City to be successful and the City wants the Port to be successful. The goal was to put this thing in place to try to serve as a mediator so that you would sail along smoothly, uh, and -- and you could keep -- the Port could keep going and the City could have a relationship with the Port. It sounds like it needs to be updated.

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

**MAYOR BROWN:** But I certainly would suggest that you all strongly consider not canceling it, because the bottom line is the Port needs the City and the City benefits from the Port being located there. But the notion that the Port has -- I'm surprised that the Port has taken the position --

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

**MAYOR BROWN:** -- that it's not supposed to pay these fees. All right? The only thing that the City -- now, the City is supposed to defer to the Port's expertise on issues that the Port -- like he said, the manatees. You -- you don't know anything about manatees. I'll give you an example. When we did all of the condos, whether it's Marina Grande or any of the other buildings -- and Florida has a statute that's called a threshold inspector.

At a lot of municipalities which don't have the expertise to handle certain projects --

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

**MAYOR BROWN:** -- there's a law that allows special circumstances for them to get engineers or architects who have expertise in the right, um, malpractice policies and liability insurance, to step in and to certify that the thing is safe.

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

**MAYOR BROWN:** That's what that was dealing with. I would suggest -- it sounds like you all need to have another meeting --

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

**MAYOR BROWN:** -- to get together and probably amend the agreement. And I think if wiser heads prevailed at the Port, they would agree that it's necessary, it's to the benefit of the Port and the City to update your agreement. And one final thing: If you look at that agreement, the spirit of it was for compromise and to work together.

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

**MAYOR BROWN:** There's a provision in there that says that the Port was required to use its best efforts to make sure that all of its merchants and folks at the port look first to Riviera Beach merchants and businesses to purchase goods and services.

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

**MAYOR BROWN:** That was the -- that was the purpose of it. That was the purpose of doing that. And it's supposed to happen.

**COUNCILPERSON GUYTON:** (Inaudible).

**COUNCILPERSON JUDY DAVIS:** Yeah.

**MAYOR BROWN:** And the purpose of it was so they could -- they would cooperate and do well. I would hope that you all would, um, not do away with it. You would amend it. And I hope my little historical recitation has been beneficial. And Mr. Thomas, I figure you were probably about 15 or 16 when I was -- when I was there. And I feel older as I'm -- as I'm starting to watch --

**CHAIRPERSON THOMAS:** I -- I -- I was actually 18.

**MAYOR BROWN:** Eighteen? All right.

**CHAIRPERSON THOMAS:** I said that at their meeting.

**MAYOR BROWN:** Anyone have any questions? If -- I'll be happy to answer them. If not, I hope --

**COUNCILPERSON JUDY DAVIS:** I --

**COUNCILPERSON GUYTON:** Yeah, I --

**CHAIRPERSON THOMAS:** I -- I appreciate you, uh, being here and shedding some light on that. Um, and if anybody have any questions while we got him here for free --

**COUNCILPERSON GUYTON:** Yeah, (inaudible).

**COUNCILPERSON JUDY DAVIS:** I do.

**CHAIRPERSON THOMAS:** -- let's use him.

**COUNCILPERSON JUDY DAVIS:** Yeah.

**CHAIRPERSON THOMAS:** Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Yeah, Mayor Brown.

**MAYOR BROWN:** Thirty seconds.

**COUNCILPERSON JUDY DAVIS:** Mayor Brown --

**MAYOR BROWN:** Yes, ma'am.

**COUNCILPERSON JUDY DAVIS:** -- um, you know, I -- I -- I served with you when you were mayor and, um, I remember when, um, we came to the issue of closing Avenue -- what was it? Avenue E?

**MAYOR BROWN:** Uh, it was -- it was, um --

**COUNCILPERSON JUDY DAVIS:** Avenue E for the Port.

**MAYOR BROWN:** Oh, yes.

**COUNCILPERSON JUDY DAVIS:** And again, we had the same butting-heads issue.

**MAYOR BROWN:** And MLK.

**COUNCILPERSON JUDY DAVIS:** And -- and -- and MLK. And -- and this seems to be the thing that is -- is kind of thrown around, you know, when we -- when we're talking about this. It's just my hope that, um -- I guess my question was, do you remember exactly how much money the City had to put in to 13<sup>th</sup> Street or the Port since you were a part of that then?

**MAYOR BROWN:** Well, it was some millions of dollars.

**COUNCILPERSON JUDY DAVIS:** It was millions?

**MAYOR BROWN:** It was millions for --

**COUNCILPERSON JUDY DAVIS:** For 13<sup>th</sup> Street.

**CITY ATTORNEY RYAN:** Yeah, the City didn't (inaudible) --

**COUNCILPERSON JUDY DAVIS:** Yeah, it was the Port's millions.

**UNIDENTIFIED SPEAKER:** Eleven million.

**MAYOR BROWN:** Excuse me.

**COUNCILPERSON JUDY DAVIS:** Thank you.

**MAYOR BROWN:** Excuse me.

**UNIDENTIFIED SPEAKER:** (Inaudible).

**MAYOR BROWN:** The -- excuse me.

**UNIDENTIFIED SPEAKER:** (Inaudible).

**MAYOR BROWN:** Excuse me. The City of Riviera Beach also contributed money --

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

**MAYOR BROWN:** -- into that project.

**COUNCILPERSON JUDY DAVIS:** Right.

**MAYOR BROWN:** And it -- and it was millions.

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

**MAYOR BROWN:** Okay? The Port and the County didn't do it all themselves.

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

**MAYOR BROWN:** The City did contribute some money to that project.

**COUNCILPERSON JUDY DAVIS:** Okay. Thank you.

**MAYOR BROWN:** Millions.

**COUNCILPERSON JUDY DAVIS:** And it -- it's just my hope that, you know, um, I mean, we've given; they've had to give up something. And it's just my hope that we can, you know, start having some meetings, you know, as -- as we did in the past and, uh, can move forward with this because, you know, like Mr. -- or Chair Thomas said at the Port's meeting, we're just as compassionate about representing our -- the residents

of Riviera Beach as the Port commissioners are about doing a good job for their port. So, you know, it takes both of us, you know, working together to be successful. So thank you for the history.

**MAYOR BROWN:** You're welcome.

**CHAIRPERSON THOMAS:** Thank you, Miss Davis. That was very well put. Any, uh -- any other --

**COUNCILPERSON GUYTON:** Yeah. I -- I just have a quick question.

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

**COUNCILPERSON GUYTON:** Yeah. Um, thank you, Mr. Brown, for giving us some pro bono time. I really appreciate it. 'Cause, you know, privately I know --

**MAYOR BROWN:** You're welcome.

**COUNCILPERSON GUYTON:** -- it can get expensive, you know? Um, but on a serious note, I read through the agreement in detail and I've -- all my adult life have worked in the public sector. And interlocal agreements oftentimes -- and I heard why this one came together -- would demonstrate some mutual benefit. And my question is to you, what benefit -- other than that clause you just said that they're supposed to refer people to our city first -- that the City has in this agreement?

**MAYOR BROWN:** Well, I'll try to answer that in general terms and with the spirit that it was negotiated. And I reviewed it a few days ago, although not probably with the intensity that you have. Uh, I'll answer it like this: The general benefit is that you have two parties that have -- that coexist and neither one is going anywhere.

**COUNCILPERSON GUYTON:** Understood.

**MAYOR BROWN:** The Port is an inferior government to the City.

**COUNCILPERSON JUDY DAVIS:** Well, they don't want to hear that.

**MAYOR BROWN:** So you need a mechanism -- if I'm the Port -- it benefits the Port 'cause they need a mechanism to hopefully have these issues go through so that every little issue doesn't require a summit. To the City, the City wants the Port to be successful, particularly if the Port has businesses and jobs -- and they're creating jobs and hopefully for residents of the City of Riviera Beach or for businesses. If they're buying business goods and services from our resident -- from our businesses here, then it benefits our business for us.

Um, that's the deal. If you think about it -- and I know you are -- in addition to being an attorney, you're also a planner. And I know I can speak about this issue and you know about comprehensive plans.

**COUNCILPERSON GUYTON:** Not an attorney but --

**MAYOR BROWN:** Well, I know you have some law school experience. All right? Um, and I'll -- I'll -- I'll leave you with this issue: The Port's plan has to comply with the City's comprehensive plan.

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

**MAYOR BROWN:** So let's say if the Port wanted to make an addition within its property that is in conflict with the City's comprehensive plan, then they must get your permission.

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

**MAYOR BROWN:** Now, the Port, I would think, would hope that the City would have an open ear to listen to why they want to change it, to listen to why it'll benefit the Port, to listen to why it'll benefit the City, so that you could grant their changes to their comprehensive plan to match yours. Because if you say, No, we're not going to do it, they can't do it. When I was here in office, there was a company that wanted to erect a very tall silo on the west side of the tracks --

**COUNCILPERSON JUDY DAVIS:** Yeah. (Inaudible).

**MAYOR BROWN:** -- that was in close proximity to our neighborhood. That was in violation of our comprehensive plan and it would have required the City to allow the Port to amend their plan to put that silo there. The city council denied it and that silo is not there. So that's the power that you have or the mechanism that you have in place to take care of the interest of the City.

If I'm the Port -- if I was a Port commissioner, I would also want this interlocal agreement to stay in place because I wouldn't want every issue that we ran into to result in one of these meetings. I would want an agreement that we could look at and reasonably say, Okay. We can get this passed or we can get it worked out this way. I hope I answered the question.

**COUNCILPERSON GUYTON:** To some degree but not specifically because I'm still not grasping our real benefit other than we need to work harmoniously. And I understand that. But because -- and let me -- you mentioned I was a planner. But there was one thing in here that really kind of concerned me: "The City agrees that there can be no changes to the Port's master plan as component to the City's comprehensive plan without the consent of the Port."

What -- I mean, really? We review the master plan, then we have to ask them for their consent for our comments. I -- so this agreement, in my opinion, needs to be revised, redone so that both parties will feel that we're mutually -- 'cause I don't feel that way right now, quite honestly. 'Cause it look like everything is skewed towards, Let's do the Port all right. But I'm not seeing where it's documented that the Port is going to do the City -- if they're going to create jobs or send people to our City, let's have a tracking

mechanism. Let's document that to verify that you're holding up your end. So -- but we don't have any of that in here.

And as a planner, I'm concerned about some of the language in here. But those are my comments and, um, it is my hope that we can work harmoniously but it's going to have, before I support it, a mutual benefit that I can identify, document and track.

**COUNCILPERSON JUDY DAVIS:** Absolutely.

**CHAIRPERSON THOMAS:** Is there any other questions for Mr. Brown before he sits down?

**COUNCILPERSON T.D. DAVIS:** Now, I don't --

**UNIDENTIFIED SPEAKER:** Before he leaves.

**CHAIRPERSON THOMAS:** Mr. -- before -- before he leaves. Mr. -- Mr. --

**COUNCILPERSON T.D. DAVIS:** I'd like to ask --

**CHAIRPERSON THOMAS:** -- you -- oh, okay.

**COUNCILPERSON T.D. DAVIS:** -- you -- thank you, Mr. Brown, but I'd like to ask our staff a question.

**CHAIRPERSON THOMAS:** Oh, okay. Hold on one second. Mr. Brown, thank you for your time.

**MAYOR BROWN:** You're welcome.

**COUNCILPERSON T.D. DAVIS:** Thank you, Mr. Brown.

**COUNCILPERSON JUDY DAVIS:** Thank you.

**CHAIRPERSON THOMAS:** And, um, you know, I really feel that Mr. Brown has an adequate amount of knowledge and we need to look at retaining him to help mediate this -- this issue, if he would so, you know, want to agree to. You know, we'll have the attorney reach out to you but I really think that we need to -- you -- you know both sides. You were on both sides. And I don't think there's a better person to help us mediate it.

**MAYOR BROWN:** I -- I -- I want to tell you, I did -- that's not why I came here. I'll be happy to help if I can. Um, my wife tells me I've done a very good job at not becoming a millionaire but that's not why I came here. But I'll be happy to talk to you.

**CHAIRPERSON THOMAS:** We appreciate it.

**MAYOR BROWN:** Thank you.

**CHAIRPERSON THOMAS:** We'll make sure that, um -- that, you know, if the board

wants to do that, that Miss Ryan reaches out to you and --

**MAYOR BROWN:** Thank you.

**CHAIRPERSON THOMAS:** -- works with that. Thank you for -- for just being here and adding some light on that.

**MAYOR BROWN:** You're welcome.

**CITY MANAGER JONES:** Thank you.

**CHAIRPERSON THOMAS:** Um, Mr. --

**UNIDENTIFIED SPEAKER:** Good job.

**CHAIRPERSON THOMAS:** Yeah, he did. He did a great job. Mr. Davis, you wanted to --

**COUNCILPERSON T.D. DAVIS:** I have quite a few questions. I see that we're moving forward on developing this relationship with the Port, but who gave the order on -- that put us in this situation?

**CHAIRPERSON THOMAS:** What situation are you asking about?

**COUNCILPERSON T.D. DAVIS:** Well, the situation is, um, we have an interlocal agreement. There's some situations legally on what we can and can't do as far as the charges that came up. And I'm -- as you talked about earlier, that Miss -- Miss Ryan addressed to you that you didn't hear about before --

**CHAIRPERSON THOMAS:** Yeah, about the charter?

**COUNCILPERSON T.D. DAVIS:** Yes, about the charter.

**UNIDENTIFIED SPEAKER:** Statutes.

**COUNCILPERSON T.D. DAVIS:** About the statute.

**CITY MANAGER JONES:** Statutes.

**COUNCILPERSON T.D. DAVIS:** Statutes that you didn't hear before but you heard it tonight.

**CHAIRPERSON THOMAS:** Yes.

**COUNCILPERSON T.D. DAVIS:** Okay. My question is, how did we get in this -- who -- did they -- who did not look at the issue, what we legally and -- could legally do and illegally do and ignored it and gave an order that put us in this situation?

**CHAIRPERSON THOMAS:** Well, who would you like to answer that? I'm -- I'm going

to say --

**COUNCILPERSON T.D. DAVIS:** I don't -- I'm just asking someone from staff.

**CHAIRPERSON THOMAS:** -- well, I -- I -- I don't -- I don't think that that's what my -- the spirit of what I was saying was. If staff said, Listen, this is what we have to go by by Florida Statutes --

**COUNCILPERSON T.D. DAVIS:** Yeah.

**CHAIRPERSON THOMAS:** -- you have to pay the fee --

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**CHAIRPERSON THOMAS:** -- then they're just doing the normal business.

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**CHAIRPERSON THOMAS:** What I was under the impression of is this was something that came up prior to and we weren't notified of that to make that an option. But as it came out further that this was just something that popped up after they did -- discussed it, um, so that statute exists and it's something that they have an option to do. But I don't think anyone from either side looked at that prior to.

**COUNCILPERSON T.D. DAVIS:** Okay. Here's the next question: Who's watching the -- over at the Port letting us know what type of work is going on so that we know to charge those fees for permitting?

**CHAIRPERSON THOMAS:** Okay. I'm gonna let Miss McKinney answer that.

**CITY MANAGER JONES:** That's a good question.

**CHAIRPERSON THOMAS:** That -- that is actually, um -- that's -- that's actually a --

**CITY MANAGER JONES:** That's a good --

**CHAIRPERSON THOMAS:** -- a very good question that we all --

**COUNCILPERSON T.D. DAVIS:** (Inaudible).

**CITY MANAGER JONES:** -- it's a good one.

**CHAIRPERSON THOMAS:** -- have had because as they were meeting several of the individuals, they were giving a -- a -- a -- a summary of the projects that were going on to their board. And I understand that as they were going through these projects, that some of our staff was like, I don't remember them getting --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Right. Right.

**CHAIRPERSON THOMAS:** -- fees for that.

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

**CHAIRPERSON THOMAS:** So that's a very valid question.

**UNIDENTIFIED SPEAKER:** Yeah.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** The -- the -- and contractors are required by their license to obtain permits. Whatever project that they're going to -- requires a permit, they have to get it. Almost everything requires a permit. When the Port hires a contractor, the Port under -- puts in the contractor's agreement about the fees being paid. That's almost a standard thing. I've -- the contracts that I've seen they've had so far say that in there. Contractor's responsible to come to whatever local government and follow the building permit fee application process.

So, um, in this case, that's what they did. The contractor that got selected by the Port that had a contract that said they would pay the building permit fees --

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

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- you know, and Florida law requires the contractor to follow the building code or else they will lose their license; they could lose their license -- came and submitted their -- um, well, I could back up a little bit before that. They knew they had to pay the fees 'cause we had conversations with them, with the Port staff. Before -- just before Easter there was a Port meeting where they talked about how the City was making them pay the fees. And it was a very -- kind of an unpleasant meeting. I wasn't there but we have the minutes from it.

**COUNCILPERSON T.D. DAVIS:** I was there.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Okay. Well, this was the March 28<sup>th</sup> one, the day before Good Friday.

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** And then on -- and on that next day -- I think it was March 28<sup>th</sup>, whatever.

**CITY ATTORNEY RYAN:** Yes.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- we got -- the City -- it was furlough Friday -- a City -- a letter was issued by the Port's attorney that was full of a lot of inaccuracies that basically said we refused to issue them a permit, which, in fact, they had not even applied for a permit, had not even come to the City to apply for a permit. So that was the first kind of problem that they put out there, was City is not doing this when they hadn't even come here and asked. And of course, we couldn't react to it until I think it was Monday or Tuesday.

**CITY ATTORNEY RYAN:** Monday. Right.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** 'Cause that was Easter. Right. And then, um, Attorney Ryan responded to Port attorney and copied all the council members saying --

**COUNCILPERSON T.D. DAVIS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- This is what -- you did not apply for a permit. Just to make sure that's clear to everybody because, you know, we don't want your board to be under the false impression that you did and we denied it 'cause that's not true. And this is the process for obtaining a building permit. These are the Florida Statutes that you must follow and this is what you -- this is what your agreement says, the interlocal agreement. It does not say that you do not have to pay permit fees.

**COUNCILPERSON T.D. DAVIS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** So that's how -- that's really when it started as it came -- when it came to the City, officially submitted to the City.

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** In fact, they didn't submit their permit application, I think, till April 4<sup>th</sup> or 5<sup>th</sup>. And then we reviewed it in two days. It was an incomplete package. They didn't have their DEP permit in there, which they're required to have to start construction. So even if we issued them a permit on the spot, they still couldn't start construction. We can't do that anyway without DEP permit. And they didn't get their Army Corps of Engineer permit until April 29<sup>th</sup>, which is almost a full month after they first said that we denied them a permit, which they didn't apply for, and is almost a full month after they then submitted their permit application. So --

**CHAIRPERSON THOMAS:** Okay.

**COUNCILPERSON T.D. DAVIS:** Okay. Let's not go no further with that.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Okay.

**COUNCILPERSON T.D. DAVIS:** And I appreciate it. But my question is the Port is over there on the south end of Riviera Beach.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Oh, and then --

**COUNCILPERSON T.D. DAVIS:** There's -- there's some work going on at the Port.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Right. I wanted to finish what Council Member -- um, Council Chair Thomas had said that, you know, they had showed these projects when we were at --

**COUNCILPERSON T.D. DAVIS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- I think the May meeting. Anyway, they have scaffolding on the building and then one of the other projects they were doing. And the building official and I were sitting there and we looked at each other like, What is this? They don't have permits from the City to do that. So -- and after we followed up with the meeting with the Port staff, um, they didn't really realize, I think, they didn't have permits. I think they -- they were kind of unsure about what was going on or who -- who had the permit or what -- or not. But, um --

**COUNCILPERSON T.D. DAVIS:** Quick question.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Okay. Go ahead.

**COUNCILPERSON T.D. DAVIS:** Could they be fined --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Yes.

**COUNCILPERSON T.D. DAVIS:** -- for -- for that?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Yes. If you don't -- if you don't obtain a permit and if you do work without a permit in the City, our ordinance requires you to get an after-the-fact permit. You'd have -- and that's four time the fee.

**COUNCILPERSON T.D. DAVIS:** So that's the contractor, not the port?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** It's the contractor.

**COUNCILPERSON T.D. DAVIS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** And then, of course, the contractor -- whoever that's going to look to, who's ever hiring them. But you know, that's their thing between them.

**COUNCILPERSON T.D. DAVIS:** I mean, I don't -- I don't do a whole lot of talking at these meetings so give me a minute. So who do we have that we can trust and rely on at the Port with our interlocal relationship, interlocal agreement, that's over this that's watching to make sure that when work is going on and they're supposed to come over and pull these permits, that it's happening?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Well, that's -- that's a good question, because it is not easy to get in and out of the port.

**COUNCILPERSON T.D. DAVIS:** Yeah. Correct.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Um, our Port building official has gone over there and been turned away at least twice. Um --

**CITY MANAGER JONES:** That's where he should be, at the port.

**COUNCILPERSON JUDY DAVIS:** (Inaudible).

**COUNCILPERSON T.D. DAVIS:** How is that possible?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** We -- well, they have very strict admission --

**CHAIRPERSON THOMAS:** But he's a building official.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Well, that's what I said, how is that possible? But it did happen.

**COUNCILPERSON T.D. DAVIS:** Who was he turned away by?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Um, I'm -- I'm -- I have to look in here.

**CHAIRPERSON THOMAS:** I guess their security but --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** I guess security. I have to ask him exactly who but --

**CHAIRPERSON THOMAS:** I'm sorry, Mr. Davis, for --

**COUNCILPERSON T.D. DAVIS:** Okay. No, I know. I know. I think you're on the same page as I am.

**CHAIRPERSON THOMAS:** Yeah. That's --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** But --

**CHAIRPERSON THOMAS:** If he's a building official, they have a little bit more authority than --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** They -- they -- they do. Especially when you're doing construction projects, and he has the right to see if you have a permit or not have a permit.

**COUNCILPERSON JUDY DAVIS:** Uh-huh. That's right.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Regardless.

**COUNCILPERSON JUDY DAVIS:** Well, that may be something we can put in our --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** But that --

**COUNCILPERSON JUDY DAVIS:** -- interlocal.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- um, just --

**CITY MANAGER JONES:** We did do an open records request.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Yeah. And we did a records request for the permits. We did an official public records request, asking for projects that were under construction permitted by the Port. And I think it was the -- it's the last so many years.

**COUNCILPERSON T.D. DAVIS:** So someone would be going -- okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** And we haven't received that documentation on it.

**COUNCILPERSON T.D. DAVIS:** Okay. I see what you're saying.

**COUNCILPERSON JUDY DAVIS:** (Inaudible) haven't received that.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** We're about ready to prepare another follow-up.

**COUNCILPERSON T.D. DAVIS:** So someone will be going over there?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Right. We're --

**COUNCILPERSON T.D. DAVIS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- going to prepare a follow-up letter to that asking where is that information.

**COUNCILPERSON T.D. DAVIS:** I would -- I would like for whatever you find to, um, e-mail that to the entire board, you and the City Manager and Legal, so we can know how much money is owed to the City of Riviera Beach as we move forward. Because right now while we've got everybody at the table, we need to ruffle this stuff out now. We're talking about accountability and we need to make sure that we do our part, the Port do their part and we're doing okay.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Right. I mean, our building official is very --

**CHAIRPERSON THOMAS:** I --

**COUNCILPERSON JUDY DAVIS:** Mr. --

**CHAIRPERSON THOMAS:** -- Miss -- I -- I hear you wanna comment.

**COUNCILPERSON T.D. DAVIS:** But not the Port. Yeah, somewhere there's a little --

**CHAIRPERSON THOMAS:** (Inaudible) hold on, let me -- let me finish.

**COUNCILPERSON T.D. DAVIS:** -- ball being -- ball being dropped somewhere

because the Port is doing their job. We're waiting. But there's someone that need to be inside there fishing, making sure that they catch who's ever getting by. Need to be a watchdog to make sure that we get the money that we're supposed to get, because our taxpayers are over here paying their bills.

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

**COUNCILPERSON T.D. DAVIS:** Well, when you come into Palm Beach County and Riviera Beach, you need to pay your bill, as well.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** Exactly. I mean, even J.A.Y.'s Ministries comes in and gets their permits and pays their fees.

**COUNCILPERSON T.D. DAVIS:** Yeah.

**CHAIRPERSON THOMAS:** Miss -- Miss McKinney -- and I'm gonna come to you, Miss Davis, but did I hear you say we had to get a public records request for our own permits?

**COUNCILPERSON GUYTON:** Yeah, that --

**COUNCILPERSON JUDY DAVIS:** That's what I was --

**COUNCILPERSON T.D. DAVIS:** Yeah.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** We -- well, they -- I -- I've heard them use the term permit for work that they -- I think that they mean as a notice to proceed. When they tell somebody to start a job, they have an agreement, I think what they -- they call it a permit, I think, but it's --

**COUNCILPERSON GUYTON:** But -- but they didn't give it to you voluntarily? That's my -- I'm sorry.

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** No. No. We've asked for it. We didn't receive it yet so we're going to do a follow-up letter to ask for it.

**CHAIRPERSON THOMAS:** Okay. Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Uh, that -- that --

**CHAIRPERSON THOMAS:** I'm sorry.

**COUNCILPERSON JUDY DAVIS:** -- that was the one thing that my brain keyed in on.

**CHAIRPERSON THOMAS:** Yeah. That -- that kept -- that kept bothering me.

**COUNCILPERSON JUDY DAVIS:** And, um, since the Port commissioners, some of them are here and their staff is here, um, how -- when did we put in the public records request?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** It was at least two weeks ago.

**COUNCILPERSON JUDY DAVIS:** Okay. I would -- I would ask them or indicate to them tonight that we have those records by, uh, Friday. Okay? Because that's -- I mean, if -- if it were us, you know, it would be the same thing. You know, we would be beaten to death up here.

**CHAIRPERSON THOMAS:** Yeah.

**COUNCILPERSON JUDY DAVIS:** You know, so that's just --

**CHAIRPERSON THOMAS:** And we will pay our 15 cent per copy, just to make sure we're doing --

**COUNCILPERSON JUDY DAVIS:** And that's -- and -- and that's just not acceptable. And the other thing is I -- Miss McKinney, can the Port issue their own permits?

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** No. They aren't -- they are not authorized --

**COUNCILPERSON JUDY DAVIS:** I -- I didn't -- that just does not sound --

**COMMUNITY DEVELOPMENT DIRECTOR McKINNEY:** -- under Florida law to do that.

**COUNCILPERSON JUDY DAVIS:** No. Absolutely not. So, um, thank you very much.

**CHAIRPERSON THOMAS:** I know Miss -- I know Miss Davis -- I mean, Miss Ruth Jones want to do that. I also hope that we've gotten the issue cleared up about whatever this stormwater is and whatever properties, uh -- however we're using that. I hope that issue is -- 'cause we're going to discuss that, um, tonight, as well, in reference to that. Um, in reference to the -- the -- the, um, public records request, um, the Port Director is here. Would you like to talk to us about that?

**PORT DIRECTOR ALMIRA:** Yes, please. Thank you.

**CHAIRPERSON THOMAS:** Yes.

**UNIDENTIFIED SPEAKER:** And could we get the paperwork?

**CHAIRPERSON THOMAS:** Okay. Okay. We're going to send you a bill for that. Just kidding, man. I'm just kidding. Just kidding. Just kidding. Go right ahead. Yeah.

**PORT DIRECTOR ALMIRA:** Thank you, Mr. Chairman.

**CHAIRPERSON THOMAS:** Yes.

**PORT DIRECTOR ALMIRA:** Or Clarence as you were called?

**CHAIRPERSON THOMAS:** Yeah, yeah. Yeah, you called me Clarence quite a bit but that's cool.

**PORT DIRECTOR ALMIRA:** There's a couple of things that I'd like to --

**CHAIRPERSON THOMAS:** Can you just state your name and position just for our general public?

**PORT DIRECTOR ALMIRA:** I -- sure. Sure. Manuel Almira, Port Director, Port of Palm Beach.

**CHAIRPERSON THOMAS:** Yeah.

**PORT DIRECTOR ALMIRA:** There's a couple of points that I'd like to clear up, if I can.

**CHAIRPERSON THOMAS:** Uh-huh.

**PORT DIRECTOR ALMIRA:** Because when you are in a -- in a meeting such as this and it almost becomes a one-way and, uh, some people do get frustrated. And if you recall, when we had our meeting, we allowed everybody to -- to speak.

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

**PORT DIRECTOR ALMIRA:** And I thank you. I thank you for the opportunity.

**CHAIRPERSON THOMAS:** We're definitely extending that to you.

**PORT DIRECTOR ALMIRA:** Let's speak first about your building inspector. As I understand it, the building inspector showed up to inspect the port but you need a TWIC card. That's a fact. That's a federal mandate. A TWIC card has to be issued to the individual or that individual could be escorted. We weren't notified that anybody needed to be escorted. As you know me, you call me, I'll escort the individual.

**CHAIRPERSON THOMAS:** Uh-huh.

**PORT DIRECTOR ALMIRA:** Whoever he or she is. I do not have that problem. The other point that I wanted to -- something about a, um, public documents request. Over the last two or three months, we're getting formal public document requests, which is fine. I -- I certainly don't have a problem. But I dare ask anybody here, a formal public document request is no different than having a second request. And that really irritates me. And I'll tell you the reason for it. I'm not saying that we shouldn't have them. All that I'm saying is, if you have a problem, pick up the phone and call us. I have Peggy, Peggy Gandiaga, who's -- who is in charge of that. She's looking at me and I'm looking at her. We're saying, We don't -- we're not familiar with that.

I'm not saying that it hasn't been formally made. All that we're saying is, you know, give us a call. We're not hiding anything. We can't. I always tell everybody, Come into my office. You can walk -- open up my desk. I don't -- we have nothing to hide. It sounds

as if we're, you know, somehow -- you know, that we're hiding some public document request because there's some kind of a, you know, mystery behind it. That's far from the case. If we're going to work together as we have with the railroad --

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

**PORT DIRECTOR ALMIRA:** -- as -- as -- as Dawn Pardo and I have worked together and as -- and I hope that I get to -- I mean, for God's sakes, even Ruth Jones. Come on, guys. This isn't, I hope -- no one here is thinking that we're sitting over there and it just -- it's just, you know, Oh, how -- what can we get away with? If there's a misunderstanding, just as has been said, let's get it out in the open. Let's smoke this thing out. Let's work together, for God's sakes.

You have a problem -- if anyone -- anybody from your staff has a question, call me or call Peggy, call anybody at the Port and we will respond within time. I mean, what's appropriate time, if not sooner. And if we still have a problem, then I want to know about it. It's that simple.

**CHAIRPERSON THOMAS:** Well, we -- we thank you for that. But while you're there, we have one member that asked can we get that information by Friday. Is that --

**PORT DIRECTOR ALMIRA:** We can get that information to you for tomorrow.

**CHAIRPERSON THOMAS:** Thank you very much.

**COUNCILPERSON JUDY DAVIS:** Great.

**PORT DIRECTOR ALMIRA:** In fact, I --

**CHAIRPERSON THOMAS:** Um, that's -- yeah. The --

**PORT DIRECTOR ALMIRA:** -- what's tomorrow? Thursday?

**CHAIRPERSON THOMAS:** Thank you.

**COUNCILPERSON GUYTON:** There's some expressions on her face there.

**CITY ATTORNEY RYAN:** (Inaudible) before you say that 'cause Peggy's saying, Oh, well --

**CHAIRPERSON THOMAS:** No. He's the director. He can rearrange schedules and get us what we need.

**PORT DIRECTOR ALMIRA:** I've been told if it's the same -- if it's the same request, you've asked for two years' worth of information? Two years' worth?

**CHAIRPERSON THOMAS:** Okay. Well, maybe you can't get two years' worth by Friday but can -- can -- can we -- can we make --

**UNIDENTIFIED SPEAKER:** Do a partial.

**CHAIRPERSON THOMAS:** -- a -- a concerted effort?

**COUNCILPERSON JUDY DAVIS:** But it was put in two weeks ago.

**PORT DIRECTOR ALMIRA:** No, no, no, but --

**CITY MANAGER JONES:** Do a (inaudible).

**PORT DIRECTOR ALMIRA:** -- but once again, there -- there's always three sides to every -- every issue. Yours, theirs and somewhere in the middle is -- is -- I mean, for two years, for God's sakes. Again, give us a call. We'll be more than glad to give you an update.

**CHAIRPERSON THOMAS:** I -- I -- I got you, Mr. -- Mr. -- Mr. Almira. But to be honest with you, obviously you've gotten the request because your staff member just said that they asked for two years. So you've gotten the request but we've gotten zero. So if you -- you -- you --

**UNIDENTIFIED SPEAKER:** (Inaudible).

**PORT DIRECTOR ALMIRA:** Come on up. Come on up (inaudible).

**CHAIRPERSON THOMAS:** Yeah, you --

**CITY ATTORNEY RYAN:** Right. No. And let -- and --

**COUNCILPERSON JUDY DAVIS:** Mr. Chair? Mr. Chair, (inaudible).

**CHAIRPERSON THOMAS:** No, hold on one second.

**PORT DIRECTOR ALMIRA:** May I -- may -- I'd like to have --

**CHAIRPERSON THOMAS:** Hold on one second. Hold on one second. Hold on one second.

**PORT DIRECTOR ALMIRA:** I'd like to have Peggy --

**CHAIRPERSON THOMAS:** Hold on one second. Hold on.

**PORT DIRECTOR ALMIRA:** -- Gandiaga and --

**CHAIRPERSON THOMAS:** Okay. Hold on one second. Let me -- let me take my people first. Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Uh, Mr. Almira, it works both ways. When you guys had the issue about the permitting or the police, you could have called the City so that we could have sat down and worked it out instead of calling the sheriff's department.

Okay? So, you know, it's -- it's a mutual thing here. It's not one-sided.

**CHAIRPERSON THOMAS:** I -- I -- I was gonna get to that next, actually. Did you want to say something, Miss Ryan?

**CITY ATTORNEY RYAN:** I -- I just wanted to say on the public records request, they -- the City asked for several documents. Um, we asked for the minutes of their meetings and then we did receive those things. What was missing is, um -- and what I like to do with public records requests, if you give me part of it, just say, We're still working on, you know, X, Y and Z and you have -- we'll get it to you in two weeks to three weeks. We just never heard anything on the second part of our request.

**COMMISSION AFFAIRS DIRECTOR GANDIAGA:** I have been speaking -- Peggy Gandiaga, Director of Commission Affairs. I have been speaking directly with Jackie from Mary McKinney's office.

**CITY ATTORNEY RYAN:** Okay.

**COMMISSION AFFAIRS DIRECTOR GANDIAGA:** All of the audio recordings were provided within 48 hours.

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

**CITY MANAGER JONES:** That's correct.

**CITY ATTORNEY RYAN:** We have them.

**COMMISSION AFFAIRS DIRECTOR GANDIAGA:** Okay.

**CITY MANAGER JONES:** That's correct. We have those. That's correct.

**COMMISSION AFFAIRS DIRECTOR GANDIAGA:** We are in the process of completing all of the final documentation but we were asked to look at all permits, major and minor, for the last two years. That has tied up my staff since the records request came in. So please be minded, I have someone working on that request on a daily basis.

**CHAIRPERSON THOMAS:** Thank you, Miss Peggy. You see why everybody needs to be in the same room?

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

**CHAIRPERSON THOMAS:** 'Cause we just heard two or three different stories from both staffs. So, um, I -- I want to make sure that we get in the same room before we go, because we have to deal with some other issues really quickly here. Um, this thing about the sheriff's department and the police department and this going on the news, as I said, I thought Julie did a very good job. I don't think our person did a bad job. I just don't think that he answered any questions that they were asking. And he's -- you

know, he works in media and maybe he was doing the right thing 'cause they probably would twist everything you do, 'cause you know, I don't really care about the media very much. However, um, I want to know, our citizens want to know, our staff wants to know -- you decided that you wanted to use us a while ago. We still haven't gotten the contract.

We asked for the contract. We asked for the contract when we were at the meeting. We still haven't gotten it. Um, Mr. Richards actually gave -- gave us a copy of the contract. I thought that would have sufficed and that did not suffice because a couple days later I seen on the news that you all are still looking for other bids or other options. Do you want our services or do you not want our services?

**PORT DIRECTOR ALMIRA:** If I may -- and I --

**CHAIR PRO TEM PARDO:** Um, I have a question.

**COMMISSIONER OPPEL:** I'm -- I would like to just say one -- I'm a little unclear 'cause this is -- I'm having the same problem as you are, Mr. Councilman, Chairman, that I'm not getting the information that this was a great meeting that Pam said that the staff's had. I never heard that. I haven't heard anything. I also heard that Pam said that you can't sign this agreement. This agreement is default -- is -- is -- is totally unsignable the way it is. Is that correct, Pam?

**COUNCILPERSON JUDY DAVIS:** No.

**COMMISSIONER OPPEL:** That they --

**CITY ATTORNEY RYAN:** No, that is not correct. You --

**COMMISSIONER OPPEL:** Well, who said that?

**CITY ATTORNEY RYAN:** -- you just said you weren't at the meeting; you didn't know about the meeting.

**COUNCILPERSON JUDY DAVIS:** You (inaudible).

**COMMISSIONER OPPEL:** Well, I'm telling you, this -- my problem is my board is getting bogus information.

**CITY ATTORNEY RYAN:** Okay. It's not bogus information.

**COMMISSIONER OPPEL:** If that's correct. If you didn't say that --

**CITY ATTORNEY RYAN:** But we --

**COMMISSIONER OPPEL:** -- then we have a problem on this side.

**CITY ATTORNEY RYAN:** -- I'm going to tell you what was said at the meeting.

**CHAIRPERSON THOMAS:** No, no. Hold on one second. We want you to first speak into the mike and secondly --

**COMMISSIONER OPPEL:** And the other thing is I want to make sure that Judy Davis knows that we never contacted the sheriff's office. We got an unsolicited proposal from the sheriff.

**CHAIRPERSON THOMAS:** Okay.

**COMMISSIONER OPPEL:** No one contacted the sheriff's office.

**CHAIRPERSON THOMAS:** All right. I -- I -- I understand. I understand. Miss Ryan, go ahead, please.

**CITY ATTORNEY RYAN:** Okay. We had a three-hour meeting and the first issue that we discussed was the police agreement. One of the first things we couldn't decide on was which was the official, um, agreement. Apparently, um, someone from the Port said that they gave the agreement to a police officer, who was apparently doing some work at the Port, and it never got to the City.

**COMMISSIONER OPPEL:** Well, that was the director of security.

**CITY ATTORNEY RYAN:** The director of security gave --

**COMMISSIONER OPPEL:** Our Port gave it to a police officer, according to his testimony.

**CITY ATTORNEY RYAN:** Okay. And, um, the City never received it. The City does not have that document. We sat there and went through --

**COUNCILPERSON JUDY DAVIS:** I told you that.

**CITY ATTORNEY RYAN:** -- three different versions of the agreement.

**COMMISSIONER OPPEL:** Why do we have three different versions?

**CITY ATTORNEY RYAN:** At some point we decided that some things needed to be changed, including the dates on the agreement, and our side said that we would work on it internally and we would make the changes and send it back to the Port. We went back and forth on this for about an hour.

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY ATTORNEY RYAN:** Um, the parties agreed to get back together. I believe a meeting is scheduled for later this week or -- this week or next week, to go over the -- to go over the final agreement and we decided that the Port would be the first to look at the agreement. We, of course, would give the -- both councils the, um -- this was staff really trying to work together.

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

**CITY ATTORNEY RYAN:** I can see why it's kind of difficult. But, um, we would let both sides know what was going on and the Port would have the first opportunity to review the agreement and then it would come back to the City for, um -- for review, as well.

**COMMISSIONER OPPEL:** Well, the Port won't be able to look at it until June 20<sup>th</sup>. Just to give you a date.

**CHAIRPERSON THOMAS:** | -- | -- | --

**CITY ATTORNEY RYAN:** And that --

**CHAIRPERSON THOMAS:** -- I get you. But hold on.

**CITY ATTORNEY RYAN:** -- we knew that.

**CHAIRPERSON THOMAS:** Hold on one second. Because this is not really going to go anywhere. In my hand is a letter from the sheriff's office and I'll read, uh, some of it. It says, "Dear Mr. Hern, last week you requested a proposal from the Sheriff's Office --"

**COUNCILPERSON JUDY DAVIS:** Hmm.

**CHAIRPERSON THOMAS:** "-- about providing security at the Port of Palm Beach. The sheriff's office did not actively seek out or solicit this request."

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

**CHAIRPERSON THOMAS:** "In fact, it was unexpected. The proposal not only provided the Port with a much greater level of security, but it was also saving -- it was also a savings to the Port. At yesterday's meeting of the Port of Commission, the issue was --"

**COMMISSIONER OPPEL:** Is this something (inaudible)?

**CHAIRPERSON THOMAS:** Excuse me one second. Let me finish reading this to you so you hear it.

**COMMISSIONER OPPEL:** That's a real sad (inaudible).

**CHAIRPERSON THOMAS:** "The issue was to be discussed and voted upon. Instead, according to my representatives present at the meeting, the security issue not only did not get voted upon, it became entangled in other issues that the Port has with the City of Riviera Beach government. The Sheriff's Office has no intention of becoming involved in an intergovernmental dispute between the Port and the City of Riviera Beach. And it was apparent that there was no serious consideration of the proposal. Therefore, at this time, the Sheriff's Office is -- is withdrawing the proposal and will not resubmit another one until such time as the Sheriff's Office receives a written request --"

request from the Board of Port Commissioners. Sincerely, Ric L. Bradshaw, Sheriff."  
It's on letterhead from the Sheriff's. So you did --

**COUNCILPERSON JUDY DAVIS:** He didn't.

**COMMISSIONER OPPEL:** I didn't. I have not seen that letter. That's our problem.

**COUNCILPERSON JUDY DAVIS:** Mr. Hern did it.

**CHAIRPERSON THOMAS:** I -- I -- no problem. We'll make sure you get a copy.

**COMMISSIONER OPPEL:** Really what's becoming a problem is the board -- and I don't think my other commissioner in the room is still here --

**COUNCILPERSON T.D. DAVIS:** He's gone.

**COMMISSIONER OPPEL:** -- has not seen this letter of withdrawal and I never heard that Ken Hern had contacted him for this letter.

**CHAIRPERSON THOMAS:** Well, is there -- we'll give a copy of it to you.

**COMMISSIONER OPPEL:** No, I don't need it. I -- I hear it -- I trust what you said.

**CHAIRPERSON THOMAS:** So this is what we're going to do. This -- this is what we're going to do. We're gonna -- we're gonna --

**COMMISSIONER OPPEL:** We gotta have this -- we have to have this --

**CHAIRPERSON THOMAS:** -- we're -- we are gonna do that.

**COMMISSIONER OPPEL:** -- meeting of the two --

**CHAIRPERSON THOMAS:** We'll -- we'll set it up.

**COMMISSIONER OPPEL:** -- of the elected officials.

**CHAIRPERSON THOMAS:** I'll -- we'll set it up.

**COMMISSIONER OPPEL:** Just unbelievable.

**CHAIRPERSON THOMAS:** We'll set it up. I'll have the city manager get with Mr. Almira and we'll set that joint meeting up. We'll invite you over to our place. We'll get that set up, because we do need to discuss these issues a little bit further. So thank you very much for being here. We -- obviously we don't have a resolution to this yet but we will continue to talk about it.

**COMMISSIONER OPPEL:** Thank you very much.

**CHAIRPERSON THOMAS:** Okay. I need to talk to the board really quickly because

we're at that point now of 10:00 p.m. where we must close the meeting. We have -- we have several issues that are left. Um, at this point, Miss Ryan, since it's 10 a.m., we do have --

**COUNCILPERSON GUYTON:** Ten p.m.

**CHAIRPERSON THOMAS:** -- um, excuse me, 10 p.m. We have another 10 items to get to. What are our options at this point since it's 10 --

**COUNCILPERSON JUDY DAVIS:** Extend.

**CHAIRPERSON THOMAS:** Do we have to -- can we extend the meeting or -- I really don't want to extend the meeting after 10 but can we -- can we put it on to another meeting in this month or if the -- if the board want --

**COUNCILPERSON JUDY DAVIS:** Mr. --

**CHAIRPERSON THOMAS:** Hold on. Hold on one second, Board. I'm trying to get some clarity here. If the board wants to extend, then of course, you know, we -- we have no choice but to extend it if that's what the board wants to do. But what are our legal obligations at this point?

**CITY ATTORNEY RYAN:** I don't have the resolution in front of me but if I recall correct --

**COUNCILPERSON JUDY DAVIS:** It's by motion.

**CITY ATTORNEY RYAN:** I'm sorry?

**COUNCILPERSON JUDY DAVIS:** By vote.

**CHAIRPERSON THOMAS:** To extend or not to extend?

**CITY ATTORNEY RYAN:** If I recall, the resolution that the city council passed stating that 10:00 p.m. was the final time, um, said that a majority of the city council by vote could vote to extend the meeting past 10 p.m.

**COUNCILPERSON JUDY DAVIS:** Mr. Chair, I move that we extend the meeting by 30 minutes.

**UNIDENTIFIED SPEAKER:** Oh.

**CHAIRPERSON THOMAS:** There's been a motion.

**COUNCILPERSON GUYTON:** I second it.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Any additional questions or concerns?

**CHAIR PRO TEM PARDO:** Uh, Mr. Chair?

**CHAIRPERSON THOMAS:** Miss Pardo?

**CHAIR PRO TEM PARDO:** I would ask the maker of the motion to extend the meeting for an hour. Because we still have two contracts and then we have Community Benefits.

**COUNCILPERSON JUDY DAVIS:** Um, I'll -- I'll extend it.

**CHAIR PRO TEM PARDO:** Okay.

**COUNCILPERSON GUYTON:** Oh, that's right. (Inaudible).

**CHAIRPERSON THOMAS:** Okay. The maker of the motion has amended her motion to extend for an hour. Is the second still standing?

**COUNCILPERSON GUYTON:** Yes, it is.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Are there any additional questions or concerns?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CHAIRPERSON THOMAS:** Mr. Davis?

**COUNCILPERSON T.D. DAVIS:** Um, I'm looking here as we get prepared to evaluate and make a decision on the future of Riviera Beach on the, um -- the city attorney and the city manager. Um, it's very important to me that I make the proper decision based on my research, based on my polling I've been doing in the community, employees, residents and business owners. Um, I've been in office now just over two and a half months and I haven't had the proper time to do a complete evaluation the way I want to because at the end of the day, this decision's going to really either change the City of Riviera Beach or continue the direction we're going.

I would like to ask and like to make a motion to get rid of both contracts and put both employees on probation for 30 to 60 days so that -- well, at least me as a newly-elected official -- I can't speak for Mr. Guyton because he had previous experience. But up on the -- this body, if I make a decision today, it's going to be as a resident. I'm asking that we get rid of both contracts, put them on probation for 30 to 60 days so we can come back and I can make, as an elected official, a proper, professional decision.

**CHAIRPERSON THOMAS:** Okay.

**COUNCILPERSON GUYTON:** Uh, Mr. Chair?

**CHAIRPERSON THOMAS:** Give me one -- hold on one second. We have a motion --

**COUNCILPERSON GUYTON:** To extend.

**CHAIRPERSON THOMAS:** -- on the floor to extend. Now, we also have a motion that was made by Mr. Davis and --

**COUNCILPERSON JUDY DAVIS:** By Miss Davis.

**CHAIRPERSON THOMAS:** No, no, no, no. Mr. Davis made the --

**COUNCILPERSON JUDY DAVIS:** Oh.

**CHAIRPERSON THOMAS:** -- that was just a motion that he put on the floor.

**COUNCILPERSON GUYTON:** I know. But a point of order, he -- he can't --

**CHAIRPERSON THOMAS:** Let's --

**COUNCILPERSON JUDY DAVIS:** We already have a motion.

**CHAIRPERSON THOMAS:** I -- I understand.

**COUNCILPERSON GUYTON:** -- put a motion on top of a motion.

**CHAIRPERSON THOMAS:** -- let me -- okay. Let me -- let me chair the meeting. I'm gonna get through it.

**COUNCILPERSON GUYTON:** Oh, okay.

**CHAIRPERSON THOMAS:** I'm gonna get -- I'm walking through it to make sure everybody's clear. That is not a motion that will trump the motion that is on the floor.

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIRPERSON THOMAS:** So we can dispose of the first motion first and then you can come back with that motion if you want to, or after that motion is voted upon, you can come back with your motion if you --

**COUNCILPERSON T.D. DAVIS:** Yes, sir.

**CHAIRPERSON THOMAS:** -- if you want to.

**COUNCILPERSON T.D. DAVIS:** Yes, sir.

**CHAIRPERSON THOMAS:** So at this point --

**COUNCILPERSON T.D. DAVIS:** Let's handle the first motion.

**CHAIRPERSON THOMAS:** -- we're not gonna accept that motion but we're going to deal with the motion currently to extend the meeting for the one hour. If there are no additional questions or concerns, Madam Clerk, would you call the roll on extending the meeting for one hour?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Pro Tem Dawn Pardo?

**CHAIR PRO TEM PARDO:** Yes.

**CITY CLERK WARD:** Chair Cedrick Thomas.

**CHAIRPERSON THOMAS:** No. Okay.

**CITY CLERK WARD:** That vote passed with Councilperson Thomas dissenting.

**CHAIRPERSON THOMAS:** All right. Seeing that we're going to be here for another hour, um, Mr. Davis --

**COUNCILPERSON T.D. DAVIS:** Yes.

**CHAIRPERSON THOMAS:** -- this is an appropriate time if you want to make that motion again. It's an appropriate time to do so.

**COUNCILPERSON T.D. DAVIS:** Thank you, Mr. Chair Thomas.

**CHAIRPERSON THOMAS:** Uh-huh.

**COUNCILPERSON T.D. DAVIS:** Once again, my motion is to get rid of both contracts, which is the city manager and city attorney, and put them on temporary probationary period for 30 to 60 days, whichever one this present board will -- will like so we can come back later -- well, I know me, as a newly-elected official, my decision must be thoroughly investigated as I make this decision. This -- the decision affects the entire lives of everybody in Riviera Beach. That's what I was elected to do.

**CHAIRPERSON THOMAS:** Okay. It was a pretty long motion but I think we got the gist of it.

**COUNCILPERSON T.D. DAVIS:** Thank you.

**CHAIRPERSON THOMAS:** Is there a second? Is there a second on the motion? Okay. Hearing none, that motion will fail for lack of a second.

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIRPERSON THOMAS:** So this is what we'll do: We're going to go ahead and entertain number 25. This is my -- this is my -- and I'm just going to state my point and I'm just the Chair. So we've already agreed that we want to go for another hour. I believe that we'll be doing a disservice at this time of the night to try to dig into both of these particular contracts at 10:00 at night. I think everybody's been doing this for several hours now. I don't think anybody up here is fresh and I think deciding on contracts and evaluations at this particular point, I think would be a little unfair to not just the individuals that we're evaluating and deciding upon contracts, but it'd also be unfair to the people in the public and us. I think that this is the wrong time to do it and I do believe it's going to take over an hour to do both of those particular, um, contracts.

The other thing I want to bring up before we take item 25, um -- and please think about that -- on item 26, which is the city attorney's evaluation and contract, the city attorney's contract has automatically renewed due to the provisions of her current contract. So technically, her contract has renewed. Now, with that being said, that does not mean that we can't act on it at any time or renegotiate it at any time. I think we can. As a matter of fact, I'm sure we can. But at this point her contract would automatically be renewed.

So if you decided to not continue the contract that's already been renewed, um, she would be due severance as a part of this particular contract. So I want everybody to be conscience of that fact, that the city attorney's contract has already been renewed, already been renewed automatically, which we can discuss and we can talk about. But I just need everybody to know.

Dealing with these complex issues, I urge the board to let's not do it tonight. But if the -- if everybody still wants to do it, then we'll go ahead and get started.

**COUNCILPERSON GUYTON:** Uh, Mr. Chair?

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Um, I would like to make a suggestion. I've got some items under Community Benefits that I would like to dispense of. Could we just do that very quickly?

**CHAIRPERSON THOMAS:** You know, Mr. Guyton, I -- you -- it's just really not -- it's really not fair.

**COUNCILPERSON GUYTON:** Okay. Fine. (Inaudible) --

**CHAIRPERSON THOMAS:** If you want to stay here for an extra hour --

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

**CHAIRPERSON THOMAS:** -- then we're going to stay for an extra hour. But I'm not

going to take everything else and leave these.

**COUNCILPERSON GUYTON:** Okay. All right. It was just --

**CHAIRPERSON THOMAS:** We need to either -- we could definitely have done those very quickly but --

**COUNCILPERSON GUYTON:** I know.

**CHAIRPERSON THOMAS:** -- we got issues that you're allowing now for about 40 -- 20 minutes per contract. And I know for a fact that that's not enough time to deal with both of these contracts in its entirety.

**CHAIR PRO TEM PARDO:** All right.

**CHAIRPERSON THOMAS:** It's -- it's not.

**CHAIR PRO TEM PARDO:** Mr. Chair?

**CHAIRPERSON THOMAS:** Miss -- Miss Pardo?

**CHAIR PRO TEM PARDO:** Okay. Then you know, I have a question. Um, we have a lot of -- well, we had a lot of items on this agenda and, you know, we all knew it was going to be a long meeting. You know, I don't understand why the two contracts weren't at the top of the agenda, then. We have people who have been sitting here all night. And you know, I just think this whole thing is totally disingenuous, then. Either we move forward or, you know, whatever. But I don't understand.

**CHAIRPERSON THOMAS:** Well -- well -- well, no, I'm -- I'm not gonna let you say disingenuous. First of all, I'm -- I'm the one that's supposed to be setting the agenda. But when people call the manager and say, Can you put this on? Can you put that on? Can you -- at the last minute the agenda gets that way so I don't disrespect any of the council members' thing. So I'm not gonna say that any of this was disingenuous because it's not. We can deal with it as far as -- as long as you want to deal with it, you know. So if -- if that's what it is, let's go. Item 25. We don't -- we don't have to discuss it any further and waste any more time.

Item 25, City Manager's Evaluation and Contract. I'll start off basically saying that, um, for several meetings I asked for evaluations to be, um, done because the -- our charter says that we will evaluate these individuals. Um, I provided a tool, gave several weeks to get it done. As of this point, I have not received one evaluation other than my own that I've already shared with both Miss Ryan and the manager and that will be ready for, uh, public examination sometime after tomorrow. So we don't technically have, um, one evaluation tool. So for whatever reason that was, none of the individuals tried to, um -- to do that.

I made phone calls to every, um, councilperson here. I did hear back from Mr. Guyton who said that he was going to get his and have his prepared for today. And I got a -- a

call back from Miss Pardo who said that she wanted to make sure that it would be no violation, um, of the Sunshine Law to turn that in to me. So I think that they may have it prepared.

I didn't hear anything from Councilwoman Davis or from Councilman Davis as of that. I did also, um -- the Mayor was also provided with an evaluation that he did not complete. Um, and whatever his reasons was, he just decided that he did not want to, uh, complete it. So that is what happens with the evaluations.

So at this time there's only one written evaluation that I'm in, um -- that I'm in receipt of and that is the evaluation that was completed by me. So does anybody else want to talk about the evaluation of the city manager?

**MAYOR MASTERS:** Mr. Chairman, I have a question -- I have a statement.

**CHAIRPERSON THOMAS:** Okay, Mr. Mayor.

**MAYOR MASTERS:** Uh, I didn't complete it. I never started it. Um, because in all respect to you and other chairs, I've always sought not to do a written evaluation and that's why I chose not to do one, uh, for the manager or the attorney.

**CHAIRPERSON THOMAS:** Okay. Thank you.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON THOMAS:** Do you have any comments on the city manager's evaluation and contract? That's for the Mayor.

**CHAIR PRO TEM PARDO:** I -- okay. And then I have a question.

**MAYOR MASTERS:** I have a whole lot.

**CHAIRPERSON THOMAS:** Okay. Well, we'll start with you.

**MAYOR MASTERS:** First of all, um, I need to ask the attorney a question on this before -- preface to the, uh, comments that I make. One is, if, in fact, there's not a motion tonight to renew the contract for the manager, is it true that it expires at a certain date in June if there's no motion at all?

**CHAIR PRO TEM PARDO:** 21<sup>st</sup>.

**COUNCILPERSON T.D. DAVIS:** 21<sup>st</sup>.

**MAYOR MASTERS:** Would you state that for the record, please?

**CHAIRPERSON THOMAS:** I provided a copy of the contract to all the members, as well. So if you look in your packet, you have a copy but -- while the -- while the attorney is getting that information. And I have several comment cards. I'll get to the comment cards momentarily.

**MAYOR MASTERS:** Attorney?

**CITY ATTORNEY RYAN:** Um, Mr. Mayor, the term of the agreement is for two years ending on June 21<sup>st</sup>, 2013.

**CITY MANAGER JONES:** And what's the next sentence?

**MAYOR MASTERS:** I -- I said that if there's not a motion to extend or renew the contract, uh, then what happens? To the attorney, legally what happens?

**CITY ATTORNEY RYAN:** Well, the manager said to read the next section which says, "This agreement shall remain in effect until terminated by the city council or by the city manager as provided herein." And then the contract discusses termination without cause and with cause as provided herein.

**MAYOR MASTERS:** So your answer is --

**CITY ATTORNEY RYAN:** The contract expires on June 21<sup>st</sup>, 2013. And, um --

**MAYOR MASTERS:** Okay. Well, that's good enough for me.

**CITY ATTORNEY RYAN:** Right.

**MAYOR MASTERS:** Let me -- let me move on. Um, my comments are based upon -- as heard that Mr. Davis state that -- T.D. Davis that he had spoken to many constituents and, uh -- from north to south, east to west, and there are some seniors here tonight who, um, are here because they do have concerns and comments. And I want to thank them for staying one way or the other. So let me go with what I have based upon, um, the constituents that I've spoken to.

I try to make it a point to be connected to the community and to know how people feel. I'm not here to represent Thomas Masters. I'm here to represent the people. Um, it seems to be the predominant feeling -- and -- and this is very trying for me because it's -- it's always, um, not a good thing to -- when somebody is nice. Mrs. Jones is a very nice person. But, you know, you -- I don't want to say anything to hurt anybody's feelings 'cause I'm not here to hurt anyone. But I'm here to state what I've been -- observed, as well as what I'm hearing from the people that I represent.

That, um, a manager is not a change agent. Manager is a weak leader. Um, the lack of a cohesive plan to change the City image in the media. We remain reactive and not proactive. The lack of a comprehensive plan to integrate the City's multimedia operation, TV, website and newsletter, phone (inaudible), for usefulness, synergy and focus. RBT -- RBTV has 24 hours of available programming but it appears that nothing has been created -- created except for one 30-minute show. Still doesn't have necessary equipment. I never really understood why we, uh, needed to bring anybody on for a public relations person when Rose Anne Brown -- and I call her name very proudly -- can do this in a wheelchair better than others. It doesn't get any better. So it doesn't make any sense to me.

Um, also, very poor on informing residents of important issues and matters that they need to confront, which is why the City gets so much pushback from residents and why residents are so, uh, distrustful. To make that point, um, when discussion took place as to moving the police and the fire/administration and the closing of a school and moving that to the warehouse, it's just amazing to me that the residents in that area most impacted and most affected, many of them didn't know. Nobody received a letter, a mailer. There wasn't a survey. There wasn't anything. That's amazing to me, how we can move our city into someone's neighborhood and never ask them on the street how you feel; should not have been upon me and others to go door to door and ask the people, You want this? What do you feel about it?

And I can tell you that in -- in my travels in Federal Gardens, the residents on 13<sup>th</sup> Street are livid. I mean, they -- they're saying stuff like, We already have enough traffic on our street. Um, we have UPS flying like a bat out of hell down the street and others, and now to have everybody else using 13<sup>th</sup> Street -- through their neighborhood. I mean, they were very livid. And I believe that the referendum will -- you will see that it will be a three to one. It's not -- it'll be a three-to-one vote that the people just don't want it, period.

Um, the use under this administration of the manager, the -- the use of consultants have gone up dramatically during the tenure. Consultants have worked on major projects the last two years and have made hundreds of thousands of dollars in less than two years when our employees are on the furlough. Um, there was a strategic plan that the manager brought forth, had many meetings, but I -- I've never really seen any substantive report that's been disseminated.

The city -- the new City organizational chart approved by the council but not fully realized after nearly three years. Also, it was my understanding or opinion that the manager sought to give herself a raise last fiscal year while employees with no raises for four years and on furlough. There was no plan to lessen furloughs with the -- the manager this year. It was done by the council at the last budget hearing. I'm also hearing slow decision-making, poor follow-through. Tonight we -- we've had a fiasco embarrassing to me. I thought it was -- this whole thing with the Port. I mean, they're our neighbors. You know, we -- it didn't need to get to the point of being confrontational. But it did.

Um, 13<sup>th</sup> Street again, the school situation. There's absolutely no way that I can support anyone who closes a fire station, moves it away from a -- from Barracuda Bay. There's a gate between Barracuda Bay and the fire station number 2. God forbids if a child drowns, what are we going to do? Right next door is Kennedy School. Right around the corner is Mary McLeod Bethune. Right there is Suncoast. Right up the street is Washington Elementary School. With all the things that happens in schools, you know, uh, it's amazing to me that that would even be presented to this council to close that school. Shameful.

The lack of repair of a physical -- a physical plant, waterlogged buildings, mold and mildew. Water meters, despite daily complaints, despite an appeals program set up

and response -- despite knowing (inaudible) --

**CHAIRPERSON THOMAS:** Excuse me. Mr. Mayor?

**MAYOR MASTERS:** Yes?

**CHAIRPERSON THOMAS:** I hate to interrupt you but you're -- you're bordering on that 10-minute mark. Can you just try to wrap it up, please?

**MAYOR MASTERS:** I've been talking for almost 10 minutes?

**COUNCILPERSON T.D. DAVIS:** Yeah.

**UNIDENTIFIED SPEAKER:** Uh-huh.

**CHAIRPERSON THOMAS:** Yes.

**MAYOR MASTERS:** Okay. Poor customer service by City employees. A known fact but no response plan. Lack of continuing education for employees. Personal lack of responsiveness to residents seeking to meet and talk with her. And the list goes on and on. Wasted \$500,000 on plans to rebuild police, fire and public works in current location and decided out of the blue to build -- or to move to the rusty warehouse.

Um, last but not least, if you'll just give me just -- let me just get this done. It seems like the manager, uh, operates on three votes. Seems like she doesn't do anything unless she gets three votes. Um, I just believe that it is time for a change, a time for a new direction, and I don't vote but my vote would be that we need a new direction and a change and a new manager. Thank you.

**CHAIRPERSON THOMAS:** Okay. Thank you. Um, the Mayor, just -- just a correction. Um, you said several times about closing a school. I have not heard about closing any school. So did you want to just clear that up before I move on? You said about closing a school.

**MAYOR MASTERS:** All right. I spoke to the manager a few days ago. Manager told me that the school -- I don't mean school -- fire station next to the schools.

**CHAIRPERSON THOMAS:** Okay. Okay.

**MAYOR MASTERS:** That's what I meant to say.

**CHAIRPERSON THOMAS:** No problem. I just wanted --

**MAYOR MASTERS:** Very shameful.

**CHAIRPERSON THOMAS:** -- to make sure that you clear -- I just wanted to make sure that you cleared that up. Um, being that if we're going at the tempo that just happened with the Mayor, um, we will run out of time very soon. So I want to go ahead and take public comments at this time. Um, I'm going to limit your comments to two minutes, um,

at this point. You know, I know that you probably want three but I'm gonna have to stop you at two. We -- we do need to get this going. So please, you know, have your comments detailed and -- and ready to move. Um, Miss Margaret Shepherd, you'll be first. Good evening, Miss Shepherd. Thank you for being here. You have two minutes to make your comments.

**MARGARET SHEPHERD:** Good evening. Margaret Shepherd, Riviera Beach. As I listened to the Mayor talk, I guess Miss Jones has been here what, five years?

**CITY MANAGER JONES:** Four.

**UNIDENTIFIED SPEAKER:** Four.

**MARGARET SHEPHERD:** Four? Miss Jones did all that in four years. Shame -- shame on you. Shame, shame, shame. This lady came here to help this city and we had great problems going on. If I didn't have nothing good to say about her, I definitely wouldn't say nothing bad about her. She came when Mr. Wilkins was leaving and I remember that board asking her to do certain things. And it's just a shame that this City would even sit here -- yes, I've heard -- yes, they called me, Miss Jones, as a community activist. They asked me not to come. I kept getting the calls, kept getting the calls. And I figured something is going on.

Yeah, something's going on. And I'm just appalled. I'm appalled that someone would sit here and put all this stuff on this lady. And this -- this City was already going downhill. It was going downhill. Yes, the employees are really sad. The police department is really disarray, haven't had a raise in six and a half years and they -- just listening to them, just listening to people talk in the city, the -- the feeling or the air of the city, they're not happy. No, they're not happy. They just feel like when they come you don't talk to them. You don't answer your calls. And I said it to you about the letters. And you told me what you said about the letters. And that's all I could do is respond and tell them just what is going on.

But I'm appalled that you would write a list and talk about this lady and not say some good things about her. Shame on you. Shame, shame, shame. Shame on you. You have a job and she has a job. And no, we're not gonna be happy with everything she does. Nobody's happy with nobody, really.

**CHAIRPERSON THOMAS:** Miss Shepherd, I'm gonna need you to wrap that up, please. You're at your two-minute mark.

**MARGARET SHEPHERD:** Yes, sir. One more thing. One more thing, Mr. Thomas. Shame on this city. That's all I have to say. Say some good things about Miss Jones, because some of y'all, you're horrible. I'm not the best person in the world but I'm not the worst, Miss Jones. Welcome to Riviera Beach. Thank you.

**CHAIRPERSON THOMAS:** Thank you very much for your comment. Um, Somer, you'll be next. Somer Shepherd Thomas. Good evening, Somer. You have two minutes to make your comments.

**SOMER SHEPHERD THOMAS:** Good evening. I would like to comment on what my grandmother said. Miss Jones has been a great person in the City of Riviera Beach. And I understand that me being 13 and you all grownups and more older than me, I'm not allowed to say certain things. But there is one thing I would like to say. If we need a new manager, we also need a new mayor. He's been here for, what, four -- three years? And that's not fair, because she is doing good, like my grandmother said. And I understand the Mayor has gotten jobs for people that need jobs but what would we do if she wasn't here? We will still be in the gutter. So that's all I had to say.

**CHAIRPERSON THOMAS:** Thank you, Somer, for your comments. We -- we appreciate you being involved in -- in your government. Uh, next up will be Fane Lozman. Good evening, Mr. Lozman. You have two minutes to make your comments.

**FANE LOZMAN:** Fane Lozman. Um, the City Manager played a game that I don't think anybody on the council is aware of, but I want to share it with you. I was confused. Why wouldn't Susan Bucher have a special election? And I talked to her when she was -- when she was a state rep and I called her up and -- 'cause we had talked about the joint legislative audit committee report. And she said, "Well, the City Manager played a game with me and that's why we're not gonna have a special election before March." I go, "What do you mean, a game she played with you?" What happened, well, the City had sued the Supervisor of Elections. And the City lost. And the legal fees were \$22,000 that were owed to the Supervisor of Elections.

Well, Ruth Jones says, "I'm only going to pay \$15,000 'cause then I won't have to take it to the council." So the Supervisor of Elections has a \$7,000 bill that's due and she told me, she said, "You know, attorneys' fees that are spent collecting attorneys fees, I can't get reimbursed for. It's gonna cost me 20 grand to get that last 7 grand even though I'm owed it." And she's like, "Why should I go out of my way to do anything when Miss Jones is stiffing me for \$7,000?"

Now, the point was if she had come to the board and said, Hey, we owe Miss Bucher \$22,000. Will you please pay it? you probably would have so you wouldn't have generated that bad will. She didn't have the authority to play that stuff with Miss Bucher, but don't take my word for it. Call up Susan and ask her. She's done a dismal job. The Mayor's right. She needs to -- to move. A man is dead, Budweiser Bill, at the marina 'cause you allowed those self-help evictions to go on. You're disgraceful, Miss.

**CHAIRPERSON THOMAS:** Okay. Um, Miss Ryan, I want you to be prepared to -- to make sure we address whatever that was 'cause that was the first I heard about that. But up next will be Mike Mahoney.

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

**CHAIRPERSON THOMAS:** I didn't know that we had a lawsuit going on with the -- Mike Mahoney, are you here? Going once, going twice. I will not revisit this card if you're not here. Okay. Mr. Gerald Ward, are you -- are you here? Of course you are.

**MAYOR MASTERS:** Yes, uh, he's - he's always here.

**CHAIRPERSON THOMAS:** Good evening, Mr. Ward. You have two minutes to make your comments.

**GERALD WARD:** Good evening, Gerald Ward, 2135 Broadway. Again, there's no backup. But somebody scoped out that you need to know what the contract says. And -- and just, you know, even a minimal amount of existing material would make public comments much more beneficial.

Um, Mr. T. Davis decided to have a -- a, uh, alternative of 20 to -- or 30 to 60 days. That's probably, uh, a good pop-off. But Mr. Chair, you came up with the best comment. The fiasco we just had said it's way too late. You've spent five hours in meetings already, or at least the board has been meeting five hours. And it's -- it's way too late to do issues of this nature at this time.

The Mayor, you nailed the coffin. I -- I could not fault most of your comments. So it's -- it's something that needs to be discussed but can -- how in the world can we discuss it at this hour? Uh, I would suggest that you, uh, revisit the contract language and see if maybe Mr. Davis's pop-off motion can come to some other conclusion similar.

**CHAIRPERSON THOMAS:** Okay. Thank you very much for your comments. Um, Miss Mahoney, are you here? Nora Mahoney.

**MAYOR MASTERS:** She's not here.

**CHAIRPERSON THOMAS:** Going once. Okay. Gone. Um, Bonnie Larson, are you here? Of course you're here. You're still here with us.

**BONNIE LARSON:** I am.

**CHAIRPERSON THOMAS:** Good evening.

**BONNIE LARSON:** We meet again.

**CHAIRPERSON THOMAS:** And you have two minutes to make your comments.

**BONNIE LARSON:** Yeah, okay. Well, all right. Miss Jones should have been all over you guys. You let another contract run on because we didn't vote on it. She should have been all over you. Miss Ryan, I have to give her credit. She brought up her contract months ago like she's supposed to do. She did that. Your city manager should have been all over you, all over you. Don't let it go this long. A person needs -- deserves to know if they're coming, going or whatever.

I can only tell you my experience with Miss Jones. When we got a new city manager -- we had the same, uh, regime here for over 20, 30 years -- 30 years, whatever it was, with, um, the previous city manager. When you get a new manager, you hope for new innovative ideas. They come from another area. Let's -- let's give some good ideas. Let's -- I haven't seen any ideas coming from the city manager. If you tell her to do something, Okay. Well, we'll work on it a little bit. But I don't see any new innovative

ideas coming from that department.

When I ask a question -- I know I ask a lot of questions because I like to know what's going on -- I don't get an answer. I get a response and I'm going to give you some of those. Um, I am so tired. It's 10:30 at night. A lot of people have left. This is no time to be discussing something this important as a city manager's contract.

I asked, um, how much in advance does -- do you have to give the board information on an agenda item in advance of the meeting? Zero. How late do you accept add-ons to an agenda? Anytime. How -- you are supposed to be making decisions on our behalf. You're supposed to have all the information and you're making monumental decisions, and the answer to that question was, There is no time limit that you have to have the full information.

All right. The whole thing about the D.O.T. down there at the City property, that could have been avoided. I talked to someone who knows D.O.T. in and out. They said that happens. The cities let them use property like that. You should not -- I -- I knew they were going to move on there and I asked --

**CHAIRPERSON THOMAS:** Miss Larson, I'm going to have to ask you to wrap it up, please. Your two minutes (inaudible).

**BONNIE LARSON:** Oh, no. This is not right. All right. I'm going to tell you one thing. My life was threatened. And my property was threatened. I could not get an -- I could not get an appointment with the appropriate person. I -- finally I went to Miss Jones. And you know what she said to me? This is my life. May not be important to you. It's important to me. She said to me, "Well, it's the holidays. It's gonna be hard to get an appointment." I said, "I want the head of our department -- I want to tell him about this." I told her what it was. And she said to me, "It's the holidays. You know, it's really hard to get appointments with people." I have about a million examples of this. But to give us two minutes --

**CHAIRPERSON THOMAS:** Okay.

**BONNIE LARSON:** -- that's ridiculous. At 10:30 at night --

**CHAIRPERSON THOMAS:** I -- I understand.

**BONNIE LARSON:** -- ridiculous.

**CHAIRPERSON THOMAS:** But your two minutes are -- are up and you're welcome to turn that in --

**BONNIE LARSON:** Oh, yeah.

**CHAIRPERSON THOMAS:** -- and we'll look at it. But we're going to have to continue to move.

**BONNIE LARSON:** All right. Ridiculous.

**CHAIRPERSON THOMAS:** Okay. Uh, next up will be David Cross. This is the last comment card that I have and we'll go back to the board. Good evening, Mr. Cross.

**DAVID CROSS:** Good evening.

**CHAIRPERSON THOMAS:** You have two minutes to make your comments.

**DAVID CROSS:** David Cross, 1030 Sugar Sands. I'd just like to make a comment. I find it very strange and quite unusual that, uh, Miss Jones, the subject of this evaluation, is asked to remain on the dais. I think that's extraordinary. I've never experienced a situation like this.

Sometime ago, two or three days ago, I sent each of you an e-mail, uh, regarding Miss Jones and the evaluation. And I'd just like to re-emphasize by re-reading the e-mail. It's really short. Uh, taking advantage of this public comment situation to re-emphasize what I -- what I said to you guys. So if you'll excuse me reading it, "Our city is on the brink of a new leap forward. There are so many good things in the pipeline. We need a dynamic proactive leader to take us into the next exciting stage of our future. Leader is the operative word here. On Wednesday, June 5, you will be evaluating our current city manager's leadership qualities. Please think and vote very carefully. Forget politics. Forget the easy, comfortable decision. The City's future is at stake. Is Miss Jones the leader we need? Is she the chief executive officer you would choose to take the \$50 million enterprise that is Riviera Beach to new horizons? Please vote your true belief. Thank you."

**CHAIRPERSON THOMAS:** Thank you very much for your comments. That's the, uh, end of Public Comments. We'll go right to you, Mr. Davis. Any questions or comments on the Miss Jones' evaluation and/or contract?

**COUNCILPERSON T.D. DAVIS:** Um, like I said before, I'm sitting back and listening, observing. Um, I did have an opportunity to read that e-mail that Mr. Cross had sent to me. Um, I have the responsibility as an elected official with this one single vote that I feel like as a large seat that represents every district in this entire city to make the right decision. I asked this board to give me that opportunity so I could help our residents whether we're going to keep Miss Jones or we're going to move forward.

I made a motion. It didn't even get second. I said get rid of the contract. Put her on a probationary period of 30 to 60 days, which means we're not keeping her. That's stating that her contract don't even exist anymore. Allow me to do my job. Allow me to continue to move through the City of Riviera Beach, move through these public records and ask the questions the right way.

Everybody in this room have their own agenda. Some say yes, some say no. I'm not saying who I'm listening to. I'm listening to everyone. But documentation beat conversation any day. That's where I stand. Now, I'm going to ask one more time for that vote -- for that motion. But we're -- are we still in Public Comment or are we done

with that?

**CHAIRPERSON THOMAS:** No. We're in -- we're in Deliberation by the city council. You can ask for a motion any time you want. But I mean, everybody hasn't had a chance to speak. But if -- if you're -- if you're saying that's the motion --

**COUNCILPERSON T.D. DAVIS:** Well, but I'm saying is I don't say a whole lot on this board. I do a lot of listening and observing. But when I do speak, I speak 'cause I've been thinking about something. What I'm thinking about now is I'm going to give this board the opportunity -- now, you can do what you want to do. All I need is one of four people on this board to consider what I'm saying. And this decision is to get rid of Miss Jones and Miss Ryan's -- well, Miss Ryan's contract has expired already.

**CHAIRPERSON THOMAS:** Miss Ryan's contract --

**COUNCILPERSON T.D. DAVIS:** Has expired.

**CHAIRPERSON THOMAS:** -- has automatically renewed.

**CITY MANAGER JONES:** Automatically renewed.

**COUNCILPERSON T.D. DAVIS:** Exactly. Well, automatically renewed. Miss Jones' contract, get rid of it. Okay?

**CHAIRPERSON THOMAS:** Okay.

**COUNCILPERSON T.D. DAVIS:** And come back and put --

**CHAIRPERSON THOMAS:** Are you putting that in a motion or are you --

**COUNCILPERSON T.D. DAVIS:** Okay. Just let me say it thoroughly, be clear here. My motion is to get rid of Mrs. Jones' contract, put her on a 30- to 60-day probationary period, whichever one this present board's comfortable with. The first motion is, is to put her on a 30-day -- 60-day probationary period. And I'm going to put that up. Sixty-day probationary period so I can do the proper, um, evaluation that I choose to do as an elected official. That's my motion.

**CHAIRPERSON THOMAS:** Okay. There's a motion on the floor. Is there a second?

**COUNCILPERSON T.D. DAVIS:** Okay. That died.

**CHAIRPERSON THOMAS:** Wait a minute. Is there a second? Hearing none, seeing none, that motion fails for lack of a second.

**COUNCILPERSON T.D. DAVIS:** Okay. That was 60 days. My next motion is -- my next motion is to, once again, dispose of the contract, put her on a 30-day probationary period so we can come back within the next 30 days, which is what, next month?

**CHAIRPERSON THOMAS:** But because the motion has changed --

**COUNCILPERSON T.D. DAVIS:** Yes.

**CHAIRPERSON THOMAS:** -- I will accept this motion.

**COUNCILPERSON T.D. DAVIS:** Thirty days.

**CHAIRPERSON THOMAS:** Gotcha, Mr. Davis.

**COUNCILPERSON T.D. DAVIS:** For the -- yes, sir. Thank you.

**CHAIRPERSON THOMAS:** There is a motion on the floor. Is there a second?  
Hearing none --

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIRPERSON THOMAS:** -- seeing none, that motion fails for lack of a second. Mr. Davis, you still have the floor.

**COUNCILPERSON T.D. DAVIS:** I would like to do at this point -- I would like to make a motion to get rid of the contract and come back in two weeks from today.

**CHAIRPERSON THOMAS:** Okay. Because the motion has changed, once again I will accept it. There's a motion on the floor. Is there a second?

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIRPERSON THOMAS:** Hearing none, seeing none, Mr. Davis, you still have the floor if you so desire.

**COUNCILPERSON T.D. DAVIS:** I'm -- I'm done but thank you for -- thank you.

**CHAIRPERSON THOMAS:** Okay. No problem. Miss Pardo?

**CHAIR PRO TEM PARDO:** Okay. I have something I'd like to read because I've -- I've been seriously thinking about this. I've reached out to a lot of leaders in the community, you know, looking for guidance and -- and their opinions.

The culture of mediocrity and lax oversight is still a problem in the City of Riviera Beach. No one is held accountable and leadership is minimal. The City is reactive instead of proactive. The City continues to receive negative press and negative editorials. Many of our streets are in disrepair. We balance budgets on the back of public safety. Employees have been on furlough since fiscal year 20 -- 2009. Residents' concerns are only addressed when a council member gets involved. We are at war with the Port of Palm Beach. Council is kept in the dark on many issues. Many of us find out about crime issues from the local news and not from our staff. Disrespect continues to be the norm in our city.

Many interesting programs have been brought to the city with no follow-up such as the Biotech Fund of Jupiter, the Milwaukee Code Enforcement Program that West Palm

Beach and Lake Worth have implemented. Residents complain about issues that affect their quality of life, get ignored, and then reach out to council when they are at their wit's end.

The same goes for many of our businesses. Problems are addressed with "no," instead of, "How can we make this work?" Look what happened with the Port Slip 3 project. Last fall a proposal was brought to this board to purchase a warehouse for \$6.6 million. To pay top dollar and lease it back to the former owner, allowing him to keep \$1.4 million in rent is unusual and negligent. To purchase this property without proper due diligence was negligent. To tell the taxpayers that the City would save \$2.4 million by purchasing the warehouse was negligent. So negligent that we were told after the closing that we would no longer realize the savings of \$2.4 million.

To move a police station from the main corridor of the city into a warehouse industrial area is negligent. To plan a move of the two fire stations that sit on Blue Heron Boulevard and who handle the most calls in this city and move them into the industrial warehouse is negligent. To not have an estimate on operating costs for this structure is negligent. To purchase this property without comp plan approval, traffic studies, pro formas is negligent.

To not be aware of new femur -- FEMA standards for public safety facilities prior to closing is negligent. To think that Riviera Beach deserves a used warehouse instead of a brand new facility is negligent. We deserve so much more. The private sector would never allow a \$2.4 million error. Why should the hard-working taxpayers of Palm -- of Riviera Beach accept it?

As a representative for Riviera Beach residents and businesses and as a 20-year resident and taxpayer, I thank Miss Jones wholeheartedly for her service and wish her nothing but the best in her future endeavors. It is in the best interest of our city to allow her contract to expire on June 21<sup>st</sup>. Thank you.

**CHAIRPERSON THOMAS:** Thank you. Any additional comments, Miss Pardo?

**CHAIR PRO TEM PARDO:** No.

**CHAIRPERSON THOMAS:** Okay. We're going to move to, uh, Mr. Guyton. Anything on the manager's evaluation and/or contract?

**COUNCILPERSON GUYTON:** Thank you, Mr. Chair. I'm going to be very quick. Um, and let me make it very clear that I will not be supporting the termination of either the city manager or the city attorney. I will be voting to retain. I'm sitting here listening to all of these comments that the council made. Not the city manager. Not city attorney. At some point we as elected officials have to pull our big boy and big girl pants up and say that even if I didn't support that issue, the rest of my colleagues did and it was a decision made by the council.

The staff bring to us recommendations. It's our responsibility to review it and determine if that's how we want to go. We make the decisions. So all of this about Miss Jones

and others and the staff, if we as a council have not done our due diligence or if we don't support an issue that the majority of the council did, we're blaming staff. No. We need to blame ourselves. The residents, they need to blame us.

The purchase of that building was a good decision. And now we have bought a building and the most ridiculous thing I've heard is a referendum is going out now to try to reverse a decision where we're already obligated to a building. And -- and we call ourselves -- some of us -- fiscally conservative and business-minded. And that to me is nowhere close to it.

We made a decision. We have the, uh -- the procedure in place where all of the deficiencies are going to be corrected by the owner of the building, not out of our pocket, so all this leaking and all of this and all of that is just a whole bunch of malarky.

Having said that, um, the main reason why I wouldn't -- I'm not supporting any termination of any employees, we are in the middle of a \$200 million project. To come in and erase our top brass would convey to investors that we have a level of instability. We also would -- would have an interruption of continuity in staff and it would erode any resemblance of progress in our city. And -- and -- and if anybody has ever been in a city manager selection process, it takes time. It's going to be a long time before we bring somebody in. And when we bring them in, the same complaints that we have now, they're going to resurface again. The same exact things about somebody else. We know what we have. Miss Jones is not perfect. I have my concerns.

Um, I am definitely not willing to throw the baby out with the bathwater because a few people in the community, they have a personal agenda and want to use this council to execute it. Not me. I have a responsibility to not only a few people in the community but 30,000 and that decision would impact the whole city and potential investors that, "These people are getting rid of their city manager and possibly their city attorney. Do you think I want to go in there and invest?" Not hardly. I mean, this is the most ridiculous thing I've heard in a long time.

And I mean, some of the people making the comments are friends and supporters of mine. But one thing that all of them know about Bruce, that my backbone is not made of spaghetti. You know, I have the backbone to make difficult decisions. And the difficult decision is not to send her down the road. The difficult decision is to keep her and -- and -- and work with her with her deficiencies so that we, one, don't have the investors getting scared and -- and scattering because we have the instability at the top. Who is the city manager?

And if we think about bringing somebody from the inside to do this, even -- I don't care how good they are. If you stretch them too thin, they're not going to be effective. So we can say, We have this one here. We have that one, and they can step in. That -- that is absolutely ridiculous. And my position is, is that we as the council need to take responsibility for our decisions and if we're not on the winning side of the vote, we must accept that and keep it moving and to not try to go out and get the residents to think that somehow we made a bad decision with this police services building and -- and now the

world is about to crumble. That is absolutely ridiculous and it is my position that it needs to stop.

And anybody who thinking about signing that petition, I would encourage you not to. Because it makes all of us look bad. Because if anybody ever wanna do business with us, they'll look at we bought a building and then our elected officials went out and tried to get a petition to undo the deal. Who do you think is gonna come in and want to do business with us? Absolutely ridiculous. So I will be supporting the city manager and the city attorney and I'm ready to put a motion on the floor right now.

**CHAIRPERSON THOMAS:** Okay.

**COUNCILPERSON GUYTON:** But I know Miss Davis has --

**COUNCILPERSON JUDY DAVIS:** Can I say --

**COUNCILPERSON GUYTON:** -- has her comments.

**CHAIRPERSON THOMAS:** And -- and Mr. Thomas. However, um, at this point we're -  
- we're coming up on, um, the -- the 11:00 hour.

**COUNCILPERSON JUDY DAVIS:** Thirty more minutes:

**CHAIRPERSON THOMAS:** Um, is there a motion to extend?

**COUNCILPERSON GUYTON:** I move -- I move to extend the meeting for another hour.

**UNIDENTIFIED SPEAKER:** This is crazy.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been moved.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Are there any additional questions or concerns in regards to the motion of extension of time? Hearing none --

**UNIDENTIFIED SPEAKER:** Second?

**CHAIRPERSON THOMAS:** -- it's been -- it's been moved by Mr. Guyton and second by Miss Davis. Hearing none, Madam Clerk, please call the roll.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** No.

**CITY CLERK WARD:** Councilperson Dawn Pardo.

**CHAIR PRO TEM PARDO:** No.

**CITY CLERK WARD:** Councilperson Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes. Okay. So now we're going to -- Mr. Guyton, are you finished with your comments on the manager? And we want you to just stick on the manager's.

**COUNCILPERSON GUYTON:** I am finished. Yes. Yes. Yes, I am --

**CHAIRPERSON THOMAS:** We're just on the -- the item of the manager's evaluation, the contract.

**COUNCILPERSON GUYTON:** I apologize for being --

**CHAIRPERSON THOMAS:** No, I understand, sir. I understand. Uh, Miss Davis?

**COUNCILPERSON JUDY DAVIS:** And I'll try to be brief, Mr. Chair. Um, and I just have to say ditto to everything Mr. Guyton said. If you had asked me six months ago whether or not I was ready to terminate the city manager's evaluation, I would have said yes. Um, however, I've had time to reflect and I've taken the time, because -- you know, just because certain things don't happen, you know, when I think they should -- you know, and I'm talking about individual things -- I really had to take a step back and -- and not dwell on those particular things. Um, because there's one thing I always try to do and I try to be fair. I went back and looked at the past year.

Okay? Um, everybody knows that I did not support Mrs. Jones when she was originally hired. But I committed to try and work with her. And, um -- and I'll just give you a little bit of history. In fiscal year '09/'10 and fiscal year '10/'11, I did a written evaluation on Mrs. Jones. I don't believe, um, others did. Now -- and in '12/'13 -- '11/'12, I'm sorry, I did a verbal with her. Um, and nobody else did.

Um, and '12/'13, which is this current year, I chose to do a verbal evaluation with her because I was just tired of trying to get people to do an evaluation. Um, because I believe it's so important -- and I've said it over and over and over again, that if we don't give clear and concise direction to the city manager, then I don't care who it is, it's not going to work.

So, um, I have to give her the, um -- give her her due where I see it. Now, I sat with her earlier in the week and once last week to tell her, uh, what my thoughts were. Um, and I said that, um, starting out with, "Nobody is perfect." Not one of us. Um, so here are the things that I -- I -- I applaud her for.

She gave us a balanced budget for 2012/'13 with no disruption to City services. She presented a new employee defined contribution plan to decrease the City's pension obligation which we did nothing with. Implemented -- she implemented the web-based program to provide possible new businesses with information needed to assist them in decision making by hiring a consultant to design and administer that program. And I have to add that it was based on information that I brought back from a League of Cities meeting but she implemented it. And it's a wonderful program that -- that allows businesses to go on our website and if they want to know any information about a particular area or a building or whatever, all they do is click on it. And it gives them the information that they need.

Um, she worked with the Business Development Board to introduce and bring new businesses to the City. We are actually tied in third place with the City of Boynton Beach with new businesses opening up in our city and job creation. She has obtained a consumptive use permit that had been pending for 16 years with the South Florida Water Management District. Sixteen years we had been trying to get this done. Well, she got it done.

She obtained approval for the -- of the 175 shared pension plan ordinance, fire pension employees and retirements. This had been in the planning stages for the past 10 years.

She implemented -- implemented a new, um, VOIP -- however -- what that -- you know what that means -- telephone system that will result in reduced costs to the City in the amount of \$40,000 annual. The telephone system is much better than what it used to be. She reduced all employee furloughs from 96 hours to 48 hours and with the help of council, of course. We voted on that. She has held medical insurance benefit premiums to the lowest in 10 years. Ten years.

She launched a new robust customer-friendly website, including queue alert for residents to report, track and get feedback on service requests. And I have to tell you, if you haven't visited the website as far as our meetings are concerned, there's a little button on there that you can press for any particular item. It will take you to a live -- I mean, not a live meeting, but the actual meeting talking about that item. There is nowhere else in Palm Beach County that I've seen that has that. It's wonderful.

She has implemented a temporary parking strategy at the marina resulting in 200 additional parking spaces. She's completed phase 1 of our marina development. She has improved the overall look and cleanliness of our city. And things are happening in this city under her leadership. Everything's not been perfect and I shared with her areas that need improvement and my expectations. Okay?

Um, I think we are becoming a more strategy-driven city than a more -- than a

reactionary city. We're not totally there yet but we're a lot better than what we were. Um, the areas that I talked about with her while -- where my concerns were concerning efficient government. Um, I believe that she must continue to update our city policies and procedures with the introduction of intranet access for employees and for the public.

Every -- right now everything is kind of scattered everywhere. I want it all in -- I -- I told her I wanted to see it all in one place so that any employee, any resident, any business person could look and see what our policies and procedures are. Um, we have talked about an internal auditor for quite some time. That person has not been hired. Um, I would like that -- like to see that person hired so that we can prevent having IG reports and all of that.

Um, and the other thing is the evaluation of her department heads. I want to make sure that she has done that and evaluated her employee -- her staff people, but to also make sure that they have evaluated their employees who work under them. And to improve customer service.

Um, I don't too much care for the particular leadership style but everybody's not like me. I don't expect everybody to be. Mrs. Jones is a little bit more laid back with her style but that's okay. We are still moving forward. We're doing things -- we don't -- we're -- we're -- we're not having to use our fund balance to pay for anything. You know, we're not South Bay. We're not Miami-Dade. We are not Lauderdale Lakes. We are doing very well and we're fiscally sound. So for that I have to, um, agree to extend her contract.

**CHAIRPERSON THOMAS:** Okay. Um, I'm going to -- to be brief because a lot of things were said. I did complete a city manager evaluation and in some years past I've not completed a written city manager's evaluation; however, I did complete some written attorneys' evaluations. But I'll go through this very quickly.

Under Budget it's two sections. Is the city manager's budget realistic? You can go -- the -- the numbers range from one to five, five being the best and one being, of course, not so good. I gave the manager a five in that aspect. Does he or she administer it so that he or she annually operates the City within budget confines? I've not heard her have to come back for any type of budget amendments, um, in terms of running in the red so I gave her a five on that.

Um, under Supervision, Does the city manager properly supervise department heads and hold them to performance standards? I gave her a three, which is right in the middle. I do think that she can have some improvement in that particular aspect. Um, Does he or she at the same time maintain a standard of respect for the ability and encourage their initiatives? I gave her a four. Um, and that was just basically because I haven't seen where, um, any of the initiatives of the department heads have -- have been exposed to us in that there was a plan to help them with that. So I didn't give her a five in that because, um, I have not seen it. Is she reasonably available to City employees for guidance and counseling? I've never heard her not be until tonight, um, for -- from one of our residents. But the actual evaluation said, Is she reasonably

available to City employees for guidance and counseling? I gave her a five for that.

Personnel. Has the city manager recruited qualified personnel for the City of Riviera Beach? I gave her a four. I agree with Miss Davis that we do need an internal auditor for some of those things. Um, and there's some other, um, things that I think we need. We need, um, more staff inside of the city manager's office. She's trying to, you know, keep costs low there but, you know, they're doing the city manager's -- the city manager and the assistant city manager are basically sharing administrative staff, which prolongs things getting out and things getting done. I think that she needs to increase that staff in the city manager's office.

Is the city manager accurately informed and concerned about employee insurance, fringe benefits, promotions, pensions and looking for ways to reduce costs? I gave her a four on that. She probably deserved a five but I gave her a four. And, um, the reason why I gave her that four is because I don't understand about the fringe benefits or the promotions. I haven't seen very many of those. But in terms of the insurance, this is the first year that I've been here that we got a zero cost increase. That's phenomenal in itself. Um, so she did get that. Um, I heard the Mayor speak about her asking for a -- a raise. I wasn't aware of that and as far as I know she also participated within the furloughs. So she probably should have got a five there. Thinking back, I probably should have given her a five but she has a four, and the four is going to stay.

As chief negotiation -- as -- as chief negotiator for the City of Riviera Beach, has the city manager achieved expected results in bargaining groups? I think she has. Um, there's been times where I think it was kind of, um, you know, shaky on things, but I think overall she's done -- she's done a good job with that.

Does the city manager ensure that all employees are -- can -- I'm -- it's just kind of -- does the city manager ensure that all employees -- that all employees are evaluated on an annual basis and -- and are held to performance standards? From what I understand, she does. I gave her a five. Leadership. Is the city manager the type of person who inspires others by bringing out the best in his or her personnel? I gave her a three. I think that we have some room for improvement there, and I'm sure that she will be working on that, provided that her contract gets extended.

Is he able -- or is she able to get enthusiastic responses to new ideas and needed changes? Gave her a three. Um, I think that she has some ideas. As far as them being implemented, I think she was right down the average. I would like to see her get a four or five in that category.

Is the city manager reasonably forceful and decisive? I gave her a four in that. Some things I think that she can be a little more stern on, a little tougher on in making sure that the execution -- the execution of the day-to-day business, uh, happens. Execution of policy. Does the city manager understand and enforce the city's laws and ordinance? I gave her a five. I believe that she does that. Does the city manager review various enforcements from time to time to improve effectiveness? We just had a couple of these items on the agenda tonight. I gave her a five. I believe that she does that.

Does the city manager promptly make recommendations to the city council for changes in the law when ordinance or policies proves impractical in actual administration? We've done -- we've done that several times tonight on the agenda. I gave her a five.

Departmental Performance. Under the leadership of the city manager, do the -- do the departments perform effectively? I gave her a two to that. There's a lot of complaints that go out that we have to end up dealing with from the podium. And I think that they should be able to flow through the department. If they're not satisfied there, flow through management. And then if you don't get any help there, then it comes to us. So she has a two there. That needs some improvement.

Has the city manager obtained satisfactory performance from his -- from her department heads? I gave her a two just because of the, uh, first question. Now, this is not speaking of the -- the independent departments. It's for her, um -- her leadership with them, making sure that that information gets there. I'd like to see the comments handled in the -- in the manager's office. If they were handled there and if people thought that they could get their answers to their questions, then they wouldn't come to this podium as much. Um, so under Departmental Performance, um, she didn't do so well with me.

Reporting. Does the city manager keep his or her city council informed? I gave her a 2.5 there. Um, there's a lot of things that go on in the city that I believe that we should be contacted with. We have a -- we have a, um -- a duty to make sure that if any one of our constituents call us to find out what's going on in their city, we should know. And oftentimes we don't know. And I'm not just speaking of police matters or things like that.

We had an incident that really upset me about a week ago where all of the water for the -- the city was off and nobody knew that. You know, that was a problem for me. So she -- you're taking a hit on this, but I'm sure that you will make sure that that's corrected and not happen again, provided your contract is extended.

Is this information provided by the city manager adequate for city council to make sound policy decisions? I gave her a four on that. Um, overall I think she does well on that, but there have been some instances where we didn't get all of the information that we needed for certain issues. So I gave her a four on that.

On the last couple, uh, for City Council Relations. Is the city manager helpful to the city council in such a way as to solve problems at the administrative level, thus avoiding the commission as a whole? I gave her a three. Does the city manager generally try to deal with the city council as a whole? I gave her a five. Is the city manager receptive to constructive criticism and advice? She always has been with me. I gave her a five.

Does the city manager promptly answer city questions -- city council inquiries and referrals? I gave her a five. Even when she's on vacation, out of town, if I call, she's there. She always leaves somebody in charge to make sure that we -- we get that. Does the city manager prepare a sound agenda that is orderly and balanced? I gave her a five because I definitely assist with that now, which hasn't always happened.

Each chair has done theirs differently. But she works well with me on that so I gave her a five. Other than tonight with the 40-plus items on it, she's been giving us a pretty balanced agenda.

Does the city manager provide all needed background and supporting documents to each agenda? I gave her a four and I think that was a little generous because we do miss out on a lot of information. Policy and Administration. Does the city manager have a proper sense of understanding of the differences between policy and administration while assisting to make policy without unduly forcing his or -- own opinion on the city council? I believe that she does. I gave her a five. Does the city manager regularly update administrative codes of his administration, of her administration? I didn't think that -- that that was happening, um, very much. I gave her a two.

Um, Forges Compromises. Does the city manager have the ability to resolve the numerous conflicts inherent in municipal government? I gave her three. Um, I think that she's average. I would like to see her excel a little bit more in that and I believe that she will, provided her contract is extended. Do you consider the city manager to be a good negotiator? I gave her a three. I was a little tough on that because, um, of the situation that we were going through with the Port at this time. Um, I think that we could have done this a little bit better. I don't think it's all the city manager's fault, but she is the CEO here so I was a little tough on her. I gave her a three on that.

Um, and the Operating Representative of the City, Community Reputation. Does the -- does the community perceive the city manager as a person of integrity, ability and devotion to the City of Riviera Beach? I gave her a five in that, although I've -- I've gotten some -- some calls about, um, people being dissatisfied with her. Overall, I've -- I think I've gotten more calls and more input on her being a person of integrity and ability and devotion to the City. Definitely with her integrity and devotion. Some people didn't feel that she had the ability. And remember, we represent, as Councilman Guyton said, over 30,000 people. So when you get 10 or 20 phone calls, you know, that -- that's a lot of phone calls but it's not very significant when it comes to the amount of people that we actually represent. Does the city manager make necessary efforts to be visible within the community? I gave her a five. I believe that she always does that.

The last two are the City Manager Relation -- Citizens' Relations. Does the city manager properly handle complaints from citizens in a timely and caring manner and explains the decisions made? I gave her a three. I've already spoke briefly about that. I think she's average. I would like to see that step up so that people know that they can come to the city manager who is the person who runs the day-to-day operations, thus allowing the city council to make policy and budget decisions.

The city manager represents the -- Does the city manager represent the City well before the public and the media? I believe that she does. I gave her a five. The city manager properly supports the city council and the general public, I believe she does. I gave her a five. Does the city manager get out of the office, look at things personally and takes an honest interest in the City of Riviera Beach? I gave her a three in that. Do I believe that she makes sure that it happens? Yes. But the question said does she actually get

out herself and make sure. So she's average on that. I would like to see her step that up if, uh, her contract is extended.

Intergovernmental Relations. Does the city manager strive to cooperate with our neighboring communities? I gave her a five. Does the city manager work to solidify relations with the County and State government? I gave her a five. I believe that she does that.

Quality of Municipal Services. How well does the city manager ensure that the direct service provided by the City indicated below meets the needs of the community? Choose one of the options below. Same thing from one to five. Street maintenance, I gave her a one, which is unacceptable. The streets are horrible. I need to see a plan which allows us to start fixing some of these streets. Not hopping over this street and that street and having people think that we're choosing favorites to fix their streets. I need a real comprehensive plan.

For police services, I gave her a four. For fire emergency services I gave her a four. For parks I gave her a three. For recreational services I gave her a two. For water and sewer, I gave her a four. For planning short term I gave her a three. For planning long term I gave her a three. Community and economic development I gave her a three. Code enforcement I gave her a three. Building services and inspections I gave her a three. Finance I gave her a four. Clerk's office I gave her a four. Public works I gave her a four. Utility district I gave a three and municipal marina I gave a four. Her overall rating was a four.

Um, I -- I went through that so everybody can understand what my written evaluation was and a copy of this will be available after tonight. Um, there -- there's a lot of ups and downs with this. Um, I toiled over this back and forth. Um, and overall we have moved forward. We have moved forward. The City has done a lot of things since she got here. Um, the, uh -- as Councilwoman Davis mentioned so eloquently, that C.U.P. permit, I remember back when I first got on, um, the -- the commissioner at that time who's no longer there, he kept telling me, he said, "Listen, you're not going to be able to do anything until you get this permit, until you get this permit. You -- you -- you don't know how bad it's going." Every time I would see that county commissioner he would say, "You've gotta get this. You've gotta get this." I went. I told Miss, um -- Miss Jones, "We must get this done." And she was able to get it done. I understand that. She -- she's been able to do that.

We've been talking about redeveloping this particular, um, marina and getting things going. But I have to say to you, under her direction, the north end of that marina is done, is complete. We've broke ground. We're moving. Am I happy about the buildings that we're in? Am I happy about seeing the library in disrepair? Am I happy about having to continue to -- to fix these issues there and no constant plan? No, I'm not. I think this building is awful. I think that we need to do some different things and we need to have a more aggressive approach. But she tried. She tried. She put a plan out there.

And unlike some of the other members who have the right to feel the way they want to have -- feel just like I do, it's tough when you got people that are split and fighting you on every corner. Instead of us moving forward to at least get the police and fire and public works and all that moving, we're taking time and we're going backwards and forwards and wasting time trying to fight to not take possession of a building we already own or trying to do a -- a -- a -- a referendum against it. And anybody, any -- any -- any -- any layperson, any councilperson can do whatever referendum they want. They can be against whatever they -- that's their prerogative. But I can't hold a manager responsible when she at least put forth a plan. In those final phases she put forth a plan for a new library, for a new City Hall. I cannot blame her when she's putting it up there.

I believe that at this point we are going in a solid direction. Are we moving as fast as I would like to? No. But I don't move as fast as I would like to in my personal affairs or my -- or my business affairs, either. We're doing the best we can with what we have. And I supported her then and I absolutely support her now. So I'm done with, um -- with my comments.

**COUNCILPERSON GUYTON:** Uh, Mr. Chair?

**CHAIRPERSON THOMAS:** Yes, sir.

**COUNCILPERSON GUYTON:** I'm ready to put a motion on the floor.

**CHAIRPERSON THOMAS:** I'm ready to accept.

**COUNCILPERSON GUYTON:** And contained in my motion I have a few items, too, that I would like for the city manager to jot down because these things I want to be done and followed up on. One of the things I would like is a reasonable and doable financial plan to totally complete the south end of the docks. And if grants would be sought, I want specific names of the grants and when applications would be submitted. I would like that in six months. Just a plan. Not the completion. I want a plan.

**CITY MANAGER JONES:** A funding plan?

**COUNCILPERSON GUYTON:** A funding plan of how we're going to complete that south end.

**CHAIRPERSON THOMAS:** Mr. Guyton, can I just ask you just so I can --

**COUNCILPERSON GUYTON:** Okay.

**CHAIRPERSON THOMAS:** -- keep -- right now you're making a motion.

**COUNCILPERSON GUYTON:** I'm making a motion --

**CHAIRPERSON THOMAS:** Could you --

**COUNCILPERSON GUYTON:** -- to --

**COUNCILPERSON JUDY DAVIS:** With these --

**COUNCILPERSON GUYTON:** -- with these conditions.

**CHAIRPERSON THOMAS:** So is -- is -- will this motion be contingent upon her completing these conditions? If not, I would just suggest that we either --

**COUNCILPERSON JUDY DAVIS:** Uh-uh. Just separate (inaudible).

**CHAIRPERSON THOMAS:** -- we either do that --

**COUNCILPERSON JUDY DAVIS:** Separate.

**COUNCILPERSON GUYTON:** Okay. Let -- let me clear it up.

**CHAIRPERSON THOMAS:** -- in addition to a new contract or as a condition for her to complete in her contract. But I would just think it'll be a little convoluted if you --

**COUNCILPERSON JUDY DAVIS:** Yeah.

**COUNCILPERSON GUYTON:** I do agree.

**CHAIRPERSON THOMAS:** Okay.

**COUNCILPERSON GUYTON:** I'm going to make a motion to extend her contract --

**CHAIRPERSON THOMAS:** Can we -- can -- can I just ask you for us to go into negotiations with her for a new contract?

**COUNCILPERSON GUYTON:** I move that we enter into negotiations with the city manager to extend the contract.

**COUNCILPERSON JUDY DAVIS:** I second it.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Any questions or concerns regarding -- regarding, uh, that motion?

**COUNCILPERSON GUYTON:** I would like to put a time certain to come back with a conclusion of the negotiation.

**CHAIRPERSON THOMAS:** You're the -- you're the maker of the motion.

**COUNCILPERSON GUYTON:** I would like to make a motion for the, um, Chair to negotiate an extension with the City Manager and come back to us at the July meeting.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Any questions or concerns on that motion?

**COUNCILPERSON T.D. DAVIS:** What did he mean by an extension? The entire contract?

**CHAIRPERSON THOMAS:** I'm sorry. Say that again, please, in the mike.

**COUNCILPERSON T.D. DAVIS:** Yeah, what did Mr. Guyton mean by extension? The entire contract?

**COUNCILPERSON GUYTON:** Yes. The --

**COUNCILPERSON JUDY DAVIS:** A new contract.

**COUNCILPERSON GUYTON:** -- to negotiate a new contract.

**COUNCILPERSON T.D. DAVIS:** Okay.

**COUNCILPERSON GUYTON:** And bring it back to the city council for approval at the next meeting.

**COUNCILPERSON T.D. DAVIS:** Okay. Good. One quick question I have with both contracts. Who writes these contracts?

**CHAIRPERSON THOMAS:** We're just going to talk about the manager's now if it's okay. Just so we can stay on it.

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIRPERSON THOMAS:** Um, it's negotiated. Usually the Chair and that person negotiates it and then, of course, it's brought back to the board for --

**COUNCILPERSON T.D. DAVIS:** Review?

**CHAIRPERSON THOMAS:** Yeah, for review and the board votes it up or down.

**COUNCILPERSON T.D. DAVIS:** Okay. Okay.

**CHAIRPERSON THOMAS:** The negotiation just happens with the Chair but the board decides on it.

**COUNCILPERSON T.D. DAVIS:** Okay.

**CHAIRPERSON THOMAS:** Any additional questions or concerns regarding that? Hearing none, Madam Clerk?

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** (No audible response).

**CHAIRPERSON THOMAS:** That's you. T.D. Davis.

**COUNCILPERSON T.D. DAVIS:** Say -- oh, yes.

**CITY CLERK WARD:** Councilperson Dawn Pardo?

**CHAIR PRO TEM PARDO:** No.

**CITY CLERK WARD:** Councilperson Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** Yes.

**CITY CLERK WARD:** That vote passed.

**CITY MANAGER JONES:** Thank you.

**CHAIRPERSON THOMAS:** Okay. I'm gonna -- I'm gonna say this again before we go into this next one. We have the city attorney's evaluation. That one took an hour and a half almost. We have the city attorney's evaluation. Do we want to move the city attorney's evaluation to the next -- and contract to the next meeting? I would advise, since it's already renewed that we enter into negotiations with that one, as well. But if you don't want to, you just want to move it, we can. And if you want to go ahead with it now, we still have another 25 minutes under this motion -- or 35 minutes under this motion.

**COUNCILPERSON JUDY DAVIS:** Mr. Chair?

**CHAIRPERSON THOMAS:** Yes, ma'am, Miss Davis?

**COUNCILPERSON JUDY DAVIS:** Question for you.

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

**COUNCILPERSON JUDY DAVIS:** If the contract has already renewed, it's already renewed for another year.

**CHAIRPERSON THOMAS:** Two.

**COUNCILPERSON JUDY DAVIS:** I'm sorry, another two years. And so, I mean, what are we negotiating?

**CHAIRPERSON THOMAS:** Well, I -- I would like to negotiate some of the items that are in there. Just personally. I think that --

**COUNCILPERSON JUDY DAVIS:** But she has to agree to that?

**CHAIRPERSON THOMAS:** Yes. That's why we would negotiate. She would have to agree but I would --

**COUNCILPERSON JUDY DAVIS:** To negotiate?

**CHAIRPERSON THOMAS:** I mean, if she wants to, yeah. But we can bring her contract up at any time.

**COUNCILPERSON JUDY DAVIS:** I mean, if it --

**CHAIRPERSON THOMAS:** Or we don't have to.

**COUNCILPERSON JUDY DAVIS:** -- if it were me --

**COUNCILPERSON T.D. DAVIS:** Excuse me.

**COUNCILPERSON JUDY DAVIS:** -- if my contract has been renewed, I would --

**CHAIRPERSON THOMAS:** Hold on one second. Let me let Miss Davis finish.

**COUNCILPERSON JUDY DAVIS:** -- I -- I wouldn't be interested. But, uh, that's just me. I'm sorry.

**CHAIRPERSON THOMAS:** Well, first of all, I want to remove the automatic renewal. I just think because of what happens now, around the time that a contract sits, the -- it's always an election around that time that it comes on. And sometimes the board changes. I think the board has actually changed every time that that time has come up. And I think it's unfair because you have two new people that are saying, Okay. I haven't had time to evaluate this person.

**COUNCILPERSON JUDY DAVIS:** Mr. -- but -- but Mr. Chair --

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

**COUNCILPERSON JUDY DAVIS:** -- and I -- I believe it was you who asked that she put this on three months prior to the renewal.

**CHAIRPERSON THOMAS:** She did.

**COUNCILPERSON JUDY DAVIS:** Nothing happened.

**COUNCILPERSON T.D. DAVIS:** Why?

**CHAIRPERSON THOMAS:** Of course nothing --

**COUNCILPERSON JUDY DAVIS:** So I mean, I --

**CHAIRPERSON THOMAS:** -- nothing happened because we were in a tight election and seats were changing. The majority of the board was up for re-election and that's why. I'm -- we don't have to. I'm just saying what I think that we should do. We don't have to. If you say --

**COUNCILPERSON JUDY DAVIS:** I don't see the point.

**CHAIRPERSON THOMAS:** -- This is not what I want to do, it's fine. I think that we need to look at some serious things in that. I would like to either bring it back or try to renegotiate, if she so chose to, with it. I would like to have a shot at it. But if -- if not we don't -- we don't have to. It's up to the board.

**COUNCILPERSON T.D. DAVIS:** I -- I just -- me personally, I just think --

**COUNCILPERSON JUDY DAVIS:** I --

**COUNCILPERSON T.D. DAVIS:** -- I just -- this whole process is very important because it allows me to hear the other board members, how they feel about their past experience with these evaluation process, because as I sit down with Miss Ryan in the future, it allows me to, um, put -- set some goals as I move forward. But you all had experience with her. And as we move forward on however we vote has a very important implication on how I make my decisions where -- as I move forward with the City of Riviera Beach, and along with the relationship, you know, how we address the goals that we're going to set for Miss Ryan.

**CHAIRPERSON THOMAS:** The difference with this particular contract is --

**COUNCILPERSON T.D. DAVIS:** It's already expired.

**CHAIRPERSON THOMAS:** -- it's already renew --

**COUNCILPERSON T.D. DAVIS:** Correct.

**CHAIRPERSON THOMAS:** No, it's not expired. It's renewed.

**COUNCILPERSON T.D. DAVIS:** Correct.

**CHAIRPERSON THOMAS:** I think Miss Ryan is amenable to negotiating, renegotiating --

**COUNCILPERSON T.D. DAVIS:** Uh-huh.

**CHAIRPERSON THOMAS:** -- and I think if she's amenable to that, we ought to do it. We ought to -- to do it. But if the board does not want to do it, I'm pretty sure that she'll be, um -- you know, she'll be fine with that. But --

**COUNCILPERSON JUDY DAVIS:** I mean, well, she's sitting right there. She can answer.

**CHAIRPERSON THOMAS:** I've -- I've already spoken with her about it.

**CITY ATTORNEY RYAN:** Well, right. The only thing I would ask -- I don't -- of course, you -- my contract did automatically renew. Of course I'm always open to renegotiation. I would just ask that it not be placed on the same agenda as the manager's. Um, you know, it's a -- this is a -- a lot of --

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

**COUNCILPERSON JUDY DAVIS:** Okay.

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

**CITY ATTORNEY RYAN:** -- this is a lot. So I mean, if we could just renegotiate it and just bring it back after -- sometime (inaudible).

**CHAIRPERSON THOMAS:** That's -- that -- that's fine. That's fine.

**COUNCILPERSON T.D. DAVIS:** Could -- could we --

**CITY ATTORNEY RYAN:** That's it.

**COUNCILPERSON T.D. DAVIS:** Excuse me. Could we just have just a meeting with just her and the city manager contract?

**CHAIRPERSON THOMAS:** Um --

**COUNCILPERSON T.D. DAVIS:** Instead of all this other stuff on the agenda?

**CHAIRPERSON THOMAS:** Well, I mean, that's -- that's really up to the board. I'm -- I'll -- you can -- you can always overrule me but, you know, she asked, you know, very diplomatically for her contract not to be on the same agenda. So I'm going to grant that as the chair. But if three members say we're going to put it on, then it's going on. But I'm going to grant that her contract does not. But I'll be more than happy to bring it back, uh, the first meeting in August.

**COUNCILPERSON GUYTON:** August.

**CHAIRPERSON THOMAS:** To discuss the -- the -- the negotiations for -- for Miss Ryan's contract.

**MAYOR MASTERS:** Mr. Chair?

**COUNCILPERSON GUYTON:** Now, Mr. Chair?

**CHAIRPERSON THOMAS:** Um, Mr. Davis? I mean, Mr. Guyton?

**COUNCILPERSON GUYTON:** I'm ready to put a motion on the floor.

**CHAIRPERSON THOMAS:** Okay. Are -- do you want to put a motion on the floor to discontinue this meeting until the first meeting in July or do you want to --

**COUNCILPERSON GUYTON:** I want to put a motion on the floor to -- for you to also enter into negotiations with Miss Ryan, understanding that her contract has already automatically renewed but if she so be inclined to discuss some other parameters in her -- and bring it back to us in August.

**CHAIRPERSON THOMAS:** Okay. There's a motion.

**MAYOR MASTERS:** Mr. Chairman, I asked, uh --

**CHAIRPERSON THOMAS:** It's a motion right now, Mr. Mayor. I'll come to you in a minute.

**MAYOR MASTERS:** (Inaudible).

**CHAIRPERSON THOMAS:** Is there a second for the motion? It's been --

**CITY ATTORNEY RYAN:** Is there a second?

**CHAIRPERSON THOMAS:** I got it, Miss Ryan. Is -- is there a second for Mr. Guyton's motion? Hearing none, um, that motion will fail for lack of a second. Um, Mr. Mayor, you wanted to talk.

**MAYOR MASTERS:** Yeah. I -- I guess my, um -- I guess what -- that's probably why it failed because it's -- I don't understand. I'm a little confused. If -- if it's been -- if it's been renewed, there's nothing to negotiate. So I don't understand. I just got confused. I don't understand the point so --

**CHAIRPERSON THOMAS:** There's plenty to negotiate. If two people want to negotiate --

**COUNCILPERSON GUYTON:** Voluntarily.

**CHAIRPERSON THOMAS:** -- if -- voluntarily.

**COUNCILPERSON GUYTON:** They can do it.

**MAYOR MASTERS:** Well, does that -- does that mean that -- it's like starting a whole new contract with her?

**CHAIRPERSON THOMAS:** Her contract is -- she has a two-year contract at this point. What I want to do is re-examine that contract, negotiate with it. Bring it back before the board and say, This is what I think needs to happen. And I don't want to negotiate here with it without giving Miss Ryan the opportunity to -- to do it. But there's several things in the contract that I would like to -- to negotiate with her, uh, about it. Um, but if the board doesn't want her to negotiate, I guess she can ask for her contract to be re-

negotiated but at this point, you know, we lost one member but we did not get a -- a second for it. So, um, it's going to die for lack of a second if that's the case.

**COUNCILPERSON T.D. DAVIS:** And what is his motion, again?

**CHAIRPERSON THOMAS:** Mr. Guyton, would you like to restate your motion?

**COUNCILPERSON GUYTON:** My motion was to allow the Chair, if the City Attorney is so inclined to negotiate, um, her contract and he bring it back to us, um, in August understanding that she already has a two-year contract so this would be voluntary on her part. She doesn't have to do it. But if she so desire or so be receptive, I have no problem with that. You know, it's her decision. You know? I mean, so I don't see what the problem is. It's still up to her so if she sit down and said, I don't want to negotiate, it's a closed deal, done deal.

**CHAIRPERSON THOMAS:** That's the motion.

**COUNCILPERSON T.D. DAVIS:** I second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Any additional questions or concerns on that motion? Hearing none, Madam Clerk?

**CITY CLERK WARD:** Councilperson Judy Davis?

**COUNCILPERSON JUDY DAVIS:** No.

**CITY CLERK WARD:** Councilperson Bruce Guyton?

**COUNCILPERSON GUYTON:** Yes.

**CITY CLERK WARD:** Councilperson T.D. Davis?

**COUNCILPERSON T.D. DAVIS:** Yes.

**CITY CLERK WARD:** Councilperson Dawn Pardo?

**CHAIR PRO TEM PARDO:** (No audible response).

**CITY CLERK WARD:** Councilperson Cedrick Thomas?

**CHAIRPERSON THOMAS:** Yes.

**CITY CLERK WARD:** That vote passed with Councilperson Pardo out, Councilperson Judy Davis, no.

**CHAIRPERSON THOMAS:** Okay. Even though we had comment cards on that, we're going to renegotiate, um, that -- that. It's under Discussion and Deliberation so if anybody still wants to speak on that item, we will. We will. So I'll go through this very quickly. Nora Mahoney. And we're going to give you two minutes. Not here. Somer

Shepherd?

**COUNCILPERSON JUDY DAVIS:** Gone.

**CHAIRPERSON THOMAS:** Not here.

**CITY ATTORNEY RYAN:** She had to go to school.

**CHAIRPERSON THOMAS:** Angela Wynn?

**COUNCILPERSON JUDY DAVIS:** Gone.

**CHAIRPERSON THOMAS:** Gone. Bonnie Larson? You withdrawing?

**BONNIE LARSON:** It's 11:30.

**CHAIRPERSON THOMAS:** Okay. Withdrawn.

**MAYOR MASTERS:** She withdrew you, huh?

**CHAIRPERSON THOMAS:** Mike Mahoney? Not here. Gerald Ward?

**GERALD WARD:** I am in support.

**CHAIRPERSON THOMAS:** Wow.

**CITY ATTORNEY RYAN:** It's the lateness of the hour.

**CHAIRPERSON THOMAS:** Okay. Yes. Um, Margaret Shepherd?

**MARGARET SHEPHERD:** Here I am.

**CHAIRPERSON THOMAS:** Okay, Miss Shepherd.

**MARGARET SHEPHERD:** Me, too. (Inaudible).

**CHAIRPERSON THOMAS:** All right. Miss -- Miss Shepherd --

**COUNCILPERSON GUYTON:** (Inaudible).

**CHAIRPERSON THOMAS:** -- yeah, we're -- we're going to get to it.

**MARGARET SHEPHERD:** I'm only going to go two minutes. Just two minutes.

**CHAIRPERSON THOMAS:** Yes. Two minutes, please.

**MARGARET SHEPHERD:** Margaret Shepherd, Riviera Beach. Uh, I want to thank all of the members on the board. I think you did an exceptional job of talking about the contracts. You have to understand that these are people lives. This is their job. Um,

I'm not happy with everything, either. Don't think I'm happy. But, you know, I think, um, as T.D. Touchdown said, he didn't understand or he had other things -- I'm sure people in the community is talking to him. They're talking to me. They're talking to you. But you must make the right decision about people jobs. 'Cause Miss Ryan has been here for quite a while. She has, I think, one of the best assistants, and she know how I feel about her other assistants. But I think she's kind of hit the jackpot.

The things that people are saying now to this council and everybody, they think that you -- you guys should try to put together a legal team. And I -- I know you have another gentleman that's a lawyer here; is that correct?

**UNIDENTIFIED SPEAKER:** No.

**MARGARET SHEPHERD:** Yeah? I thought there was another man that was on your team.

**CHAIRPERSON THOMAS:** No male lawyers here.

**MARGARET SHEPHERD:** Just you and your assistant? Okay. Okay.

**CITY ATTORNEY RYAN:** (Inaudible) with me? (Inaudible).

**MAYOR MASTERS:** She's talking about Ron and he's gone.

**CITY MANAGER JONES:** The contracts for two.

**MARGARET SHEPHERD:** Oh, contracts -- okay. I know I saw another gentleman here. What they're saying, they feel like that you, Mrs. Ryan, should get a legal team together, uh, with the council trying to interact, because you got a lot of things going on.

**CITY ATTORNEY RYAN:** Absolutely.

**MARGARET SHEPHERD:** A lot of things going on. And I think you need a lot of legal minds working to get this, uh, city going forward. You have a lot of things on your plate. I commend you. I think you're doing a fabulous job. So sometimes people are just not happy. They're not happy. They're saying they're not getting the piece of the pie. They're not getting this. They're not getting that. So I applaud you.

I listened to T.D., I listened to Miss Pardo. I listened to each and every one of you and I take all of your comments very seriously. But, you know, I just think that we should maybe get together with your city manager, with your legal team, because you guys got to hammer out a few things. And I thank you for that, Mr. Chair. Thank you.

**CHAIRPERSON THOMAS:** Thank you very much, Miss Shepherd, for your comments. Um, no, I'll take you in a minute. I'm -- I'm gonna have to take you in a minute, Miss, uh -- 'cause we passed you but I will take you. Mr. Lozman, uh, you have two minutes to make your comments. Good evening. You have two minutes to make your comments.

**FANE LOZMAN:** The fact that Miss Ryan's contract has renewed has no bearing on your responsibility to evaluate her. And if she hasn't done a good job, to terminate her contract, pay her severance and wish her good luck. So the point is you haven't done your job in evaluating her, and there should be an up or down vote, do we want to retain her regardless if her contract renewed over. And you can thank the city manager for not putting her contract on each agenda for the last six months.

The people around the city and -- they've called me on the phone. They want to know why this City spends \$600,000 in a City eviction case, in an admiralty case that went all the way to the Supreme Court that was lost after Ryan was quoted in the media saying, "We are confident in our ability to successfully argue that position in front of the Supreme Court." Fifty people will win at the Supreme Court this year out of 57,512 Circuit Court losers at the appellate courts. I'm one of 50.

She is the laughing stock of every lawyer around the country that's called me up. They can't believe that she would fabricate a maritime lien for \$1,000 and then spend hundreds of thousands of dollars to go over it. Talk to people on the (inaudible) board. Everybody on Singer Island thinks she's a complete legal idiot. The last time she was evaluated, two people voted to get rid of her and Dawn Pardo was the -- was the swing vote. I think tonight, if you had a vote, it may be three/two to terminate her existing contract, pay her a severance and move on.

This city needs a lot better. I'm not a lawyer but I have a lot of lawyers who work for me. Top land use lawyers. Top admiralty lawyers. Top appellate lawyers. She lost every case this year. She lost the 11<sup>th</sup> Circuit case. She lost the Supreme Court case. She's an embarrassment to the legal profession. And I promise you, Ryan. I told you one day you're going to get disbarred or disciplined. It's coming down for your behavior this year.

**CITY ATTORNEY RYAN:** I am Miss Ryan to you.

**CHAIRPERSON THOMAS:** Miss -- Miss Ryan. Miss Ryan, no, no, no, no, no, no, no, no, no, no. Um, Miss -- Miss -- Dr. Wynn?

**COUNCILPERSON GUYTON:** But Mr. Chair, as Dr. Wynn comes, I -- I just have to make a comment. Um, the -- Miss Ryan does not do what I think she should do a little more and that is convey to the public when we win and when we lose. Miss Ryan does her job. She stay quiet. She just move on to the next case. We have won more cases against Mr. Lozman than we have lost. And we have a metrics to demonstrate that. He comes every time he wins a motion, every time he wins a case and the City doesn't do that. Pam does her job -- excuse me, Miss Ryan does her job and -- and -- and we move on.

And I -- I am sick of Mr. Lozman coming here. Not only does he not live in our city; he doesn't even live in the county. He lives in Dade County and drives up here to tell us how to run our city. And I'm -- I'm just sick of it. But anyway.

**CHAIRPERSON THOMAS:** Miss -- Dr. Wynn?

**DR. WYNN:** Dr. Wynn.

**CHAIRPERSON THOMAS:** You have two minutes to (inaudible).

**DR. WYNN:** Miss Ruth Jones, I do believe that you should stay -- stay on the board. I always support you and I will. And I believe that you should stay here. However, I spoke earlier today. I do love Miss -- Miss -- Miss Ryan but there's a time that the council should be -- in the Book of Chronicles in First King told that a council must have a -- have a clear conscience when they vote to make a decision. Mrs. Ryan is here quite a long time but nevertheless, I do believe that it's the taxpayer money you're spending, not the council's money spent -- paying. And we spend too much money of the taxpayer money, my money and the taxpayer's money with this case. And everyone needs to take a forensic, uh -- a forensic, um -- what word I'm looking --

**UNIDENTIFIED SPEAKER:** Look.

**DR. WYNN:** -- look into the situation. Because I do my research. Everyone should take a forensic look in this -- in the decision of what's going on. Then you'll know why I say what I say. I still love you. I still care about you, but that's what it is.

And Mr., um -- Mr. Guyton, please, you're coming off like a bull. You don't have to be combative. Please take --

**COUNCILPERSON GUYTON:** He has disrespected this city --

**DR. WYNN:** No, no, no. Let me finish. Let me --

**CHAIRPERSON THOMAS:** Mr. Guyton. Mr. Guyton.

**COUNCILPERSON GUYTON:** -- for months. No, no, I -- I know.

**DR. WYNN:** -- let me --

**CHAIRPERSON THOMAS:** Mr. Guyton.

**DR. WYNN:** You see what I'm talking about?

**COUNCILPERSON GUYTON:** I'm saying --

**DR. WYNN:** Your attitude.

**CHAIRPERSON THOMAS:** Mr. -- Mr. Guyton. Hold on. Dr. Wynn --

**COUNCILPERSON GUYTON:** Okay.

**DR. WYNN:** I'm not finished.

**CHAIRPERSON THOMAS:** We're talking about Miss Ryan's --

**DR. WYNN:** I'm finished with Miss Ryan.

**CHAIRPERSON THOMAS:** That's it. Please don't address Mr. Guyton because it's not

**DR. WYNN:** I will address him because he makes a --

**CHAIRPERSON THOMAS:** -- it's not about this item. Please talk about this item.

**DR. WYNN:** Well, I'm talking about the item, yes. And -- and that's it. But still, Mr. -- Mr. Guyton, you need to calm down and do not --

**CHAIRPERSON THOMAS:** That's your time, Miss -- that's your time, Dr. Wynn. Thank you.

**DR. WYNN:** -- and you do not have to be rebuttal all the time.

**CHAIRPERSON THOMAS:** Thank you. Dr. Wynn, thank you.

**DR. WYNN:** Make -- make -- make yourself clear -- clear.

**CHAIRPERSON THOMAS:** Thank you.

**DR. WYNN:** You just have to do the right thing. You don't have to come in like a hog.

**CHAIRPERSON THOMAS:** Miss Blue. Sylvia Blue.

**SYLVIA BLUE:** Good evening, Mr. Chair, and for everyone that's sitting up on the dais, I'm Sylvia Blue, 748 W. First Street. I'm 61 years old. I've been in this community for over 50 years. My mom lives in the same home. So I'm older than most of you there. I know this community. It's my community. And when I sit at home and I watch you guys on television, I can readily see why people take liberty to come to this microphone and disparage not only you but your staff. Because you do it to your own staff. It's embarrassing. It is shameful the way you do your staff. Now, I am a part-time employee here. I was hired by Mr. Guyton. He can fire me tomorrow. I really don't care. None of you can fire me. I have a right to speak as a resident.

It starts with you on that dais. You don't treat each other right. You allow people to come up here, disparage your staff and you say nothing. They don't live in this community. They call your staff -- and I'm here -- I'm speaking on Miss Ryan's contract. Okay? That's basically what I'm speaking on, because she is entirely competent. All right? You do not work for Miss Ryan. Miss Ryan works for you. Every decision she makes, it comes from you. So if you don't like the decision, it was yours that you made. If you don't like the results, you made the decision to move forward. Don't blame this attorney for decisions that you made. You own them. You're the elected officials. Those two ladies work for you. Those are your employees. Okay?

Not only do you allow the public to disparage your staff, Miss Jones, you allow the

public to disparage your staff. That needs to stop here in this community.

**CHAIRPERSON THOMAS:** Miss Blue, that's your time. I'm sorry. That's your time.

**SYLVIA BLUE:** That's my two minutes?

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

**SYLVIA BLUE:** Thank you very much and goodnight.

**CHAIRPERSON THOMAS:** You're very welcome. You're very welcome. Have a -- a great evening. Okay. That's, um -- that's it for item 25 and 26.

**COUNCILPERSON JUDY DAVIS:** All right. Let's (inaudible).

**CHAIRPERSON THOMAS:** For the Community Benefits, let's do it this way. Mr. Guyton, um, you have 27, 20 -- I'm sorry. You have 27, 32, and --

**COUNCILPERSON GUYTON:** Wait, 29 -- 27, 29 --

**CHAIRPERSON THOMAS:** No, no, no. 29 is -- is Mr. Davis.

**CITY CLERK WARD:** Terence. Terence.

**COUNCILPERSON JUDY DAVIS:** Can we just go with --

**CHAIRPERSON THOMAS:** You have 27 --

**COUNCILPERSON JUDY DAVIS:** -- approve all of them in one lump sum?

**CHAIRPERSON THOMAS:** Yeah, I'm just trying to let him go through all of his at one time so we don't be bouncing back and forth.

**COUNCILPERSON GUYTON:** Okay.

**CITY MANAGER JONES:** Yeah, I was trying to put them together so (inaudible) --

**CHAIRPERSON THOMAS:** Um, and you have 41. So it looks like you have --

**COUNCILPERSON GUYTON:** I'm not seeing where y'all are getting --

**CITY CLERK WARD:** It's right here.

**CHAIRPERSON THOMAS:** -- 27. You got item 27 and item -- item 41.

**COUNCILPERSON GUYTON:** I have more than two on here. I'm not --

**CITY CLERK WARD:** You have 27 right here.

**UNIDENTIFIED SPEAKER:** 33 and 32.

**COUNCILPERSON GUYTON:** I have 27 --

**CHAIRPERSON THOMAS:** Yeah, you have 33.

**COUNCILPERSON GUYTON:** -- 30 --

**CITY MANAGER JONES:** 33.

**COUNCILPERSON GUYTON:** -- 33 --

**COUNCILPERSON JUDY DAVIS:** 30.

**COUNCILPERSON GUYTON:** 33 and --

**CITY MANAGER JONES:** 30. Go back to 30.

**COUNCILPERSON GUYTON:** -- 41. Yeah.

**COUNCILPERSON JUDY DAVIS:** 32.

**COUNCILPERSON GUYTON:** 32, too.

**CHAIRPERSON THOMAS:** You have --

**COUNCILPERSON JUDY DAVIS:** 30.

**CHAIRPERSON THOMAS:** -- yes. Okay.

**COUNCILPERSON GUYTON:** 30.

**CHAIRPERSON THOMAS:** Let's -- let's -- let's take all yours. Start with number 27. We -- we're gonna just go --

**COUNCILPERSON GUYTON:** Okay.

**CHAIRPERSON THOMAS:** -- to all Mr. Guyton's. Let's start at number 27.

**COUNCILPERSON GUYTON:** Thank you, uh, Mr. Chair. This is the T.E.A.M. Elam Foundation and he comes every year. And I'm contributing to his activities.

**CHAIRPERSON THOMAS:** All in favor signify -- well, is there a motion?

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Are there any

questions or concerns? All in favor, signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** All opposed, same sign.

**COUNCILPERSON GUYTON:** Yes.

**CHAIRPERSON THOMAS:** Hearing none, that motion was unanimously approved. Um, Mr. Guyton, go to your next one which will --

**COUNCILPERSON GUYTON:** Number 30. Um --

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** All opposed? Hearing none, that motion is unanimously approved. 30 --

**COUNCILPERSON JUDY DAVIS:** -- 3.

**CHAIRPERSON THOMAS:** -- 2. 32.

**COUNCILPERSON JUDY DAVIS:** Oh, 32?

**COUNCILPERSON GUYTON:** Uh-huh.

**COUNCILPERSON JUDY DAVIS:** So moved.

**CHAIRPERSON THOMAS:** It's been --

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** -- it's been properly moved and second. All in favor --

**COUNCILPERSON JUDY DAVIS:** Aye.

**CHAIRPERSON THOMAS:** -- signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** All opposed? That motion's been unanimously approved. 33?

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

**COUNCILPERSON JUDY DAVIS:** Aye.

**CHAIRPERSON THOMAS:** We've got people in the -- in the audience voting. All the people on the board say aye if you agree.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** All right. Aye.

**COUNCILPERSON GUYTON:** Wait. Wait. Wait. We -- we missed one, Mr. Chair.

**CHAIRPERSON THOMAS:** Uh, that motion -- that motion is unanimously approved.

**COUNCILPERSON GUYTON:** Oh, no, we got that.

**CHAIRPERSON THOMAS:** We haven't missed it yet.

**COUNCILPERSON JUDY DAVIS:** 34.

**COUNCILPERSON GUYTON:** 34.

**CHAIRPERSON THOMAS:** 34.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON T.D. DAVIS:** What item is 34?

**COUNCILPERSON GUYTON:** Second. 34.

**CHAIRPERSON THOMAS:** Okay. Mr. Davis is asking for an explanation of item 34.

**COUNCILPERSON GUYTON:** Oh, um --

**COUNCILPERSON T.D. DAVIS:** My battery went dead. My battery went dead so --

**COUNCILPERSON GUYTON:** -- that was part of the young lady from the, um, County who's giving the event at Cunningham Park.

**COUNCILPERSON T.D. DAVIS:** Okay.

**COUNCILPERSON GUYTON:** She -- yeah, she was part of the County Health Department.

**COUNCILPERSON T.D. DAVIS:** Yeah.

**CITY MANAGER JONES:** Yeah, yeah. That's good.

**UNIDENTIFIED SPEAKER:** Uh-huh.

**CHAIRPERSON THOMAS:** Okay. Uh, all in favor?

(All unanimously affirm).

**CHAIRPERSON THOMAS:** All opposed, same sign. That motion is unanimously approved. Um, Mr. Guyton, you have one last one.

**COUNCILPERSON GUYTON:** One more.

**CHAIRPERSON THOMAS:** I believe it's 41?

**COUNCILPERSON GUYTON:** It's 41.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposed, same sign. That motion is unanimously approved. Um, Mayor Masters, let's take yours. Um, number 28. Is there a motion?

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** So moved.

**CHAIRPERSON THOMAS:** Is there a second?

**COUNCILPERSON GUYTON:** Second.

**COUNCILPERSON T.D. DAVIS:** Second.

**CHAIRPERSON THOMAS:** Okay. You -- okay. It's going to be moved by Councilman Guyton, second by Councilman Davis.

**COUNCILPERSON T.D. DAVIS:** T. Davis.

**CHAIRPERSON THOMAS:** Councilman T. Davis. Um, all in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposed the same sign? That motion is unanimously approved. Uh, Mayor, we're going to go to your next one which will be --

**COUNCILPERSON JUDY DAVIS:** 35. 35.

**CHAIRPERSON THOMAS:** -- 35.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

**COUNCILPERSON JUDY DAVIS:** Aye.

**COUNCILPERSON GUYTON:** Aye.

**CHAIRPERSON THOMAS:** All in favor, signify by saying aye..

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Okay. Any opposed, the same sign? Hearing none, that motion is unanimously approved.

**CITY CLERK WARD:** 36.

**CHAIRPERSON THOMAS:** 36.

**COUNCILPERSON GUYTON:** So moved.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second.

**COUNCILPERSON T.D. DAVIS:** What is 36?

**CHAIRPERSON THOMAS:** Mayor, the Councilman Davis is asking for an explanation of 36.

**COUNCILPERSON T.D. DAVIS:** My -- my battery's dead so you have to excuse me.

**MAYOR MASTERS:** I was hoping he wouldn't ask me that 'cause I don't have it in front of me.

**CITY CLERK WARD:** Healthy Food, Healthy Living.

**COUNCILPERSON T.D. DAVIS:** His battery went dead, too.

**COUNCILPERSON GUYTON:** Healthy Food, Healthy Living.

**CITY CLERK WARD:** Healthy Food, Healthy Living.

**COUNCILPERSON T.D. DAVIS:** Oh, okay.

**CHAIRPERSON THOMAS:** Okay.

**CITY ATTORNEY RYAN:** It did? It died?

**COUNCILPERSON T.D. DAVIS:** (Inaudible).

**CHAIRPERSON THOMAS:** All right. There's been a motion and a second. All in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposers? Same sign. That motion is unanimously approved.

**COUNCILPERSON JUDY DAVIS:** 39.

**CHAIRPERSON THOMAS:** 39.

**COUNCILPERSON GUYTON:** So moved.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposers, same sign. That motion is unanimously approved.

**COUNCILPERSON JUDY DAVIS:** 40.

**CITY CLERK WARD:** 40.

**CHAIRPERSON THOMAS:** 40.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify

by saying aye.

**COUNCILPERSON JUDY DAVIS:** Aye.

**COUNCILPERSON GUYTON:** Aye.

**CHAIRPERSON THOMAS:** Any opposers?

**CITY ATTORNEY RYAN:** None.

**CHAIRPERSON THOMAS:** I didn't hear -- all in favor signify by saying --

**COUNCILPERSON T.D. DAVIS:** Aye.

**CHAIRPERSON THOMAS:** Okay. That, uh -- any opposers, same sign? That motion is unanimously approved. Okay. We're going to go up to -- who's the third person there?

**COUNCILPERSON JUDY DAVIS:** 29.

**CITY CLERK WARD:** Terence Davis.

**CHAIRPERSON THOMAS:** Terence Davis. Uh, item 29.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** So moved.

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposers, same sign? That motion is unanimously approved.

**COUNCILPERSON JUDY DAVIS:** 42.

**CHAIRPERSON THOMAS:** 42 is the next one?

**COUNCILPERSON JUDY DAVIS:** So moved.

**CITY CLERK WARD:** Right.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify

by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** You've gotta vote on your own stuff, now.

**COUNCILPERSON T.D. DAVIS:** Yeah, I said aye.

**CHAIRPERSON THOMAS:** Okay. Uh, any opposers, same sign? That motion is unanimously approved. Um, who's next? I think it's me.

**COUNCILPERSON JUDY DAVIS:** You are, 31.

**CHAIRPERSON THOMAS:** 30 --

**CITY CLERK WARD:** Judy Davis.

**CHAIRPERSON THOMAS:** No, I think I'm 31.

**COUNCILPERSON JUDY DAVIS:** 31 is you.

**CHAIRPERSON THOMAS:** 31.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Uh, all in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposers, same sign? That motion is unanimously approved.

**COUNCILPERSON JUDY DAVIS:** 37.

**CHAIRPERSON THOMAS:** 37. 37.

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. Uh, all in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposers, same sign. Hearing none, that motion is

unanimously approved. 38?

**COUNCILPERSON JUDY DAVIS:** So moved.

**COUNCILPERSON GUYTON:** Second.

**CHAIRPERSON THOMAS:** It's been properly moved and second. All in favor signify by saying aye.

(All unanimously affirm).

**CHAIRPERSON THOMAS:** Any opposers, same sign? Aye -- I mean, I -- I'm -- I'm with it. I'm -- I'm with it. I'm reading. I'm with it. I'm -- I'm -- I'm before --

**COUNCILPERSON GUYTON:** It's only been seven hours here, you know?

**CHAIRPERSON THOMAS:** Yeah. Hearing none, no opposers, uh, that motion is unanimously approved. Um --

**COUNCILPERSON GUYTON:** That's it?

**CHAIRPERSON THOMAS:** -- I believe that's it.

**CITY CLERK WARD:** That's it. Uh-huh.

**CHAIRPERSON THOMAS:** Um, we have Board Appointments.

**COUNCILPERSON GUYTON:** I move that we put the rest of the items on our next agenda.

**CHAIRPERSON THOMAS:** Is there a -- that's a motion. Is there a second?

**COUNCILPERSON JUDY DAVIS:** Second.

**CHAIRPERSON THOMAS:** Okay. It's been properly moved and second. All in favor signify by saying aye.

(All unanimously affirm).

**COUNCILPERSON GUYTON:** Move to adjourn.

**CHAIRPERSON THOMAS:** Okay. All right. That's been --

**COUNCILPERSON JUDY DAVIS:** Wait a minute.

**CITY MANAGER JONES:** Wait, wait, wait, wait, wait.

**CHAIRPERSON THOMAS:** -- hold on one second. Hold on. Hold on one second. Hold on one second.

**COUNCILPERSON GUYTON:** Oh. Oh.

**CHAIRPERSON THOMAS:** That motion has been unanimously approved. We have a motion to adjourn.

**COUNCILPERSON JUDY DAVIS:** No.

**CHAIRPERSON THOMAS:** Is there a second on the motion to adjourn?

**CITY CLERK WARD:** Second.

**COUNCILPERSON JUDY DAVIS:** Yours don't count.

**CHAIRPERSON THOMAS:** Okay. Hearing no second on the motion to adjourn, uh, Discussion by City Manager.

**CITY MANAGER JONES:** Just one item very quickly and that is to officially announce a budget workshop on Monday, June the 10<sup>th</sup>, at 5:30 here in the council chambers. And we will talk about the projected revenues, um, as well as the key areas for the establishment of the next budget. Um, also need for council to think about the next meeting is regularly scheduled on July the 3<sup>rd</sup>. So talk with the --

**COUNCILPERSON JUDY DAVIS:** 2<sup>nd</sup>.

**CITY MANAGER JONES:** July the 3<sup>rd</sup>.

**COUNCILPERSON JUDY DAVIS:** Let's go the 2<sup>nd</sup>. I know. But let's do the 2<sup>nd</sup>, the day before (inaudible).

**CITY MANAGER JONES:** So the question is whether you want to do the 2<sup>nd</sup>, the 3<sup>rd</sup> or -- just talk with the Chair and let him know what your desires are so that we can advertise early enough if we're going to make a change to that.

**CHAIRPERSON THOMAS:** Okay.

**CITY MANAGER JONES:** And lastly, thank you all for your support. I hear all of the things that need to be done. Know that I am, um, looking forward to working with you as a council and the Mayor to move this city forward. And thank you so much.

**CHAIRPERSON THOMAS:** Okay. Thank you. Anything from Legal?

**CITY ATTORNEY RYAN:** No.

**CHAIRPERSON THOMAS:** All right. Any City Council Committee reports? All right. Statement by Mayor and Council. I'm going to ask that you really be brief.

**COUNCILPERSON JUDY DAVIS:** I will.

**CHAIRPERSON THOMAS:** Uh, we're going to start -- we're going to start -- we're

going to start with the -- you want to start?

**COUNCILPERSON JUDY DAVIS:** Sure.

**CHAIRPERSON THOMAS:** Okay. We'll start with Miss Davis.

**COUNCILPERSON JUDY DAVIS:** Just some information concerning, um, a question about some sewers or -- or pollution on Broadway. There is a letter in back from an FDOT official explaining what has taken place there. Also for those people who are uninsured, there's some information back there in the back. But anyway, Project Reach-Out is having, um, a workshop on Friday, June 14<sup>th</sup>, from 2 to 5, and Saturday, June 15<sup>th</sup>, 9 to 10 at Palm Beach County Medical Society at 3540 Forest Hill Boulevard, Suite 101. Uh, so anybody who's needing insurance, please go to that.

Also I'd like to take this opportunity to thank Councilman Guyton and Mayor Masters for attending my, um, Memorial Day Flag Planting and Ceremony. It was really wonderful. There's a lot of good press back there in a notebook on the table in back. Thank you.

**CHAIRPERSON THOMAS:** Okay. Mayor?

**MAYOR MASTERS:** Yeah, just quickly. I think everyone knows that the upcoming job fair will be Tuesday, June the 11<sup>th</sup>, at the Inlet Grove School at 10 a.m. We have one, um, employer that says that he's looking to put about 200 young people back to work from here to, um, some -- somewhere south. We're looking forward to that plus major employers.

Representative Powell has an announcement to be made. State Representative Bobby Powell, Democrat, Riviera Beach hosts -- Riviera Beach will host a District Office Grand Opening for the public at 6:30 p.m. Tuesday, June the 18<sup>th</sup>, at 2715 N. Australian Avenue, suite 105 in West Palm Beach, Florida. The office will serve as the legislative office for House District 88. And he says, "I am happy to announce the grand opening of our new office," said Representative Powell. "This office allows me and my staff to be present, accessible, and open to the community. I look forward to seeing everyone on the 18<sup>th</sup> of June." Representative Bobby Powell, new office here in West Palm Beach. Thank you.

**CHAIRPERSON THOMAS:** Thank you. Mr. Davis?

**COUNCILPERSON T.D. DAVIS:** Good night.

**CHAIRPERSON THOMAS:** Mr. Guyton?

**COUNCILPERSON GUYTON:** Nothing.

**CHAIRPERSON THOMAS:** Okay. Me very quickly. I just want to congratulate my daughter for being salutatorian of her class. This -- in graduating. I'm very proud of you. And with that said -- oh, I'm proud of your mom, too. We did it together. With that being said I entertain a motion for adjournment.

COUNCILPERSON JUDY DAVIS: So moved.

COUNCILPERSON GUYTON: So moved.

(CONCLUSION OF MEETING)

APPROVED:



THOMAS A. MASTERS  
MAYOR

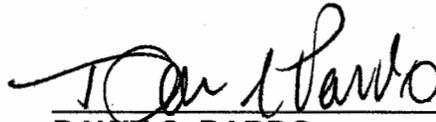


CEDRICK A. THOMAS  
CHAIRPERSON

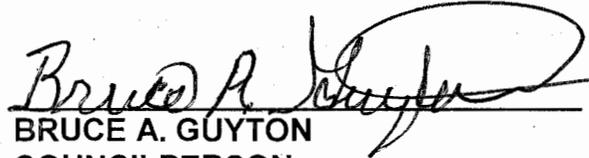
ATTEST:



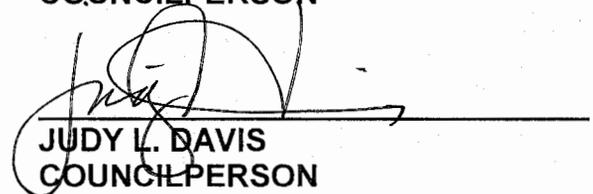
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



DAWN S. PARDO  
CHAIR PRO TEM



BRUCE A. GUYTON  
COUNCILPERSON



JUDY L. DAVIS  
COUNCILPERSON



TERENCE D. DAVIS  
COUNCILPERSON

MOTIONED BY: B. GUYTON  
SECONDED BY: J. DAVIS

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: 08/07/2013