

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, JULY 17, 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: Test, testing. Okay. We're gonna give everybody about 30 seconds. Then we're gonna start. Okay. Everyone seems to be here. Good evening, everyone. We'll call our regular city council meeting to order. Madam Clerk, could you please call the roll?

CITY CLERK WARD: Yes, Mr. Chair. Mayor Thomas Masters? 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: Here.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Here.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. 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 a moment of silence, followed by our Pledge led by Councilman Guyton. (Everyone stood for a moment of silence with the Pledge of Allegiance being led by Councilperson Guyton).

CHAIRPERSON THOMAS: Okay. Miss Jones, any additions, deletions, substitutions?

CITY MANAGER JONES: Yes, sir, Mr. Chair. First, I'd like to make a correction. Um, initially it was said that item number 2 on healthcare would be deleted. That was an error. That item is still on the agenda for consideration tonight. I would like to remove from consideration item number 5 on the Consent Agenda. That deals with the investment policy.

As well as item number 6, the issuance of debt. And item number 7, the arbitrage policy. I would also like to delete from consideration tonight on -- ordinance on second read, item number 19, dealing with the fire -- the burglar alarm systems. Those are the only corrections and deletions, Mr. Chair.

CHAIRPERSON THOMAS: Got it. Okay. Any disclosure by the council at this time? Hearing none, entertain a motion for adoption of the agenda.

COUNCILPERSON J. DAVIS: So moved.

COUNCILPERSON T. DAVIS: So moved.

CHAIRPERSON THOMAS: It's been properly moved and second. Any additional questions/concerns? Hearing and seeing none, Madam Clerk, would you please call the roll?

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton? Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Pro-Tem Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

CHAIRPERSON THOMAS: Okay. We're gonna move down to Consent. All matters listed under this item are considered to be routine. An action will be taken by one motion. There will be no separate discussion of these items unless a councilperson so requests, in which event the item will be removed from the general order of business and considered in its normal order on the agenda. Hearing that, I'll entertain a motion for Consent Agenda.

COUNCILPERSON T. DAVIS: So moved.

COUNCILPERSON J. DAVIS: Second.

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

CITY CLERK WARD: Councilperson Bruce Guyton? Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Pro-Tem Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

CHAIRPERSON THOMAS: Okay. We're gonna move down to Awards and Presentations. Item 15, presentation to the Riviera Beach Police Department.

CITY CLERK WARD: (Unintelligible).

CHAIRPERSON THOMAS: Yes. Who -- who's in charge of this particular award? If they're -- if they're not ready, we'll -- we'll move.

UNIDENTIFIED SPEAKER: (Unintelligible).

CHAIRPERSON THOMAS: I'm sorry?

UNIDENTIFIED SPEAKER: (Unintelligible).

COUNCILPERSON J. DAVIS: The -- the Mayor.

CHAIRPERSON THOMAS: Okay. We're gonna -- we're gonna move past this. We're gonna go ahead to Ordinances on Second Reading.

CITY CLERK WARD: Ordinance number 4023, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, repealing the existing chapel -- chapter 2, article 5 -- excuse me -- related to per diem and travel expenses and providing an effective date. This ordinance was advertised Palm Beach Post on July the 7th.

CHAIRPERSON THOMAS: Is there a motion?

COUNCILPERSON J. DAVIS: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON THOMAS: It's been properly moved and seconded. Um, this is the second reading. Or is there any additional information anyone needs at this time?

CHAIR PRO-TEM PARDO: Um, Madam -- Mr. Chair?

CHAIRPERSON THOMAS: Miss Pardo?

CHAIR PRO-TEM PARDO: Okay. I have two things. You know, I reviewed this policy several times since the last meeting. And I have a couple of questions. Okay. Item 5. And this is just something that I think we should all consider and, um, you know, I'm sure this is all best efforts. I just want to make sure this isn't set in stone.

CHAIRPERSON THOMAS: Which item are you speaking of?

CHAIR PRO-TEM PARDO: It's page 5.

CHAIRPERSON THOMAS: Okay. Under --

CHAIR PRO-TEM PARDO: Number 2.

CHAIRPERSON THOMAS: -- under -- under item 17, still, right?

CHAIR PRO-TEM PARDO: Yeah. Item 17.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: The travel.

CHAIRPERSON THOMAS: Right.

CHAIR PRO-TEM PARDO: Okay. It says the, um, mileage shall be computed based on MapQuest's shortest route. Now, we need to make -- you know, everyone needs to be realistic about this. Um, we need to make sure that you're traveling through the safest route. Okay? So, you know, if the shortest route is through a high-crime blighted area and you're driving through at 11:00 at night, I don't think that's prudent to have, you know, our employees do that.

So, um, you know, either we can change that or, you know, maybe we can say when -- you know, "when applicable" or, you know, something like that. But I don't think it should be set in stone that you have to take the shortest route.

Um, the other thing I'd like to bring up is on page 12. I'm sorry, it's page 13. The second-to-last sentence where it says, "Therefore, without specific approval from city

council, otherwise travel expenses shall be paid for elected officials only from their respective budget accounts."

Um, I think we should take out "city council" and put "city manager," and only because, you know, I don't want this to be political. I don't want it to be vindictive against someone. You know, we could have a council where, you know, they're against one person and, you know, the person wants to travel, you know -- something comes up.

Say, for, you know, example, you know, you're invited by the governor to go on some trip. You don't have money in your budget. You bring it to the council and the council goes against you. You know, either for political reasons or other reasons. So I think something like that we should really take out and amend it and put that the city manager should approve it, instead of the council. So those are my two suggestions.

CHAIRPERSON THOMAS: Okay. Any other questions, concerns on this matter?

COUNCILPERSON GUYTON: Yeah, I -- Mr. Chair, I've got a question. Miss Pardo, what section was that you just referred to?

CHAIR PRO-TEM PARDO: Which one, on the shortest route or the --

COUNCILPERSON GUYTON: Oh, no, the city manager.

CHAIR PRO-TEM PARDO: -- okay. It's page 13, the last paragraph. It's under "Legislative Travel."

COUNCILPERSON GUYTON: Um, well -- well, my -- my -- my comments are -- first of all, I thought the attorney told me this was going to be removed tonight and --

CITY ATTORNEY RYAN: No. The policy is not for your consideration. The -- this is just an attachment to the ordinance repealing the, um -- the code --

COUNCILPERSON GUYTON: Okay.

CITY ATTORNEY RYAN: -- the code section.

COUNCILPERSON GUYTON: Okay.

CITY ATTORNEY RYAN: So it was attached so you would have a -- be able to review what will be presented to you at the next city council meeting.

COUNCILPERSON GUYTON: Okay. So --

CITY ATTORNEY RYAN: So you still have an opportunity to make changes.

COUNCILPERSON GUYTON: -- so I want to understand where it, um --

CHAIRPERSON THOMAS: Now, this says it's on second reading.

COUNCILPERSON GUYTON: -- what Vice Chair Pardo was indicating.

CHAIRPERSON THOMAS: Say that again, Mr. Guyton.

COUNCILPERSON GUYTON: I had a question to Vice Chair Pardo. You don't think that the city council should approve any travel that goes beyond the authorized budget?

CHAIR PRO-TEM PARDO: I don't. I think it should be up to the city manager at that point. If the city manager feels that the travel is, you know, going to affect the City in a positive way and, you know, it's something that we should consider, I think, you know, at that point it should really be up to the city manager. And I believe she has signing authorization up to \$40,000.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: No, try 25.

CITY ATTORNEY RYAN: Twenty-five.

CHAIR PRO-TEM PARDO: Okay. How much?

COUNCILPERSON GUYTON: Twenty-five.

CHAIRPERSON THOMAS: Twenty-five.

CITY ATTORNEY RYAN: Twenty-five.

CHAIR PRO-TEM PARDO: Okay. I'm sorry. 25,000.

COUNCILPERSON GUYTON: Okay. The -- the --

CHAIR PRO-TEM PARDO: So that's -- that's all I'm suggestion -- suggesting.

COUNCILPERSON GUYTON: -- the only problem I have with that is that this would be her boss. And a staff member would definitely be reluctant to refuse a boss's request. We, being equal, would be more inclined to look at it more objectively. And we have a responsibility to monitor ourselves. Um, I don't think that should be kicked to the city manager because one of her bosses would certainly have some influence over her tenure here. So I think that that should be left up to somebody on an equal level. We make an objective decision whether the taxpayers' money is being spent wisely, and we keep it moving. So I don't agree with that (unintelligible).

CHAIRPERSON THOMAS: Any other questions, concerns? Discussion?

COUNCILPERSON T. DAVIS: Excuse me, Mr. Chair?

CHAIRPERSON THOMAS: Councilperson T. Davis?

COUNCILPERSON T. DAVIS: I'm listening to the concerns. But let's say, um, we don't

have a meeting for another month. And someone calls from another country, another city that wants to establish a relationship and they want someone from our city to go and represent us. But we don't have a board meeting for another month but they want a response in a week. What do we do at that time?

CHAIRPERSON THOMAS: Is that question being directed to --

COUNCILPERSON T. DAVIS: No. I'm -- I'm saying that's something --

CHAIRPERSON THOMAS: -- just for discussion?

COUNCILPERSON T. DAVIS: Let me say that that's for discussion. It's something to think about because I understand, um, Councilperson Guyton's concerns, but we shouldn't have to wait to do some business for a board when we have a city manager who we pay very well to make these type of decisions.

COUNCILPERSON GUYTON: Hey, can -- can I respond?

CHAIRPERSON THOMAS: If -- if no one else wants to speak. Anything from, um, Miss Davis or the mayor?

MAYOR MASTERS: I'll make a statement.

CHAIRPERSON THOMAS: If -- do you want to say something, Mayor?

MAYOR MASTERS: Oh, I was just trying to be a gentleman. Um, yes.

CHAIRPERSON THOMAS: Okay.

MAYOR MASTERS: Analogy. If we are prohibited of going to the manager for this item or for something that relates to travel, then that would -- then we should be consistent. That means that we shouldn't be able to go the manager for anything that pertains -- um, an expenditure other than -- that's out of the ordinary. Um, out of the -- whether it's travel or whether it's promotion or whether it's whatever.

So I guess as I'm reading this and trying to interpret this, if -- if one person here who's voting, uh, is in accord with Councilwoman Dawn Pardo's wise observation that this certainly should be in the peripheral of the manager as it has been, um, traditionally and consistently down through the years, that if -- if a councilperson agrees with Dawn Pardo -- Councilwoman Dawn Pardo, excuse me -- then that means that a person would be voting no and would be voting this down.

And if a person -- if a councilwoman or man agrees with taking it to the council first, then you would be voting yes. And that's kind of how I -- I just want to make sure that I'm understanding that correctly, and based upon my understanding, that if I'm in accord with Councilperson Pardo, I'm -- I will be voting no. Thank you, Mr. Chair.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Um, let me go back to Mr. Guyton first. He was the first one in the second round. Mr. Guyton?

COUNCILPERSON GUYTON: Um, yes, Mr. Chair. Thank you. I'm -- what I don't want to happen is for one of us as a councilperson to abuse that privilege. At what point do we say that you're not gallivanting around the world on taxpayers' money and not really bringing anything back to us?

So my point is that we need some parameters that we can't travel around the world seven, eight times. I don't care how -- how many invitations they get. So where do we draw the line? Do -- do we get to go to the city manager every time somebody requests us to travel around the world or is it gonna be one or two times or where is the limit? That's what I'm looking for. So if somebody can tell me that so that I can better understand how we're going to gauge and monitor the potential abuse of this -- would someone like to answer that for me?

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Miss Pardo?

CHAIR PRO-TEM PARDO: Okay. I think every councilperson should be able -- and mayor should be able to govern themselves. We get -- how much do we get? 2,250 a year in travel? And I know my travel never goes over. At the end of the fiscal year, quite a bit of my entire budget goes back into the general fund. All right? So this really doesn't pertain to me.

However, I feel, again, that this should be the responsibility of the city manager. And what I'm looking to do is take the politics out of this because, like I said earlier, it could turn political. All right? If, you know, you have people against one particular councilperson or against the mayor, and you know, it's a decent trip that they're asking for funding on, you know, the council could go against them.

The city manager has -- I've worked with the city manager for four years, and I know for a fact she has stood up to, uh, Council on several, you know, different issues when Council, you know -- personal pleas by Council to do something. So, um, you know, however you guys wanna go, but I think it would -- again, it would be prudent, take the politics out of it. You have a city manager. And like, you know, someone mentioned, we pay her very well, and she should be the one that determines whether or not she is going to allow the councilperson to take money out of the general fund, period.

CHAIRPERSON THOMAS: Okay. We've --

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Miss Davis?

COUNCILPERSON J. DAVIS: Um, I'm gonna give you my in -- my piece on this. I tend to agree with Mr. Guyton. And my reasons for doing so are such that, um, I think if we have -- if someone gets an invitation from another country or -- or whatever, I don't -- I don't suspect that it would be a last-minute issue, um, a last-minute invite.

And there should be enough time, particularly if we have consistent meetings -- as I think it's on the agenda that we go back to two meetings a month -- um, that there will be time to bring it to Council for approval. But I do also believe that -- and you know, maybe it has some merit if it -- if it's a small thing.

I know -- and I'll say it because I did do it -- um, we only had 20 some hundred dollars in our travel budget. I went to National League of Cities. Each time I go to National League of Cities I bring back some information for, uh, us to consider. I give to the city manager. But there was also Palm Beach County Day that came up. And I definitely wanted to attend that so I asked the city manager if she would, you know, take care of that.

So if it's -- and -- and, you know, there has to be a line that's drawn. If it's something that's out of the country, I definitely think that it should come back to Council. However, I understand what Mr. Guyton's referring to when, you know, um, a -- an authority figure goes to the city manager and asks for something, she would be hesitant to, um, you know, tell them no. So I -- I -- I wouldn't support this going forward.

CHAIRPERSON THOMAS: Okay. Um, I'm of the perspective that we should be governing ourselves but obviously that really hasn't happened. And thus the reason for the policy. I don't agree with all parts of the policy. I think it should have definitely been workshoped a little bit better before we went ahead but this is actually not dealing with the policy directly. This is actually just amending the ordinance.

So we've debated it several times. It's -- as it stands now, this is just to amend the ordinance. It has been properly moved and second. We're going to go ahead and call the question, Madam Clerk.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes. With the council being the authority to approve any trips beyond the budget.

CHAIRPERSON THOMAS: Okay. The -- Mr. Guyton?

CITY MANAGER JONES: Not (unintelligible) policy today.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: Mr. Guyton, it's -- the motion is as it --

COUNCILPERSON J. DAVIS: Yes.

CHAIRPERSON THOMAS: -- reads.

COUNCILPERSON GUYTON: As it reads.

CHAIRPERSON THOMAS: If you want to amend the motion --

COUNCILPERSON GUYTON: Yes.

CHAIRPERSON THOMAS: -- then that's something different.

COUNCILPERSON GUYTON: No. Okay.

CHAIRPERSON THOMAS: But at this point it's either a yes or a no vote.

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: No.

CITY CLERK WARD: Pro-Tem Pardo?

CHAIR PRO-TEM PARDO: No.

CHAIRPERSON THOMAS: Chair Thomas?

CHAIRPERSON THOMAS: No.

CITY CLERK WARD: That vote failed.

CHAIRPERSON THOMAS: Okay. We're gonna move to item 18.

CITY CLERK WARD: That was Thomas, Pardo and T. Davis dissenting.

CHAIRPERSON THOMAS: But before we go to 18, since the mayor is in attendance and let's make that, uh, notification official. The mayor's here. He's been here for a few moments now. Mayor, are you ready for your presentation?

MAYOR MASTERS: Mr. Chair, I am indeed. The veteran is here.

CHAIRPERSON THOMAS: Okay. You can go ahead with your presentation.

MAYOR MASTERS: Thank you, Mr. Chair.

KELLY MORRISON: Good evening. I apologize for my demeanor but I was helping a

hero. If -- many of you may know me but if you don't my name is Kelly Morrison. I'm a, um, VFW member of 9610. I'm also American Legion Post 268. I'm also for the Mayor's Office of Veterans' Affairs. But I'm here tonight speaking on behalf of American Legion Post 268.

We have three -- I still call them heroes -- the first responders that have gotten a letter of commendations and they've gone up to the State of Florida for Officers of the Year, whether to be a firefighter or a police officer. And I'd like to just call their names and have them come up to receive their awards.

MAYOR MASTERS: Justify what you mean by "heroes." A hero is --

KELLY MORRISON: Our heroes -- I'm sorry. Our heroes are anybody that has served beyond the call of duty, whether it be a first responder, fire, police or soldier. Um, I call them all heroes 'cause everyone chooses to do it on their own. Officer Jennifer Diaz? Corporal Comend [phonetic]?

MAYOR MASTERS: Thank you for your service.

KELLY MORRISON: And Officer Brack [phonetic] is receiving on behalf of Paul Wright.

MAYOR MASTERS: (Unintelligible).

KELLY MORRISON: A firefighter. Paul Wright is a firefighter. I want to thank them all for their time and service. Their -- their notification is still pending. They have not been nominated -- they have been nominated but it hasn't been voted through the State of Florida. They still may become Officer of the Year for the State of Florida.

CHAIR PRO-TEM PARDO: Excellent.

MAYOR MASTERS: Thank you, Mr. Chairman. Just for the record, they are Officers of the Year for City of Riviera Beach and Firefighter of the Year. Thank you.

CHAIRPERSON THOMAS: Thank you. Um, we had a -- an additional presentation. Are the individuals ready for that presentation? Go ahead, Chief. Okay. Just so everybody knows where we are, we did 16 and now we're ready for 15. So Chief?

POLICE CHIEF WILLIAMS: Good afternoon, Chair, members of Council. Clarence Williams, Police Chief. As you recall, May was Law Enforcement Appreciation Month. And during that month, particularly the third week was celebrated. The Riviera Beach Police Department had its First Annual Appreciation Banquet where we recognized individual officers for their efforts throughout the year. I would like to present those individuals and ask them to stand -- come up as I call their names and stand so I can present them.

For the Riviera Beach Police Officer of the Year it was Officer Jeremy Summers. For Riviera Beach Police Detective of the Year, it was Officer Richard Rott -- Detective Richard Rott. For Code Enforcement Officer of the Year, it was Miss Ernestine Degaul

[phonetic]. For Civilian of the Year it was Miss Monica Daniels. For Dispatcher of the Year, it was Mr. Gerald Baker. For Crossing Guard of the Year, Miss Donna Kirk. And Volunteer of the year, the backbone of our -- our efforts, is Miss Diane Borelli [phonetic].

These individuals were recognized at the First Annual Riviera Beach Police Department's Appreciation Banquet for law enforcement officers during the month of May. Uh, they are and they do go above and beyond the call to serve our city. So on behalf of the city manager and a grateful police chief, thank you so very much for your service and thank you so very much for joining us here and allowing our community to see who those men and women are that are providing quality law enforcement services. Thank you so very much. Thank you.

CHAIRPERSON THOMAS: On behalf of the city council, we'd like to thank you all, as well, for your outstanding service. Okay.

POLICE CHIEF WILLIAMS: Mr. Chair, if I may?

CHAIRPERSON THOMAS: You may.

POLICE CHIEF WILLIAMS: Okay. During the month of May, as I indicated, it was Law Enforcement Appreciation Month. In Palm Beach County, the Palm Beach County Association of Crime Prevention Officers have their annual luncheon where they recognize the efforts of law enforcement officers throughout the county. The officers are selected from officers who submit their applications and information for consideration for the various award categories.

Riviera Beach had the opportunity to win in two of the categories in the county-wide selection process. I'm going to ask, first, Officer Jennifer Diaz, who won the ASIS Community Policing Officer of the Year Award. Please stand right here. This was a county-wide effort. She competed with officers from this county and her efforts in serving this community were recognized as being the premier efforts for this award year. Officer Diaz, thank you so very much. Community Policing Officer of the Year, Palm Beach County.

Last but certainly not least -- and this is an award we've won in the past but not in some years. Recognized as the premier law enforcement Officer of the Year for Palm Beach County is none other than Detective Richard Rott. Palm Beach County, Riviera's own Police Officers of the Year in major categories throughout this county.

Officer Diaz, Detective Rott, thank you so very much for your service and the awards that you have received and giving me this opportunity to present you to our community for the -- all the hard work that you do. Thank you so very much for your service. Officers of the Year, Palm Beach County. Mr. Chair, that concludes my presentation.

CHAIRPERSON THOMAS: Thank you, Chief. Okay. Congratulations to Detective Rott and Officer Diaz. We do appreciate you making the city look as good as it does. Okay. We're gonna move to item 18.

CITY CLERK WARD: Ordinance number 4024, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending Chapter 11 by creating Article 6 entitled, Registration of Foreclosed and Mortgage Real Property, of the city code of ordinances, providing for, severability, conflict codification and providing an effective date.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON T. DAVIS: Second.

COUNCILPERSON GUYTON: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. So in second reading, any additional questions, concerns or unreadiness about this item?

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

CHAIRPERSON THOMAS: Yes, ma'am, Miss Pardo.

CHAIR PRO-TEM PARDO: I have one question. Do we know when the contract will be brought back to us, so we can really get this thing moving along?

CITY MANAGER JONES: We will have to go through the procurement process.

CHAIR PRO-TEM PARDO: Okay.

CITY MANAGER JONES: So I'm figuring we're looking at probably 60 days.

CHAIR PRO-TEM PARDO: Okay.

CITY MANAGER JONES: 'Cause we've got to go through --

CHAIR PRO-TEM PARDO: Sixty days to go to out to bid or 60 days before it comes back?

CITY MANAGER JONES: Come back.

CHAIR PRO-TEM PARDO: Okay. All right. Thank you. That's all I have, sir.

CHAIRPERSON THOMAS: Okay. If there are no additional questions, concerns, unreadiness, Madam Clerk.

CITY CLERK WARD: This -- this ordinance was advertised Palm Beach Post on July the 7th. Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Pro-Tem Dawn Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON THOMAS: Okay. Item 20.

CITY CLERK WARD: Ordinance number 4025, an ordinance of the City Council of the City of Riviera, Palm Beach County, Florida, amending Chapter 13 of the Code of Ordinances entitled Parks and Rec., Article 4 entitled Marina Operations, by revising Section 13-76 entitled Rental Rates and Miscellaneous Charges, providing for severability, conflict, codification, and providing an effective date.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. Any questions, concerns? Do I have any comment cards on this one?

CITY CLERK WARD: Yes, sir.

CHAIRPERSON THOMAS: I do. We'll take the comment card first. Um, Miss Bessie Brown?

BESSIE BROWN: Mr. Thomas, I -- I wrote the wrong number. That was for 24.

CHAIRPERSON THOMAS: Okay. You want 20 --

BESSIE BROWN: I'd like to have 24.

CHAIRPERSON THOMAS: You have 26, as well. So you want --

BESSIE BROWN: Twenty -- yes. Uh-huh.

CHAIRPERSON THOMAS: -- 24 and 26?

BESSIE BROWN: Uh-huh.

CHAIRPERSON THOMAS: Okay. I'll happily change that for you.

BESSIE BROWN: Okay.

CHAIRPERSON THOMAS: No comment cards. Anything else from the board? Hearing none -- did I hear some -- hearing none.

UNIDENTIFIED SPEAKER: (Unintelligible).

CHAIRPERSON THOMAS: Madam Clerk?

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Pro-Tem Dawn Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

CITY CLERK WARD: Unanimous vote.

CHAIRPERSON THOMAS: Okay. We're gonna move to item 21.

CITY CLERK WARD: Ordinance number 4026, an ordinance of the City Council of the City of Riviera, Palm Beach County, Florida, amending Chapter 10 of the Code of Ordinances entitled License and Business Regulations, Article 5 entitled Business Tax Receipts, Section 10-150 entitled Classification and Rate Structure by increasing rates by 5 percent providing for severability, conflict and providing an effective date.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON GUYTON: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. I don't have any comment cards. Or do I? None? Anything from the board? Hearing none, Madam Clerk?

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes. Yes.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Councilperson Dawn Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

CHAIR PRO-TEM PARDO: Unanimous vote.

CHAIRPERSON THOMAS: Okay. We're gonna continue to move. We're gonna move down to, um, number 22. Item 22.

CITY CLERK WARD: Resolution 86-13, a resolution of the City Council of the City of Riviera, Palm Beach County, Florida, approving a two-year employment agreement with Ruth C. Jones as City Manager, commencing June 22nd, 2013 --

CHAIRPERSON THOMAS: Go ahead.

CITY CLERK WARD: -- commencing June 22nd, 2013, through June 21st, 2015, authorizing the Mayor and City Clerk to execute the agreement and providing an effective date.

COUNCILPERSON GUYTON: So moved.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: Okay. It's been properly moved and second. Before board discussion, do we have any comment cards on this?

CITY CLERK WARD: Yes, sir.

CHAIRPERSON THOMAS: Okay.

CITY CLERK WARD: Lots. One, two, three --

CHAIRPERSON THOMAS: Okay. We only have one comment card on this item?

CITY CLERK WARD: No. You have more.

CHAIRPERSON THOMAS: Oh. Any --

CITY CLERK WARD: You have two.

CHAIRPERSON THOMAS: -- any -- anybody else would like to fill out a comment card? Because of the nature of this item, I'll allow you about another 60 seconds. If not, I'm gonna close it out. Is that for item 22? By show of hands does anybody want to put in a comment card in the audience? I'm gonna close it out with these three. All right.

First, we'll take Barbara Watson. Right there. Yes, ma'am. Good evening. Uh, you have three minutes to make your comments.

BARBARA WATSON: Okay. Good evening. My name is Barbara Watson. I represent Florida Public Service Union. We're here tonight to speak -- we've talked to our constituents, which means it's our membership that is in Riviera Beach. We feel that Miss Jones has had a salary increase two years in -- two -- she has had two so far. We feel that that's unfair to the -- the general work -- the general workers. So we think that it's unfair when the general rank and file employees have not had an increase in over five years. Uh, 15,000 -- 1,500 -- \$1,500 increase is an incentive when a time that the City is facing layoff, furlough days and low-paying positions. \$1,500 increase is inappropriate at a time when the City can create new full-time positions with this amount.

\$1,500 increase is unethical when the City is hiring employees on part-time positions so can it -- they can avoid getting benefits. The City is making it more difficult for workers to earn a decent wage, also silencing their voice by denying the part-time workers to be a part of the union. That's first. We have a right to know what you think and a right that the city manager is superior to the rest of the employees. We have a right to question why the city manager deserves a raise when the rest of the employees are suffering hardship in an economic crisis.

We have a right to inquire why the city manager is up for yet another salary increase when the rest of their employees are asked to give sacrifices like furlough days, layoffs and no wage increase. We're here today to ask the leaders to protect the interests of all City workers and not just one employee. Thank you.

CHAIRPERSON THOMAS: Thank you very much for your comments. Next up, we'll have Mr. Fane Lozman.

CITY CLERK WARD: And this one.

CHAIRPERSON THOMAS: Good evening, Mr. Lozman. You have three minutes to make your comments.

FANE LOZMAN: Fane Lozman. Uh, the prior speaker addressed many of the items I

was going to address so thank you for your well-spoken words. Um, I touched on this briefly before. I had a conversation with the Supervisor of Elections, Susan Bucher. The City had sued the Supervisor of Elections back in 2010. And when the City lost, they had to pay over \$20,000 in attorneys' fees to the city.

What happened was the city manager decided not to bring that judgment from the court back to the board. She decided for \$15,000, she can take care of it herself. What she did was -- Susan Bucher, when I talked to her -- she was very upset because she said now the county taxpayers have to absorb that \$7,000 in fees that the City would not pay. Now, I encouraged all of you to call up Miss Bucher and talk to her, and you can understand what Miss Jones did.

The downside of what she did is that the Supervisor of Elections would not have a special election until March of next year. But if you had paid her legal fees, maybe she would have. So that's one thing. She's created a conflict with the Supervisor of Elections. That's not me talking. That's the Supervisor of Elections talking. And B, she's -- she pulled a fast one on the county taxpayers, sticking them with \$7,000.

Number two, you know, when I won my U.S. Supreme Court case it opened me up to a whole bunch of new high-powered attorneys around the country, law firms, people I never would have been able to talk to before. And I talked about what happened to me. I talked about what happened to other marina tenants who were -- who the City did a self-help eviction, was -- one woman, her mobility was permanently damaged when they turned her electric off. Another guy, Budweiser Bill, ended up dying on his floating -- dying on his boat.

And they believe that there's certainly grounds for criminal civil rights violations. Since she was responsible for the marina director, I'm encouraging the Department of Justice to pursue an investigation relative to criminal civil rights violations against this woman right there. Um, she has done an abysmal job as city manager. That's shared with people around Singer Island I've talked to, shared with people on the west side, the Mayor. You get around. You talk to a whole lot more people than I do. I'd encourage you put your input in. But forget a pay raise. This woman should be locked up for what she did after Bill ended up dying at the marina.

CHAIRPERSON THOMAS: Um, our last -- our last comment card for this particular item will be Bonnie Larson. Good afternoon, Miss Larson. You have three minutes. And I'm glad that you brought that up. From this point on --

BONNIE LARSON: It's -- my time is running. No, no, no.

CHAIRPERSON THOMAS: I'll start it over. I do have that liberty. I'll start it over. But you -- you always take the entire book.

BONNIE LARSON: Right.

CHAIRPERSON THOMAS: Which doesn't allow everybody a chance to look through it.

BONNIE LARSON: There's only one book ever back there for all these people. One book.

CHAIRPERSON THOMAS: I understand. But listen. Miss -- Miss Larson?

BONNIE LARSON: Uh-huh.

CHAIRPERSON THOMAS: We're not debating on it. What I would like for you to do is just leave the book for the general public and just look through it as you need it so everybody can see. So when you get done with this would you please return that book back?

BONNIE LARSON: Yes, I will. And then when I come up here again I'm going to quote from it, so I'm gonna have to get it from whoever's got it then.

CHAIRPERSON THOMAS: No problem.

BONNIE LARSON: But it would be nice. There used to be at least three books back --

CHAIRPERSON THOMAS: You're gonna have three minutes. Go ahead and start her time.

BONNIE LARSON: -- there used to be at least three books back there. Now there's only one. So, all right. Anyway, uh, Miss Jones' contract. Her contract was due on June 22nd. Today is July 17th. Why wasn't this put on the council agenda months ago? She should be given at least a few months notice if we're keeping her, getting rid of her or whatever. That's just -- you should do that. You have to do that. So again, we're over the limit.

And why wasn't it put on the agenda? I asked Miss Jones, Who's responsible for the agenda items? and she said herself and the -- the chairman of the council. So I have to ask the two of you, why wasn't this on the council agenda in a timely manner?

Um, the lady that spoke also mentioned some of the things I was going to talk about. In the new revision there are no benchmarks this time. And with a 9 percent increase plus a one-week additional vacation week, that's another percentage. Plus you gotta think about longevity pay. So this is a huge, huge increase.

Do the entire board vote to negotiate for 9 percent? If you're agreeing with this, then that says yes, you are. Because 9 percent -- I saw an item the other day about what to expect in salary increases for 2013 and '14. The report said 2.8 for 2013 if you get an increase and 2009 [sic] for the year 2014. So 9 percent is outrageous in a good economy. We're in a bad economy. So 9 percent, if you -- you have a lot of employees here who aren't getting any increase whatsoever. Think about it.

If you're that employee and your boss gets a 9 percent plus another week's vacation plus -- plus the incentive, plus the longevity, how -- how diligently do you feel you're gonna do your job? You're not. You're gonna have no incentive whatsoever. You're

gonna say, Hey, the boss is getting all this money. There must be money in the budget. How come not any of it is trickling down to us? You know what? I'm just gonna start doing the basic, basic minimum of my job, because I'll get my longevity pay. The longer I stay here, the more money I make anyway.

But there's no incentive. Start making your job -- the salary incentive on what you're doing. You're gonna lose -- not -- you're not gonna lose everybody 'cause they're not gonna quit. It's a good job, working for the City. But there's no incentive if your boss gets 9 percent plus another week's vacation plus longevity. There's no incentive for anybody to do a good job here on the City.

Um, there -- there should be a procedure -- I didn't see that written out here -- on vacation days and sick leave. When a person in a private company goes on vacation, you put in a form, like, two weeks before, whatever the -- whatever the deal is, saying, I'd like to take vacation this period of time. Then it's approved by somebody. And same thing with your sick leaves. You turn in a form saying you're sick. I don't see any of that done here.

So, uh, like I said, anybody who approves this tonight, then you the council are agreeing to that 9 percent and I think that's an outrageous amount of money. I really do. Um, like I said, you've gotta think about your employees here. So that's it. I will put the book back right now.

CHAIRPERSON THOMAS: Thank you very much for your comments. Um, Miss Jones, if you wanted to say something -- and I see you biting at the mike. You can go ahead but I'm gonna start off with -- with your contract. But if you wanted to address some of the items you can very quickly, please.

CITY MANAGER JONES: Thank you, Mr. Chair, for the opportunity to do so. Um, first of all, for Miss Watson's comment, I just wanted to correct her erroneous statement. I have not received an increase. When we got -- when I arrived in 2009, I was given a base salary. And in the contract there was an evaluation after six months for what we were negotiating for the full salary. I have not received not one dime since January 2010. I also participated in the furlough. I didn't ask them to do nothing that I did not do. Um, so I wanted to, um, correct that.

Second of all, for Miss Lawson, I would like to correct the record. I do not receive longevity pay. I am not treated like a regular employee.

CHAIRPERSON THOMAS: I -- I was gonna deal with that when we started negotiating but --

CITY MANAGER JONES: Oh, okay. If you want to give it to me -- no, I do not receive longevity. I'm a contract employee. I'm not considered a regular employee. And lastly, uh, to Mr. Lozman's claim, um, as it relates to the Supervisor of Elections, I had absolutely nothing to do with the negotiations in the settlement.

And I will contact Miss Bucher personally in a few minutes when I step off the dais, um,

because I do not want her thinking that I was ever at the table. It was a negotiated settlement that was handled outside of my office with her attorney, that her attorney accepted. The attorney accepted whatever the dollar value was. I didn't have anything to do with that. I did not sit through those negotiations. I did not make the offer for settlement. And so I just wanted to clear up those few points. Thank you so much, sir.

CHAIRPERSON THOMAS: Okay. Thank you. Um, and you're welcome to stay or you can be excused if you like, whichever one you feel more comfortable. We probably will need you back on some of the items. Since I have the responsibility of negotiating the contract, um, there were a few items that changed that I think were the -- you have the whole -- I'm having a problem pulling it up. But -- Jameer [phonetic], pull a copy for me, please.

CHAIR PRO-TEM PARDO: Um, I never received a red line.

CHAIRPERSON THOMAS: Yeah.

CHAIR PRO-TEM PARDO: When did that come out?

CITY ATTORNEY RYAN: No, that's the one that -- this one here --

CHAIR PRO-TEM PARDO: This is what's on the -- the website.

CHAIRPERSON THOMAS: Oh. Okay. Okay.

CITY ATTORNEY RYAN: Right. These haven't (unintelligible).

CHAIRPERSON THOMAS: Okay. Listen, this is going to be difficult enough, so let's just kind of keep some order up here.

CITY ATTORNEY RYAN: I have -- I have (unintelligible).

CHAIRPERSON THOMAS: Okay. Um, we can start with the -- the major items that were -- were negotiated. So I believe, um, in the original agreement that went out on the -- for the -- in Novus, um, I'm gonna start from the back and go forward in reference to this not really having a -- an end date. That was not agreed upon and that has since been fixed, which would be item D, if I'm not mistaken. This part right here. Yeah. But this -- this is -- this is what's going to be there. Right now it's, um, in the -- in the event -

CITY ATTORNEY RYAN: This is what it says here.

CHAIRPERSON THOMAS: Under Section 1, Employment, C, so for everybody who's following, this agreement, um, says -- I'm gonna start with B. It says, "The -- the City employment of Ruth C. Jones as City Manager shall be effective from June 22nd, 2013. The term of this agreement shall be for two years ending June 21st, 2015."

CITY ATTORNEY RYAN: And it should be (unintelligible).

CHAIRPERSON THOMAS: Okay. But in the original contract it read "until such time as the council terminates her employment," which would mean that she would be due service -- she would do -- excuse me, she would be due severance -- she'll be due severance no matter when it was terminated. So even if the contract was up, she would still be due severance.

I didn't necessarily, um, agree with that. I don't agree with that. Um, what I'm proposing, um, for that -- and I've spoken with her about it -- to -- instead of having that - - because I don't want to have a contract expire and then we still have to pay severance.

So, um, in our other contracts that we have for executive level, they have a termination calls -- clause. So to take that section out and add, "In the event the City Council desires to terminate this agreement without cause, notice of such termination shall be provided to the City Manager 90 days prior to said termination."

CHAIR PRO-TEM PARDO: All right.

CHAIRPERSON THOMAS: "In such --" hold on one second, Miss Pardo. "In such event, the severance provision of this agreement shall not apply in the event that 90 days prior notice is not provided. The severance shall be provided as outlined herein." Okay. Miss Pardo, you were first.

CHAIR PRO-TEM PARDO: Okay. So basically there's still no drop-dead date?

CHAIRPERSON THOMAS: It is.

CHAIR PRO-TEM PARDO: Well, what's the 90 days, then?

CHAIRPERSON THOMAS: That's 90 days prior --

CHAIR PRO-TEM PARDO: It's still --

CHAIRPERSON THOMAS: Wait a minute.

CHAIR PRO-TEM PARDO: Okay. I'm --

CHAIRPERSON THOMAS: I'm gonna explain it to you. It's 90 days prior -- the same thing we do for Miss Ryan or on the CRA side for Mr. Brown. It's basically saying in 90 days we're giving you an intent. Either we're planning on keeping you or we're planning on not keeping you. They have -- we -- we'll give her 90 days to -- to look for another job or prepare for whatever, you know, the future is going to be for her.

CHAIR PRO-TEM PARDO: Okay. So if we give her those 90 days, okay -- and then that's it? We don't have to pay her anything?

CHAIRPERSON THOMAS: Well, at the -- if we say "90 days prior to the end of her contract," we're not -- we're not interested in further employing you --

CHAIR PRO-TEM PARDO: Right.

CHAIRPERSON THOMAS: -- then that's it. She walks away. Thank you very much. Bye-bye. You know? That's -- that's just the way it's -- it's written.

CHAIR PRO-TEM PARDO: All right. And do you agree with that, Miss Ryan? I just want to make sure.

CITY ATTORNEY RYAN: Right. Right.

CHAIR PRO-TEM PARDO: Because we have just too many contracts where, you know, we put a -- an end date. Okay. The contract ends on this date. And then it -- again, you know, then you get into, Well, notwithstanding --

CHAIRPERSON THOMAS: Well, that's why I added this.

CHAIR PRO-TEM PARDO: -- and the next thing you know, people are here in perpetuity. So --

CHAIRPERSON THOMAS: Well, that's not happening.

CHAIR PRO-TEM PARDO: -- okay. Well, I just want to make sure. And that's something that we need to do with all contracts. There needs to be a termination date. And if you want to give, you know, 45 days or 90 days, whatever it is so they can go out and start looking for another job -- but I just -- you know, I just want to make sure there is a date.

At the last meeting when we were evaluating the City Manager, you know, some of us were under the impression that the contract expired on the 22nd and that would be the end of it. And then we found out, Well, no, it really doesn't mean that. So --

CHAIRPERSON THOMAS: Okay. That was in her contract that was negotiated prior to this contract.

CHAIR PRO-TEM PARDO: Uh-huh. All right. Fine. Like I said, that's what I want to make sure --

CHAIRPERSON THOMAS: In this contract, that's been removed.

CHAIR PRO-TEM PARDO: -- that there's a drop-dead date and that's it.

CHAIRPERSON THOMAS: And it's June 21st, 2015. Does any other board member have any discussion on that particular --

CHAIR PRO-TEM PARDO: With the 90 days.

CHAIRPERSON THOMAS: -- um, item that -- Miss Pardo, it's --

CHAIR PRO-TEM PARDO: Wait --

CHAIRPERSON THOMAS: -- 90 days prior. We just -- we just have to give her notice.

CHAIR PRO-TEM PARDO: No, I -- I understand that. Right.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: Right. We give her notice.

CHAIRPERSON THOMAS: Yes.

CHAIR PRO-TEM PARDO: And then what happens if we don't give her notice? You know, because 90 days --

CHAIRPERSON THOMAS: Then first of all that'll --

CHAIR PRO-TEM PARDO: -- now you're getting into election time. All right?

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: So I'm just saying, you know, we need to -- you need to think about this.

CHAIRPERSON THOMAS: I -- I understand that. And that's the --

CHAIR PRO-TEM PARDO: So if we don't give them notice, then it just continues?

CHAIRPERSON THOMAS: No, she'll be due severance.

CHAIR PRO-TEM PARDO: Uh-huh.

CHAIRPERSON THOMAS: So this -- this is the issue. The -- the issue is -- and this is my reasoning behind this. We do it for every other employee of this magnitude.

CHAIR PRO-TEM PARDO: It doesn't make it right.

CHAIRPERSON THOMAS: And I think that it's fair. If we're not going to keep her, then we do it. We run into this with Miss Ryan all the time.

CITY ATTORNEY RYAN: All the time.

CHAIRPERSON THOMAS: So the issue is, if you don't want that particular clause in there, then she needs some type of protection. And that's up to the board to make sure that happens. She'll have to give us notice just the same way Miss Ryan does, to say, Hey, listen. My contract expires. And we can put that in there. But it's up to the board to make sure that that clause does not, you know -- does not -- does not happen.

CHAIR PRO-TEM PARDO: Right. And, you know, if you recall -- and, you know, you could pull the minutes on this -- it was brought up maybe at the last meeting or the meeting prior, someone had asked about Miss Ryan's contract and how come it didn't

come back to us earlier. And you know, someone on the council had made the comment, Well, we were in the middle of a heated election. So that's why I'm just bringing that up, too. You get 90 days; 90 days, you know, before June 22nd, you're in the middle of an election.

CHAIRPERSON THOMAS: I understand that.

CHAIR PRO-TEM PARDO: So -- but that's fine.

CHAIRPERSON THOMAS: But wait a minute.

CHAIR PRO-TEM PARDO: All right.

CHAIRPERSON THOMAS: I need you to also be mindful --

CHAIR PRO-TEM PARDO: Uh-huh.

CHAIRPERSON THOMAS: -- that there's not an election every year.

CHAIR PRO-TEM PARDO: Right. But there will be an election in 2015.

CHAIRPERSON THOMAS: And I'm not sure -- will it?

CHAIR PRO-TEM PARDO: Yes, there will be.

UNIDENTIFIED SPEAKER: Yes.

CITY ATTORNEY RYAN: For two council members.

CHAIRPERSON THOMAS: Oh, for two council members? Okay. I understand.

CHAIR PRO-TEM PARDO: Okay.

CHAIRPERSON THOMAS: But the majority of the board is still there. And we can --

CHAIR PRO-TEM PARDO: That's fine.

CHAIRPERSON THOMAS: We don't have to do that.

CHAIR PRO-TEM PARDO: We're -- we're just talking.

CHAIRPERSON THOMAS: We -- we're -- we're here. Okay. Mr. Davis? You want to discuss anything --

COUNCILPERSON T. DAVIS: About this?

CHAIRPERSON THOMAS: I'm gonna just try to go change by change so we can be clear.

COUNCILPERSON T. DAVIS: Okay. I'll wait, then.

CHAIRPERSON THOMAS: You -- you don't have any --

COUNCILPERSON T. DAVIS: Not with that --

CHAIRPERSON THOMAS: -- issue with that change, with that particular --

COUNCILPERSON T. DAVIS: -- not with that particular change. I'm waiting till you go down.

CITY ATTORNEY RYAN: Okay. I have one.

CHAIRPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: I want to make sure that I'm clear. It's your desire to remove section C all together or to --

CHAIRPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: Wait a minute.

CITY ATTORNEY RYAN: You want to remove that? Because as it -- the way it's written now -- and Miss --

COUNCILPERSON J. DAVIS: Oh.

CITY ATTORNEY RYAN: -- in the manager's interpretation of this contract, the way it's written now, although she has a two-year contract, it does not terminate until you all actually terminate it. You have to actually terminate it.

CHAIRPERSON THOMAS: And -- right. And that's what I'm removing out. Her -- her contract ends on the 20 -- on June 21st, 2015. It ends. She'll be still due severance if we don't give her notice within 90 days of what our intentions are.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Miss, uh, Davis?

COUNCILPERSON J. DAVIS: Now, I have a -- a red-line version but it does not show, um, section C being red-lined.

CHAIRPERSON THOMAS: Right.

CHAIR PRO-TEM PARDO: Right.

CHAIRPERSON THOMAS: This is -- that's why I'm discussing it now.

CITY ATTORNEY RYAN: He just read that in.

CHAIRPERSON THOMAS: We -- I just read it in.

COUNCILPERSON J. DAVIS: Oh, okay. All right.

CHAIRPERSON THOMAS: That's why I'm -- that's why I'm discussing it.

COUNCILPERSON J. DAVIS: So you want C all -- gone all together?

CHAIRPERSON THOMAS: Yes. Yes, ma'am. It's -- which would be my negotiations with her. But we're here. We can decide. If you -- if you all don't agree with that, we -- that's what we're gonna --

COUNCILPERSON J. DAVIS: So do you have any -- I mean, so is -- that's the only -- your -- I thought this entire thing was yours, your negotiation with her.

CHAIRPERSON THOMAS: Pretty much. But that part of it was not. That part of it was not. So that's why we're correcting it now.

COUNCILPERSON J. DAVIS: So is there more from you, is what I'm asking?

CHAIRPERSON THOMAS: I'm say -- I'm sorry?

COUNCILPERSON J. DAVIS: Is there more --

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON J. DAVIS: -- negotiations -- well, you see, I have a problem with that.

CHAIRPERSON THOMAS: There --

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: Because I'm thinking -- I'm looking at something that has been negotiated by you.

CHAIRPERSON THOMAS: Uh-huh. Uh-huh.

COUNCILPERSON J. DAVIS: That's what you're -- you said you were going to do.

CHAIRPERSON THOMAS: Uh-huh.

COUNCILPERSON J. DAVIS: And I'm thinking that's what this is. I don't want to sit here and make a decision on the -- on the cuff, you know, based on what you're gonna bring us.

CHAIRPERSON THOMAS: Okay. Well, let me just go ahead and put it like this. What happened was I did not agree to that section being in here. Period. I negotiated something. I sent it over for review by Legal. And for some reason a different draft came out and went out than what I negotiated. So I didn't negotiate that part of it. That's the only part that I didn't negotiate.

COUNCILPERSON J. DAVIS: Well, we should have been given two copies, then, is all, because --

CITY ATTORNEY RYAN: Right.

CHAIRPERSON THOMAS: I believe you -- I believe you should.

COUNCILPERSON J. DAVIS: -- I'm not -- I'm not -- I'm not comfortable with --

CITY ATTORNEY RYAN: Mr. Chair, if I can just say this.

MAYOR MASTERS: Mr. -- Mr. Chairman.

CITY ATTORNEY RYAN: Miss Davis, the only thing that I changed in this agreement -- and it was without the Chair's knowledge at the time -- I added the words, "Notwithstanding the above," to make it clear that you all were paying severance to the manager no matter when the contract ended; that you actually had to terminate this contract. Because before the meeting last month, this city council -- the members that I talked to and including myself -- we were under the impression that that section only applied within the two years of her contract, meaning if the council ever terminated this contract within the two years --

COUNCILPERSON J. DAVIS: Uh-huh.

CITY ATTORNEY RYAN: -- then she would get severance.

COUNCILPERSON J. DAVIS: Uh-huh.

CITY ATTORNEY RYAN: Otherwise, why have a, um -- a beginning and an ending date?

COUNCILPERSON J. DAVIS: Uh-huh.

CITY ATTORNEY RYAN: Because it just goes in perpetuity. And so --

COUNCILPERSON J. DAVIS: I mean, how --

CITY ATTORNEY RYAN: -- when I spoke with the manager, um, she agreed that her interpretation was different from what we understood. And so I wanted to add that section to clarify. It was just a clarification point because that's what she intended and it -- we knew that it would garner some discussion. But that provision was added by me to clarify this contract, because in the event that, um, litigation ensues -- because

sometimes it does -- I wanted to have as clean and as clear a contract as possible.

COUNCILPERSON J. DAVIS: Okay.

CITY ATTORNEY RYAN: So I added those three words in and the agenda literally went out, um, after I finished the -- the -- the change.

COUNCILPERSON J. DAVIS: Okay. I'm not --

CHAIRPERSON THOMAS: Prior to me --

COUNCILPERSON J. DAVIS: -- I'm --

CITY ATTORNEY RYAN: And the -- and the --

COUNCILPERSON J. DAVIS: -- let me just say this.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: I -- I'm not saying I disagree with you, Mr. Chair. I -- I'm saying that I would have liked the opportunity to review everything prior to this meeting. And Miss Ryan, if you are saying to me that even with -- okay, the contract has been given an end date. Okay? So your three words, "Notwithstanding this contract coming to an end, the agreement shall remain in effect until terminated by --"

CITY ATTORNEY RYAN: Right.

COUNCILPERSON J. DAVIS: -- that's -- that seems redundant to me or something. It sounds really --

CITY ATTORNEY RYAN: Well -- and -- correct. And --

COUNCILPERSON J. DAVIS: -- strange to me.

CITY ATTORNEY RYAN: -- that's why I added, "Notwithstanding the above." Because if you read section B and you read section C, they don't seem to jive.

COUNCILPERSON J. DAVIS: No, they don't.

CITY ATTORNEY RYAN: Unless you agree with our interpretation which was that section C only comes into effect within the time frame, within the two years. So if the council terminates this agreement within two years, then section 13 comes into play.

COUNCILPERSON J. DAVIS: Okay. Well, look. Okay. I -- I -- I -- I think I'm following you now. "Notwithstanding the above," so if something -- if we're still within those two years, then we're good. I mean --

CITY ATTORNEY RYAN: Well, the contract still goes over and over.

COUNCILPERSON J. DAVIS: If -- if we can -- we can terminate it within the two years and we --

CITY ATTORNEY RYAN: But the share --

COUNCILPERSON J. DAVIS: -- to give her a severance.

CITY ATTORNEY RYAN: That's what we -- that's how we interpreted it. But the manager's interpretation was it doesn't matter when you terminate this contract.

COUNCILPERSON J. DAVIS: I think it needs to come out, then. It's too confusing.

CHAIRPERSON THOMAS: Well, that's why I --

CITY ATTORNEY RYAN: Right.

CHAIRPERSON THOMAS: -- that's why I pulled it out.

CITY ATTORNEY RYAN: Right.

CHAIRPERSON THOMAS: And I'm reading it to you now.

COUNCILPERSON J. DAVIS: I understand.

CHAIRPERSON THOMAS: Believe me, I was very -- well, I wasn't a happy camper that that actually ended up happening because that -- that wasn't what I negotiated, and what I negotiated is what I wanted out. So that is what I'm negotiating. Uh, that's what I negotiated with the manager to date, to try to clear it up. She's agreed to that. But if the board is not in agreement with that, then we will leave it as -- as is.

COUNCILPERSON T. DAVIS: I --

CHAIRPERSON THOMAS: Hold on. Let me make sure I -- I get everybody on -- on this particular item. Mr. Guyton, did you have anything on this item?

COUNCILPERSON GUYTON: Nothing on this item.

CHAIRPERSON THOMAS: On this part of the contract? Um, Mayor, did you have anything on this particular --

MAYOR MASTERS: No, I just have a question. We're on section -- is this 6? What section are we on, Miss --

CHAIR PRO-TEM PARDO: One.

CITY ATTORNEY RYAN: The very first one.

MAYOR MASTERS: Well, we're still on section 1?

CHAIRPERSON THOMAS: Yes.

MAYOR MASTERS: Yeah. I'm -- I'm waiting to talk about the salary increase. That's what I'm waiting on.

CHAIRPERSON THOMAS: Okay.

MAYOR MASTERS: So, no.

CHAIRPERSON THOMAS: Mayor -- Mayor, okay, no problem. All right. The -- the part we'll go to -- down to now is the salary. And --

COUNCILPERSON T. DAVIS: Excuse me. Mr. Chair?

CHAIRPERSON THOMAS: -- if -- Mr. Davis?

COUNCILPERSON T. DAVIS: I wanted to -- I had a question about that particular section.

CHAIRPERSON THOMAS: Oh, okay. Go ahead. I'm -- I'm sorry. I thought earlier you said that you were good. I'm sorry.

COUNCILPERSON T. DAVIS: No. Um, and I'm looking at the dates here. And we're discussing when the contract is coming up. And it talks about 90 days prior giving that notice. The evaluation date states here June 20 -- June 21st, 2015. Ninety days prior to that is February -- no, March 2015, which means we can put in the contract that we do an evaluation on February 2015 to kill all that, so we don't miss any of these deadlines. Can we put that in the contract, the actual evaluation date?

CHAIRPERSON THOMAS: We can.

COUNCILPERSON T. DAVIS: Because --

CHAIRPERSON THOMAS: But I --

COUNCILPERSON T. DAVIS: -- because a lot of these contracts states that we must give them notice.

CHAIRPERSON THOMAS: We -- we can't --

COUNCILPERSON T. DAVIS: Ninety days before we're gonna keep them or not. But we have to do an evaluation 30 days prior to the 90 days.

CHAIRPERSON THOMAS: We -- no. We don't have to do an evaluation --

CITY ATTORNEY RYAN: (Unintelligible).

CHAIRPERSON THOMAS: -- 30 days before. You can do an evaluation any time.

COUNCILPERSON T. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: Thirty -- 90 days before is giving notice of saying, Hey, Miss Jones --

COUNCILPERSON T. DAVIS: Right.

CHAIRPERSON THOMAS: -- we -- we appreciate your employment. We want you to stay.

COUNCILPERSON T. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: Or Miss Jones, we're going to go into another direction. It just gives them the opportunity --

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: -- to start to plan for whatever future desires they have.

COUNCILPERSON T. DAVIS: But I understand what you're saying. But we have two things here. We have an evaluation date that we need to discuss. And then I can understand that. But what you're talking about, any given time before the contract expires, if we want to go a different direction as a board, then we have to give her the 90 days like you're saying. And then you're discussing --

CHAIRPERSON THOMAS: Ninety days prior to the end of her contract.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: She has a two-year contract.

COUNCILPERSON T. DAVIS: Right.

CHAIRPERSON THOMAS: So if you decide any time within that two year that you want to --

COUNCILPERSON T. DAVIS: Early.

CHAIRPERSON THOMAS: -- to -- to -- to terminate her agreement --

COUNCILPERSON T. DAVIS: Right.

CHAIRPERSON THOMAS: -- you can do so.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: However, there's a provision in there that allows, depending on what it's for -- but -- depending on what the termination is for.

COUNCILPERSON T. DAVIS: Oh, okay.

CHAIRPERSON THOMAS: It's allowed a severance.

COUNCILPERSON T. DAVIS: You won't give that out. Okay.

CHAIRPERSON THOMAS: We're just talking about 90 days prior to the end of the contract.

MAYOR MASTERS: End.

CHAIRPERSON THOMAS: Prior to the end of this particular agreement, which will be in 2015. You -- you good or if you're not --

COUNCILPERSON T. DAVIS: I think -- I think we clear --

CHAIRPERSON THOMAS: -- (unintelligible) as much time as we need.

COUNCILPERSON T. DAVIS: -- I think we're saying the same thing. All I'm asking is that we -- we can actually put in a date regardless of what this board is talking about. Putting in an evaluation date.

CHAIRPERSON THOMAS: Uh --

COUNCILPERSON T. DAVIS: When the -- as the contract is -- before the contract expires.

CHAIRPERSON THOMAS: -- that's fine. Does the -- is the remainder of the board okay with --

COUNCILPERSON GUYTON: Um --

COUNCILPERSON T. DAVIS: Because we just -- we just had two contracts to come before the board and they expired.

CHAIRPERSON THOMAS: Okay. I gotcha. No problem. It --

COUNCILPERSON GUYTON: Uh --

CHAIRPERSON THOMAS: -- anybody -- any other member on the board would like to have a absolute evaluation date in the contract?

COUNCILPERSON GUYTON: Mr. -- Mr. Chair?

CHAIRPERSON THOMAS: Mr. Guyton?

COUNCILPERSON GUYTON: Um, I -- I understand the concept but I think we would be more, um, prudent if we put a time frame prior to the expiration, because, um, unless we plan it for a specific council meeting, and council meetings sometimes are canceled,

we can miss that. And if we give a time frame a month before the expiration, two weeks before the expiration, I think that we can better hit that as opposed to putting a specific date. So I --

CHAIRPERSON THOMAS: That was my thought process. That's why I said -- I said 30 days.

COUNCILPERSON GUYTON: -- I -- I -- I agree to the concept but a specific date to try to target, I don't know if that would be the best approach. But -- but, you know --

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: -- that was just my comments.

CHAIRPERSON THOMAS: Any other member on that particular -- adding an evaluation date 30 days before any --

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Miss Davis?

COUNCILPERSON J. DAVIS: Um, I would go a step further and say that, um -- and I agree with you, Mr. Davis. Um, we haven't had a very good track record in doing so. So I would say during that 90-day period that, um, she is being requested to notify this board, that we, um, do the -- you know, somehow put the, um -- the language --

CHAIRPERSON THOMAS: Evaluation?

COUNCILPERSON J. DAVIS: -- the language in the contract, that the evaluation would be done during that -- either the first month of that 90 days --

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: -- okay? And that way we'll have a better, um -- she'll have a better --

CITY CLERK WARD: Prior to the (unintelligible).

COUNCILPERSON J. DAVIS: -- better view of whether we're going to keep her or let her go.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: Um, so --

CHAIRPERSON THOMAS: Okay. I'm okay with that. Uh, any other board member want to speak in reference to the -- the -- to the 90 days? I mean, the evaluation being done within the first month of them -- those 90-day notification? Okay. We'll go ahead and --

CITY CLERK WARD: Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am.

CITY CLERK WARD: Just for clarifications as far as the minutes are concerned --

CHAIRPERSON THOMAS: Yes.

CITY CLERK WARD: -- would you please state exactly where you want that to be included?

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: First meeting in March.

CITY ATTORNEY RYAN: No, no. She means --

CHAIRPERSON THOMAS: No, no, no. We're gonna -- in the contract.

COUNCILPERSON J. DAVIS: Oh, oh, I'm sorry.

CITY CLERK WARD: Section of the contract.

CHAIRPERSON THOMAS: All right.

CITY ATTORNEY RYAN: 2B. Say 2B.

CHAIRPERSON THOMAS: Yeah. It -- it would be -- yes, in 2B.

COUNCILPERSON J. DAVIS: In 2B --

CHAIRPERSON THOMAS: 2B. 2B. Under 2B is where that will go in.

CITY ATTORNEY RYAN: Oh, do you -- Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am.

CITY ATTORNEY RYAN: The charter provides that an evaluation must be done yearly. So perhaps it might be best to just say when the evaluation is going to be done in each year, if that's what you want to do, instead of saying --

COUNCILPERSON J. DAVIS: Is March within a year?

CITY ATTORNEY RYAN: Well, of this year. But you're talking about the -- the 90 days. She doesn't have to give you notice.

COUNCILPERSON J. DAVIS: Oh.

CITY ATTORNEY RYAN: You don't have to give notice --

COUNCILPERSON J. DAVIS: Until the end of the contract.

CITY ATTORNEY RYAN: -- until 90 days before the contract ends.

COUNCILPERSON J. DAVIS: Okay. So annually in the month of March.

CITY ATTORNEY RYAN: But you need to -- right.

COUNCILPERSON J. DAVIS: Okay. That works.

CHAIRPERSON THOMAS: I would say annually in the month of February.

COUNCILPERSON J. DAVIS: Or February, whatever.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON T. DAVIS: Thank you.

CHAIRPERSON THOMAS: Is everybody good with annually in the month of February? Everybody good?

COUNCILPERSON T. DAVIS: Yes.

CHAIR PRO-TEM PARDO: Yes.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON T. DAVIS: That's (unintelligible) right from the beginning.

CHAIR PRO-TEM PARDO: So that will be in the contract?

CHAIRPERSON THOMAS: Yes.

CHAIR PRO-TEM PARDO: Okay.

CHAIRPERSON THOMAS: That will be in 2B. Okay. Um, the -- the next section will be the -- the salary and evaluation. Let me start off by saying that under her evaluation, um, we started -- I started -- I thought that she should get between a 3 and a 6 percent, um, increase. Now, a couple of things hinged on this. Um, she negotiated and we ended up presenting a 9 percent. Um, I wasn't totally in agreement with a 9 percent but I understood, um, what the -- what the ramifications were with it. So let me just tell you what my thinking was by even presenting this.

The first thing, um, is that this -- this particular raise will not take in effect until October of this year when the furloughs are slated to be over. Um, and Miss Jones was in -- in agreement with that. She wanted to make sure that, uh, nobody felt like she was trying to get a raise when, um -- when everybody else was still dealing with furloughs that she has participated in.

Um, at -- I -- I need everybody to kind of -- I need -- thank you. Um, the other thing was, um, going through this contract, I did not know that Miss Jones did not receive a pension. Um, I could -- I couldn't believe that. I just didn't -- I didn't -- I didn't know that she didn't receive a pension. So she does not receive a pension in this agreement. We don't have any other employees that don't receive a pension. I don't know of any managers who have been here that did not receive a pension. Um, so that was my reasoning for that to compensate for some of that.

The other thing that I, um, looked at was in the -- the -- and I hate to bring in other individuals, but I'll speak of our CRA, um, contract employee. Um, the salary of that contract employee is north of 170. I believe it's actually 175. That employee was given some \$40,000 raise and nobody walked into these chambers and said anything.

I voted against it at the time because I thought it was just very excessive. Um, but that happened. Um, and not saying that that employee does not deserve it, but my reasoning is that employee has probably about eight or nine employees that report to him, and Miss Jones has somewhere north of 4 or 500 that report to her.

Um, I think that she has not taken a raise and there have been some raises given out, even though we've had some furloughs. There have been some raises given out. She still has not, um, taken one. So it was my thought that I didn't think that, um, \$15,000 were -- was very excessive to -- to award.

Now, as I said, this is a board. We can discuss it. We can go up or down. We'll make sure that she's okay with that. And if she is, we'll continue. If not, then we don't have, you know, an agreement. So --

MAYOR MASTERS: Mr. Chair?

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Okay. Let me -- let me -- let me start with Miss Pardo.

CHAIR PRO-TEM PARDO: Okay.

CHAIRPERSON THOMAS: Would -- Jameer?

CHAIR PRO-TEM PARDO: All right. The first thing I'd like to mention is, um, when the original agreement was negotiated with the city manager, she did not ask for a pension. She asked for deferred compensation, which we've been paying her. And I believe it's 22,500 a year. I -- I believe that's the figure.

The second thing is, you know, I understand that the hope is that we get rid of the furloughs come next fiscal year. But the employees will not be getting a raise. What we're doing is we're finally bringing them back to where they were in 2008 when we started the furloughs.

And, um, you know, at this point, if we're going to give a 9 percent increase to one

employee, I believe that all of the employees deserve something. And a furlough -- getting rid of the furlough, again, isn't -- you're not compensating anyone because they were making that money in 2008. And then we started taking money away. In return, though -- in return, you were able to keep your jobs. All right? We didn't lay people off.

COUNCILPERSON J. DAVIS: That's right.

CHAIR PRO-TEM PARDO: We gave -- you know, we did the furloughs just so we could preserve everyone's job. But anyway, um, you know, so if there's no appetite or there's nothing in the budget for, you know, our general employees, I don't think that at this point our city manager should get a raise, especially a 9 percent raise.

You know, perhaps we can look at it. We can put something in the contract where, you know, next year we can look at, you know, bringing it back, bringing the contract back and possibly giving her a raise at that time. You know, maybe that's something that we can consider. But at this time, if there's no money in the budget for the employees, not even to get a 2 or 3 percent raise, I have a hard time supporting a 9 percent raise, which is close to \$15,000 for the city manager.

CHAIRPERSON THOMAS: Okay. Let me just -- let me just make sure that we understand this. Do we know -- first of all, I think it's unprofessional to negotiate like that with employees and managers together. They're not contractors. She is. And I don't think we should do that. But do we even know --

CHAIR PRO-TEM PARDO: All right.

CHAIRPERSON THOMAS: -- if there's -- if there's going to be a raise for the employees yet? We have not started budget sessions yet.

CHAIR PRO-TEM PARDO: There's been one --

CHAIRPERSON THOMAS: So --

CHAIR PRO-TEM PARDO: -- budget but --

CHAIRPERSON THOMAS: But I'm -- I'm --

CHAIR PRO-TEM PARDO: -- there's no -- all right.

CHAIRPERSON THOMAS: -- I -- I hear you. I'm just saying let's be professional and fair.

CHAIR PRO-TEM PARDO: I am being professional.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: And you know, we can't discuss this behind closed doors. So this is the only way to discuss it.

COUNCILPERSON T. DAVIS: Discuss it.

CHAIR PRO-TEM PARDO: And if, you know, we have employees who happen to be here, then so be it. You know? This is -- this is the State of Florida and everything has to be in Sunshine. And I need to make sure that everyone is clear how I feel. And, you know, with the 9 percent, I'm taking into consideration everyone. All of the employees.

CHAIRPERSON THOMAS: Do --

CHAIR PRO-TEM PARDO: Not just the city manager. What's fair for one --

CHAIRPERSON THOMAS: Check --

CHAIR PRO-TEM PARDO: -- should be fair for all.

CHAIRPERSON THOMAS: Hold on one second. Check in with Miss Jones and see if there's a potential raise for the employees in there. Let's make sure we get that information out.

COUNCILPERSON J. DAVIS: Mr. Chair?

MAYOR MASTERS: I was next.

CHAIRPERSON THOMAS: Miss -- hold on. If you -- if you're -- Miss Pardo, if you're done -- if you're done I'm gonna go to Miss Davis.

MAYOR MASTERS: Mr. Chair, I was next.

CHAIRPERSON THOMAS: Excuse me, Mr. Mayor, I'm -- I'm running this meeting. I'll get to you in just a second.

MAYOR MASTERS: But I asked the order --

COUNCILPERSON J. DAVIS: Let Mr. -- let the Mayor --

CHAIRPERSON THOMAS: Hold on one second. I'm -- I'm -- hold on one second.

MAYOR MASTERS: I was the second person to ask.

CHAIRPERSON THOMAS: I'm running the meeting. I'll decide when you can speak.

MAYOR MASTERS: But you need to be fair.

CHAIRPERSON THOMAS: I'm not arguing with you, Mayor.

MAYOR MASTERS: But you're not fair.

CHAIRPERSON THOMAS: I'm not arguing with you.

MAYOR MASTERS: I asked before Miss Davis. I'm not arguing with you, either.

CHAIRPERSON THOMAS: Miss Pardo, are you -- are you finished with that? Are you finished?

CHAIR PRO-TEM PARDO: Well, you know what? I don't know. Can I still continue speaking?

CHAIRPERSON THOMAS: Yes.

CHAIR PRO-TEM PARDO: Well, you know, again, it goes back to the employees. If it's good for one employee, it's good for all of the employees. And I think 9 percent is way too much --

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: -- at this time to give to any employee.

CHAIRPERSON THOMAS: Okay. Miss Davis?

COUNCILPERSON J. DAVIS: Uh, yeah, Mr. Chair, um, in my conversation with Miss Jones, um, one of the first things I asked her was what was in the budget for being considered for employees.

CHAIRPERSON THOMAS: Uh-huh.

COUNCILPERSON J. DAVIS: Um, they are looking at a raise for employees. Um, but I don't know exactly what that figure is at this particular time. But I -- I -- you know, I'll -- I'll just say right off the bat, I can't support a 9 percent. Um, and I've told her so. But I am open to discussion. So --

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: -- and I -- I mean, I for one feel that, um, you know, CEOs get paid, um -- get bonuses or raises or whatever more so than anybody else in a company. Um, I understand the -- the rationale behind, um, you know -- if the employees have not gotten a raise, then Mrs. Jones shouldn't. However, um, her job is not an easy one. And she, um -- I -- you know, she has a lot on her plate.

Um, and if you will remember, during her evaluation, I went back and, um, listed about 15, 16 different things that she had accomplished over this past 12 months, and it was a lot. Um, so while we can -- we can say that, you know, she shouldn't be getting a raise, she did participate in the furlough just like the rest of the employees. Um, and, you know, I think she deserves something. However, I'm not going to support 9 percent.

CHAIRPERSON THOMAS: Okay. Mayor?

MAYOR MASTERS: (No audible response).

CHAIRPERSON THOMAS: Mayor, do you want to speak?

MAYOR MASTERS: Yes, I do.

CHAIRPERSON THOMAS: Okay.

MAYOR MASTERS: I'm just -- I do want to speak. I'd just be so happy and glad when the citizens of Riviera Beach will either give the mayor a vote or a veto, because I just think it is just wrong that if I called to speak second, I should be in -- be given that privilege.

CHAIRPERSON THOMAS: Mayor, would you just please speak about the contract?

MAYOR MASTERS: No. But the -- I am. But I'm prefacing my statement, Mr. Chair.

CHAIRPERSON THOMAS: Okay.

MAYOR MASTERS: And I have a right to preface my statement. Because I was next. And it's wrong and it's unfair. Having said that -- and I think the public will see that on the tape. I'm opposed to any raise by the city manager at this time. I am supporting the workers of this city 100 percent. And if anyone gets a raise, it should be the workers first. Not at the top. We should start at the bottom and end at the top. This is not the time or the season to be giving the city manager a 9 percent -- it's unheard of -- raise when our employees are robbing Peter to pay Paul. Thank you, Mr. Chairman.

CHAIRPERSON THOMAS: Mr. Guyton?

COUNCILPERSON GUYTON: Um, thank you, Mr. Chair. And, um, let me just say that we have not denied the mayor ever his time to speak. Um, that little spiel was in support of, in my opinion, a referendum he has circulating where he wants complete control of this council.

MAYOR MASTERS: That's not true.

COUNCILPERSON GUYTON: And -- and -- I'm speaking now.

MAYOR MASTERS: Not true.

COUNCILPERSON GUYTON: I am gonna get --

CHAIRPERSON THOMAS: Mayor, I need you to be in order. No one talked while you were speaking. Please don't do so. Mr. Guyton, you still have the floor.

COUNCILPERSON GUYTON: Thank you.

MAYOR MASTERS: I gotta go.

COUNCILPERSON GUYTON: I will be dealing with those issues later. And in those referendums, he has the authority to veto anything that we do and there is no resolution

or approach for us to override him. So --

CHAIRPERSON THOMAS: Mr. Guyton, please speak about the --

COUNCILPERSON GUYTON: -- okay.

CHAIRPERSON THOMAS: -- contract.

COUNCILPERSON GUYTON: The, um, contract is one that is a delicate situation. And I -- I gave it a lot of thought. I personally, on my job -- I have not had a raise in five years. Um, so I -- I -- I feel the pain. And when I spoke to Miss Jones, um, my position was predicated on what the employees would get. Um, she assured me that in this upcoming budget in addition to terminating the furloughs --

CHAIRPERSON THOMAS: Excuse me one second. I -- I need the chatter to please stop. It's rude and it's in violation. So please stop with the side chatter. Thank you. Mr. Guyton.

COUNCILPERSON GUYTON: She assured me that in addition to terminating the furloughs, that she would be recommending an increase for the employees, as well. I don't think it's going to be 9 percent that was being recommended. Um, but it was my position that it would be very difficult for me to support it without the employees participating.

So having said that, I did also, um, a review of what the average salaries were of city managers with the population and the number of employees that we have here in Riviera Beach. And what is being recommended is actually, um, the -- the average from about -- one, two, three, four, five, six -- eight -- eight cities with -- with comparable size. Um, some a little higher, some a little less. So it wasn't out of the range, in my opinion, for the responsibility that she's dealing with.

Um, I -- I'm willing to support whatever the council decides. Um, I -- I do feel that, uh, we need at some point to move forward. Our city manager is going to be responsible for the day-to-day operation and, um, as Miss Davis indicated, there's a lot on her shoulders. And there's going to be a lot riding on her performance. Um, my support does not mean that it is unconditional. She's got to perform.

And at any point that is not happening, I have no reservations with -- with addressing her contract. But I do want her to be, um, compensated comparable to those with similar responsibilities. And, um, I think that what was recommended, it was, um, based on the condition that the employees also -- when the budget comes back, um, participate in -- at some level of increase. I will not be supporting any more increases for her in this contract, though I will be advocating for employee increases. Um, because we have 400 plus employees. To give everybody a 9 percent right now is not doable.

COUNCILPERSON J. DAVIS: Uh-huh.

COUNCILPERSON GUYTON: But over a period of time, it would be more fiscally responsible as we edge it up as -- as we proceed through the years. So, um, I am prepared to support whatever this council recommends. And, um, in no way or no means will I ever ignore the employees and just give the top brass a raise. So that's my position.

CHAIRPERSON THOMAS: Thank you, Mr. Guyton. Mr. Davis?

COUNCILPERSON T. DAVIS: Thank you. One thing I want to say is that when I look at the present salary of \$150,000 and taking care of deferred compensation and benefits, our employees can't just get up and leave and go somewhere and make that kind of money. Our city manager's been very solid. She done -- she's done a good job. But if she was to leave the City of Riviera Beach, she can go anywhere and make that kind of money. But the people who have been affected by --

COUNCILPERSON J. DAVIS: Uh-huh. Uh-huh.

COUNCILPERSON T. DAVIS: -- many FP&L rate hikes for many of years, and their salaries to -- stay stagnant. We shouldn't even consider a 9 percent. And I feel really comfortable about this board 'cause I think we all (unintelligible) -- from what I'm hearing now -- truly feel that we think about our employees, which is generally the residents, those who function, who clean our city, who protect our city.

Um, when I drive off 95 and I start going around different apartments and I went with Mr. Johnson and I went in Public Works. I see how five to eight men really work extreme -- and women -- work extremely hard to keep this city clean. And they go over and beyond. I mean, they really bend their backs, them employees. And my next question has been -- and why I wanted to suspend the contracts for probation so I can see evaluation of the departments -- because I have yet to see that -- any evaluation of any department heads. I've been waiting for that in my office now for two months. Okay?

When considering giving a raise, I look at each department and I want to see an evaluation before I consider anything. Because when this furlough day came up four years ago, based on my evaluation and going around talking, the -- all the employees said that, We thought this was going to be something temporary for a year or two, and I was willing to go with it.

Now it's been four years. So there's a trust issue with the workers. For people to say that we think we're going to give them a raise in October, let's wait till October and show them that we -- we care about them and we're going to do the right thing by them. Then we'll come back maybe next year and consider giving our city manager a raise after these evaluations moving forward. Thank you.

CHAIRPERSON THOMAS: Thank you. I'm -- I'm going to -- to -- to say mine about this and then we're going to decide what type of raise we're going to give. Um, I believe it's unfair. I don't know who called the media but I'm glad they're here. And I don't usually say that about the media. But we need to not -- this -- this right here is a -- because there's a few employees here and the union is here, this is not the time for this.

Let's not grandstand now when we got the power to give the employees whatever we can. So grandstand during budget session. Don't have them come out here and fight against the -- the manager when we got to do this.

We have the power to tell the manager to do whatever we want to do for the employees' salary. It's easy to sit here and do that now on the backs -- on the back of Miss Jones. But when it's our time to do it, when the -- when the place is not full and the hard decisions comes in, do you cut this department? Do you not cut that department? Nobody steps up and says all this stuff that we're saying about giving the employees stuff. I want to give the employees as much as I can. I have been an employee here. I want that to happen.

And I will continue to stay like I always have. But it's wrong to do that, saying that we shouldn't give this to the manager when we decide on the budget. That's our primary goal for being elected. It's budget. And if we want to do it, then we do it. Not the manager. We say, Manager, this is our policy direction. We get the final say-so on that. Not the manager.

So if you don't want to give the manager this percent increase, then don't. But don't say it's because the -- the -- the workers haven't got it. She presents a budget. And her job is to make sure it's balanced. We can cut and paste wherever we want to do so.

And all I'm challenging everybody up here that's doing that now on the back of the manager, to do that when we start meeting. Have this same vigilance for the employees like I always do -- let's have that during budget session and not at this time on the back of this manager. So fine. Obviously everybody does not want to give a 9 percent. Does somebody want to put out there what percentage you want to give or how you want to do it? I'm at 9 and I'm gonna stay at 9. This is a board action.

COUNCILPERSON T. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Does somebody have a percentage that they want to put out or an amount --

COUNCILPERSON T. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: -- that they want to, uh -- to come out?

COUNCILPERSON T. DAVIS: Mr. Chair?

CHAIR PRO-TEM PARDO: Mr. Chair?

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: I think I heard a man's voice. I don't know if it was the mayor or Mr. Davis first.

MAYOR MASTERS: Mr. Davis.

CHAIRPERSON THOMAS: Mr. Davis?

COUNCILPERSON T. DAVIS: Um, at this point I say 0 percent.

CHAIRPERSON THOMAS: Okay. We got one for 0. Miss Pardo, do you have any?

CHAIR PRO-TEM PARDO: Yes. I would say if you're going to approve the contract, approve the contract and when we get into budget, then we decide what the city manager will get. So we'll bring it back. Someone had said in the contract it's going to be effective October 1st.

CHAIRPERSON THOMAS: I did.

CHAIR PRO-TEM PARDO: So let's wait until the budget time and let's decide.

CHAIRPERSON THOMAS: Not -- not a --

CHAIR PRO-TEM PARDO: And see if the city manager will go along with it.

CHAIRPERSON THOMAS: -- not a problem. We've got a second one for approving the contract which ultimately is a 0 but willing to give some type of percentage when we're doing budget.

CHAIR PRO-TEM PARDO: Correct.

CHAIRPERSON THOMAS: Okay. Okay. Um, while I'm on this side, Mayor, do you have a thought on this?

MAYOR MASTERS: No comment.

CHAIRPERSON THOMAS: Okay. Mr. Guyton?

COUNCILPERSON GUYTON: I'm comfortable with the recommendation.

CHAIRPERSON THOMAS: Miss Davis?

COUNCILPERSON J. DAVIS: That's fine.

CHAIRPERSON THOMAS: The recommendation at --

COUNCILPERSON J. DAVIS: -- at, um -- you mean the recommendation at 9 percent?

CHAIRPERSON THOMAS: Yes, ma'am.

COUNCILPERSON J. DAVIS: Oh, no.

CHAIRPERSON THOMAS: Okay. What --

COUNCILPERSON J. DAVIS: I would propose 3. I'm -- I'm sorry, yeah, 3 percent. If

the employees -- I think, um -- no, I'm gonna go with 5. I think 5 percent is reasonable. Um, and particularly when she has not had a raise. The employees have not had a raise. She has participated in the, um -- in the furlough just as the employees have. And, um, she has a lot more responsibility. Um, so I would be comfortable with 5 percent.

CHAIRPERSON THOMAS: Okay. We're -- I'm having Jameer go and see what the -- the manager says. So right now just to recap, we have one council member at 5 percent, two at 9 percent, one at 0 percent and one at 0 for now but when budget, um, time gets here, to -- to assess the -- the -- the raise there. Um, and the Mayor is no comment on this.

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON THOMAS: Yes, sir, Mayor.

MAYOR MASTERS: I -- I did say no comment but I'm -- um, I'm with Dawn, Councilwoman Pardo. I mean, I just didn't want to get back into it because I just didn't want to. But on the record, I'm with Councilwoman Pardo and also Councilman Davis of no raise at this time, period.

CHAIRPERSON THOMAS: Okay. We have a, uh -- we have a counter of 7 percent.

COUNCILPERSON J. DAVIS: No, 5. Oh, you -- who -- who, me?

CHAIRPERSON THOMAS: No, we -- the -- the manager has put in --

COUNCILPERSON J. DAVIS: Oh, okay.

CHAIRPERSON THOMAS: -- a counter of, uh, 7 percent. How do you feel, Mr. Davis?

COUNCILPERSON T. DAVIS: I -- I just -- I think -- no, I know what Miss Pardo -- Councilwoman Pardo, Pro-Tem Pardo has said. That's -- that's fair. Let's wait till we get to the (unintelligible) till then --

CHAIRPERSON THOMAS: Okay. The -- the manager put in a counter.

COUNCILPERSON T. DAVIS: Yeah.

CHAIRPERSON THOMAS: How do you feel about that counter?

COUNCILPERSON T. DAVIS: Right now I'm not gonna agree to any -- any raise until we get to the budget.

CHAIRPERSON THOMAS: Okay. Miss -- no problem. Miss Pardo?

CHAIR PRO-TEM PARDO: I stand.

CHAIRPERSON THOMAS: Okay. Mr. Guyton?

COUNCILPERSON GUYTON: I'm fine with the counter. Or if Miss Davis stays at 5, I'll support 5.

COUNCILPERSON J. DAVIS: I'm staying at 5.

CHAIRPERSON THOMAS: Okay. We're sending that. Uh, while we're waiting on that, does anybody have any problems with the vacation days going to 20 to 25 vacation days per year?

CHAIR PRO-TEM PARDO: I don't have a problem, sir.

COUNCILPERSON T. DAVIS: No problem.

CHAIRPERSON THOMAS: Mr. Guyton? Miss Davis?

COUNCILPERSON J. DAVIS: Um, no, I don't.

COUNCILPERSON GUYTON: No, I don't. No, I don't.

CHAIRPERSON THOMAS: Mayor, do you have any issues with the vacation days going --

MAYOR MASTERS: No problem.

COUNCILPERSON T. DAVIS: I -- I do have one question.

CHAIRPERSON THOMAS: Hold on one second. Let me get the mayor.

MAYOR MASTERS: No -- no problem.

CHAIRPERSON THOMAS: Okay. Um, Mr. Davis?

COUNCILPERSON T. DAVIS: On those, on the sick time and vacation time -- and they accrue this time over so many years. Is there a cap on how much time they can -- that she can accrue on the contract?

CHAIRPERSON THOMAS: She's contracted. So every contract plays different. She has a two-year deal so --

COUNCILPERSON T. DAVIS: I -- I know. But she's been here for -- for quite some time now. Has she been able to accrue time?

CHAIRPERSON THOMAS: Just for four years. Yeah, I'm sure she has accumulated time, yes.

COUNCILPERSON T. DAVIS: Is there a cap on it? That's the question I want -- I want to know.

CHAIRPERSON THOMAS: No. Because there's no cap on the years unless you

terminate her.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: Um, going --

COUNCILPERSON J. DAVIS: Mr. Chairman?

CHAIRPERSON THOMAS: -- yes. Yes, ma'am.

COUNCILPERSON J. DAVIS: We -- um, you -- can I just give you my comments based on what I have that's red-lined?

CHAIRPERSON THOMAS: Sure. That -- that'll be fine.

COUNCILPERSON J. DAVIS: Because I think you skipped over a section, um, concerning, um, the performance evaluation further along in B. Um, for -- I'm sorry, 2B on the second page.

CHAIRPERSON THOMAS: 2B on the second page. Okay.

COUNCILPERSON J. DAVIS: The latter part of that is all red-lined concerning benchmarks being established. Um, I just don't see how you can give someone an evaluation if you don't have some kind of benchmarks or goals or something to rate her by.

So, um, I would -- I'm -- I would be more comfortable with some kind of language. Not necessarily this language, but some kind of language in there that establishes she's going -- either at a retreat or something as we have done in prior years. She established -- we give her what our, um, goals are for the coming year and she state -- put those -- reduce those to writing. And we use that. Um, so let me move on and -- and --

CHAIRPERSON THOMAS: Well, I have no problems with that. Does anybody have any problem with what Miss Davis just suggested?

CHAIR PRO-TEM PARDO: No

COUNCILPERSON T. DAVIS: No. No.

COUNCILPERSON GUYTON: No.

CHAIRPERSON THOMAS: Okay. We're good. We're gonna add that in. Okay. And in C --

CITY ATTORNEY RYAN: I -- I didn't really get -- what exactly was that?

CHAIRPERSON THOMAS: Where the benchmarks was in 2B, we're gonna actually --

COUNCILPERSON J. DAVIS: 2B.

CHAIRPERSON THOMAS: -- give her benchmarks.

CITY ATTORNEY RYAN: So we want to add that back?

CHAIRPERSON THOMAS: Yes.

COUNCILPERSON J. DAVIS: Yes.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: Uh, in -- in 2C, um, the last sentence, "The failure -- the City's failure to conduct the scheduled evaluation shall not constitute compliance with a material provision of this agreement." Now, we just talked about having the evaluation in February, you know, prior to the 90-day notice. So if we don't do that, then we're saying that it does not constitute noncompliance?

CITY ATTORNEY RYAN: On -- on her part. It means that you --

COUNCILPERSON J. DAVIS: On her -- okay. On her part?

CITY ATTORNEY RYAN: -- right. You can't hold her accountable.

COUNCILPERSON J. DAVIS: Okay. That's fine. So that's clear.

CITY ATTORNEY RYAN: Right.

COUNCILPERSON J. DAVIS: Or should we say on the -- on the part of the city manager?

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: Not on the part of --

CHAIRPERSON THOMAS: We can add the city manager.

CITY ATTORNEY RYAN: We can add that. Sure.

COUNCILPERSON J. DAVIS: Okay. Um, and on page 4, um, I just want to make it clear that -- well, I have a question first. Section 11 in the health and dental, the disability insurance, is that paid for by the City or does she purchase that herself? 'Cause there -- you know, there's short- and long-term --

CITY ATTORNEY RYAN: Right.

COUNCILPERSON J. DAVIS: -- disability.

CHAIRPERSON THOMAS: From what I understand, the City pays for that.

COUNCILPERSON J. DAVIS: We pay for it? Okay.

CHAIRPERSON THOMAS: Yes.

COUNCILPERSON J. DAVIS: And --

CITY ATTORNEY RYAN: Okay. So -- just so you understand, it says, "Increases with salary." So the amount --

COUNCILPERSON J. DAVIS: I'm not at that point yet.

CITY ATTORNEY RYAN: I'm on disability.

COUNCILPERSON J. DAVIS: Well, I was on the one above that where it says "premium --"

CITY ATTORNEY RYAN: Oh, okay.

COUNCILPERSON J. DAVIS: "During the city manager's employment --"

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON J. DAVIS: "-- the City agrees to pay --" oh, so it did say the City. Sorry. I missed that. Um, okay. So whatever the salary is, the --

CITY ATTORNEY RYAN: That's the amount that's gonna be inserted in this contract that was on --

COUNCILPERSON J. DAVIS: Based on her salary. She can --

CITY ATTORNEY RYAN: Correct.

COUNCILPERSON J. DAVIS: -- she can purchase that amount of --

CITY ATTORNEY RYAN: Correct.

COUNCILPERSON J. DAVIS: She purchase it or do we?

CITY ATTORNEY RYAN: Well, the way it works --

COUNCILPERSON J. DAVIS: We agree to pay. Okay.

CITY ATTORNEY RYAN: -- you agree to pay it.

COUNCILPERSON J. DAVIS: Wow.

CITY ATTORNEY RYAN: But the way it works is that comes from the outside.

COUNCILPERSON J. DAVIS: Okay. Hmm --

position changed?

MAYOR MASTERS: Mr. Chairman.

CHAIRPERSON THOMAS: Excuse me one second, Mayor. Mr. Davis has made an appeal. Has anybody's position changed? Hearing none, seeing none, Mr. Mayor?

MAYOR MASTERS: Mr. Chairman, I -- I really feel that the manager can be reasonable and fair. In light of this discussion, I think that she would be considerate of the, um, opinion and -- of the council people, as well as the employees. I'm asking, if it's in order, if someone can ask the manager if she's willing to just wait. If she's willing to wait until October for the budget to -- time. And then if she says yes, then we're fine. If she says no, then at least we know. Can that question be asked of the manager, Mr. Chair?

CHAIRPERSON THOMAS: Um, I've negotiated. This is what we've done. If the board wants me to send another -- another, um, proposal to the manager, if the board wants me to do that, I have no problem doing that.

COUNCILPERSON GUYTON: Mr. Chair?

CHAIRPERSON THOMAS: Yes, sir, Mr. Guyton?

COUNCILPERSON GUYTON: It's my position we have beat this horse to death.

CHAIRPERSON THOMAS: I agree.

COUNCILPERSON GUYTON: I'm ready to put a motion on the floor and move forward.

CHAIRPERSON THOMAS: I agree. And you may put a motion on the floor whenever you so desire.

COUNCILPERSON GUYTON: I move that we support the negotiated agreement with the counteroffer with the city manager.

COUNCILPERSON J. DAVIS: I'll second.

CHAIRPERSON THOMAS: It's been properly moved and second. Any additional questions or concerns regarding this matter? Hearing none, Madam Clerk please call the question.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: No.

CITY CLERK WARD: Councilperson Dawn Pardo?

CHAIR PRO-TEM PARDO: No.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

CITY CLERK WARD: That vote passed with Councilperson -- Councilperson T. Davis and Councilperson Pardo dissenting.

CHAIRPERSON THOMAS: Okay. Thank you. We're gonna now go immediately to Public Comment. We're behind. So if you have your comment cards for public comment, you're welcome to -- I'll allow a few more moments to -- for any -- for any additional comments.

Okay. First up we're going to call -- well, let me -- let me just read this very quickly. And if you're leaving, please leave quietly. "Please be reminded that the City Council has adopted a set of rules of decorum governing public conduct during official meetings which has been posted at the entrance of the city council chambers. In the event 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 or the building if necessary. Please govern yourselves accordingly."

Okay. First up will be Tonya Hicks-Brown. Oh, Miss Hicks?

CITY CLERK WARD: There should be a sheet in there.

CHAIRPERSON THOMAS: Yeah. Good evening, Miss Hicks. You have three minutes to make your comments.

TONYA HICKS-BROWN: Good evening, Mayor Masters, Council officials and community members. I'm here under Public Comments to make our community aware that the Riviera Beach Maritime Academy is -- is -- still has opening seats for the upcoming school year. We're an extremely unique charter high school that enrolls up to 225 students a year at our current facility, three blocks west of the Port of Palm Beach and the Riviera Beach Marina. We're looking for high-functioning, highly motivated students that want to pursue good-paying careers in the maritime-related trades and the science and technology professions.

You know from previous presentations that the hallmark of our academy is hands-on cooperative learning and our students is -- are exposed to very unique learning projects such as robotics and engineering, information technology, the science and, of course, the marine trades, which is important to this area.

CITY ATTORNEY RYAN: Just -- and just so you know, that has been in every --

COUNCILPERSON J. DAVIS: I know. Yeah. And that's what I was just thinking about. Okay. And I -- I heard Miss Pardo say something about the deferred comp. I think our former city manager also had deferred comp. There was no pension.

CHAIRPERSON THOMAS: No. I think he (unintelligible) --

CITY ATTORNEY RYAN: What's that?

COUNCILPERSON J. DAVIS: Mr. Wilkins.

CITY ATTORNEY RYAN: He had both.

COUNCILPERSON J. DAVIS: He had both?

CHAIRPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON J. DAVIS: Wow. Okay.

COUNCILPERSON GUYTON: Hmm.

COUNCILPERSON J. DAVIS: All right. And in section 16, um, I think I -- I answered my own question. That if something happens and she's unable to work due to sickness, accident, injury, she uses her leave first before -- okay. Is that correct, Miss Ryan?

CITY ATTORNEY RYAN: Um, yes. Yes.

CHAIRPERSON THOMAS: That's the way I understand it.

CITY ATTORNEY RYAN: She uses her leave.

COUNCILPERSON J. DAVIS: Okay. Beyond any -- okay. Great.

CITY ATTORNEY RYAN: Correct.

COUNCILPERSON J. DAVIS: Um, and that's all I have.

COUNCILPERSON T. DAVIS: Excuse me. Mr. Chair?

CHAIRPERSON THOMAS: Okay. Um, hold on one second, Mr. Davis. Let me get Mr. Guyton while I'm on this side.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: Do you have any additional -- anything additional?

COUNCILPERSON GUYTON: No, I don't, Mr. Chair.

CHAIRPERSON THOMAS: Okay. Mr. Davis?

COUNCILPERSON T. DAVIS: All right. It -- it seem as if we're paying her deferred -- her short-term disability or long-term, correct?

CITY ATTORNEY RYAN: You're paying one policy. One -- it's probably -- you're paying one policy.

COUNCILPERSON T. DAVIS: Okay. Once again, they're out there talking with employees of Riviera Beach at their work and a lot of them are having a big concern dealing with the short-term and the long-term. And they're paying for the short-term and long-term out of their salaries. And they're not making what our city manager's making, but we're gonna pay her disability -- short-term and long-term disability when we should be doing the same thing for them. So how about we just allow her to do the same thing that our regular -- we require our regular employees to do, is pay for her own short-term/long-term disability? Because if she's getting sick time and she's accruing it. If she wants something else, she should be able to pay for it herself.

CHAIRPERSON THOMAS: Okay. Uh, we'll bring that back. Miss Pardo?

CHAIR PRO-TEM PARDO: (Indicating).

CHAIRPERSON THOMAS: You okay with the, uh -- Mayor?

MAYOR MASTERS: Uh, no. Mr. -- Mr. Chair, just -- just for the record, I just wanted to be clear that I am opposed to the, um, manager's counteroffer. I just wanted to state that.

CHAIRPERSON THOMAS: Yeah. We're -- we're not back on that yet. We're talking about the health --

MAYOR MASTERS: No. I would just like to say --

CHAIRPERSON THOMAS: -- and the liability. Okay. So right now we have one individual who, um, does not want the City to pay as we have done really in all contracts of this magnitude, the disability. But if that's the suggestion, does anybody want to agree with that suggestion that we do not pay that? All right. I don't hear or see anybody. Okay. So we're done with that section.

We're going back to the financial section. Um, Miss Jones is agreeing to the, um, 5 percent for '13/'14. Her counter will be 5 percent for the '13/'14 and 3 percent for '14/'15. Board -- board discussion on that. Mr. -- Miss -- Mayor, on that proposal?

MAYOR MASTERS: Opposed.

CHAIRPERSON THOMAS: Okay. Mr. Davis?

COUNCILPERSON T. DAVIS: No, sir.

CHAIRPERSON THOMAS: Miss Pardo?

CHAIR PRO-TEM PARDO: No.

CHAIRPERSON THOMAS: Okay. I'm good. Mr. Guyton?

COUNCILPERSON GUYTON: I'm good. I have no problem.

CHAIRPERSON THOMAS: Um, Miss -- Miss Davis?

COUNCILPERSON J. DAVIS: And I did hear you say 5 percent for this year and 3 percent --

CHAIRPERSON THOMAS: 5 percent for '13/'14 and 3 percent for '14/'15.

COUNCILPERSON J. DAVIS: I'm fine with that.

CHAIRPERSON THOMAS: You're fine. Okay. That's three of us that are fine with that. That's what will go into effect. The 5 --

UNIDENTIFIED SPEAKER: (Unintelligible).

CHAIRPERSON THOMAS: I -- I -- okay. No problem. We'll -- we'll do it over -- on the contract.

CITY ATTORNEY RYAN: Yes. Okay.

CHAIRPERSON THOMAS: Okay. Right now just to clarify, the manager's salary, which is at 165 hundred thousand -- excuse me, \$160,500, will have a 5 percent increase for '13/'14.

CITY ATTORNEY RYAN: And this is beginning in October? We're still keeping that?

COUNCILPERSON J. DAVIS: Yes.

CHAIRPERSON THOMAS: That would be my -- that -- that's the only way I'm agreeing with it.

COUNCILPERSON GUYTON: Yes.

CITY ATTORNEY RYAN: Okay. Beginning in October 2013?

CHAIRPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: The annual base salary --

CHAIRPERSON THOMAS: Will -- will have a 5 percent --

CITY ATTORNEY RYAN: -- shall increase by 5 percent?

CHAIRPERSON THOMAS: Right. By 5 percent. And 3 percent for '13/'14. Jameer, where are you? Make sure she's okay with it still starting in October. She's fine. Good. All right. 3 percent. So that is where it's at. Do we have any other comments, concerns, reference to any part of the -- of the employment agreement?

COUNCILPERSON T. DAVIS: I -- I just want to say one thing.

CHAIRPERSON THOMAS: 160 -- excuse me one second, Mr. Davis. \$160,500 is the current salary.

UNIDENTIFIED SPEAKER: Okay. Thank you.

CHAIRPERSON THOMAS: And it will go up to -- it will go up 5 percent for year '13/'14 and 3 percent for '14/'15.

CITY ATTORNEY RYAN: Mr. Chair, if I can state it --

CHAIRPERSON THOMAS: Yes. Absolutely.

CITY ATTORNEY RYAN: -- this is how I --

CITY CLERK WARD: Yeah.

CHAIRPERSON THOMAS: Absolutely.

CITY ATTORNEY RYAN: Okay. Um, beginning in October 2013 the annual base salary shall increase -- I'm sorry, shall increase by 5 percent, and beginning in October 2014 shall increase by an additional 3 percent?

CHAIRPERSON THOMAS: Yes.

CITY ATTORNEY RYAN: So that's 3 percent on top of 5 percent?

CHAIRPERSON THOMAS: Yes.

COUNCILPERSON J. DAVIS: I'm sorry. Go ahead. Never mind.

CHAIRPERSON THOMAS: No, no, no. If you've got a question.

COUNCILPERSON J. DAVIS: No. That's -- that's good.

CHAIRPERSON THOMAS: (Unintelligible).

CITY ATTORNEY RYAN: That's why I don't wanna say (unintelligible). That's why I don't wanna say (Unintelligible).

CITY CLERK WARD: No, I'm just talking about now. 'Cause -- 'cause --

COUNCILPERSON T. DAVIS: Two years --

CHAIRPERSON THOMAS: One -- it's -- it's \$160,500, the current --

COUNCILPERSON J. DAVIS: What is going on here?

CHAIRPERSON THOMAS: I need -- I need order, please. \$160,500 is the current salary.

CITY ATTORNEY RYAN: Right. And that will be in the contract. I'm sorry. I didn't say the 160. Thank you, Miss Ward.

CITY CLERK WARD: Okay.

CITY ATTORNEY RYAN: Yeah.

CITY CLERK WARD: Uh-huh.

CHAIRPERSON THOMAS: Okay. Are there any other questions, concerns, unreadiness on this particular agreement?

COUNCILPERSON T. DAVIS: Yes.

CHAIRPERSON THOMAS: Yes, Mr. Davis.

COUNCILPERSON T. DAVIS: Okay. Thank you. All right. So her salary is -- now will go from 160 to 167,500. And also, we'll be paying her short-term and long-term disability, as well?

CHAIRPERSON THOMAS: It's one policy that we'll be paying. And I'm not sure what the 5 percent of the 160 -- \$160,500 is.

COUNCILPERSON T. DAVIS: It's about --

CHAIRPERSON THOMAS: If that's what you're getting there --

COUNCILPERSON T. DAVIS: -- it's close. It's a close number, by 7,000. It's a close number.

CHAIRPERSON THOMAS: Okay.

CITY ATTORNEY RYAN: But that's not what it costs. That's not what the -- that's not the cost of the disability.

COUNCILPERSON T. DAVIS: I know that.

CITY ATTORNEY RYAN: Oh.

COUNCILPERSON T. DAVIS: We're talking about the salary.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON T. DAVIS: And disability.

CITY ATTORNEY RYAN: Oh. Oh, okay. Okay.

COUNCILPERSON T. DAVIS: Yeah.

CITY ATTORNEY RYAN: I thought you thought that was --

COUNCILPERSON T. DAVIS: No. No.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON T. DAVIS: My concern is this here. We're gonna send a message. That's -- that's the thing. The City morale -- we want to build the morale of our people in our community. All right? I'm not saying I don't want to give a raise to our city manager who's done a good job. But what I'm saying is we should wait just like Miss Pardo stated earlier till we get to the budget time to discuss this, because there's trust going on. People come to work every day and they're doing -- and that's what you're supposed to do. You're supposed to do your job and be a professional about it, whether you like how you're being treated or not.

But at some point we've got to reciprocate back to them what they've been giving to our whole entire town. So let's make sure we consider that when we get -- get ready to give a raise or pay for -- for this -- for this decision here, that our taxpayers are paying for.

CHAIRPERSON THOMAS: So you -- you're speaking to the board about that? Because that's our decision.

COUNCILPERSON T. DAVIS: Yes.

CHAIRPERSON THOMAS: That's our decision.

COUNCILPERSON T. DAVIS: I'm speaking to the board and I want the residents of Riviera Beach to know how I feel about this particular subject. You know?

CHAIRPERSON THOMAS: That -- okay. That's -- that's fine. I just --

COUNCILPERSON T. DAVIS: Her job is to manage. Our job is to delegate through her and to control, like you say, the budget. The budget states now you want to give her some money, let's wait. We got October. We got a few months -- few months coming. Let's wait. Let's see how the budget goes and let's focus on, as a board, to take care of our residents, our City employees, and then we can also come back and then from there we can decide on what we want to give our city manager. That's all I'm saying.

CHAIRPERSON THOMAS: Mr. -- Mr. Davis has made an appeal. Has anybody's

By their senior year, a good percentage are placed in jobs that help them gain real-world, work experience in the areas that we've trained them for. We just wanted to make the community aware. We encourage Riviera Beach parents and students to apply as soon as possible at www.rbmaritime.org or by coming by the academy at 251 W. 11th Street. Thank you for your time this evening.

CHAIRPERSON THOMAS: Thank you very much, Miss Hicks. You had an additional minute and a half. You didn't want to say -- take it?

TONYA HICK-BROWN: Well, I would -- I would just, um, you know -- we -- we -- we have come before the council before and you've seen some of our students involved with everything from aquaponics to boat-building competitions where we're winning. We -- we are involved with -- I want to say Martin Marietta's -- the submarine builder here in Riviera Beach there. We do their Girls Going Places, their Women in Science Program each year and our students always win, our young ladies.

We enroll -- I guess about a third of our students -- we do have a diverse population. Um, about a third of our students either are -- are, uh -- or maybe almost up to half now of our students are female. And we have about a third of our population are minority students who -- who are learning in areas that will be -- that will lead to high-paying careers. So I just, you know, wanted to make the community aware. If you don't -- if we don't talk about it, then people don't know about it. And so we want to, uh, let the community be aware that we do have seats open and we are reserving seats for Riviera Beach students. Thank you for your time.

CHAIRPERSON THOMAS: Thank you, Miss Hicks. Appreciate it. Next up we'll have Mr. Fane Lozman. Good evening, Mr. Lozman. You have three minutes to make your comments.

FANE LOZMAN: Fane Lozman. Let -- let me explain. Perhaps it went over every -- everyone's head, the Susan Bucher, Supervisor of Elections deal. The City sued the Supervisor of Elections and the City lost. They had to pay the attorneys' fees. The City said they would pay 15,000. The attorneys' fees were something in the 20s. And the reason Susan took the 15,000, because to get the other 7 it may have cost her another 10 or 15 grand to get it and that 10 or 15 grand is not recoverable. So that's why she agreed to the 15.

Okay? But as I've told -- call her up and ask her what happened. She says that woman right there did it for the 15K. I talked to her for an hour. The point is why is the City not paying the Supervisor of Elections the money that she spent defending a lawsuit that she won? That's the question. If it -- if it wasn't the city manager, who made that decision?

Was it -- was it -- did you as a board make it? No, 'cause it never came up to an agenda item. Who made that decision? See, she just likes to just slough -- Oh, I had nothing to do with that. Oh, I had nothing to do with the marina, even though the marina's under her jurisdiction.

She was on TV mocking the whole Supreme Court thing like a big game when you were over at the Tiki Bar that day. Believe me, Miss Jones, it isn't a big game, what went on at the marina. Not a big game my floating home was destroyed. Not a big game that the woman who lived on an actual vessel, bone marrow shot went bad. Not a big game what happened to Budweiser Bill. It's not a big game what happened to these white residents at the marina at the hands of the city manager. It's not going to be a big game to the Department of Justice when they deliberate whether they should do something about what you think is a big game.

Relative to what went on with the Mayor. The mayor and I have had our problems over the years but he's still the mayor. And then one thing I'd encourage him to do is for people that don't respect him, he has the power to suspend any city employee. That's in the charter. He can suspend them. I think he should suspend Chairperson Thomas's administrative assistant and maybe some other people 'cause then you'll realize that he's just not a little child in kindergarten. He can suspend any employee he wants. Now, you can have a special meeting and rehire them back. But he can go through anyone in the City. If he doesn't like them, he can suspend them. That's in the charter. I think you -- when you had a charter review, you tried to get rid of that.

Finally, United States District Court Judge Hurley issued an order. There's going to be a trial in my civil rights case March of next year. Order came down a couple weeks ago. I see you're still using Ben Bedard and all of his nonsense. I'm not sure why you're using this guy, but one of the things that was brought up, even though I lost the District case, when you win on appeal, that District doesn't count as a win anymore. I'm the winner. I won at the Supreme Court; those other two cases before that, they don't matter. You need to get a decent lawyer 'cause you're gonna lose again.

CHAIRPERSON THOMAS: Okay. Um, next will be -- I'm gonna attempt this -- Diahann [phonetic] Frederick?

DIAHANN FREDERICK: Yes. (Unintelligible).

CHAIRPERSON THOMAS: If I didn't pronounce your name properly, please correct me. Good evening. You have three minutes to make your comments.

DIAHANN FREDERICK: Good evening. It is Diahann. The H is silent.

CHAIRPERSON THOMAS: I'm sorry. Diahann.

DIAHANN FREDERICK: Like Diahann Carroll. You don't remember her?

CHAIRPERSON THOMAS: I do. I do. I do.

DIAHANN FREDERICK: I'm -- I'm sorry, but, um, I'm -- I'm making a private case to me public. I'm coming to talk about the injustice of your police department and what happened to me about three years ago. I was arrested, um, and kept in a holding cell at Riviera Beach for three hours on an alleged cup of coffee by one of your officers.

CHAIRPERSON THOMAS: Excuse me one second. Representative Powell, I thought that you had left. I'll bring you up next, sir. Okay. Thank you. I'm sorry, Miss -- Miss Diahann. Go right ahead.

DIAHANN FREDERICK: And I just wanted you to know some of these things don't -- you know, you might not hear of it but it -- I took it very personal, of course. It was excessive. I think it was abuse of power. And I know that I am due, um, compensation for -- for the actions of your police officer.

Why she -- I did not take a cup of coffee. She knew that. But she did it anyway. She just arrested me. She charged me with Disorderly Conduct and, um, Resisting Arrest without Violence. She painted my character. She just assassinated it. So I'm just letting you know that I am looking for compensation for that. If not, um -- if we can't negotiate something, I'm -- I'm filing a suit. You know?

CHAIRPERSON THOMAS: Oh, okay. Thank you very much for your comments.

DIAHANN FREDERICK: And I have letters and I want you to look at the letters of the details. I don't want to -- I -- I -- I hated to come here. I really did -- to come here to say all of this because I don't like to put all this stuff in. But I -- I have written to your city manager and I have --

CHAIRPERSON THOMAS: You can give it to --

DIAHANN FREDERICK: -- written to your city attorney. And I have not gotten any answers.

CHAIRPERSON THOMAS: Okay. Well, thank you very much, Miss -- Miss Frederick.

DIAHANN FREDERICK: Okay?

CHAIRPERSON THOMAS: We have your information.

DIAHANN FREDERICK: Here. Here you go. You got three.

CHAIRPERSON THOMAS: See if you can keep those over there and we'll put them -- we'll -- we'll accept them into the record. Are you -- are you finished?

DIAHANN FREDERICK: Uh, yeah. I -- I -- I am. I just wanted to let you know that sometimes, you know, your -- the actions of your police officers are unwarranted, unjustified. And I don't know if they take sensitivity training or not. But I am not a criminal. All right. Thank you very much.

CHAIRPERSON THOMAS: Yes, ma'am. Thank you very much for your comments. Okay. Um, Miss Ryan, Mr. Lozman has talked about a case regarding the -- the Supervisor of Elections. If you have any information about that, can you gather that and be prepared to talk about it in a few minutes, please?

CITY ATTORNEY RYAN: Sure.

CHAIRPERSON THOMAS: Um, next up, we'll take Representative Powell. Um, I was told that you had left and I just saw you so we want to make sure that we don't forget you there. Good after -- good evening. Thank you for coming. You have three minutes to make your comments.

REPRESENTATIVE POWELL: Good evening, Mr. --

COUNCILPERSON J. DAVIS: Good evening.

REPRESENTATIVE POWELL: -- Chairman Thomas and Council.

COUNCILPERSON J. DAVIS: Good evening.

REPRESENTATIVE POWELL: As well as, uh, our Honorable Mayor. Thank you for allowing me these few minutes to speak. I'll be back in August for a legislative update with our Senator Jeff Clemens and also it's good to be able to work with some of you all on some of the projects that are going on here in the city.

I'm here with you all today. Standing behind me is my legislative assistant Tradrick McCoy, who is also from Riviera Beach, and a very special person who's here with us today who was my intern in Tallahassee. And I believe it's always positive for us to reach down -- or reach back and help to pull along those people who are coming behind us.

And I've got with me Miss Alexa Guy, who was a student at Florida A&M University. She's also a Senator at Florida A&M University. And I wanted Alexa -- I wanted to take this opportunity to just talk about some of the things we did in Tallahassee. And then I want Alexa to say hello and -- and let everybody know who she is, because she's also very special because she has ties to the City, as well.

Uh, this year we -- we did some great things in Tallahassee but we didn't do super great things. We got some money in the budget for the City but the, uh, Governor decided he wanted to veto our project. So what we'll do is next year we'll fight for it a little bit harder.

We made some changes to education. The Career and Professional Education Program has been coming -- has come back. We've got -- the high school diploma has changed a little bit so that those students who aren't college material -- as they say, everybody's not going to college -- can have a certification in a field or vocational certification that'll allow them to get jobs in another field.

At this point, I'll let Alexa speak because I'm pretty close to my three minutes.

CHAIRPERSON THOMAS: They -- they -- Mr. -- Mr. Jones tried to give you a few extra minutes but since we know who Miss Alexis [sic] is and we know how hard her father works here, we're gonna provide her a little privilege to say whatever she wants.

COUNCILPERSON J. DAVIS: Can Dad -- who -- I was just told who Daddy is.

CHAIRPERSON THOMAS: Benjamin Guy's. That's Ben Guy's -- that's Ben Guy's daughter.

COUNCILPERSON J. DAVIS: Yay.

ALEXA GUY: Right. Well -- well, good afternoon, everyone. As Rep Powell said, my name is Alexa Guy. I am a third year at Florida A&M University. I'm majoring in Elementary Education, as well as Psychology. And I'm in the Student Government Association as a Senator. This is my second time being elected.

So, um, also interning for Representative Powell in the session this past semester was really good. I had a great experience. I learned a lot about -- I learned a lot about how government works from a more broad spectrum. Because even though I am in the Student Government Association, a lot of things are very centered towards just the school. But I really learned a lot about how things work for a city, per se, or, you know, a state or whatever.

And it was a really great experience. I got to see Rep Powell advocate for legislation, as he should as a representative. And it was just a really great experience. So I want to thank him for that.

CHAIRPERSON THOMAS: Thank you, Miss Guy.

REPRESENTATIVE POWELL: Thank you, all, and thank you for coming to the opening of my office at 2715 N. Australian Avenue a couple weeks ago. And if anyone has any questions, you can always call my office and Tradrick will be there to answer the phones. Thank you.

CHAIRPERSON THOMAS: Thank you, Representative. We appreciate it. Thank you. Thank you. Good luck, Miss Guy.

ALEXA GUY: Thank you.

CHAIRPERSON THOMAS: Okay. I -- I know how he feels having his daughter be there. I'm a proud father, too. So that is -- that is -- that is excellent. Um, next up we're gonna have Miss Larson, who put the book back. Wasn't that nice of her? Good evening, Miss Larson. You have three minutes to make your comments.

BONNIE LARSON: Good evening. We're really saving money here now. One book. We used to at least have three. So I'm gonna give it my best shot. I take a lot of notes here.

CHAIRPERSON THOMAS: We'll get some more.

BONNIE LARSON: All right. Um, a couple of things on the consent agenda which I have a question about. And if I have questions, probably other people have questions

on it, also. I -- I assume everything on the consent agenda was agreed upon? Yes?

CHAIRPERSON THOMAS: For the -- yes, ma'am. We didn't have any items pulled.

BONNIE LARSON: Okay. Okay. Oh, I missed that part. All right. First thing, we have the meeting tonight listed on the web as a regular meeting. Now, this is the third Wednesday. So you kind of canceled the third Wednesday. So if it's gonna be a regular meeting, a regular meeting means you have it the same time, the same date every month. If you have your regular meeting now only on the first Wednesday and then you save the third for something else, then this meeting tonight is a special meeting or it -- it's gotta be called something else. Can't be called a regular meeting unless it's every third Wednesday.

There were several things that were canceled tonight: Investment Policy, Debt Management Policy, Municipal Debt Arbitrage. I don't even know what arbitrage is but I'll look that up. Anyway, those things were canceled. Now, my question -- my point is, if things are on the agenda, they should be ready, set, go before they get printed on the agenda, because now these things have been canceled with no explanation as to why they were canceled. So let's be prepared. And if it's not ready to go on the agenda, don't put it on the agenda.

The ambulance transport fee, that went up. I read it and I don't quite understand it. I think a lot of people would be interested in this. They had some initials there, BLS, ALS-1, ALS-2. Um, there was no explanation as to what ALS-2 is but the fees went up quite a bit. Your basic transport, \$450 was what it used to be. Now it's going up to 700. ALSI, advanced life support, which sounds more complicated, that's still the 450. Now, it's 700. The ALS-2, don't have any idea what that is, and I didn't get what it was from reading the documents. It's up to 750. Mileage went from \$8 -- it doesn't say but I'm thinking is that \$8 a mile? Probably. And it's now up to \$12. Immobilization fee, no idea what that is. That stayed at \$20. So people, we're in a recession here. And going from \$450 up to \$700, you know, people are in need of transport. People need to go to the hospital. So you look at North Palm Beach, they're charging \$495. So I'm reading this and not to be funny, but I'm thinking, if I'm having a heart attack or something, I'm gonna suggest somebody to cross over the North Palm Beach line 'cause it's only gonna cost them 495 there. At Riviera Beach it's gonna cost 700. The City of Palm Beach, \$530. So wherever you go, it's cheaper than in Riviera Beach.

The 2601 building, you're paying -- there's money coming in for that. I thought the \$33,000 relocation was the total relocation. Now I understand that it's double that at 66. 33 is what they want Riviera Beach to pay. And why are we paying the owner? He doesn't -- he doesn't have an office here. Why are we also paying the owner of that building? Thank you.

CHAIRPERSON THOMAS: Okay. Um, Miss Larson, you said quite a bit there. I'm not sure as to what are you speaking of. But in terms of the fire stuff, Chief Perry is probably somewhere right outside. If you want Chief Perry to -- to talk with you, we can

--

BONNIE LARSON: No. I want everybody to know.

CHAIRPERSON THOMAS: Okay. But we're going to make sure that you get it now and we'll -- we'll pull that. So Chief Perry, please see Miss Larson and explain -- I know basic life support and advanced life support but the other issues that you, um, were speaking about, I'm not sure of, um, your question. Okay. And is this the last comment card?

CITY CLERK WARD: That's the last.

CHAIRPERSON THOMAS: Okay. Last but certainly not least, Miss Mary Brabham. Is she still here?

MARY BRABHAM: Yeah, I'm back here.

CHAIRPERSON THOMAS: Yes, she -- come on up, Miss Brabham.

MARY BRABHAM: Good afternoon -- good evening, rather.

CHAIRPERSON THOMAS: Good afternoon. Good afternoon.

MARY BRABHAM: Miss Mary Brabham, Riviera Beach. Uh, hats off to Alexis Guy. Well done. We can be agreeable as well as disagreeable. I sat here, heard comments about Miss Jones' contract.

To those who do not know, our previous manager, he earned \$210,000 per year here. He also received all of the benefits, disability, pension. You name it, Bill got it. And when he was dismissed from here with the contract -- the previous contract that was in place, we advocated for him to get every penny that he deserved.

Your manager contracts. That's the representative's duties way before the contract even comes out to the general public. But as a united board, you all should be in agreeance. Whatever differences aside, bars that you all may have, it doesn't look nice in front of -- of the general public. So as leaders and officials, you all -- Miss Jones works at your discretion. She works at your discretion. So when these things comes out like this, it shows the lackness [sic] in the governing body because Miss Jones cannot do anything unless the board authorizes her to do that.

It is a lot of projects that are in the pipeline in this city here that has to be stabilized. See, you can't get anywhere without structure and you must have structure. If it's something that's out of the norm or ordinary with Miss Jones, you all take care of that. But obviously she must be doing a good job because you all are side-barring. You all are side-barring. You're wavering in your decision.

But like I said, Bill Wilkins got \$210,000 per year. Now, if anyone doesn't believe that, look up -- that's including all of his services, everything, you know, that was -- that was beneficial toward Bill. Now, if I'm incorrect, someone please correct me.

Also, too, even with Miss Jones, it's okay to give her a raise. It's okay to give her a raise. Also, too, the employees, I want them off of furlough. I want them to get some type of incentive. They have gone on for years without one. So my request, to give the employees also some incentives also, as well as Miss Jones. Because for a lot of these residents, it is a lot at stake here for this city here. And you need -- you need somebody on board.

CHAIRPERSON THOMAS: Miss Brabham?

MARY BRABHAM: Somebody on board to help navigate what is already there. You're changing ships in the middle of the wheel and you're gonna -- and you're gonna sink.

CHAIRPERSON THOMAS: Miss -- Miss Brabham -- Miss -- Miss -- thank you, Miss Brabham.

MARY BRABHAM: Thank you.

CHAIRPERSON THOMAS: Thank you for your comments. Thank you very much for your comments. That brings us to the end of Public Comment.

CITY ATTORNEY RYAN: Mr. Chair?

CHAIRPERSON THOMAS: Miss Ryan?

CITY ATTORNEY RYAN: Did you want me to speak on the Susan Bucher issue at this point or in -- during my comments.

CHAIRPERSON THOMAS: Let's to it under your comments.

CITY ATTORNEY RYAN: Absolutely.

CHAIRPERSON THOMAS: Let's do it under your comments so we can kind of keep the meeting moving. We're moving a lot faster than I thought we would. So we're going now to item 23.

CITY CLERK WARD: Resolution 87-13, a resolution of the City Council of the City of Riviera, Palm Beach County, Florida, setting the millage rate for fiscal year 2013 through 2014 at a rate of 8.9980 mills and providing an effective date.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON GUYTON: Second.

CHAIRPERSON THOMAS: Been properly moved and second. Do we have any public comment cards in this?

CITY CLERK WARD: Yes, one.

CHAIRPERSON THOMAS: Okay. Miss Brabham, we're gonna welcome you back to

the podium and you're gonna have three minutes and I really want you to concentrate on the three-minute mark --

MARY BRABHAM: Okay. I'll -- I'll try real hard.

CHAIRPERSON THOMAS: -- to make your comments. Yes, ma'am.

MARY BRABHAM: I'll try. I'll try real hard.

CHAIRPERSON THOMAS: Yes, ma'am. Welcome back. Three minutes to make your comments.

MARY BRABHAM: Uh, Mary Brabham, Riviera Beach. Um, just to -- just to say about the millage rate, uh, piggybacking on something that I said with the millage rate, I want also the police department. Now, I know a comment was made about the police department, but let me tell you what Miss Brabham feels about the police department as far as -- as our safety guarding this city here. We never can be lawless. Never. And the police department deserves an incentive raise, also.

When we filled out -- I think it was in 2008 or maybe 2010 with the fire department, their incentives from what I can remember -- and if -- if I'm incorrect, you can correct me -- it was based into their pay base. So we said that they deserve that what they did receive. Now it's other entities that is in this city here that needs that raise, also. We cannot expect to get good police officers in here with the pay that we pay them. When we -- when we eat peanuts, if we just eat the shell without the peanut, we're not backing with - we're not eating anything. And we can't not eat peanuts without the peanuts.

So I'm -- I'm hoping -- and this millage rate as far as a governing board, that you all find some incentives -- and I'm going back to what I previously said -- with the employees, the fire -- uh, your police department. And if the fire department, if you all can work something out there, but our police -- our police department and the employees now do deserve something.

So as previously as I said, Miss Jones deserves something, also. So let's get on an even-level playing field. We may not can please everyone with the -- with -- with the ratio of what they want or what they deserve, but it's meeting of the -- it's -- it's coming together, meeting of the minds.

Miss Jones did agree -- Miss Jones did agree, I think, 5 percent or 3 percent. So that -- so that shows, too, that she's willing to work as a leader of this city here. And I'm sure you all will make the sound decisions and the sound judgments to try to do what is best and right in the interest of this city. And as far as the projects are concerned in this city here, yes, I do want this city to move forward.

Just looking at Alexis Guy here and with all of the other young adults, we need them to come back to a built-up city with a sound base foundation. This is what Riviera Beach should be about, as far as my point of view. And I'm sure I -- I share this same sentiment with a lot of the residents. This place must be built up. It has to be built up.

Thank you.

CHAIRPERSON THOMAS: Thank you, Miss Brabham, and you did excellent with your time. We appreciate that. Thank you very much. Okay. Are there any additional comments from the board reference item 23?

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Miss Pardo?

CHAIR PRO-TEM PARDO: I think we, you know, owe it to the viewers to let them know what this is about. We're setting the millage rate. Right now we can't go higher than 8.998 mills. And there is a possibility once we get into budget that it could go down.

CHAIRPERSON THOMAS: Exactly.

CHAIR PRO-TEM PARDO: But what we're doing right now is we're just setting it preliminarily.

CHAIRPERSON THOMAS: Yes, ma'am.

CHAIR PRO-TEM PARDO: Okay.

CHAIRPERSON THOMAS: Any other questions from the board? Hearing none, call the question, please, Madam Clerk.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Councilperson Terence Davis? Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Pro-Tem Dawn Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

CHAIRPERSON THOMAS: Okay. Item 24.

CITY CLERK WARD: Resolution 88-13, a resolution of the City Council of the City of Riviera, Palm Beach County, Florida, awarding Architect Design Group as the top-

ranking firm responding to request for qualifications, number 389-13, for professional architect and design services for development of design specification, construction document, related services, for a new public works -- safety/public works complex and various improvements to existing buildings located at 1481 15th Street, Riviera Beach, Florida; authorizing the Mayor and City Clerk to execute the contract in the amount of 581,989, authorizing the City Manager to approve change orders up to 10 percent and providing an effective date.

CHAIRPERSON THOMAS: Is there a motion?

COUNCILPERSON GUYTON: So moved.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. I have a few comment cards. First up, I think I see Miss Brown. Miss Brown? She's right there. Good evening, Miss Brown. We marked it perfectly for you. You have three minutes to make your comments.

BESSIE BROWN: Thank you.

CHAIRPERSON THOMAS: You're welcome.

BESSIE BROWN: At this time I just would like to read a statement that I thought was the harshest thing in the world. And it's on our new Riviera Beach paper. It says, "Before long, the municipal complex on Blue Heron Boulevard will be gone. Within two years, the headquarters for police, fire and public works will all be in a new 13 million, uh, home on 15th Street and eventually City Hall, the library and Fire Station 1 will be relocated elsewhere."

I just -- you know, I just thought that was so, you know -- I didn't appreciate it. And, uh, I think that's disrespectful to the citizens because we specifically have asked about information on this project when it was first -- we were first given an opportunity to speak on it.

CHAIRPERSON THOMAS: Excuse me. Can I have a copy of that, please, that you just read from?

BESSIE BROWN: (Nods head).

CHAIRPERSON THOMAS: We'll get it back to you.

COUNCILPERSON J. DAVIS: That's the newsletter.

BESSIE BROWN: That's the new newsletter.

UNIDENTIFIED SPEAKER: (Unintelligible).

CHAIRPERSON THOMAS: Okay. I'm sorry. Go ahead. I don't want to take your time. It just caught me off guard. Go -- go ahead.

BESSIE BROWN: Okay. Now -- now, that -- my thing is that I'm so -- you know, I -- I really am, you know, upset about the way it was written. Plus, I see that you all are here -- this -- this item, we're gonna pay \$581,989 for specs, you know, for architectural designs, for services and design specifications.

Well, I think that it was already -- specs were already done for the City -- the police department previously in the place where it should have -- where it was supposed to be, where it was originally. And then there was new specs also done in Public Works for their -- for their project to be built. I'm gonna ask the question. I'd just like to know how much did both of those specifications cost that we've already done and now we've changed everything in the middle of the stream and we're over on 15th Street? Can anybody answer that?

CHAIRPERSON THOMAS: We'll try to get the answer for you. But go ahead on -- while I have somebody looking that up. Somebody please try to find that information.

BESSIE BROWN: And currently I'd like to say last but not least, we need to keep all of this stuff in one area, because this is such a -- it causes such a disadvantage to the citizens in Riviera Beach. That's the reason all of these things were put here in the first place when we move -- moved here in 1987.

CHAIRPERSON THOMAS: Thank you very much for your comments. While someone's trying to get that information for Miss Brown, just -- just take it to her in the audience, whoever is getting it, somebody from Finance, I'm assuming. Um, next up will be Miss Bonnie Larson. Miss Bonnie Larson. Welcome back. You have three minutes to make your comments.

BONNIE LARSON: I'm giving the gentleman sitting next to me quite a bit of exercise tonight. I had a question, also. My question was the same as Miss Brown's. Basically was that many years ago now we talked about rebuilding that Public Works complex. And -- and at one point it was so bad that a councilperson said, you know, We're lucky the health department doesn't shut us down because of conditions over there. It was so bad. Plans were made. A lot of money was spent, um, re-designing that building. And so my question is the same as Miss Brown's: What -- what -- what became of all that money that we spent for all those plans? Where is that money now and how much was it?

The other thing was, all right, Public Safety, is that scheduled to move into a building that's existing on that property or are you talking about building something entirely new out there for Public Works?

Uh, the -- oh, the -- and my last thing -- I'll make it short tonight -- and my last thing is I talked about City Hall moving out there to 15th Street and I was told many, many times, Miss Larson, don't spread rumors. We're not talking about moving City Hall out there. Well, apparently -- I don't have a newsletter, but apparently right there it is. They're

moving City Hall at some point.

So, you know, we wanna be able to trust the council. And if they tell us things, we want to be able to believe what they're saying.

UNIDENTIFIED SPEAKER: Yeah.

BONNIE LARSON: Just like eminent domain. They said to us, Don't worry. We're not taking it by eminent domain. Then all of a sudden, next thing you know, when that fell through, the CRA director said, Well, you know, I have to have a whole new plan now because the whole plan was based on taking eminent domain, taking it by eminent domain. And like I said, I said that I believed the plan was to move City Hall out there. And I was told many times from the council that is incorrect.

And now it's in print in the Riviera Beach newspaper. They want the City Hall to move out there. It's very inconvenient. How will people even get out there? In my opinion, maybe somebody wants this property. Why are we moving out there? Why would we move out there? People will not even be able to get to the City Hall. We have people who don't drive. There's no bus service out there.

When was that decided? That's a major decision. I think that should have been up -- something on the ballot. I think that should have been up for a community vote, 'cause it's gonna affect every single person in this city. So how did that decision get made and when was it made and when was it voted upon by the council? Thank you. And also --

CHAIRPERSON THOMAS: Thank you.

BONNIE LARSON: -- when he comes back with the figures for the, um, Public Works, I think everybody should know that. I don't want -- when I ask a question here, I don't want to know it personally. I want everybody to know 'cause then everybody's gonna stop me on the streets and say, Well, what'd you find out about that? No. Everybody needs to know about the transportation, let's say, for the, um, fire department, if you have to get transported to the hospital. That's an important thing. I want everybody to know the answer to that.

CHAIRPERSON THOMAS: Okay.

BONNIE LARSON: So when he gets the answer --

CHAIRPERSON THOMAS: Gotcha.

BONNIE LARSON: -- if he could come to the podium and say the answer, thank you.

CHAIRPERSON THOMAS: We'll -- we'll work on that.

BONNIE LARSON: And also, this money, where did this money go?

CHAIRPERSON THOMAS: Thank you. Thank -- thank you, Miss Larson, for your

comments. Um, let me just say to you now, in no uncertain terms, I don't know how that got out. It will be a problem because that is absolutely not true. City Hall is absolutely not moving. I am not supporting that. That's not happening. I don't know how that got out but I'm gonna get some clarification of that in just a minute, as soon as we finish this item. I -- I saw that. I'm having somebody bring me a copy of it now. As a matter of fact, Jameer, bring me a copy of that, please, ma'am.

And, uh, last is Mr. Fane Lozman. Okay. Um, Mr. Fane Lozman, we're going once, we're going twice --

COUNCILPERSON J. DAVIS: He's gone.

CHAIRPERSON THOMAS: Mr. Lozman? We -- we're gone. All right. Um, any other additional questions or concerns on this item from the board?

COUNCILPERSON T. DAVIS: Yes.

CHAIRPERSON THOMAS: We -- we're gonna discuss it after this item, Miss Jones.

CITY MANAGER JONES: Okay.

CHAIRPERSON THOMAS: Any -- any questions on it? Hearing none --

MAYOR MASTERS: I have something.

CHAIRPERSON THOMAS: Okay. Well, I -- I'm asking so I didn't hear you comment. Go ahead, Mr. -- Mr. Mayor.

MAYOR MASTERS: I guess I'll direct my questions to the manager. Madam Manager, um, according to number 24 --

CITY MANAGER JONES: According to what, sir? I couldn't hear you.

MAYOR MASTERS: To the agenda.

CHAIRPERSON THOMAS: Speak into the mike, please, sir.

MAYOR MASTERS: I'm sorry. They -- they didn't cut my mike off, did they?

UNIDENTIFIED SPEAKER: No.

MAYOR MASTERS: Okay. According to the resolution before us, um, there's something in here that says that this money will not just only be used for -- to draw these plans -- we're talking about drawing plans, \$581,000 to draw plans, 989.

But my question -- it says the improvement, "And there is improvements to existing buildings." But I was under the impression that the -- the people there now were gonna take care of any improvements. Is that -- can you help me with that?

CITY MANAGER JONES: What you have is the, um, contract for the design of the complex. And that includes the facility for Public Works, police, fire and EOC. Um, the former owner was never going to do our renovation and our construction. That was always going to be on us.

MAYOR MASTERS: Okay. Um, also, as you know, there is a pending referendum that will be on the next ballot whenever our Elections Supervisor says that it can be. And I'm hearing March. But when -- when do we take possession of the building? Is that in May?

CITY MANAGER JONES: We already own the building. We are actually able to occupy the building May of '14.

MAYOR MASTERS: Okay. If -- if, in fact, that's going to happen in May, um, but then that -- in May, won't there -- is that when we start the -- the build -- the build-out at the warehouse?

CITY MANAGER JONES: Yes.

MAYOR MASTERS: Okay. And if, in fact, the referendum is on the ballot in March --

UNIDENTIFIED SPEAKER: Speak in the mike.

MAYOR MASTERS: If in fact, if the referendum is in -- on the ballot in March, is there any particular reason why this cannot -- why do we have to draw the plans now in something that the public may or may not, uh, approve for the police here to be moved over to the 15th Street site, as well as the administration of the Fire Station number 1 and as well as the closing of Fire Station number 2 on Blue Heron next to Barracuda Bay, which will be moved -- closed and moved to the 15th Street site?

Is there any reason why these plans that we basically can't do anything with until May anyway be -- is there any reason why we need to make that happen now before March of the referendum?

CITY MANAGER JONES: Yes, sir.

COUNCILPERSON GUYTON: Mr. Chair?

CITY MANAGER JONES: The first reason being that this body, the elected body made a decision. And the administration is moving forward with the, uh, decision that was made by that -- by the body, the elected body, in that vote and that decision. Until there is a change in that, either by this council or by the residents, you have to continue moving. You lose time. You lose momentum. Cost for supplies go up.

So that's why if you -- in order for us to meet our timetable, to begin construction in May, we have to first design it, get that construction contract, that opportunity on the street. So you have a lot of things that need to take place, and you really cannot afford to lose time 'cause then you're losing ground.

MAYOR MASTERS: Okay. Thank you, Madam Chair. I'd just make my final comment just for --

CHAIRPERSON THOMAS: Please speak into the mike Mayor.

MAYOR MASTERS: I -- I'm trying. I -- I'm trying.

CHAIRPERSON THOMAS: Okay. I can hear you better.

MAYOR MASTERS: Um, just for the record, just for your reflection, we have thousands of signatures of registered voters of the City of Riviera Beach that, uh, certainly it's not in favor of anything moving from this campus, period. Um, and just for the record, I'm gonna ask this council, which I already know the answer -- it's gonna be no. But I'm -- I need to put it on the record -- to ask this council not to spend any more of the taxpayers' money, period, until this, um, resolution can be resolved by the people, because after all, government at its best is always by the people, for the people and of the people. And I understand that the decision was made by a previous council, which two of the members who made that decision is no longer here.

So I think that in light of that, we ought to just wait and let the people decide. And from what I can tell you is, Madam Chair [sic], in moving around this community, that the people prefer for everything to stay here. I was told -- and I'm finishing -- by a top administrator that it was a plan or the plan to look at moving City Hall to Broadway, to 23rd Street. I mean, on Broad -- yeah, on Broadway and 23rd, I think, and Broadway. That would help economic development for the new downtown area. Well, if that's the case, I think we ought to look at development on the uptown, up over here where we are, and not downtown. Thank you, Madam Chair.

CHAIRPERSON THOMAS: Um, I'm Mr. Chair. I am a man.

MAYOR MASTERS: I -- I'm sorry. I don't want to make that mistake.

CHAIRPERSON THOMAS: Yeah, you did that twice. I didn't know if you was doing that on purpose or not.

MAYOR MASTERS: Well, you got a lot of hair so I didn't, you know --

CHAIRPERSON THOMAS: I'll get you. But I'm still a man, 100 percent. Mr. Guyton, you were next.

COUNCILPERSON GUYTON: Um, thank you, Mr. Chair. I would like to address just a couple of things. I'm gonna deal with this issue under my comments, but since the Mayor brought it up now, I -- I think that it needs to be addressed now. He wanted to know why we're moving forward right now. Miss Jones briefly addressed it, but that referendum is not a city-sanctioned referendum.

I do not support it. I do not encourage others to sign that petition. She has her instructions. Staff have their instructions. And -- and I think it's unprecedented that the

Mayor knew that this council voted to move forward. And instead of doing what most elected officials do, even though they lose a debate on the dais, they don't go out into our community and seek to divide our community with a referendum knowing that the council has already voted to approve it. So in essence, he's going to undermine the decision of this council who's already made a decision and who's already paid \$6.6 million that we cannot get back.

So if -- if the residents were to support that referendum, it would put all of that money in jeopardy. We can't get that money back now. So we can't use that money and come over here and build on this site. I'm going to discuss, in my closing comments, why I think it is a good idea. But the Mayor's petition is not one that this council has sanctioned. And I do not support it. And I'll continue my comments under my closing comments.

CHAIRPERSON THOMAS: Thank you. Any other comments on this particular item?

COUNCILPERSON T. DAVIS: Yes, sir.

CHAIRPERSON THOMAS: Mr. T. Davis.

COUNCILPERSON T. DAVIS: Thank you. I have a question for, um -- for staff. Is it in our budget to do that building effectively? The way that these designs are talking with the -- the complete project? Is it in our budget?

CITY MANAGER JONES: The money that we have available for this project is in the capital budget. And the contractor, which you're acting on now, will be given their guidelines to work within the scope and within the dollars that we have.

COUNCILPERSON T. DAVIS: So my question is this here: When I hear "work with our budget," I don't want no one coming to our city and giving us a half-done job based on money. I want a full, complete project. We're talking about moving the fire department over there. I sat through and I watched a few of those presentations. Actually, I watched every last one of them. And I sat in the corner by myself away from everyone and I just really wanted to watch what people's visions was, these professionals who come into our city. And I watched staff ask some questions.

Okay? And there were some questions there with that budget. Okay? The City of -- the residents of Riviera Beach -- now, before I got elected I was just a regular resident. And as a resident, you ask questions. You don't want to be too reactive; you want to be proactive. Now, we have a council that is proactive, but make sure when you're proactive as a council, as we are now, make sure we're bringing the community along with us.

That's what's important. Now, there's going to be some times where we disagree as a family, as a community. But we know we're moving together. We can work things out. A lot of people had a lot of questions about do I support the referendum. I support the residents. If the residents want to have a right to say if they want to keep it or they want to go the other direction, I think they have that right to voice that opinion. That's it. I'm

not going to support this yet until the residents say how they truly feel.

If they want it, I'm going to make -- make sure that I support their taxpayer dollars in the direction they want to go. Now, I didn't -- I didn't have nothing to do with it before so now I'm going to continue to focus on what the residents wanted. If they want to keep move this -- with this project, I'm gonna support that. If they go against it on the referendum, then we have to do our due diligence to work upon that. That's how I feel.

CHAIRPERSON THOMAS: Thank you. Any other questions/concerns on this item? Hearing none, Madam Clerk, please call the question.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: No.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Pro-Tem Dawn Pardo?

CHAIRPERSON THOMAS: She's out.

CITY CLERK WARD: She's out? Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

COUNCILPERSON J. DAVIS: Councilman Davis.

CHAIRPERSON THOMAS: Councilman Davis, yeah. T. Davis dissenting. Okay.

COUNCILPERSON J. DAVIS: Okay. Mr. Chair?

CITY CLERK WARD: I said Councilman Davis.

CHAIRPERSON THOMAS: Yeah, we got it. We corrected it.

COUNCILPERSON J. DAVIS: Oh, I thought you said Councilperson.

CHAIRPERSON THOMAS: Councilperson T. Davis dissenting.

COUNCILPERSON T. DAVIS: Terence T. Davis.

COUNCILPERSON GUYTON: Mr. Chair?

COUNCILPERSON J. DAVIS: Uh, Mr. Chair?

COUNCILPERSON GUYTON: Oh, (unintelligible).

CITY CLERK WARD: Mr. Chair?

CHAIRPERSON THOMAS: Oh, okay. Hold on. Let me try to get everybody first. All right. Miss -- Miss -- Miss Ward, I haven't heard you all night.

CITY CLERK WARD: Thank you.

CHAIRPERSON THOMAS: So let's take you first.

CITY CLERK WARD: May I just, um, say something?

CHAIRPERSON THOMAS: Yes.

CITY CLERK WARD: As far as I keep hearing, we're talking about a referendum election. The council has not authorized -- before we can move forward with any type of election, our next -- the City next scheduled election is March 2015. And that's what the voters voted for.

CHAIRPERSON THOMAS: Yes. Yes, ma'am.

CITY CLERK WARD: Now, if there's going to be a special election, if there's going to be a referendum election, it has to come before the City Council first.

CHAIRPERSON THOMAS: Yes, ma'am.

CITY CLERK WARD: And then I have to receive authorization to move forward with it. And so far that has not happened. I don't know if it's happening. And I would prefer people not dealing with saying referendum election. You have not scheduled one. Now, there's absolutely nothing wrong with a person deciding that they want to go out, collect signatures reference a petition. But make sure that it's clearly stated; it's stated that way. And we have guidelines, policies and procedures to follow in preparation for any type of referendum election. So please keep that in mind.

CHAIRPERSON THOMAS: Miss Ward, thank you. I -- uh, as a matter of fact, I'm glad that you shared that light. Um, because I think that it is out in the community that it's automatically gonna be an election in -- in March. And I'm glad that -- that you -- that you shared that light. And I'm -- I'm just happy that we got some clarification on that. I think I heard Miss -- Mrs. Davis -- Miss Davis first.

COUNCILPERSON J. DAVIS: Okay. And just to add on to what Miss Ward said, um, even if there is not a special election, um, I -- there's -- there's a possibility that the language could be added in March. Is that -- I mean, the -- that his initiative can be

added in March? I think that -- that just needs --

CITY CLERK WARD: March 2015?

COUNCILPERSON J. DAVIS: 20 -- oh, that's right. Okay.

CITY CLERK WARD: The next -- that's the next city-scheduled election.

COUNCILPERSON J. DAVIS: Okay. Gotcha.

CITY CLERK WARD: 'Cause we went for a three-year term.

COUNCILPERSON J. DAVIS: Okay.

CITY CLERK WARD: When you (unintelligible).

COUNCILPERSON J. DAVIS: All right. Um, and that leads me to my initial question. Um, now, I know that in the past, um, when this issue has come up, there was a -- an item that needed to be signed by the Mayor who refused to sign and Miss Jones had to bring it back to the board for us to authorize her to sign.

So now I'm -- I -- I pulled a copy of the charter. And in section -- Article 2, Government, Section 14, it reads that, "Upon final passage and approval of an ordinance --" now, this is a -- what is this? A resolution?

CITY MANAGER JONES: Contract.

COUNCILPERSON J. DAVIS: This is a contract.

CITY MANAGER JONES: With a resolution.

COUNCILPERSON J. DAVIS: Okay. So it doesn't apply to it, a resolution. Okay. So this applies only to an ordinance. So my question is, um, do we need to go ahead and take action at this point in time to, uh, authorize -- if the Mayor does not sign this, if it is approved? It has been approved. Since it's being -- been approved and the Mayor does not want to sign it, um, do we need to put a motion on the floor now giving the City Manager authority to sign, um, on his behalf?

COUNCILPERSON GUYTON: Now, Mr. Chair?

COUNCILPERSON J. DAVIS: Or in his stead?

CHAIRPERSON THOMAS: Okay. Hold on. Let me -- let me get the attorney to get in on this. Um, Miss Ryan, I didn't know that we had issues about it. But Miss -- Miss Davis put something on the floor, um, in -- in case the Mayor does not want to sign this.

CITY ATTORNEY RYAN: Okay. Um, I think what Miss Davis is referring to is the, um, past documents --

COUNCILPERSON J. DAVIS: Yeah.

CITY ATTORNEY RYAN: -- concerning the purchase of this facility.

COUNCILPERSON J. DAVIS: Right.

CITY ATTORNEY RYAN: The Mayor would not sign the documents and, um, I -- I'm not sure if the City Council authorized the chairperson to sign. I think the charter says that -- and you have the wrong section of that.

COUNCILPERSON J. DAVIS: Right.

CITY ATTORNEY RYAN: But I don't have the charter in front of me.

COUNCILPERSON J. DAVIS: I knew I read it somewhere.

CITY ATTORNEY RYAN: But there's a charter provision that says in the absence of the, um -- the mayor, that the city -- the chairperson can sign in his absence. So I believe that we had Miss Brooks sign it the last time with these documents concerning this particular piece of property. So, uh, I think what you're saying, Miss Davis, is that if the Mayor refuses to sign these documents -- and I haven't heard him say that he's refusing to do that.

COUNCILPERSON J. DAVIS: I'm --

CITY ATTORNEY RYAN: But if he does not sign the documents that I -- I prefer that you, um, make a motion that it will be the chairperson who signs --

COUNCILPERSON J. DAVIS: All right. That's fine. I just want --

CITY ATTORNEY RYAN: -- in the -- the Mayor's absence.

COUNCILPERSON J. DAVIS: -- I just want to put it here now so that she doesn't have to bring it back, if that is the case.

CITY ATTORNEY RYAN: Then I would suggest a motion.

COUNCILPERSON J. DAVIS: Okay.

CITY ATTORNEY RYAN: I'm not sure how we did it the last time but that would be the -- the appropriate way to do that.

COUNCILPERSON J. DAVIS: Okay. Well, I move that we give the, um --

CITY CLERK WARD: Miss Davis? Mr. Chair?

COUNCILPERSON J. DAVIS: Oh, you haven't --

CHAIRPERSON THOMAS: Yeah. Hold on one second. Miss Davis, I'm gonna

interrupt your motion just this one time in case Miss --

COUNCILPERSON J. DAVIS: Okay.

CHAIRPERSON THOMAS: -- Ward had something to add.

CITY CLERK WARD: Right.

CHAIRPERSON THOMAS: Miss Ward?

CITY CLERK WARD: Thank you. Thank you, Mr. Chair. Uh, I just wanna make sure that, uh, you understand the difference in absent. What that means is that the Mayor is absent, away. There's a difference. So perhaps when you state your motion, Mrs. Davis, you want to state it in a different way. What you said at first --

COUNCILPERSON J. DAVIS: Okay. Refuses.

CITY CLERK WARD: You remember --

COUNCILPERSON J. DAVIS: Uh-huh.

CITY CLERK WARD: -- what you said?

COUNCILPERSON J. DAVIS: Uh-huh.

CITY CLERK WARD: Yeah.

COUNCILPERSON GUYTON: Yeah, refuses, yeah.

CITY CLERK WARD: Okay. Right. If he refuses.

COUNCILPERSON J. DAVIS: Okay. Okay. My motion --

COUNCILPERSON GUYTON: And -- and, wait -- and before you make your motion, Mr. Chair, I just want to --

CHAIRPERSON THOMAS: Mr. -- Mr. Guyton?

COUNCILPERSON GUYTON: -- make a comment. I would like to suggest that it's time-specific, that if he doesn't sign by a certain time -- I would say a Friday 'cause the paperwork is ready tonight, isn't it? It's ready to sign. But if he refuses to sign and doesn't sign it by end of business Friday, the Chair would have the authority to sign. We can't wait weeks. We can't wait months. And the paperwork is here tonight. He can do it tonight. So if he refuses, let's give him a time certain and we move forward. This city needs to move forward. He's been holding up progress and we need to deal with it.

CHAIRPERSON THOMAS: Okay. Miss Davis?

COUNCILPERSON J. DAVIS: My motion is to give authority to the City -- I'm -- I'm sorry, to the council chairperson to sign this document in the event the Mayor refuses to sign, and by Friday of this week, close of business on Friday.

COUNCILPERSON GUYTON: I second.

CHAIRPERSON THOMAS: Okay. It's been properly moved and second. Questions, discussion? Hearing none, seeing none, Madam Clerk, please call the question.

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: No.

CITY CLERK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLERK WARD: Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

CHAIRPERSON THOMAS: Okay. Before we get to this news -- this -- the -- the newsletter, we have one more order of business. And these ladies have been waiting so patiently. So we're gonna go ahead and take this last order of business and then we'll continue on. Item 25, please, Madam Clerk.

CITY CLERK WARD: Resolution 89-13, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, directing the staff to amend the application, procedure and fees associated with processing large family child home care, including waiving [sic] site plan application fees, special exception fees and advertising fees for a one-year period and establishing new language allowing for large family childcare home applicants to share application costs after the one-year period expires and providing an effective date.

COUNCILPERSON GUYTON: So moved.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. Um, I'll take -- well, before I start taking any comment cards, I'll give, um, some history on this. A couple of years ago -- I believe it's two almost to the -- to the year, at least -- um, the City of Riviera Beach got a -- got a call -- well, I got a call from a group of ladies who had heard about House Bill 1040. And we met and I often talk about the -- the cold Pepsis that was in the house when we -- when we met.

And, um, they instructed me and they educated me on House Bill 1040 and we took it which meant that you can increase the number of, um, children that you can have in your large family daycare center, large family center, from -- it was five to -- from six to 12. Um, and we were the only city at that time that had an interest in doing it. The State -- the State, uh, you know, passed the bill and no other city had done it. So we went on about a year's campaign to get it done and the council supported it and we got it.

What we did at that particular time was we waived the fees for a year. But part of the process to being able to have one of these, you had to have at least two years experience. So a lot of the business owners did not have an opportunity to partake in that. And by being such a small business, the \$4,500 fee was -- was kind of taxing on a business that was -- that was that size. So, um, the -- another group of individuals came and said, Hey, listen. We finally got, you know, our -- our experience and we're just wondering if you can provide some relief for that hardship.

And initially I was, you know, saying that, you know, we did it one time but a lot of them couldn't partake of it because they did not have the experience -- the two-year guidelines in order to participate. At this point it gives them the two-year guideline, so we're -- we're asking for that again.

Um, with that brief backup, I'll take the comment cards. And if anybody have any questions, we'll definitely answer them, and Community Development is standing ready, too. Let's take Miss Bonnie Larson. He's gone now, so he doesn't have to -- yeah, good evening, Miss Larson. You have three minutes to make your comments.

BONNIE LARSON: I saved him from going to the gym this week. Anyway, the ladies behind me are saying it's House Bill number 45 so I don't know if it's 40 or 45.

CHAIRPERSON THOMAS: 1040 --

BONNIE LARSON: They're saying -- they're saying 45 in the back.

CHAIRPERSON THOMAS: Yes. House Bill --

UNIDENTIFIED SPEAKER: It's 1040.

CHAIRPERSON THOMAS: -- 1045.

BONNIE LARSON: Okay. I thought you said 40. Okay.

CHAIRPERSON THOMAS: I probably did.

BONNIE LARSON: All right. So just for the record. All right. So now this says here -- I don't have the book but it says here, "Associated with --" okay. So my -- my question is just why. We're waiving the site plan application fees, special exception fees and advertising fees for a one-year period and establishing a new allowance -- new language allowance for large family childcare to share application costs after the one-year period expires.

So let's put some dates in this. Let's not just say one year. Let -- let's put specific dates in here. And my question is why -- why do we set up fees and then now we're waiving them and then, you know, we're extending the, um, application -- we're extending it for another year. It's just kind of confusing. What, is this gonna go on and on forever or when is the cutoff date for this and why did we set up specific fees and now we're -- we're backtracking on everything?

CHAIRPERSON THOMAS: Okay.

BONNIE LARSON: Why are some people getting it? So I -- I hear what you're saying about the two-year experience.

CHAIRPERSON THOMAS: Uh-huh.

BONNIE LARSON: But it -- it keeps saying extending it for another one-year period. So I mean, how long are we gonna do this? Because the next group is gonna come along and say, Well, I don't have two years and they got -- they got reduced fees, so why don't I get it? Why aren't -- so why don't we set a specific drop-dead date, so to say, and then, you know -- so that this doesn't go on forever? Thank you.

CHAIRPERSON THOMAS: Miss Larson, that was actually a great question. Um, because of the sunrise of this particular pilot project that we were doing, the only reason why I'm recommending this again is because of the two years is just coming. So this allows them sort of like a new start date for the individuals who could not participate even though some of those individuals who initially brought this were not allowed to participate because of the two-year experience. So this gives them the two years. So it's one year from the date that if and when this is approved, they have that.

The second part of that, which I did not discuss, so you brought that up, is I put in there for them to be able to share the costs. So if two or three of these companies are coming in to do this, we gotta do it one time. So I'm -- I'm asking that we allow them to share that \$4,500 cost with the ones that are coming in at that same time to -- to -- to apply for it at that same time. So I -- I hope that happened. If not, we'll try to -- I hope you understood that. If not we'll continue to, uh, get you information on it as we always try to do.

Next up, we'll have Diana Rhodes from Grandma's Love family daycare. Good evening. You have three minutes to make your comments.

MARTINA WEMBLEY: Hi. I'm Martina Wembley [phonetic]. Um, I'm a large family childcare provider. This is Diana Rhodes, Andrea Frith [phonetic], um, Mrs. B. One of - - there were many factors that didn't allow providers to take advantage of -- of -- of that. Miss -- Miss Boatwright is a Head Start provider, and she was initially told -- and she's Quality Count. So that's a different standard. But she was initially told that she couldn't do it by Family Central being that she's a Quality Count provider. Once they got more education, you know, more knowledge on the situation, they -- I'm a little nervous.

CHAIRPERSON THOMAS: Take your time.

UNIDENTIFIED SPEAKER: You're all right.

MARTINA WEMBLEY: I talk to children all day so -- but --

COUNCILPERSON GUYTON: You're at home.

MARTINA WEMBLEY: -- once they got more information on how large family daycare works, they -- they recently told her that she could. Okay? Diana's one of the providers that, um -- that didn't have -- she had the two-year experience, but she understood it that she had to be two years in Riviera Beach. Andrea Frith, um -- it -- she had the -- the years and so forth, but there were a lot of factors that you had to have your substitute lined up, your employee lined up and so many other factors. So that was one of the reasons. Eula Gray [phonetic], um, Karen Robinson all have been in business over 10 years.

But it was -- they didn't understand it. They didn't know what it took to get there or whatever. But I'm gonna work with those ladies, and we're gonna -- if you all approve it, we'll make sure it happens.

CHAIRPERSON THOMAS: Thank you very much for your comments.

MARTINA WEMBLEY: Okay.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRPERSON THOMAS: You're -- you're very welcome. Thank you.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRPERSON THOMAS: Okay. We have one last comment card, Carissa [sic] D. Bynes, Biner?

CLARISSA BYNES: Bynes.

CHAIRPERSON THOMAS: Bynes? I'm very sorry. I couldn't pronounce that. But welcome to the City of Riviera Beach. You have three minutes to make your comments.

CLARISSA BYNES: Good evening, all.

CHAIRPERSON THOMAS: Oh, okay. I know you.

CLARISSA BYNES: Yes, you do.

CHAIRPERSON THOMAS: Yeah.

CLARISSA BYNES: Good evening, all. Um, my name is Clarissa Denise Bynes. I myself have a home daycare. And I've been in business for myself for -- for about two and a half years, I would say. And I'm here to ask -- stand with you, as well so that we can amend this \$4,500 fee, um, because we have a way of giving back to the community by helping these children. And the children are the future of today. And as I ride through the cities of West Palm Beach and other cities outside of Riviera Beach in Palm Beach County, I -- I notice that there are also a lot of other -- like, outside of the large family daycare homes, there are a lot of schools that are outside of the homes.

I called the City of Riviera Beach about three months ago. Can't really remember the individual's name. And if I did, I really wouldn't call them out like that. But I was told that, not just for the large family daycares, that one has -- have to pay \$4,500 to even open up a school outside of the home.

And I myself, um -- I just received the -- the -- the, um, license for -- to open up a facility outside of the home. But because of these fees, it just -- you know, it just makes it impossible. And I just want to piggyback on this young lady sitting over there in the green shirt. I totally agree with her. I really feel like we should not have, um, like -- we -- we should -- we just shouldn't have to wait for a certain date for it to go and come back and not know exactly how long this is going to last.

Like, um, there are individuals that have been in the daycare for a year and a half. And you're saying, like -- well, I'm -- I'm not speaking just directly to you, but one is saying, Okay. You have to be in a day -- in a -- in a home facility for at least two years. And I just want my voice to be heard for those others that are not here tonight. Thank you.

CHAIRPERSON THOMAS: Thank you, Miss, uh, Clarissa. Thank you for your comments. Let me make sure that I, um, add to that before -- before it -- before any of my colleagues weigh in.

The -- the rule about the two years came from the House Bill. And we mirrored that. What we're saying with this particular motion, if so approved, is this actual motion just directs the staff to go and set up the resolution to come back. So you have to come back as for another meeting. If it's approved, it's going to be one year from the approval date that that waiver comes. One year from the approval date here. So if you don't make it within that time, you know, that's what it is.

Um, the \$4,500 is what businesses pay in order to have that done. So this is just a -- a privilege that the Council allowed because it was such a new project and we put so much into it. That was just the benefit that we were giving and it turned out great.

We have 12 of these in the -- these -- these centers now. And I just want to let my

colleagues know that everyone that comes up for this, I personally go out and see. And they are -- they -- they're in some of the most amazing conditions, some of the most amazing things that I've, uh -- that I've seen done. Uh, it is really a profession. And these ladies and men, they do an outstanding job. So I'll -- I'll open it up for, uh -- for comments, if anybody has any questions, concerns, unreadiness?

COUNCILPERSON T. DAVIS: Yes.

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Miss -- Miss Pardo? Miss Pardo?

CHAIR PRO-TEM PARDO: Okay. I have a couple of questions.

CHAIRPERSON THOMAS: Yes.

CHAIR PRO-TEM PARDO: My first question is -- so I just want to get this straight. So, um, when the site plan application and everything else is submitted, we will do the work but not get a fee for the work. So the City's doing the work basically --

UNIDENTIFIED SPEAKER: We can't --

UNIDENTIFIED SPEAKER: We can't hear.

UNIDENTIFIED SPEAKER: -- hear her.

CHAIR PRO-TEM PARDO: -- the City's doing the work pro bono, right?

CHAIRPERSON THOMAS: Basically, yes.

CHAIR PRO-TEM PARDO: Okay. And then, um, my other question is what other businesses do we provide this for? You know, what other businesses get this, um -- this luxury?

CHAIRPERSON THOMAS: I don't really know of any. But there may be some.

CHAIR PRO-TEM PARDO: Miss McKinney?

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: Yeah, we -- we don't provide waivers for any businesses at this time.

CHAIR PRO-TEM PARDO: Okay. So are we setting a precedent or are we discriminating against other small businesses? You know -- you know what I mean?

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: I -- I -- actually, I don't think so.

CHAIR PRO-TEM PARDO: Because maybe you can have another business come in, a small business also, and say, Well, you provided this opportunity to this industry. How

come we're not getting it? Right, Miss McKinney? What do you think?

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: Right. I -- and I think Riviera Beach's fees are actually less than other cities' fees when it comes to special exceptions.

CHAIR PRO-TEM PARDO: Uh-huh.

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: So we aren't, um, extraordinary in that circumstance. Um, these are the family daycares and as Council member -- Council Chair Thomas said, they provide some type of a service for the children in the community and for residents to actually have a business that wouldn't ordinarily have to. And the House Bill that was passed -- I think it's two years ago now, um, they -- they created this large family daycare which went from six to 12. So then the Council provided them the opportunity to apply because the --

CHAIR PRO-TEM PARDO: Yeah, I know. I --

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: Right.

CHAIR PRO-TEM PARDO: -- I remember. Right. I -- I remember that. I just want to make sure that we're not going to get, um, businesses, small businesses coming in here now and saying, Wait a second. Why do I have to pay \$4,500 when, you know, you exempted other people? And that's a -- you know, and that's an answer that we all need to, you know, start thinking about. Okay. All right. Miss McKinney, thank you. Thank you, sir.

CHAIRPERSON THOMAS: No, thank you. I think Mr. Davis, you was next?

COUNCILPERSON T. DAVIS: Yeah. I want to know what's the location of the facilities?

CITY MANAGER JONES: It'll be different ones.

CHAIRPERSON THOMAS: They -- yeah, they vary.

UNIDENTIFIED SPEAKER: It's in the homes.

COUNCILPERSON T. DAVIS: In the homes?

CHAIRPERSON THOMAS: They'll come -- they'll come -- as they come, they'll still have to come to you, to the board.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: This is setting up, uh --

COUNCILPERSON GUYTON: Mr. Chair?

CHAIRPERSON THOMAS: -- the policy. Uh, Mr. Guyton?

COUNCILPERSON GUYTON: Um, Miss Vice Chair Pardo touched on something that - that I had a concern about. Um, about others feeling that they are not being treated the same. And I had an incident where a different business came in and they had -- they said he couldn't come up with it all at once. I've spoken to staff and -- after this motion, um, because I do want to be business-friendly. But we can't provide waivers indefinitely. And for the small businesses, um -- and I'm going to support this. I -- I want to say that. But I understand we can't do it indefinitely because we pay our workers based on the work that they do.

So, um, I wanted to suggest to the council that we ask staff to come back with some type of installment plan for small businesses. And before it get to us for final approval, it would have to be paid in full. But it will allow them not to have to come up with the full amount all at once, but by the time it gets to this council for final approval, everything needs to be paid. But they don't have to do it all at once. So if, after we do this motion, we can direct staff to come back with a --

CHAIRPERSON THOMAS: You can actually amend this motion, I think, to include that. Am -- am I correct?

COUNCILPERSON GUYTON: Well --

CITY ATTORNEY RYAN: Yes.

CHAIRPERSON THOMAS: Yes. You can amend this motion.

COUNCILPERSON GUYTON: Who made the motion? Did I make the motion?

CHAIRPERSON THOMAS: You made the motion.

COUNCILPERSON GUYTON: Oh, okay.

CHAIRPERSON THOMAS: Okay. But, uh, I don't see Miss Davis. She actually seconded.

COUNCILPERSON GUYTON: Miss Davis --

CITY CLERK WARD: Right.

COUNCILPERSON GUYTON: -- seconded?

CITY CLERK WARD: Right.

COUNCILPERSON GUYTON: And she's not here. We can go ahead and satisfy this motion and then if the rest of the council agree, we can direct staff to come back with an installment plan program so that we don't waive any fees, but we work with small businesses to give them more time to pay. But because we just can't waive

everybody's fees that come before us for special exception.

CHAIR PRO-TEM PARDO: Correct.

COUNCILPERSON GUYTON: But I'm supporting this tonight but --

CHAIR PRO-TEM PARDO: The businesses.

COUNCILPERSON GUYTON: -- for -- for future --

CHAIRPERSON THOMAS: For future?

COUNCILPERSON GUYTON: Yes.

CHAIRPERSON THOMAS: And this is -- this -- this will be in existence for 12 months.

COUNCILPERSON GUYTON: Understood. Understood.

CHAIRPERSON THOMAS: Okay. Okay.

COUNCILPERSON GUYTON: So --

CHAIRPERSON THOMAS: Any other questions?

COUNCILPERSON T. DAVIS: I -- I have a question.

CHAIRPERSON THOMAS: Mr. Davis?

COUNCILPERSON T. DAVIS: What determines who's a small business and who's not?

COUNCILPERSON GUYTON: We were going to have staff to come back with some recommendations as to the criteria --

COUNCILPERSON T. DAVIS: Yes, 'cause I'm just thinking --

COUNCILPERSON GUYTON: -- um, for that.

COUNCILPERSON T. DAVIS: -- now, we know they're small business but for those --

COUNCILPERSON GUYTON: Yeah.

COUNCILPERSON T. DAVIS: -- who may come back that got --

CHAIRPERSON THOMAS: Yeah.

COUNCILPERSON GUYTON: Yeah. Yeah, staff is gonna make some --

COUNCILPERSON T. DAVIS: -- a lot more finance and taking advantage --

COUNCILPERSON GUYTON: -- recommendations to us --

COUNCILPERSON T. DAVIS: Okay.

COUNCILPERSON GUYTON: -- on what they consider to be a small business.

COUNCILPERSON T. DAVIS: Okay.

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON THOMAS: Mr. Mayor?

MAYOR MASTERS: Yes. I have a question. I support this 100 -- 100 percent -- probably 200 percent, but, um -- I guess my mike's back on. Oh, well, this, too, will pass. I have a question about the one-year period. Now, that starts -- explain that again to me. When does that one year --

CHAIRPERSON THOMAS: That will start after it's approved. This motion just gives staff direction to go and set up the actual resolution or amending the, uh -- the current ordinance that we have now. And they're going to bring it back, so it's a two-step process. This is just approving staff to go and do the work to bring it back for us to approve it. So, uh, they'll -- if this is approved, they'll go and they'll prepare it for the August 7th meeting. And if it's approved at that point, then it'll take effect upon the approval date.

MAYOR MASTERS: Okay. I -- I guess --

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: Right. It -- it will be two readings.

CHAIRPERSON THOMAS: Two read -- two -- I'm sorry.

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: It will be two readings.

CHAIRPERSON THOMAS: Two readings.

MAYOR MASTERS: Okay. Then my, um -- my question or statement is for those businesses, uh, family -- large family care businesses that are started within the year -- let's say, the next three or four months one start, they won't be given the same privilege that the others were given. They were --

CHAIRPERSON THOMAS: Yes. If they do it within the 12-month period of this being - - if -- of this -- of this year. So if anybody comes in from -- say it's approved, so I -- I guess let's -- let's pick September. So they'll have from September to September to do it. They don't get a year if they -- if they do it in June of next year. They're only going to get till September of next year. It's one year. It's one year. 12 months.

MAYOR MASTERS: Okay. I wish it was two years. Okay. Thank you. Thank you.

CHAIRPERSON THOMAS: You said you wish it was two years?

MAYOR MASTERS: Yeah. I -- yeah. You know, I -- my -- my thing is this: Anyone that goes the extra mile for -- for -- for children in Riviera Beach, I think deserves a little something. I appreciate the one year but my thinking is different. Um, I -- you know, I -- I -- I don't have a vote but if I will be voting to amend that to two years. Thank you, Mr. Chair.

CHAIRPERSON THOMAS: Okay. Um, of course you know this has been a project that I -- that's near and dear to my heart. And, um, I -- I have to be totally honest with you and I know that's probably not what these lovely ladies wants -- want to hear. But I have to be physically [sic] responsible. And we've done it already, you know, one time. Um, I'm -- I'm going to support one year. But now, if the make -- the maker of the motion wants to do two years, that'll be fine. I know it will feel good to do two years but that's a lot of expense that the City is -- is putting out.

And you know, I hope everybody understands that I support this. But I have to be physically responsible. I could not really, you know, feel very good about this project that I've -- it's been my baby, as well -- to -- to -- to ask the citizens to do that for another 24 months. We've already done it for a year.

I'm asking the Council to support doing it for an additional year. And believe me, I support it, man. If somebody wants to -- to -- to go with it, I'm definitely not gonna fight against it. But I just want, you know -- I just want you to know how I feel about it. I think that, you know, we're -- we're giving a break for another year and I -- I just -- I think that that will be the best point of this. Not that I disagree with you at all. But for me, I -- I just think it would just be physically irresponsible to -- to do it for another two years. I think one year is being gracious. And that's just how I -- how I feel. Any other questions or concerns? Hearing none, Madam Clerk, please call the question.

CITY CLERK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Councilperson Bruce Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson Judy Davis? Councilperson Pardo?

CHAIR PRO-TEM PARDO: Yes.

CITY CLERK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

CHAIRPERSON THOMAS: Thank you. Congratulations.

COUNCILPERSON GUYTON: Now, uh --

CHAIRPERSON THOMAS: We'll, uh -- you -- you still have two more readings before you can start applying. So --

MAYOR MASTERS: Not -- not two more years. Two more readings.

CHAIRPERSON THOMAS: -- we'll -- we'll work that -- two more readings. Two more readings.

COUNCILPERSON GUYTON: Uh, Mr. Chair?

CHAIRPERSON THOMAS: We'll get out the information. Thank you. Please, if you're leaving, please leave quietly. The whole building gonna leave. Thanks for the support. We appreciate it. Congratulations. Good luck to everybody.

COUNCILPERSON GUYTON: Mr. Chair?

CHAIRPERSON THOMAS: Mr. Guyton?

COUNCILPERSON GUYTON: Could we, at this time, um, direct staff to prepare an installment type of plan for special exceptions so that we can review?

CHAIRPERSON THOMAS: Yes. That's a directive. Just bring it back at the next time that we do it. That's a directive. Yes.

CITY MANAGER JONES: So when we do the ordinance, you want it included in --

CHAIRPERSON THOMAS: Right.

CITY MANAGER JONES: -- the ordinance?

CHAIRPERSON THOMAS: I think so. I think -- I think so.

CITY MANAGER JONES: (Unintelligible).

COMMUNITY DEVELOPMENT DIRECTOR MCKINNEY: You don't need to vote?

CHAIRPERSON THOMAS: Do -- do we --

COUNCILPERSON GUYTON: Do --

CHAIRPERSON THOMAS: -- I don't think we need to -- for direction.

CITY CLERK WARD: It's a directive.

CHAIRPERSON THOMAS: It's a directive.

CITY CLERK WARD: Right.

CHAIRPERSON THOMAS: Just a --

COUNCILPERSON GUYTON: Um, we're talking about the installment plan for special exceptions. Um, but by the time it get to us they have to be paid in full.

UNIDENTIFIED SPEAKER: Correct.

COUNCILPERSON GUYTON: But we would allow them to start the process without having everything up front.

CITY ATTORNEY RYAN: And going to P & Z, Planning & Zoning Board?

COUNCILPERSON GUYTON: Going to P & Z, but not to us.

CITY ATTORNEY RYAN: Okay.

COUNCILPERSON GUYTON: Yes.

CHAIR PRO-TEM PARDO: Right. Going through the entire process.

CHAIRPERSON THOMAS: Yes.

COUNCILPERSON GUYTON: But --

CHAIR PRO-TEM PARDO: But they don't come to us until everything's paid.

COUNCILPERSON GUYTON: -- everything's paid, yes.

CHAIRPERSON THOMAS: (Unintelligible) everything's paid.

CHAIR PRO-TEM PARDO: All right. And then staff will give us, um --

COUNCILPERSON GUYTON: The criteria, guidelines.

CHAIR PRO-TEM PARDO: -- right, the criteria, what exactly constitutes --

COUNCILPERSON GUYTON: And --

CHAIRPERSON THOMAS: Yes.

CHAIR PRO-TEM PARDO: -- a small business.

COUNCILPERSON GUYTON: And all of those particulars.

CHAIRPERSON THOMAS: We gave -- we're giving a directive --

CITY ATTORNEY RYAN: Directive's enough. That's enough. Yes.

CHAIR PRO-TEM PARDO: Yeah.

CHAIRPERSON THOMAS: -- directive's enough? Okay.

CITY CLERK WARD: Yeah.

COUNCILPERSON GUYTON: A directive is enough?

CITY CLERK WARD: That's fine.

COUNCILPERSON GUYTON: Okay.

CHAIR PRO-TEM PARDO: Perfect. Thank you.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: Thank you.

CHAIRPERSON THOMAS: Okay. We're gonna go down to Discussion and Deliberation. That's also, um, an item that I put on. The -- the discussion was for Council discussion on the number of city council meetings per month. Whether you agree with it or not, all of us have had -- it's a discussion item so we're gonna go ahead and take everybody so we can discuss what their -- what their -- their comments are gonna be. We're gonna take Miss Bessie Brown first. Miss Bessie Brown?

BESSIE BROWN: About the meetings?

CHAIRPERSON THOMAS: Yes.

BESSIE BROWN: Oh, good. I don't -- I didn't -- there's nothing about it.

UNIDENTIFIED SPEAKER: (Unintelligible).

BESSIE BROWN: I -- I'll tell you. I'll --

CHAIRPERSON THOMAS: Yeah, it's -- it's a -- it's a discussion item. We're gonna be discussing it. So we'll just take whatever your comments are and we'll add them to our discussion if so need be. Good evening. You have three minutes to make your comments.

BESSIE BROWN: I basically was hoping that you would have something to present to us or just say to us that you're gonna have two meetings a month and we can, um, live with that. Because there's no backup or anything. And that was really why I put the card in.

CHAIRPERSON THOMAS: Okay.

BESSIE BROWN: Okay.

CHAIRPERSON THOMAS: No. I just put it on for us to discuss. So we'll --

BESSIE BROWN: Okay.

CHAIRPERSON THOMAS: -- we'll get to that point.

BESSIE BROWN: All right.

CHAIRPERSON THOMAS: Thank you for your comment. Next up will be Miss Mary Brabham. I got you this time, didn't I, Miss Larson?

BONNIE LARSON: Getting ready.

CHAIRPERSON THOMAS: Good evening, Miss Brabham. You have three minutes to make your comments.

MARY BRABHAM: Okay. Okay. Miss Brabham, Riviera -- Riviera Beach. Uh, on this discussion here, uh, you should have two meetings. You really should have two meetings. Government is for the people and by the people. As elected officials, you do not sit there solely on your own. The general public elects you.

We need to know as residents in this city not just the business at hand but the non-business. You get paid whatever stipends that you receive. You get travel. You even get a car, you know, if you want to, you know? If the -- you use the City, uh, cars. You get health. You get dental. If I'm incorrect, please correct me.

These are incentives that once when we elect you to carry out the business and order of the day, you are entitled. We as residents are entitled to business at hand. And I'm hoping that we go back to having two regular meetings a month. I as a resident and other residents do not feel as if that's -- that's asking too much of you all. Especially when we have given you more than just a vote. We have given you also a -- a voice for us in leadership ability.

So I am asking that you all take into consideration to go back to having two city council meetings. It is a lot here at stake here for this city here. The newsletter that came out, if there's any discrepancies of what's going on in this city and the residents can come in and voice their concerns, whether you agree or disagree, this is government. And this is the way the government's supposed to work.

Government should not shut out or shut down the people regardless whether you want to hear them or not. It also empowers you, also, at a point whereas -- in your decisions as well as your deliberations, because a lot of times you could get bogged down. So I'm asking you, we need to go back to having two council meetings, as well as your CRA meetings, because it is a lot here at stake here. And as always, I said that we need to move forward and not backward. Government is for the people and by the people. Thank you.

CHAIRPERSON THOMAS: Thank you very much, Miss Brabham, for your comments.

Next up we'll have Miss Bonnie Larson. Good evening, Miss Larson. You have three minutes to make your comments.

BONNIE LARSON: You'd miss me if I wasn't here.

CHAIRPERSON THOMAS: (Unintelligible).

BONNIE LARSON: Um, I agree with the two meetings, also. There's a lot going on in this city and we need to be told by the council what's going on. We don't like hearing things on the street and it -- it's just like the -- the impression is you don't want to tell us what's going on. I think that's the wrong impression. Um, there's a lot going on and we need to know what's going on. If a new business comes into town, let us know about it. Let us know about the good things that are happening in the town, also.

Um, there's a comment -- we talked about the people at Ocean Mall several weeks ago. And I don't -- I also don't like that we have to speak first before the presentation is made, because then -- then we have more questions after the presentation. And that, again, seems like you don't want us to know. And with it being only once a month and then the meeting gets canceled -- like last month the meeting was canceled -- or one month. I guess it was CRA. But the meetings get canceled, too, and then we only go two months without knowing what's going on.

The salary is the same. Each one of you have full-time employees. You get, um, all the benefits of a City employee. We should have two meetings a month so that we know what's going on. We have more staff, more everything than we ever did before. And salaries haven't gone down. Nothing's gone down. Also, let's -- let's, uh, do the P & Z meetings. Well, Mr. Mahoney isn't here but, um, put that on channel 18 so that at least if you don't go to the P & Z meetings, you'll know what happened. The vote comes back. You know, the P & Z said fine on it. Well, you don't get to hear all the back and forth and the questions that those people on P & Z asked.

So you really don't know what's going on. You just know that the majority said yes. But maybe there's something in there that you would have liked to have heard that you would have liked to have questioned. So you're missing out. We have another employee in the -- in that department so why we can't have it on TV doesn't make sense. 'Cause if there's not enough money, well, then, we hired another employee, so there is money. There is money.

And even when we got back -- brought back to one meeting a month, it still wasn't on TV. But anyway, have two meetings a month so that we know what's going on and we can give you input. You don't always like our comments but you know what? Maybe sometime we have a good idea and something that you haven't thought about.

And I'd like to talk to you sometime about that, uh, discussion that was about the Ocean Mall. I think you made a decision which it didn't come until the presentation. And I'm sitting in the audience going, Oh, my God. Something you had -- I know that you haven't thought about and you agreed to it. So I think that's backwards, also. Have the presentation first and then maybe we won't have any questions or maybe we'll have

better questions.

So go back to your two meetings and also change it back to having the presentation first so that we know what we're talking about and we can offer you some information. Because I think a big mistake was made with that Ocean Mall thing, but we didn't have an opportunity to say anything about it. And then it goes on for another month and two and by that time the action has taken place. So please consider it. Thank you.

CHAIRPERSON THOMAS: Thank you.

BESSIE BROWN: Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am. If you don't have a comment card, we've already went --

BESSIE BROWN: I just want to -- I just left off something. And change the meeting to 6:00.

CHAIRPERSON THOMAS: Inappropriate, Miss Brown, to -- to do that. Um, but thank you for your -- for your comment anyway. Um, okay. I -- you know, I put this on because I had a couple of e-mails that, um -- that were sent to me in reference to this.

I -- I do think that, you know, maybe it might be prudent to go back to two. If we did, I would recommend it started in the new budget year, you know, in October if we did go back to, uh -- to two. But it's clearly up to the board. I do think that 5:30 is -- is probably a time that we need to stick with to give everybody a chance. We're probably one of the only governments that have meetings as late as we do. Um, and thus they go into 9 and 10:00 at night. So those are my comments. Any other comments in reference to going back to two meetings from any member of the board?

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Miss Pardo.

CHAIR PRO-TEM PARDO: Okay. If we go back to two meetings, I'm fine with it. If we stay with one meeting, I would like to see the agenda earlier than we're getting right now. You know, we're still getting the agenda either Thursday night or Friday. You know, just prior to the council meeting.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: Um, one thing we may want to consider: You know, at our last meeting, our last meeting ran over -- well, I left at 11:30 and you guys were still, you know, talking about things. And I think part of it was because we did have a lot of items on the agenda. But we also had a lot of public comments. We had an hour and a half, maybe two hours' worth of public comments. And it was really people making presentations instead of, you know, just talking basically about the City, about, you know, roads or something like that. You know, things that really concern them. It was

people making presentations to the City.

Um, so maybe we want to consider possibly keeping the meeting one -- you know, one meeting a month and then having, you know, on the second or the third Wednesday of the month, you know, having residents come in. If they want to make a presentation to us or if they have something that they want to discuss, you know, we can set a time, you know, do it at 6:00 -- say from 6 until 8, come in and, you know -- and voice your concerns to the entire body.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: So -- and I think by doing that, um, it will make our business meeting a true business meeting.

CHAIRPERSON THOMAS: Okay. Um, anything from the Mayor or Mr. Davis?

MAYOR MASTERS: Mr. Chair?

CHAIRPERSON THOMAS: You got it.

MAYOR MASTERS: Got it right this time, right?

CHAIRPERSON THOMAS: Yes, you did. Mr. Mayor can have the floor.

MAYOR MASTERS: Thank you. You know, one of the things that I used to hate, to hear my mother say, "I told you so." I would rather for her to whip me than to tell me that. But as you, uh, may remember, that when -- when this was proposed by the previous council, I opposed it then. I didn't think it was a good idea then, um, to have one meeting a month, because the business of the City is certainly, um, as one speaker said -- it is so much going on in that month than to have to wait for a whole 'nother month to continue the work of the City.

Um, and I still think two meetings is appropriate now. I -- I don't have a problem with Councilwoman Pardo's suggestion. It's still another meeting. It's just not the business meeting. But as long as we have two bites at the apple, maybe one business and the other presentations. I'm -- I don't have a problem with that, either. But however we cut it, I -- I do think it's appropriate to have two. Thank you.

CHAIRPERSON THOMAS: Mr. Davis?

COUNCILPERSON T. DAVIS: Um, I, too, agree with, um, Councilwoman -- Pro-Tem Pardo. But the one thing about the meeting that's suggested for the residents, I would like to see that, um, the agenda's out before that meeting. Because that way the residents can come with specific questions before we get to our business meeting. So that's something I'd like to see happen prior to that particular meeting.

CHAIRPERSON THOMAS: Okay. Um, Miss Davis?

COUNCILPERSON J. DAVIS: Yeah, Mr. Chair. Um, I, too, didn't want to do one meeting a month, but I went along because I knew I was out-voted. Um, I think we've got a lot going on, and as you can see from the pretty large agendas we have, um, we need two meetings. But, um, I can agree with Councilwoman Pardo. If we can do the business in one meeting and perhaps take out the community benefits and other presentations and -- and that kind of thing and do it on the third Wednesday, in addition to that, um, the -- at the last meeting where we went so -- so late, there were quite a few people from the same organization.

I call them, you know -- maybe if we say that we will accept a delegate to speak on behalf of, you know, that group, um, and also as it relates to union officials, you have a delegate that speaks on behalf of the union. And you have a specific place on the agenda for any delegate or elected official or, you know, whatever, so that they know exactly when on the agenda they can speak.

Um, and a suggestion would be to, um, possibly add the -- a P & Z report on the agenda, so that one of the staff persons perhaps could, you know, just give a short summary of what took place at P & Z meetings.

CHAIRPERSON THOMAS: Okay. Mr. Guyton?

COUNCILPERSON GUYTON: I have no objection to moving to two meetings.

CHAIRPERSON THOMAS: Okay. I -- I really don't have clear -- some people said one and do some things on the second meeting. Some people said two. It doesn't matter to me one way or the other. We can do one or two. Um, does anybody have a preference that wants to call it or do we need to have a vote or --

CHAIR PRO-TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Miss Pardo?

CHAIR PRO-TEM PARDO: Okay. Why don't we try it starting in October? Why don't we try it, one business meeting, a true business meeting. And then the second meeting of the month will be the presentations.

CHAIRPERSON THOMAS: I'm good with that. I agree.

CHAIR PRO-TEM PARDO: And community benefits, and see how it works out. If it doesn't work out, then we'll --

CHAIRPERSON THOMAS: Then we can go. I get you. I -- I -- I -- I agree with that.

CHAIR PRO-TEM PARDO: Right? I -- I say --

COUNCILPERSON GUYTON: I've got a -- a --

CHAIRPERSON THOMAS: Okay. Hold on one second.

CHAIR PRO-TEM PARDO: Wait.

CHAIRPERSON THOMAS: Let me let her --

COUNCILPERSON GUYTON: -- just a question.

CHAIR PRO-TEM PARDO: Does -- all right. City Manager?

CHAIRPERSON THOMAS: Hold on. Hold on. You -- you finished with that?

CHAIR PRO-TEM PARDO: Yeah.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: That's all.

CHAIRPERSON THOMAS: Mr. Guyton?

COUNCILPERSON GUYTON: Just -- just some clarification. On the second meeting in addition to the presentations, do we also conduct any business or --

CHAIRPERSON THOMAS: You can if you need to.

CHAIR PRO-TEM PARDO: Community benefits.

COUNCILPERSON GUYTON: Huh?

CHAIRPERSON THOMAS: If it's a public meeting, you can conduct -- you can conduct --

CHAIR PRO-TEM PARDO: Right.

CHAIRPERSON THOMAS: -- business if you need to.

COUNCILPERSON J. DAVIS: Yeah.

COUNCILPERSON GUYTON: So -- okay.

CHAIRPERSON THOMAS: You can.

COUNCILPERSON GUYTON: I'm just getting clarification.

CHAIRPERSON THOMAS: Yeah, you can. We don't have to set the agenda for that, but you can. So if we need to bring something, you can.

COUNCILPERSON J. DAVIS: But after all the other stuff?

CHAIRPERSON THOMAS: Right. Right.

COUNCILPERSON J. DAVIS: Okay.

MAYOR MASTERS: Mr. Chair, clarification.

CITY MANAGER JONES: That was what I was wanting to ask. To leave yourself some flexibility, if you've got any motions --

CHAIRPERSON THOMAS: Oh, yeah. No, no, no, no.

CHAIR PRO-TEM PARDO: (Unintelligible).

CHAIRPERSON THOMAS: You can if it's a public meeting.

CITY MANAGER JONES: -- yeah.

CHAIR PRO-TEM PARDO: Right.

CHAIRPERSON THOMAS: That's -- that's Sunshine. You got -- you could -- you can do it.

CHAIR PRO-TEM PARDO: And -- right. And then we --

CHAIRPERSON THOMAS: We've --

CHAIR PRO-TEM PARDO: -- also put community benefits on that second meeting so -

CHAIRPERSON THOMAS: Yes. Yes.

CHAIR PRO-TEM PARDO: -- yeah. Then we're definitely voting on it.

CHAIRPERSON THOMAS: Yeah. Yeah.

COUNCILPERSON J. DAVIS: And --

CITY ATTORNEY RYAN: (Unintelligible) voting.

COUNCILPERSON J. DAVIS: -- and, Mr. Chair?

CHAIRPERSON THOMAS: Hold on. Hold on. Hold on. Let me take the Mayor. Uh --

MAYOR MASTERS: Yeah, just for the clarification --

CHAIRPERSON THOMAS: -- we're gonna (unintelligible).

MAYOR MASTERS: -- Mr. -- Mr. Chair, the, um -- any business, uh, items to be on -- for that meeting would -- would still be placed on the agenda for that meeting or they'd just pop up?

CHAIRPERSON THOMAS: Yes. It'll be on the agenda.

MAYOR MASTERS: It'll be on the agenda. Thank you.

CHAIRPERSON THOMAS: Yeah. Okay. Miss Davis?

COUNCILPERSON J. DAVIS: Oh, shoot. I forgot what I was gonna ask.

CHAIRPERSON THOMAS: You forgot, didn't you? I'm taking you first next time.

MAYOR MASTERS: Yeah, please do.

CHAIRPERSON THOMAS: I'm taking you first next time.

COUNCILPERSON J. DAVIS: Wait a minute. Okay. Oh, God.

CHAIRPERSON THOMAS: Let me know if it pop back on you.

COUNCILPERSON J. DAVIS: Okay.

CHAIRPERSON THOMAS: Yeah. Okay. Um, so we clearly have direction that we've just given to the staff. We're going to -- we're going to try it that way starting in October. So the first meeting will be a regular business meeting, and the second meeting will be for the, um -- the presentations and the community benefits. And if we need other business we can -- we can take it up at that time.

COUNCILPERSON J. DAVIS: Mr. Chair, I remembered.

CHAIRPERSON THOMAS: Yes, ma'am, Miss Davis.

COUNCILPERSON J. DAVIS: Is -- is it the consensus of the board that we wait until October?

CHAIRPERSON THOMAS: I -- I just suggested that and I heard Miss Pardo say it. I -- I don't know if everybody wants to wait.

COUNCILPERSON J. DAVIS: That that's what everybody wants? Okay.

CHAIRPERSON THOMAS: I mean, I'm -- I'm good. If somebody has any objections, this is the time. Is everybody okay with starting in October?

COUNCILPERSON T. DAVIS: (Nods head).

CHAIRPERSON THOMAS: Yeah. Mr. Davis say he's good. Mr. -- Mr. Guyton?

COUNCILPERSON GUYTON: Yes, that's -- I'm good with it.

CHAIRPERSON THOMAS: You're good? Okay. All right. Okay. So, um, we'll move to item 27 now. This is another discussion that was, um -- that was brought up by

Councilman Guyton. He wanted to discuss this particular instance. So Councilman Guyton, you -- wait a minute. Let me make sure I don't have a comment card on it. Do I have a comment card on --

CITY CLERK WARD: Yes.

CHAIRPERSON THOMAS: -- 28? No, no, no. I'm sorry, on 27?

CITY CLERK WARD: No. No.

CHAIRPERSON THOMAS: Some documents are going down. Um, we need to put some out for the public, as well. So what's ever left over, please --

COUNCILPERSON GUYTON: They're -- they're -- they've already been out there.

CHAIRPERSON THOMAS: They've got some? Okay. No comment cards for item 27. Mr. Guyton, you have the floor.

COUNCILPERSON GUYTON: Thank you, Mr. Chair. Um, this item is dealing with -- and -- and we spoke briefly earlier in the meeting regarding travel and who would be able to authorize it and under what conditions. Um, the Mayor took a trip to China and -- the Mayor took a trip to China and, um, there's been some discussion in the community about whether the taxpayers paid for it. And the answer is yes. So, um, when I got on the board, I did some research to try to determine if this was a authorized trip, because, um, we live in a community where many of our taxpayers can barely afford to pay their water bill.

So we wanted -- I wanted to get some information and make a recommendation regarding this particular trip. Um, the City Council did not ask the Mayor to go, nor did the City Council agree to use taxpayers' dollars to pay for him to go. Despite over 20 percent of our Riviera Beach residents living under the national poverty line, um, some of whom pay taxes and struggling to pay their water bills, the Mayor unilaterally, on his own, decided that he was gonna go to China on taxpayers' money.

He knew or should have known that he did not have money in his budget to pay for this trip. And as I went over the documents, it gave me even more concern about using taxpayers' money. The, um -- the Mayor went over his budget some \$4,400. It was money that was not allocated or authorized to be spent.

He did not request payment before he left, and when he returned, it was not discovered until there was reconciliation of the books. And it -- and it was discovered that if his bill was not paid, all of the other council members' credit card would have been canceled or the potential thereof. So if his bill wasn't paid, all of these other cards would have been affected.

He flew out to, um, L.A. and had a layover in L.A. He's headed to China. During his layover, he used a City credit card, which is only supposed to be used for City business, to rent a car. The time that he rented that car was 12:52 a.m. I would like to know,

since he used a City credit card, what City business did he have in L.A. at 1:00 in the morning, because we paid for it, the taxpayers. And, um, Mayor, if you'd like to answer that question, I'd be glad to hear your response, because we're talking about taxpayers' dollars now.

MAYOR MASTERS: I'll -- I'll, um -- I'll -- I'll respond to -- is that -- is that it? Do you have any other questions of me?

COUNCILPERSON GUYTON: Uh, well, I have another question but I would like to know what City business did you have at 1:00 in the morning in L.A. during the layover. You were just there to catch another flight to China.

MAYOR MASTERS: Right. I -- I'll wait until you ask --

COUNCILPERSON GUYTON: Okay.

MAYOR MASTERS: Whatever you have, I'll just get through them one by one.

COUNCILPERSON GUYTON: Okay. That's fair enough. Fair enough. Uh, in -- in addition to using the City credit card to, um, fly to Miami, then rent a car at 1:00 in the morning, all on taxpayers' dimes, and the credit card is supposed to only be used for City business, he flew to China at a tune of \$2,453.

I was looking at the bank statement. He had a credit limit at the time of 2,500. So he had to know that he didn't have that in his budget. That -- that is something that I feel is irresponsible and reckless with taxpayers' money.

When he got to China, he stopped in Beijing. He stayed in Beijing at a hotel, and I thought maybe he'd get a reasonable price hotel so I'm looking at the receipts. The hotel was \$511, taxpayers' money. We have a responsibility to spend the taxpayers' money in a fiduciary manner, as we would be spending ours. And -- and if he would spend \$500 of his own money, then it was justified. But I'm not certain about that.

On his return trip, he had a layover and he used the taxpayers' credit card to rent another car. And again, I would like to know what City business -- 'cause this is just a layover in -- in -- in L.A., that he's using the City credit card. He rented a car. This time he flew back into West Palm Beach.

When he left to go to Miami, he used the City credit card to pay for two bags that he took. But when he returned, he used the City credit card to pay for one bag. I don't know if he only brought back one bag or if he paid for one this time. But, um, these charges, I think, should not be paid by the taxpayers, and I would like to know when the Mayor is going to pay the taxpayers back. Thank you very much, Mr. Chair. Oh --

CHAIRPERSON THOMAS: Go ahead. You've still got the floor.

COUNCILPERSON GUYTON: The -- the credit card was also used -- actually, it was used for everything. But he also used it to get his visa. In addition to using the

taxpayers' credit card to get his visa for travel, he also used the credit card to go to Sprint to get a phone adapter for foreign calls. All of this on taxpayers' money.

And this trip was not authorized. And it didn't have to be, as long as he had it in his budget. And when he returned, he was unable to pay for it and that put the rest of the credit cards in jeopardy. So I'd like to hear the Mayor response now to, um, the use of taxpayers' money.

CHAIRPERSON THOMAS: Mayor?

MAYOR MASTERS: Thank you.

CHAIRPERSON THOMAS: If you so choose.

MAYOR MASTERS: Well, I'll make a couple comments. Um, Mr. Guyton, you were not on the council at the time and you're -- you're about a year late. This happened about a year ago. Um, my former opponent, uh, at the time, um, Chair Brooks, brought this issue up right in the midst of a heated campaign. Um, it was dealt with at that particular time. Um, there was no secret about anything. It was brought up publicly. It's on YouTube. It's a year -- year ago.

But just for your satisfaction, in L.A., as you know, if you would look to see, the flight that I had to -- to catch to go to China had a layover. And what it -- it would have cost more money to get a hotel to wait for the next flight, which would -- which would have been the next day, then to rent a car and be able to save a lot more money. 'Cause as you know, in Los Angeles, New York and Chicago have very high hotel rates. So I was able to actually save the City probably 2 or \$300 by doing that.

Um, you know, I -- I don't know what -- what else I need to -- to -- I don't know what you want. I mean, you know, it's just --

COUNCILPERSON GUYTON: Okay. (Unintelligible).

MAYOR MASTERS: -- let -- let me -- let me just say this. I -- I have the --

CHAIRPERSON THOMAS: (Unintelligible).

MAYOR MASTERS: -- let -- let me have the floor. Um, so that's -- that's why. I mean, obviously there's no City business at 1:00 in the morning. You know, so, um, Mr. Guyton, you know, I -- I think you ought to be ashamed of yourself. You're going to raise this, uh -- this issue. And ever since I've been here -- let me just get it clear. Ever since I've been here and you've been on this dais, you've done everything you could to personally be vindictive. You brought Councilperson Brooks back. You brought George Carter back. Now you bring --

COUNCILPERSON GUYTON: What's vindictive from --

MAYOR MASTERS: -- no, I'm -- no, no, no, no.

CHAIRPERSON THOMAS: Mr. Guyton, let --

COUNCILPERSON GUYTON: Okay. Okay.

CHAIRPERSON THOMAS: -- he has the floor.

MAYOR MASTERS: No, I didn't interrupt you. And now you bring this back. You know, if you want to be vindictive, you know -- but I'm -- I just want to use one statement and I'm finished with this. The Lord is my light and my salvation. Whom shall I fear? The Lord is the strength of my life. Of whom shall I be afraid? When the wicked, even my enemies and my foes, came upon me to eat my flesh, they stumbled and fell. Psalms 27:1, 2 and 3. I rest.

CHAIRPERSON THOMAS: Okay. Um --

COUNCILPERSON GUYTON: Mayor?

CHAIRPERSON THOMAS: -- Mr. Guyton?

COUNCILPERSON GUYTON: Yeah. Yes, yes. And -- and -- and I'm -- let me just say, I am not being vindictive. If you feel somewhat uncomfortable because you are vindictive and you don't want people who ran against you to even come back into this chambers, I think that's -- that's something that need to be addressed with you, because everyone who ran has a right to come back here. And that doesn't mean anyone is being vindictive.

Now, but the -- the trip itself, um, the taxpayers had to pay for that trip and it wasn't authorized. That's my point. And if it was not authorized, I would hope that you step up to the plate and pay for it. So my question is, do you plan on paying the taxpayers back for a trip that's what -- that was not authorized? That's my question. And if it's no, you tell the taxpayers no and you gallivant over to China and -- and it is what it is then. But don't sit here and suggest that somehow you're gonna have the authority -- and not -- or the ability -- not me, not Councilman Thomas, not Vice President -- Vice Chair Pardo, the -- not Councilman Davis or Councilwoman Judy Davis, I -- I would be doing the same thing.

We cannot jump on the plane and travel across the world on taxpayers' money and then come back and give the taxpayers the bill and said that, you know, I've been to China. So what? No. No. No. No. So I think you need to pay the taxpayers back. And if you choose not to do that, then that's your choice. But nobody has ever asked you to pay the taxpayers back. So I am doing that now. That's my point.

COUNCILPERSON T. DAVIS: Can I say something?

CHAIRPERSON THOMAS: Um, Mr. Davis?

COUNCILPERSON T. DAVIS: Um, I'm pretty sure at some point our Mayor is going to make a decision on what he's going to do. This board is here to do business and I

respect you, Mr. Guyton, for being the man that you are to see that through. But, um, I'm pretty sure the Mayor, by the next meeting, will probably come -- either come to the board, decision on how he want to address this issue. I'm not gonna put nobody on the horn -- on any type of horn to put them on blast.

But this past weekend it has been really hard for a lot of people in this -- in this -- in this whole country. We're arguing about some money over and over again. We argue to this board about a lot of issues. Let's just do business, agree to disagree. Allow the Mayor to make a decision he's gonna make. We have someone out of mine who lost their son. Okay? We're sitting up here discussing the China trip. Yes, it's taxpayers' dollars. But someone lost their son. That could have been me. And it could have been you. So let's allow the Mayor to take some time, think about it, and come back before the City and decide on what he's gonna do. And that's all I'd like to see happen. That's all.

CHAIRPERSON THOMAS: Does anybody else have any questions or concerns?

COUNCILPERSON J. DAVIS: Um, Mr. Chair?

CHAIRPERSON THOMAS: Miss Davis?

COUNCILPERSON J. DAVIS: I, um -- and when I served in 2004 I had a similar issue with, um, an elected official. And you know, I -- I'm just always about crossing the T's, dotting the I's and, you know, being careful of how taxpayers' dollars are spent. And, um, you know, I tend to agree that this was not something that was authorized. And I think, though, going forward, that that's the reason why we needed to have travel policies in place, so that these kinds of things don't happen. I mean, I could easily say that I wanted to go to Europe.

COUNCILPERSON GUYTON: Uh-huh.

COUNCILPERSON J. DAVIS: You know? Um, and you know, do some economic development, talk -- talk to some people about economic development. But I know that's not the right thing to do. Particularly if my council, my colleagues don't authorize me to do so. What I do remember of this particular trip is that the Mayor announced that he was going and that it was to be paid for by -- that it wasn't gonna cost the City anything.

And that's -- that's what stuck in my mind and that's why I was so shocked when we got this, um, and learned that it did cost the taxpayers quite a bit of money. Um, so you know, I -- I'm -- I'm not bashing anybody. I believe that all of us should be held to the same standard. And, you know, it's just not the right thing to do.

So I know that -- and here's my -- one question that I have. When we were -- when, Mayor, you and Miss Brooks were going to the Bahamas and I was going to go with you guys, um, but I did not have my passport at the time. And I came to Mrs. Jones and I asked her if, you know, the City would pay for my passport. That was not something that the City pays for. So in looking at this, I'm surprised to see that, um, this was

charged to the City's credit card, uh, \$312 for the passport authorization. Um, I'm just flabbergasted.

CHAIRPERSON THOMAS: Anybody else want -- Miss Pardo, you haven't said anything, if you so chose to --

CHAIR PRO-TEM PARDO: You know what? I'm -- I'm just staying out of it. It really doesn't, you know -- everyone has their travel budget and we're supposed to abide by it. And, you know, that's all I'm saying. I'm not here to judge anyone.

COUNCILPERSON J. DAVIS: Of course.

CHAIR PRO-TEM PARDO: Other elected officials.

CHAIRPERSON THOMAS: Yeah. Yeah, because this is a discussion, I'll just weigh in very briefly on it. You know, we definitely have to govern ourselves on this. And if anyone of us chooses not to abide by, you know, whatever we need to abide by, um, then that's on us. But some of the stuff that I'm just hearing tonight reference to the -- to the passports and all those things; I don't think that that's a City expense. However, it's been -- it's been satisfied at this point.

COUNCILPERSON GUYTON: (Unintelligible).

CHAIRPERSON THOMAS: If -- if the -- if, you know -- if the Mayor chooses to want to -- to interact in it, that's fine. I'm going to, you know -- I'm going to stay out of it. But just for discussion purposes, I just wanted to put in there that I think that we need to, you know, stay within our budget. But if it's something that's called -- if the City needs the -- a representative from, uh, this board to go to wherever, I just think that you ought to come to the board if it's not in your budget and say, Hey, listen. The City's being --

COUNCILPERSON J. DAVIS: Exactly.

CHAIRPERSON THOMAS: -- asked to, you know, have the Mayor or whatever represent the City at that spot and let -- allow the board to make that, you know, decision. And you know, that's all I'm gonna, you know, say about that at this point.

COUNCILPERSON GUYTON: Uh, Mr. Chair?

CHAIRPERSON THOMAS: Mr. Guyton?

COUNCILPERSON GUYTON: And you know, I don't -- and the Mayor will probably think I personally dislike him. And I don't. But we have to monitor each other. Because if we don't, we are being remiss in our duties. And -- and I mean, the taxpayers in our city, 20 percent of our residents live under the poverty line.

COUNCILPERSON J. DAVIS: Uh-huh.

COUNCILPERSON GUYTON: And if we have elected officials gallivanting around the

world and come back and say that, Well, I just went, you know, and we discussed this, that is irresponsible and reckless. It's coming out of the taxpayers' money. And speaking of taxpayers' money, um, you know, the lion's share of our taxes come from property taxes. I'd like to know if the Mayor pay property taxes in our city. Is he paying into the till from which he's taking?

MAYOR MASTERS: Wow, Mr. -- Mr. Chairman?

CHAIRPERSON THOMAS: Mr. -- Mr. Mayor, I'm gonna say this and I'm gonna ask both of you --

MAYOR MASTERS: I just want to close.

CHAIRPERSON THOMAS: -- I'm gonna -- I'm gonna let this -- I'm gonna ask that both of the -- both of you -- the rest of this board has sat up here and dealt with this, and I think everybody's been professional about it. But I would like for you two to please bring all of this to a close. So you have your final say and Mr. Guyton, have your final say, and we're gonna move on after this. Mr. Mayor?

MAYOR MASTERS: Mr. Chairman, I've been the Mayor for this city, what, six years? I didn't get here by misleading, misappropriating, not being honest, not doing what I could do far and near to represent this City and to move this City forward.

Now, the person -- when I get on a plane or go anywhere, you know, I depend on staff, you know, to make sure of this, that and the other. Now, that person, um, obviously was here at that time. She's not no longer the chief of staff for me. So there's any other questions, I'll be happy to ask staff at that particular time. If there are any questions.

But this was taken care a year ago. And we went over budget, you know -- how many departments? Lots of departments in this city have gone over thousands of dollars over budget. So you know, may God bless you, Brother Guyton, but, um --

CHAIRPERSON THOMAS: Okay. Thank you.

MAYOR MASTERS: -- we'll move on.

CHAIRPERSON THOMAS: Thank you, Mr. Mayor. Mr. Guyton, if you don't mind, would you let this be your closing on this item, if you don't mind?

MAYOR MASTERS: I -- this would be my closing comments. He said this was taken care of last year. He has not paid the City a dime. So I would like to know what he considers being taken care of. The last thing, I would never throw my legislative aide under the bus. Actually, that was under a Mack truck. Because we are ultimately -- the elected officials are responsible for our budgets. We hire somebody but when there is a question and I want to travel, I tell my legislative aide to go to the Finance Department --

MAYOR MASTERS: (Unintelligible).

COUNCILPERSON GUYTON: -- and reconcile the account. So to throw your legislative aide under a Mack truck, I think that is very irresponsible of you and showing that you're not stepping up to the plate and just being responsible for your actions. I -- that's all I'm asking. Just pay the taxpayers back and we'll move forward, because I'm not going to let it die. I'm done.

CHAIRPERSON THOMAS: Okay. If there's nothing else from any other member of the board --

MAYOR MASTERS: That's pitiful.

CHAIRPERSON THOMAS: -- we're gonna go to Community Benefits Requests. First one is (unintelligible) normally do, Riviera Beach Education Scholarship Program, \$1,000 from the Mayor Masters.

COUNCILPERSON J. DAVIS: So moved.

CHAIRPERSON THOMAS: Oh, we have one comment card.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. Miss Rose Anne Brown? Good evening, Miss Brown. You have three minutes to make your comments.

COUNCILPERSON J. DAVIS: We gotta (unintelligible) on that? We gotta do that?

CHAIRPERSON THOMAS: (Unintelligible).

ROSE ANNE BROWN: Good evening, Mayor and Council, City Manager, City Attorney, City Clerk. Mayor Masters, this is a good time for me to be here.

MAYOR MASTERS: Good evening. Thank you.

ROSE ANNE BROWN: 'Cause you just got beat up pretty bad. I came to say thank you. And just to double-check, this is a check for this year's scholarship program?

MAYOR MASTERS: Yes.

UNIDENTIFIED SPEAKER: Yes.

MAYOR MASTERS: Yes.

ROSE ANNE BROWN: Okay, great. Because let me just say this. Most all of you know that the City Scholarship Program, the deadline for application was two months ago. You've not had a list of winners. The reason you haven't had a list of winners is because out of approximately 40 applications, there were 31 qualified applicants.

The Education Committee has been working to try and get enough money so that we did not have to tell either one of those 31 applicants no. The City appropriated \$19,000

and we certainly appreciate that.

The West Palm Beach Fishing Club gave \$2,000. We appreciate that. I have been in touch with another city business who has committed \$2,000. I haven't picked up his check 'cause I told him he needed to give us more. So we have at least \$23,000, which meant that only eight young people need to be told no. You've just reduced that to seven. And on behalf of the Riviera Beach Education Advisory Committee, I am here this evening to thank you. Last time we asked you, you said no. This time you gave it without being asked.

MAYOR MASTERS: Thank you.

ROSE ANNE BROWN: So we appreciate that. Some child will definitely appreciate that because they will not be told no. And we are still working. We hate to hold it up, but we're still working because we hate to tell young people no when they're qualified applicants. So we're still working for these other seven. If you have some businesses that you can encourage to give us additional monies, do that. We -- and -- and trust me, we're working.

I believe the Education Advisory Committee has consented to a request for all of us to put our funds together and fund one scholarship, also. So we may only be looking for \$6,000.

Also, I wasn't going to ask you all this year, but I'm sorry. Since I'm here, if you do have available funds in your Community Benefits, consider sponsoring one child in a scholarship or consider telling any other business in the city who might want to sponsor a scholarship to do that so that we can go ahead and close this out. But thank you, Mayor Masters, we appreciate it.

COUNCILPERSON J. DAVIS: Mr. Chairman?

CHAIRPERSON THOMAS: Thank you very much for your comments. Miss Davis?

COUNCILPERSON J. DAVIS: One comment. Um, if the City and my colleagues will agree for the City Manager to give you 1,000, I will reimburse the City October 1st, 'cause I -- I don't have anything in my Community Benefits now.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: I have no problem with that or do we need a motion?

CITY ATTORNEY RYAN: Yes.

CHAIRPERSON THOMAS: Yeah. Yeah.

CITY MANAGER JONES: Uh-huh.

COUNCILPERSON GUYTON: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON THOMAS: Wait a minute. Hold on. We got a motion already on the floor. Let's take care -- let's dispose of this motion that's on the floor first.

COUNCILPERSON J. DAVIS: Okay.

CHAIRPERSON THOMAS: Are there any questions or concerns on the motion that's on the floor? Hearing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposed, the same sign?

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: That motion is unanimously approved. Miss Davis?

COUNCILPERSON J. DAVIS: Mr. Chair, I -- I move that, um, the Council authorize the City Manager to contribute \$1,000 to the Scholarship Fund at which time, October 1st, I will reimburse the \$1,000 from Community Benefits.

COUNCILPERSON GUYTON: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. Any questions or concerns? That wasn't placed on the agenda. Anybody in the audience would like to comment on it? Seeing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: All opposed, same sign? That motion is unanimously approved. We're gonna go to number 29.

CHAIR PRO-TEM PARDO: So moved.

CHAIRPERSON THOMAS: Riviera Beach --

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: -- Empowerment Program. Been properly moved and second. That's \$250 to Youth Empowerment from the Mayor Masters. It's been properly moved and second. Any additional questions/concerns regarding it? Hearing none, seeing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: All opposed, the same sign. That motion is unanimously approved. 29, Lend a Hand Corporation.

COUNCILPERSON J. DAVIS: 30.

CHAIRPERSON THOMAS: \$300, Mayor Masters.

CHAIR PRO-TEM PARDO: Second.

UNIDENTIFIED SPEAKER: (Unintelligible) 30?

COUNCILPERSON GUYTON: That's 30.

CHAIRPERSON THOMAS: It's been --

COUNCILPERSON GUYTON: Number 30, right? You just --

COUNCILPERSON T. DAVIS: 30.

COUNCILPERSON GUYTON: -- did 2 --

COUNCILPERSON T. DAVIS: It's 30.

COUNCILPERSON J. DAVIS: We just did 29, so you're on 30.

CHAIRPERSON THOMAS: 30. I'm sorry. Did I -- I did 30? I -- I read it properly, didn't I?

COUNCILPERSON J. DAVIS: Yes, you read it properly.

CHAIR PRO-TEM PARDO: Yes. Yes.

COUNCILPERSON J. DAVIS: You just said 29.

CHAIRPERSON THOMAS: Yeah. Item 30.

COUNCILPERSON J. DAVIS: So moved.

CHAIRPERSON THOMAS: Um, Lend a Hand Corporation, \$300, Mayor Thomas Masters to support Save our Children anti-violence initiative. It's been properly moved and second. Are there -- none? Okay. Are there any additional questions/concerns? Hearing none, seeing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposed, the same sign? That motion is unanimously approved. 31, uh, Panache Classic Rental, 332, from, uh, mine, Cedrick Thomas, to pay the balance for tables used at the Second --

COUNCILPERSON J. DAVIS: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON THOMAS: -- uh, Night of Elegance. It's been properly moved and seconded. Um, are there any questions or concerns? Hearing none, seeing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposed, the same sign? That motion is unanimously approved. St. George's Center, \$300, Councilman Bruce Guyton, to defray costs of out-of-school summer program activities.

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON J. DAVIS: So moved.

CHAIRPERSON THOMAS: It's been properly moved and second -- it's been properly moved --

COUNCILPERSON GUYTON: Second.

CHAIRPERSON THOMAS: -- and second. Um, any questions or concerns? Hearing none, all in favor signify by saying aye. Aye.

CHAIR PRO-TEM PARDO: Aye.

COUNCILPERSON J. DAVIS: Aye.

COUNCILPERSON T. DAVIS: Aye.

CHAIRPERSON THOMAS: All in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposes, the same sign? That motion is unanimously approved. Um, 33, Inner City Youth Golfers, 700, Councilman Bruce Guyton, to defray costs of --

CHAIR PRO-TEM PARDO: So moved.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: -- variety of fun-focused activities. It's been properly moved and second. Are there any additional questions or concerns? Hearing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposed, the same sign. That motion is unanimously approved. 34, Barracuda Bay Aquatics Center, \$500, Councilman Bruce Guyton, to defray costs of swimming equipment, events canopies, healthy snacks and beverages

for the Barracuda Bay Swimmers and participants.

COUNCILPERSON J. DAVIS: So moved.

CHAIR PRO-TEM PARDO: Second.

COUNCILPERSON GUYTON: Second.

CHAIRPERSON THOMAS: It's been properly moved and seconded. All, uh -- any additional questions or concerns? Hearing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposing, same sign? That motion is unanimously approved. 35, Girls To Women, \$500, Councilman Terence T. Davis.

COUNCILPERSON GUYTON: So moved.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second.

COUNCILPERSON J. DAVIS: Aye.

CHAIRPERSON THOMAS: Any questions or concerns?

COUNCILPERSON T. DAVIS: Aye.

CHAIRPERSON THOMAS: Hearing none, all in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposers, same sign? That motion is unanimously approved. Um, the --

COUNCILPERSON J. DAVIS: 36.

CHAIRPERSON THOMAS: -- J.A.Y.'s Ministries. J.A.Y.'s Ministry, Inc.

COUNCILPERSON J. DAVIS: So moved.

CHAIR PRO-TEM PARDO: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. One comment card, Miss Bonnie Larson. Good evening, Miss Larson. You have --

BONNIE LARSON: Hello.

CHAIRPERSON THOMAS: -- three minutes to make your comment.

BONNIE LARSON: Ooh, you didn't expect this, did you?

CHAIRPERSON THOMAS: Oh, yes, I did.

BONNIE LARSON: Mr. Davis, in case I don't see you between now and then, J.A.Y.'s Ministries, they do a lot of good things for a lot of people. And we've given them money in the past. My, um, question is tonight -- and this is a good thing. It's school supplies so that's fine. Um, the thing is, while you have their ear, while you're handing them the check, could you please ask them to have the owner of that property fix that property?

They've had a big piece of unpainted plywood on the front. It's right on Broadway, right in the CRA. Just looks like someone broke in. For, like, the last two years it's been that way. So could you kind of, like, work that into the conversation? Because it is a code violation. But it just is a reminder that bad things happen on U.S. 1. So if they could fix that, that would -- that would really be good.

COUNCILPERSON T. DAVIS: No problem.

BONNIE LARSON: But they do a lot of nice things for the community so I -- I fully support this.

COUNCILPERSON T. DAVIS: That's not a problem.

BONNIE LARSON: But if they could get that fixed, that would make our CRA look a lot better.

COUNCILPERSON T. DAVIS: That's not a problem.

BONNIE LARSON: Thank you.

CHAIRPERSON THOMAS: Thank you very much for your comments. Any additional questions or concerns? All in favor, signify by saying aye?

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposers, same sign? That motion is unanimously approved. Okay. Down to 37, Board Appointments. We're almost there, guys.

CHAIR PRO-TEM PARDO: So moved.

CHAIRPERSON THOMAS: Board Appointments. There's been a motion.

CHAIR PRO-TEM PARDO: Yeah, so moved.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: I know there's been a motion.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: Okay. It's been motioned and second. Now we -- we got item 37 for this board appointment. Um --

COUNCILPERSON J. DAVIS: There's been a motion for --

CHAIRPERSON THOMAS: I -- I don't know yet.

COUNCILPERSON J. DAVIS: -- what?

CHAIRPERSON THOMAS: But it's --

CHAIR PRO-TEM PARDO: To --

CHAIRPERSON THOMAS: -- it -- do -- did -- did you have an appointment already?

CHAIR PRO-TEM PARDO: No. Um, I'm saying, you know, reappoint Bobby Powell and, um -- and the other woman.

COUNCILPERSON J. DAVIS: That's what's on the agenda, yeah.

CHAIR PRO-TEM PARDO: Yeah.

COUNCILPERSON J. DAVIS: So moved.

CHAIRPERSON THOMAS: Okay.

CITY MANAGER JONES: So moved.

CHAIRPERSON THOMAS: Right. It's been -- it's been properly moved.

COUNCILPERSON J. DAVIS: Oh, okay.

CHAIRPERSON THOMAS: I'm just saying if anybody else had a -- an appointment they're doing. Okay, fine.

COUNCILPERSON J. DAVIS: Oh.

CHAIRPERSON THOMAS: No problem. It's been properly moved and second. Any questions or concerns, unreadiness? No comment cards. You know what? All in favor, signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: All opposed, same sign. That motion is unanimously carried. 38, City Council to appoint or re-appoint a member to the Fire Pension Board.

CHAIR PRO-TEM PARDO: Um, so moved.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. I need the name.

CHAIR PRO-TEM PARDO: Kirk Henderson.

CHAIRPERSON THOMAS: Say that name again, please.

CHAIR PRO-TEM PARDO: Kirk Henderson.

CHAIRPERSON THOMAS: Kirk Henderson.

CHAIR PRO-TEM PARDO: Henderson.

CHAIRPERSON THOMAS: Henderson.

CHAIR PRO-TEM PARDO: He's --

CHAIRPERSON THOMAS: We're re-appointing Kirk Henderson. All right. All in favor of this re-appointment, signify by saying aye.

CHAIR PRO-TEM PARDO: Aye.

COUNCILPERSON J. DAVIS: Aye.

CHAIRPERSON THOMAS: All opposed? Aye. I -- I'm --

COUNCILPERSON GUYTON: Aye.

CHAIRPERSON THOMAS: -- I'm in support of it. Aye. All opposed? Signify by -- same sign, signify by saying the same sign. Okay. Hearing none, that motion is unanimously approved. The City Council to appoint or re-appoint -- which member is this -- to the police pension board?

COUNCILPERSON GUYTON: Mr. Chair, I have a -- an issue to bring up right here.

CHAIRPERSON THOMAS: Okay. Let me get it on the floor first, if you don't mind.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: Do -- do -- we have a name in that spot, don't we?

COUNCILPERSON GUYTON: Yeah, yeah.

CHAIRPERSON THOMAS: Okay. Let's --

COUNCILPERSON GUYTON: Yeah, it's not dealing with the names. It's dealing with the terms.

CHAIRPERSON THOMAS: Oh, okay. Well, let me -- let me get it on -- let me get it on the floor.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: Is there -- is there a motion?

COUNCILPERSON J. DAVIS: So moved.

COUNCILPERSON GUYTON: So moved. Second.

CHAIRPERSON THOMAS: It's been properly moved and second. Question, Mr. Guyton.

COUNCILPERSON GUYTON: Uh, yes. The police -- I just started talking.

CHAIRPERSON THOMAS: Yeah, I know.

CHAIR PRO-TEM PARDO: Thank you.

CHAIRPERSON THOMAS: I know. We -- we're moving quick tonight. We're moving quick tonight.

COUNCILPERSON GUYTON: No, um --

CHAIRPERSON THOMAS: That's okay.

COUNCILPERSON GUYTON: -- the, um -- the police pension board is -- is a board, as most of you know, I've served on for four years and served as chair for two of those four years. But I noticed on the years, we have four years now that each is serving. But the board had a discussion because when I got on the board -- um, make a long story short, we want -- wasn't monitoring the expiration date. So when everybody was appointed and re-elected, it was all in the same year.

So I spoke to the attorney, Ken Harrison, at a meeting to, um, get advice of how do we get our terms staggered again. And it was suggested that at the time it was my position -- and I see Mr. Juan Atkins is in the audience shaking his head in agreement -- that we would agree to a two-year term for this appointment, and the others would remain at the four years. And then we would get back on that cycle with the other appointment after two years to four years. Because right now, you know, there's no continuity.

COUNCILPERSON J. DAVIS: Uh-huh.

COUNCILPERSON GUYTON: Everybody comes up at the same time.

CHAIRPERSON THOMAS: Okay. Miss Ryan, is -- are we able to legally do that?

CITY CLERK WARD: Uh-huh.

CHAIRPERSON THOMAS: We are?

CITY CLERK WARD: Yeah.

CHAIRPERSON THOMAS: Okay.

CITY CLERK WARD: Oh, I know you asked Miss Ryan but she's -- I just said yes because in the past we have had staggered terms and it -- it's included in some of the --

CITY ATTORNEY RYAN: Yeah, but we've had -- what -- what was Miss Perry's --

CITY CLERK WARD: -- some of our paperwork.

CITY ATTORNEY RYAN: The problem -- the issue is the ordinance. We passed an ordinance recently, didn't we? On four years?

CHAIRPERSON THOMAS: Yeah, to say four years.

COUNCILPERSON GUYTON: Yes. And --

CHAIRPERSON THOMAS: That's why I'm asking.

COUNCILPERSON GUYTON: -- and -- and that is why I checked with our attorney, um, to get some direction. And I think I got an e-mail from him here, too. But --

CHAIRPERSON THOMAS: Well, can we -- can we -- uh, we -- yeah, but you want to do it for this particular appointment?

CITY ATTORNEY RYAN: Right.

CITY CLERK WARD: Uh-huh.

CHAIRPERSON THOMAS: Okay.

CITY ATTORNEY RYAN: What -- what did he say?

COUNCILPERSON GUYTON: Yeah. Uh, he said yeah. Um, we can. And -- and Juan, if you want to -- you're still on the board. Would you like to come to the --

CHAIRPERSON THOMAS: No, no, no. Hold on. Hold on. Hold on.

COUNCILPERSON GUYTON: -- mike? Oh, okay. I'm sorry.

CITY ATTORNEY RYAN: Yeah. The -- hold on. Miss Perry, you have -- okay. It's in here. It talks about their duties.

COUNCILPERSON GUYTON: And I don't think it was Miss Perry's fault, quite honestly.

CITY ATTORNEY RYAN: Oh, you mean that it didn't get reduced to --

COUNCILPERSON GUYTON: Yeah. Yeah, I don't think it was --

CITY ATTORNEY RYAN: -- 'cause that recommendation does not come to us.

COUNCILPERSON GUYTON: -- Miss Perry's fault. It's -- I mean, not fault but I don't --

CITY ATTORNEY RYAN: Uh-huh.

COUNCILPERSON GUYTON: -- think she was informed about our discussion of how we were going to get our terms staggered again.

HUMAN RESOURCES DIRECTOR PERRY: Yeah, um, Dorothea Perry. Councilperson Bruce Guyton is correct. No one told me that they were -- wanted to stagger the terms. Now, at the next meeting I'm planning to present a -- an ordinance from the fire pension board and they're asking to have theirs staggered. But I have not heard anything from the police.

CITY ATTORNEY RYAN: Miss Perry?

CHAIRPERSON THOMAS: Okay. Okay. Hold -- hold on.

CITY ATTORNEY RYAN: This one doesn't say that it's staggered.

CHAIRPERSON THOMAS: Hold on.

CITY ATTORNEY RYAN: That -- the ordinance that you have in here.

CHAIRPERSON THOMAS: Hold -- hold on, Miss --

HUMAN RESOURCES DIRECTOR PERRY: Right. That's correct.

CHAIRPERSON THOMAS: -- Miss -- Miss Ryan, hold --

COUNCILPERSON J. DAVIS: That's another ordinance to --

CITY MANAGER JONES: We've got this (unintelligible).

CHAIRPERSON THOMAS: -- hold on. Let -- please let me continue to chair the meeting, if y'all don't mind. Listen.

COUNCILPERSON J. DAVIS: Go ahead.

CHAIRPERSON THOMAS: This is what I would suggest. Pull this one off. When you bring back the other one, um, bring this one in, as well. So obviously you're getting ready to do some type of, um, ordinance or something for the fire. Let's go ahead and just fix the police when we're doing that one. Is that possible to be done?

HUMAN RESOURCES DIRECTOR PERRY: Well, I mean, I would have to get information from the, uh, police pension board to see how they want this done.

CHAIRPERSON THOMAS: Well, I'm -- I'm really not comfortable -- if we got an

ordinance saying it's four years --

COUNCILPERSON J. DAVIS: Right.

CITY ATTORNEY RYAN: Just --

CHAIRPERSON THOMAS: -- I'm really not comfortable just saying that we're gonna take it to two 'cause I don't know if that's legal. And we have -- we have advice from the pension board's attorney, but we're making this decision right now and we need our attorney to be able to -- to -- to advise us on that, would be my -- would be my thought. But the -- of course, this is an action of the board. If they feel comfortable, then --

CITY ATTORNEY RYAN: May I ask Miss Perry a question, Mr. Chair?

CHAIRPERSON THOMAS: You may.

CITY ATTORNEY RYAN: The ordinance that you have attached is the one -- the last -- last change was in 2000. Did the police pension board -- did we pass -- did the City Council pass an ordinance changing their terms from two years to four years?

HUMAN RESOURCES DIRECTOR PERRY: That's correct.

COUNCILPERSON J. DAVIS: Yeah.

CITY ATTORNEY RYAN: Why don't you have that ordinance here? That's not the ordinance that's in the packet. The ordinance in the packet says two years.

HUMAN RESOURCES DIRECTOR PERRY: I didn't put an ordinance in the package.

CITY ATTORNEY RYAN: There's an ordinance in the package. I'm looking at it.

CHAIRPERSON THOMAS: Okay. I'm -- I'm going to say this again.

HUMAN RESOURCES DIRECTOR PERRY: Okay.

CHAIRPERSON THOMAS: I think that this would be the best point forward. But I think the -- the maker of the motion was, uh -- was it Mr. Guyton? Was Mr. Guyton the maker of this motion?

COUNCILPERSON J. DAVIS: I don't remember.

CHAIRPERSON THOMAS: I want to say Mr. Guyton was the maker of the motion.

COUNCILPERSON GUYTON: Right. I'm --

CHAIRPERSON THOMAS: Um, if you -- we can handle it how you want to handle it. I'm just -- I'm -- I'm stating that I'm just not feeling comfortable doing it like this. Because we do have an ordinance that say the -- that that's the length of the terms.

COUNCILPERSON GUYTON: Mr. Chair, this is only impacting two of the three, I think. If we can approve -- because we have the fifth member on here, as well. We can just approve the fifth member and have the other two come back with -- I guess, after consultation with Pam and the pension attorney and see how to do this without you feeling uncomfortable. But I don't want to hold the other one up because of this issue.

CHAIRPERSON THOMAS: So you say you just want to go ahead and appoint -- just re-appoint them and then come back and stagger the terms? I'm not sure if we're able to do that.

COUNCILPERSON J. DAVIS: Hmm.

COUNCILPERSON GUYTON: No, no, no, no. I'm saying that we have three members up for re-appointment. This two-year issue only impacts two of them and the fifth member, it is four years. Now, all of them are going to get four. We're only doing it -- we -- I'm talking like I'm still on the board. But, um, it was only suggested to get the terms staggered so that they all won't come up for re-election and re-appointment at the same year.

COUNCILPERSON J. DAVIS: But it still has --

CHAIRPERSON THOMAS: I -- I agree with what you're saying. It's just the -- it's just the process and way we're doing it is where I'm uncomfortable.

COUNCILPERSON GUYTON: Understood. Well -- well, if it's easier to do it all in one for -- and -- and -- and --

CITY ATTORNEY RYAN: (Unintelligible).

COUNCILPERSON GUYTON: -- and, Mr. Chair, I -- I --

CHAIRPERSON THOMAS: Yes, sir?

COUNCILPERSON GUYTON: -- I -- I -- I know you're running the meeting but I seen Mr. Atkins kind of squealing in his seat. Um, if he would be allowed --

CHAIRPERSON THOMAS: I get you. I get you. I get you. I get you. I hear you. Mr. Davis, you had something you wanted to say.

COUNCILPERSON T. DAVIS: I -- I'm -- I'm just waiting to see what Legal say on what we can and can't do. That's -- that's where I stand.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: Yeah.

COUNCILPERSON T. DAVIS: Legal say we can do it, I'm for it.

CHAIRPERSON THOMAS: Um, Mr. -- Mr. -- Mr. Atkins, you wanted to talk? I wanted

to get our staff out first.

JUAN ATKINS: Thank you, Mr. Chair. Juan Atkins. I, um -- I just wanted to point out that in our meeting we did take action to voluntarily, um, submit to being re-appointed --

COUNCILPERSON GUYTON: Agreed to the two years.

JUAN ATKINS: -- for a two-year term. I wasn't aware of the conflict that -- that was created because the current ordinance says four years.

CHAIRPERSON THOMAS: Ordinance, yeah.

JUAN ATKINS: But we agreed and we took action in our meeting to voluntarily, um, be appointed for a two-year term, at which time in two years we'd be re-appointed again for the four-year period to create the stagger.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: Uh-huh. Those are all (unintelligible) ordinance though.

CHAIRPERSON THOMAS: I -- I -- I -- I understand that. This -- this is -- this is -- this is what I'm feeling. I understand where everybody wants to go and I want to support that. But I want the process to be clean. And this right here does not seem clean to me.

COUNCILPERSON GUYTON: Okay. Not a problem.

CHAIRPERSON THOMAS: So, I mean, I'm willing to support whatever it is, however the pension board wants to do it. I'm -- I'm willing to support that. But I don't want to do this messy. I really think we should just do it clean. If we're about to bring it back, what difference does another meeting make? What difference does another two weeks make?

COUNCILPERSON J. DAVIS: Mr. Chair?

COUNCILPERSON GUYTON: Is it two weeks or (unintelligible)?

CHAIRPERSON THOMAS: Yes, August 7th is our next meeting.

CITY MANAGER JONES: Uh-huh.

COUNCILPERSON GUYTON: Oh, okay.

CHAIRPERSON THOMAS: August 7th.

HUMAN RESOURCES DIRECTOR PERRY: May -- may I say this?

CHAIRPERSON THOMAS: Of course.

HUMAN RESOURCES DIRECTOR PERRY: Um, because if you do that, you really

would need an ordinance to change how you're going to stagger those terms. Um, and that's on two readings.

CHAIRPERSON THOMAS: Right. That -- that's my -- that's my point with the process.

HUMAN RESOURCES DIRECTOR PERRY: Uh-huh.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: So -- well, let me ask you this. Let me just ask this. If the pension board -- can the pension board -- does their ordinance -- does -- does their ordinance allow them to decrease their own terms?

COUNCILPERSON J. DAVIS: They don't have (unintelligible) --

COUNCILPERSON GUYTON: I --

HUMAN RESOURCES DIRECTOR PERRY: You would have to -- you would have to pass an ordinance. You all would have to pass a --

CHAIRPERSON THOMAS: I'm -- I'm saying for the -- but -- but the pension board as -- as -- as they're sitting as themselves, can they -- like Mr. Atkins said --

COUNCILPERSON J. DAVIS: Their votes?

CHAIRPERSON THOMAS: -- that they said, Hey, well, listen, we -- we -- they voted or they agreed to take a reduced term to get it staggered. Um, I mean, are they -- can they legally do that?

HUMAN RESOURCES DIRECTOR PERRY: Not to me. You have to ask your attorney. But I would think you would have to pass an ordinance.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: One second.

HUMAN RESOURCES DIRECTOR PERRY: To allow this -- this stagger.

CHAIRPERSON THOMAS: Okay. Okay. Miss Ryan?

CITY ATTORNEY RYAN: Okay, Mr. Chair. Number one, only the city council can pass an ordinance.

COUNCILPERSON J. DAVIS: Right.

CITY ATTORNEY RYAN: They can make a recommendation to the city council.

COUNCILPERSON J. DAVIS: That's right.

CHAIRPERSON THOMAS: Uh-huh.

CITY ATTORNEY RYAN: But that is as far as it can go. I would need to see the ordinance that was passed a couple of years ago to see if it says "may" or "shall." If it says that their terms shall be four years, then there's nothing that we can do about that. Shall is shall. If it says may or may be up to four years, then we can certainly do what the vote was at the meeting.

CHAIRPERSON THOMAS: That's -- that's --

COUNCILPERSON GUYTON: And I think that's what it says, up to.

CITY ATTORNEY RYAN: But I don't have it so if I --

CHAIRPERSON THOMAS: -- that's -- that's --

COUNCILPERSON GUYTON: Okay.

CITY ATTORNEY RYAN: -- you know --

COUNCILPERSON GUYTON: So could you consult with --

CITY ATTORNEY RYAN: Yes.

COUNCILPERSON GUYTON: -- the pension attorney?

CITY ATTORNEY RYAN: So I will find that out and we can put it on the next agenda.

CHAIRPERSON THOMAS: Let's -- let's -- yeah, let's --

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: -- pull it for this agenda.

COUNCILPERSON GUYTON: Not a problem.

CHAIRPERSON THOMAS: If -- if you're okay with that. You're the maker of the motion.

COUNCILPERSON GUYTON: I -- I'm okay as long as it come back in two weeks. I don't think you would have to do much providing unless there's an ordinance required.

CHAIRPERSON THOMAS: No. I'll -- I'll make sure it's put back on if that's the --

COUNCILPERSON GUYTON: Yeah.

CHAIRPERSON THOMAS: -- the case.

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: Are you withdrawing?

COUNCILPERSON GUYTON: Are you okay with that, Miss Perry?

HUMAN RESOURCES DIRECTOR PERRY: Oh, sure.

COUNCILPERSON GUYTON: Okay.

HUMAN RESOURCES DIRECTOR PERRY: Sure.

CHAIRPERSON THOMAS: Are you withdrawing?

COUNCILPERSON GUYTON: Yes, I'm withdrawing my motion and bring it back in two weeks.

CHAIRPERSON THOMAS: Okay. That item is gone. Withdrawn.

CITY MANAGER JONES: Mr. Chair?

CHAIRPERSON THOMAS: All right. Yes, ma'am, Miss --

CITY MANAGER JONES: While we're on the police pension board, I was asked to let you all know from Pension Board Member Brooks that she would have been here today. She didn't want you to think her lack of attendance was not interest, but her mother-in-law passed away. And so she's in Fort Pierce.

CHAIRPERSON THOMAS: Okay.

CITY MANAGER JONES: But she wanted me to make sure you -- you all knew that.

CHAIRPERSON THOMAS: That's definitely understood and our prayers will go out to her. Um, we're getting ready to come to you now, um, Madam Manager, but what I do want you to address after you finished with your, um -- your -- your comments, please address, after you finish, the -- the newsletter that went out and that information. So we're going to you first, uh, Madam Manager.

CITY MANAGER JONES: Thank you, sir. A couple of things as it relates to meetings and then would like to make the public aware of some things that are happening within our community.

Just as a reminder, on July the 31st, we will have, um, our budget workshop. You will get those documents next week. Um, that is scheduled for 5:30 here in the council chambers. We were tentatively looking at August the 5th for the workshop on the marina. However -- and that was not just the marina's budget, but it dealt with the operations; it dealt with a lot of issues.

Unfortunately, the reports that we were commissioning are not complete yet in order to be able to do that. So we're polling you in your dual capacities as CRA board and City Council members, uh, for a date a couple weeks away in August. However, on August

the 5th, uh, we are trying to schedule the pension workshop. Since you already had the date reserved on your calendar, we would like to have the pension workshop. We'll introduce some of that on the 31st but on August the 5th, we'll be advertising the pension workshop in order to make sure that all of our labor, um, organizations are present, as well as all of our pension boards and trying to get that information out.

COUNCILPERSON GUYTON: Mr. Chair, I have a question.

CHAIRPERSON THOMAS: Hold -- hold on one second. Hold on one second. You -- you done with that thought? I just don't want you to lose your thought.

CITY MANAGER JONES: Yes.

CHAIRPERSON THOMAS: Mr. Guyton, go ahead.

COUNCILPERSON GUYTON: Would that include the FPPTA that we --

CITY MANAGER JONES: Yeah, that's the pension workshop I'm speaking of, sir.

COUNCILPERSON GUYTON: Okay. That was my question.

CHAIRPERSON THOMAS: Okay.

CITY MANAGER JONES: Uh-huh. Um, we will then proceed with the scheduling of our other workshops. Due to, um, scheduling with vacations and some things, we may have to move the August 12th budget workshop. But we will let you know about that no later than the end of the week as to whether that's going to be necessary.

A lot of good news. Good things are happening in Riviera Beach. I mean, I don't have time to talk about them all 'cause I need to keep this short. But over the weekend, the Barracuda Bay -- the Barracuda Swimmers that are out of our Barracuda Bay Aquatics Complex hosted their first swim meet for South Florida. And that is a major accomplishment for the friends of the Barracuda Swimmers. They have support. You all have supported with Community Benefits. But it was a great opportunity for the City to -- to host a swim meet for South Florida. And I'm sure -- (applause) -- right. We will continue to move forward in that area.

Also we had the opportunity, staff and I, to meet with, um, Mr. Dan Volker, and he is with the Palm Beach Divers' Association. And whether -- we talk about it but we don't talk about it as much as we are going to be talking about it, and that is the positioning of the diving under the Blue Heron Bridge, which is -- could be number one in the country.

COUNCILPERSON J. DAVIS: (Unintelligible) in the country.

CITY MANAGER JONES: And the Palm Beach Divers' Association is having what they're calling Project Sea Horse. And that will be on August the 2nd and the 3rd. And they are wanting us to encourage Riviera Beach children to come out to this event so they can talk to them about diving, expose them to that great experience. That'll be

August the 3rd -- 2nd and the 3rd. We will be placing this announcement on our TV station. If you're interested, please contact the City Manager's Office so we can get you in touch with them. But the phone number for Mr. Jim Abernathy is 842-6356. And so this is another opportunity.

The CRA will be working with us because they also have their program exposing our young people to boating and the whole water life. And so we're just really eager and anxious about this event. And we think it's really great for the City of Riviera Beach.

We have had conversations within the last two weeks with several developers interested in coming to the City. But I just wanted to highlight the announcement that was made by the Business Development Board. A recent business that is coming to Blue Heron Boulevard, it's a call center. They will be hiring, um, almost from the ground up, even H.R. directors and everything. They're not bringing many of their staff with them. And this is another opportunity with 200 new jobs in our city for our residents to have an opportunity for gainful employment or either maybe a second or third job.

But things are moving. We're providing opportunities. And I just wanted to highlight those briefly, some of those activities that are taking place in the City. Now to the newsletter.

CHAIRPERSON THOMAS: Yes. By all means.

CITY MANAGER JONES: Yeah. You were just as concerned as I was concerned. And because the conversation about the article was with Deputy City Manager Danny Jones, I'm gonna ask him to go to the mike. We do not write the articles in the newsletter. The newsletter articles are written by one of our employees that we contract with to do that. Um, however, there was some assistance provided on this one, so I'm gonna ask Mr. Jones to address what has occurred with this article.

DEPUTY CITY MANAGER JONES: Danny Jones, Deputy City Manager. At the end of, uh, June, a citizen contacted me to provide an update on the new facility the City purchased. They wanted -- they -- they originally wrote an article for one of the condo associations and they wanted to update that article. So I provided an interview and gave them an update on the article.

When the article was finished, he sent it to me for review. I edited the article and sent him back the final edited version. I e-mailed all of the council and the city attorney a copy of my response to that person today.

Uh, when the article came out I was shocked at the headlines and the first statement in there. And I wrote back to the citizen and let them know how disappointed I was for being misquoted and the facts not being articulated as I had laid them out in my letter to him.

The final edit for that publication was completed by me. So the information is inaccurate, and I've spoke with the -- with the editor for our Riviera paper. Next month there will be a full retraction and my originally published letter will -- will be published as

an update. And we will provide additional information on TV 18.

CHAIRPERSON THOMAS: Mr. Jones?

DEPUTY CITY MANAGER JONES: Yes, sir.

CHAIRPERSON THOMAS: I -- I understand that. But this -- this is where I'm having a -- a huge problem. First of all, nothing should be going out of here on City letterhead with City dollars that the City does not support.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: I've been under the impression that -- I know that Miss Dozier has been doing the newsletter for quite some time. And I -- I've never had a -- a problem with it or seen a problem with it. So if -- how is it that somebody who -- if this wasn't Miss -- this wasn't Miss Dozier that you're saying that wrote this, this was somebody else that wrote this?

DEPUTY CITY MANAGER JONES: The original interview was not Miss Dozier. But Miss Dozier had a hand in the edits, yes.

CHAIRPERSON THOMAS: Okay. But how is it that we allow something to go out that's false? This is going out to 15,000 people. So a retraction is not going to -- to -- to make that, you know, any better. It's going to confuse people more. It's going to make people think that we're trying to lie to them. I mean, I've heard a speaker come up today and say, Hey, we're trusting you, Council, and if this is what's going on, I'm -- I'm -- I'm -- I'm really -- I'm really bothered by that. This is not something that I'm just saying -- gonna sit back and just be like, Okay. This is what happened. Let it be done. No, something needs to be done about this and somebody needs to be consulted about --

DEPUTY CITY MANAGER JONES: We're taking the --

CHAIRPERSON THOMAS: -- what just happened. This -- this is a huge -- this is a huge problem. This is a huge, huge mistake because it's -- it's totally inaccurate.

DEPUTY CITY MANAGER JONES: I understand, sir, and we're trying to take the appropriate actions to correct that. If you see the information I sent out to you today, I actually sent a letter, copied my final edit letter -- edited letter, along with the newsletter to show the differences.

CITY MANAGER JONES: And Council -- and, um, Chair Thomas, the key is a directive to the editor of the newsletter that nothing goes out that either the City Manager or the Deputy has not read.

COUNCILPERSON GUYTON: Uh-huh.

CHAIRPERSON THOMAS: I mean, I -- I mean, I'm (unintelligible) --

CITY MANAGER JONES: That's what corrects it. That person does not have --

CHAIRPERSON THOMAS: -- (unintelligible) --

CITY MANAGER JONES: -- just the, um, flexibility to do and change. You don't see the galley prints. You don't see any of that.

CHAIRPERSON THOMAS: Right.

CITY MANAGER JONES: I've never seen a galley print of a newsletter since I've been here. So that's the directive that's going out to the individual doing the newsletter.

CHAIRPERSON THOMAS: Um, we need to correct this as soon as possible. Using the TV, sending out another newsletter before the time that comes up. It -- this is -- this is too important of an -- important of an issue. It's already division in the community behind this. This right here cannot wait three months. This needs to be taken care of right away. It needs to be done. So I don't care if we have to run 20 loops on TV. I don't care what we have to do. We need to get out the correct information.

When -- when people keep hearing five different stories, they don't know what to believe. You know? And that's a huge, huge problem. So all I'm saying is, fix it. Fix it immediately. And this is not a slap on the wrist, throw this under the rug. This needs to be, you know, done. And if somebody did something, especially they're outside. If they're outside and they did something other than what they should be, uh, doing, I -- I -- I would suggest that you make sure that you take care of that in the appropriate --

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: -- in an appropriate manner. Okay.

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

CHAIRPERSON THOMAS: Uh, hold on one second, Mr. -- Mr. Mayor.

MAYOR MASTERS: Okay.

CHAIRPERSON THOMAS: Miss -- you -- you have a question on this?

MAYOR MASTERS: Yes.

CHAIRPERSON THOMAS: Okay. Hold on one second. Did you -- did you want to add anything else? I'm sorry, uh, Mr. Jones, 'cause I actually interrupted you.

DEPUTY CITY MANAGER JONES: No, sir. I just wanted to reassure you that we will take the appropriate steps to get the correct information out. And we will not wait the three months to take care of that.

CHAIRPERSON THOMAS: Thank you very much, sir. Mr. Mayor?

MAYOR MASTERS: Yes. I -- I guess it's to the, uh -- the Manager.

CHAIRPERSON THOMAS: Try to -- try to make your mike work if you can. Get closer to it or --

UNIDENTIFIED SPEAKER: Yeah.

MAYOR MASTERS: I've never had trouble talking in the mike. I've done it -- been doing it all my life as a -- as a preacher. Mr., uh -- well, Miss Jones, are you saying that of all the newsletters that have gone out, you have never seen them to okay them before they go out?

CITY MANAGER JONES: That's correct.

MAYOR MASTERS: Okay. Um, and also, um, my next question is so you have given authority to the editor to send them out without your view -- review?

CITY MANAGER JONES: Initially when --

MAYOR MASTERS: In the past.

CITY MANAGER JONES: -- yeah. Initially when this started and Miss Dozier was doing the newsletter, she was also at the time the legislative assistant for the Chair. And the Chair read them. Now that the Chair is gone and there's been a change, that's when the new directive comes in that it comes -- the review comes to the City Manager's Office.

MAYOR MASTERS: Okay. And the final -- the final question for the record, is it the City -- is it the City's position that the City Hall and the library and the fire station, not the administrative but the -- the trucks, that are on this property, is it the City's position that the permanent location for the City Hall, the library and the fire station without the exception of the administrative part of it, but the -- the trucks or whatever, will be 600 W. Blue Heron Boulevard?

CITY MANAGER JONES: There's been no action taken that addresses the issues you raised.

MAYOR MASTERS: I didn't -- I didn't hear you, Madam --

CITY MANAGER JONES: There has been no action taken that addresses the issues that you raised.

MAYOR MASTERS: Okay.

CHAIRPERSON THOMAS: Okay. Thank you. Um, you know what, Mayor? We're going to start with -- wait a minute. Let me make sure I'm going the right -- Legal Discussion. Legal Discussion. I'm sorry.

CITY ATTORNEY RYAN: I have a couple of things that I can discuss at the next meeting since we're having one in two weeks. Um, I wanted to address the Susan Bucher issue. You told me to do it under --

CHAIRPERSON THOMAS: Yes. Yes.

CITY ATTORNEY RYAN: -- my, um -- under my comments. Susan Bucher, as the Elections Supervisor, was a part of the first --

CHAIRPERSON THOMAS: Check your mike, too.

CITY ATTORNEY RYAN: -- was a part of the first declaratory action that involved the task force. Um, the City made some allegations regarding her participation that called for her to be included in the lawsuit. Um, Miss Bucher has been well-represented by Ken Spillias of Lewis, Longman & Walker this entire time. And one of the issues that we had was a dispute over, um, the contract that the City -- this city and other cities enter into with the Elections Supervisor concerning the payment of her legal fees.

We agreed when that whole declaratory action issue was going on to deal with the issue later. It is not as Mr. Lozman said that there was a judgment entered in favor of, um, Miss Bucher. That has never occurred. Um, Miss Bucher, as I said, represented by Ken Spillias, um, she had attorneys' fees that were in excess of \$20,000. But through his representation, she agreed to accept \$15,000 as payment for her settle -- as payment of her fees during that declaratory action.

I don't know about you, but I think it's -- it was definitely beneficial to the City to save the 5 to \$7,000 that we saved in that. If Miss Bucher had a problem with it, she certainly could have let us know at any point. She did not. When I spoke with her attorney -- and I did speak with him personally -- she was ready and able to sign off on that settlement agreement. And she did. The item did not come to the city council because the city manager does have the authority to settle lawsuits under \$20,000.

COUNCILPERSON J. DAVIS: Uh-huh.

CITY ATTORNEY RYAN: And that's what she did with my recommendation to her. And that's why the manager said she wasn't involved in it. But of course she did know about it. I don't settle any cases without either the city manager's authority or the city council's authority as appropriate. So, um, you know, I -- I would hope that Miss -- Miss Jones does speak with Miss Bucher because the allegations that he makes against her seem to put her in a very vindictive light. And I would not want that to, um -- to be the final word in --

COUNCILPERSON J. DAVIS: Right.

CITY ATTORNEY RYAN: Unless, you know, she says otherwise.

COUNCILPERSON J. DAVIS: And if she didn't say it, we -- I -- I'd like for her to write a letter.

CHAIRPERSON THOMAS: Yeah. Yeah, yeah. We -- we need to make sure that we -- we address that. So can you address that to make sure that that's not -- wasn't said or was said and then --

CITY ATTORNEY RYAN: Would you like me to draft a letter?

CHAIRPERSON THOMAS: Yes. Yes.

COUNCILPERSON J. DAVIS: Yes.

CITY ATTORNEY RYAN: Absolutely.

CHAIRPERSON THOMAS: Absolutely.

CITY ATTORNEY RYAN: Not a problem.

CHAIRPERSON THOMAS: Anything else from Legal?

CITY ATTORNEY RYAN: No, except to say that I will be on vacation next week for one week with my family. Thank you.

COUNCILPERSON J. DAVIS: Enjoy.

CITY MANAGER JONES: Oh, don't talk about vacation.

CHAIRPERSON THOMAS: Okay. Any City Council Committee Reports?

CHAIR PRO-TEM PARDO: Yes, sir.

CHAIRPERSON THOMAS: Okay. Miss Pardo?

CHAIR PRO-TEM PARDO: Okay. I have a couple of things. And this is really for the City Manager and for our staff to make them aware of this.

The first thing is Palm Beach County Board of Commission -- Commissioners recently passed an ordinance which is banning drop boxes in unincorporated Palm Beach County. And drop boxes, I mean, you know, the boxes where you put -- where you donate clothes and shoes and all of that. And what's happening is, there's companies who are going around the county and just dropping boxes in, um, parking lots. And people think that they're donating to Goodwill, but they're not.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIR PRO-TEM PARDO: They're companies who are then taking the -- your goods and they're making money off of it. And, um, so the Palm Beach County League of Cities, they're involved in this right now and they're looking at the County's ordinance. And then they're going to be passing it to all of the cities. So that's something that we all need to be aware of, because we don't want to wake up one morning and have these drop boxes littered, you know -- littering the city.

The second thing is we've all heard about All Aboard Florida, which is going to be an express train that starts in Miami, and it'll stop in Fort Lauderdale. There'll be a stop in West Palm Beach and then it'll go up to Orlando. Um, we need to be aware of this; all the cities along the coast need to be aware of this. Um, the cities that have train -- you know, the train rails in their cities are going to be responsible for the upgrades of the -- the whatchamacallits. The --

COUNCILPERSON J. DAVIS: Crossings?

CHAIR PRO-TEM PARDO: -- the crossings. And the City of Riviera Beach only has one crossing that we would be responsible for, but there are other cities like the City of West Palm Beach. There's 14 crossings that they would be responsible for. Lake Worth has a lot, also. And these cities are seriously thinking about, um, shutting down the streets because they're not going to be able to afford the improvements.

So I'm making the City aware of that and maybe that's something that, um, Mrs. McKinney can, you know, really start getting involved in. And again, um, the League put together a committee. They're working with -- with All Aboard Florida. But you know, we all need to be aware of this, that we may get stuck with the improvement costs for the crossings.

And what else did I want to mention? Oh, one other thing, the FEMA maps. All of the cities in Palm Beach County were given the new FEMA maps and the maps are wrong. Right? There's staff people from all the cities and there's elected officials in this, you know -- city-elected officials and county-elected officials who are now joining together and, um, looking at the maps and making recommendations. And the County went as far as to hire someone, an engineer, to look at all of the maps.

The League of Cities will be sending a letter, you know, a template to all of the city managers asking them to send the letter to FEMA. And the letter is asking for an extension. Right now FEMA is saying, You have 30 days to give us recommendations. And since the maps are wrong, you know, we obviously need more than 30 days.

So I'm not sure if we got that letter yet but, um, you should be receiving it any day. And then the League will hold a meeting on the 29th in Lantana to continue discussing the new FEMA standards and the new maps.

And the last thing, I went to the Port of Palm Beach meeting yesterday, and I just want to make everyone aware that their commissioner, George Mastics, has been very ill and he's been in the hospital. So I just --

COUNCILPERSON J. DAVIS: Who? I'm sorry.

CHAIR PRO-TEM PARDO: George Mastics.

COUNCILPERSON J. DAVIS: Oh.

CHAIR PRO-TEM PARDO: He's been very ill. He had surgery and, um, it was a little

touch and go for a couple of days. He seems to be doing better but he's still in the hospital, so I just wanted everyone to know. And that's my report, sir. Thank you.

CHAIRPERSON THOMAS: Okay. Any other, uh, City Council Committee Reports?

COUNCILPERSON J. DAVIS: Um, Mr. Chair?

CHAIRPERSON THOMAS: Miss Davis?

COUNCILPERSON J. DAVIS: It's not really a committee report but, um, just piggybacking on something, um, Councilwoman Pardo said. Um, to add to the All Aboard Florida conversation, uh, I believe it is the League and some of the -- what's the lady's name with, um, Treasure Coast? Kim --

CITY MANAGER JONES: Treasure Coast?

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: Delaney?

COUNCILPERSON J. DAVIS: -- Delaney.

CHAIR PRO-TEM PARDO: Yes.

COUNCILPERSON J. DAVIS: She has been designated to, um, work with the League to see if there are federal -- if we can get federal dollars for -- for assistance with some of these crossings. And the -- the -- the flood maps, this -- the FEMA maps, that pertains to flood zones, right?

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: Yeah. Uh-huh.

COUNCILPERSON J. DAVIS: Yes. So we might have to --

CHAIR PRO-TEM PARDO: Yeah. It's serious for us, a coastal city.

COUNCILPERSON J. DAVIS: -- do something about that. Thank you.

CHAIRPERSON THOMAS: Okay. We're done with Committee Reports. We're going to start off with the Mayor tonight.

MAYOR MASTERS: Thank you. Um, Mr. Chair, I'm probably going to take about five to six minutes. Um, first of all, I want to thank the -- the pastors and the community leaders for working around the clock, including Reverend Lonnie Lovett relating to the, um -- the two issues that will be placed on the ballot whenever that we have an election.

I'm sure the Council is going to vote to have an election in March in light of the judge's decision as relate it is the marina, because without having that referendum election in March, everything is tied up as far as the marina and, uh, we're making progress and I'm sure that they would like for the people to speak as to the progress that's being made and the direction that the City should continue to go forward. I can't see the City waiting two years for that.

So that's probably the reason why the idea of March 2014 came up, because the judge did rule that that issue should go back on the ballot; is that correct, Attorney Ryan? The -- the marina issue should go back on the ballot. Is that -- am I correct?

CITY ATTORNEY RYAN: That is correct. That is what the judge -- the judge ordered.

MAYOR MASTERS: Okay. But he just didn't say when, right?

CITY ATTORNEY RYAN: He specifically did not say when. He specifically said, I will not tell the City Council when to have -- have the -- the -- the item placed on the ballot because I understand that there's an issue of --

MAYOR MASTERS: Right. Well --

CITY ATTORNEY RYAN: -- monies that need to be spent.

MAYOR MASTERS: -- my -- my recommendation is for it to go on hopefully in March, as soon as possible. Whenever Miss Bucher is ready to go.

Now, um, two of our council people were not on the dais when this whole idea came up about the police and the fire -- and closing Fire Station number 2. But I was very -- along with Councilperson Pardo, um, I said from day one -- I begged the Council to get public input. I begged the Council to have a town hall meeting in Federal Gardens to inform the people in Federal Gardens about this, see how they felt. I even begged the Council to take a survey. You know, just put it out there. Let -- bring the people on board.

But again, I think it fell on -- on deaf ears. I said from day one that if you do not bring the people on board, if you do not have town hall meetings -- not just channel 18. This is not enough. A lot of people, they don't even have cable. Town hall meetings is taking it directly to the people where the people are. That wasn't done. I stated months and months and months ago that, uh, I would be very happy to take this issue to the people and to take the lead on it.

As the Manager just asked and answered my question about the permanent location of everything here, the response of the Manager was at this point that there has been no action taken. That is why the referendum is important, because it says that everything on this property remains. This is the permanent location of the, uh, Bobbie Brooks Complex.

And our fathers knew what they were doing to bring everything here. I support that. I will continue to support that. I will continue to be at public places along with others that are going door to door asking the people and explaining to the people we purchased a building that we never should have purchased in the first place. And just because you purchased it to have fire and police and public works does not necessarily mean that you're locked in.

You purchased the building for one thing. You can have other options. You can

change your mind and have other options viable if that's what the people want. Or at the end of the day, sell it. Somebody bought it. We bought it, so I guess -- I guess we'd say nobody want it but us.

The other thing is, um, the other petition deals with extending the Mayor's veto power. The Mayor already has power to veto ordinances. But somehow the -- the charter stops short of resolutions. And that's all we've asked for. And according to the polls and the survey, we're going to win that. We're going to win the referendum 2 to 1.

I don't know if any other councilperson wants to speak as I want to speak, and I think Terence Davis -- Councilman Davis did mention this. But the worst decision that was ever made as far as I'm concerned of injustice was just made a few days ago. Trayvon Martin would be living today if Mr. Zimmerman -- if -- if he had followed the advice, Stay in the car. This is not about stand your ground. It's about staying in the car.

Therefore, I have joined with other clergy of this area and community leaders and there will be a community response. There will be petitions there. Hopefully all the petitions will be there -- be a good place to be. There'll be a couple of thousand people. Let the people speak -- for people to sign to insist that the federal government bring hate charges and -- and criminal charges against Mr. Zimmerman on a federal level.

Um, Mr. Tracy Martin, who is the father of Trayvon, will be our special guest speaker. It will be July the 28th at 7:30 p.m. at the Hilltop Baptist Church. Reverend Griffin Davis, Sr. will be the pastor and the -- the petitions will be there.

Also, Mr. Chair, I close with, um, just briefly, Councilperson Davis mentioned something about a passport. It was a visa. And the, uh, China government's a Communist country and they require a visa. I have my own passport. Just to clarify that. And if there are any other issues that anyone has, what I was trying say, that I will ask my previous staff questions and be happy to answer any more questions.

But, um, you know, I'm just doing the best I can of what I have to work with. And I'm going to continue to be with the people. The people put me here. And the people have done it time and time and time again. And I didn't get here overnight. And I really feel strongly about this referendum. The people should have the right to determine whether or not anything on this property should be moved. I'm proud to let the people speak.

And if we're not afraid, if -- if there's not a problem, you know, why are we afraid to let the people speak? They may say, uh, it's the -- a great idea. Move the fire station. Move City Hall. Move the library. Move. But they don't say it. I'm with the people. Whatever way the people vote, I will support their voice. Thank you, Mr. Chair.

CHAIRPERSON THOMAS: Thank you. Miss Davis?

COUNCILPERSON J. DAVIS: Um, jeez. Since the meeting ran so late last time I didn't really get an opportunity to, um, thank all of those people who participated in the, um, Memorial Day event and the sponsors. COASI, which is the Community Officers Association of Singer Island, Cisco, McKinley Financial, All-Site Construction, Coca-

Cola, Pepsi, uh, the CRA CDC, the City of Riviera Beach, Inlet Grove students, South Side Mothers and the National Guard Armory Reserve, Young Bird Lodge and the Republican Party of Palm Beach County were the volunteers.

And I'd also like to take this opportunity because they don't get a lot of thanks oftentimes, and that is Public Works who made sure that our signs were up, you know, of our sponsors, and the Parks and Recreation Department for making the frontage area in front of City Hall beautiful, and painted the lines so that the flags really looked nice. So thank you, guys, very, very much. I really appreciate it.

And also I'd like to take this opportunity to say kudos to Dr. Drayton and to Mr. Sloser for -- and -- and that whole team for organizing the Teen Council. And I'm really excited about that and can't wait to give them some of my time to mentor these young people in public service or governing. Thank you very much.

CHAIRPERSON THOMAS: Thank you. I'm just going to advise my colleagues from here on out we are past the, uh, meeting time so if everyone would just kind of hurry up your comments, we -- we -- we are already past time. Mr. Davis?

COUNCILPERSON T. DAVIS: Uh, thank you. I want to reiterate on what Miss Jones talked about from last Saturday. I, too, had the opportunity to actually go and watch --

CHAIRPERSON THOMAS: Please speak into the mike.

COUNCILPERSON T. DAVIS: -- I'm speaking. We've just gotta get -- keep it turned on for some reason. Staff in the back? Tell him I need a --

CHAIRPERSON THOMAS: It's on.

COUNCILPERSON T. DAVIS: No, I'm speaking straight to it.

CITY ATTORNEY RYAN: Go. Right. Talk right now.

COUNCILPERSON T. DAVIS: All right. Let's make sure that we get these microphones fixed, first of all. I want to say good night to everyone. But like I was saying, I had the opportunity to go out and spend some time with the parents and the children and to cheer these children on. 'Cause so many times in Riviera Beach we only had the opportunity to go visit -- experience football and basketball. But I saw 30 some youth go out and swim and really have a good time and competing.

And me and the parents were discussing about how we can make this a year-round program because swimming is a sport that you can't afford to take off, because it's a very, very difficult activity. And based on the research that I began to do, our youth, based on the community they come from, they have an opportunity to get a lot of free money because African-Americans typically don't -- do not go to college for swimming. So there's a lot of money out there for our kids to go out there and to compete on an athletic and academic level so they can get some free education.

Two, I remember the last meeting, um, Councilman Guyton discussed bringing back before the board the City Attorney's contract so we can talk about the terms like we did with the City Manager tonight. So I noticed that the City Manager was on the agenda, but I didn't see the City Attorney's contract so we can discuss that.

CHAIRPERSON THOMAS: We -- we said at that meeting that we would not bring them back at the same time. And I'm -- I haven't started negotiating with Miss Ryan yet.

COUNCILPERSON T. DAVIS: Okay. I just wanted to make -- see where we are with that.

CHAIRPERSON THOMAS: Yeah. Sorry to interrupt. I just wanted to give you that.

COUNCILPERSON T. DAVIS: Well, other than that, everyone have a good night, be safe and love one another and see you next August.

CHAIRPERSON THOMAS: Thank you, Councilman Davis. Miss Pardo?

CHAIR PRO-TEM PARDO: Thank you, sir. Um, I'd like to remind the residents that Abe Elam's Family Fun Day is this coming Saturday. It was rained out a couple of weeks ago. So, uh, mothers and fathers, please, you know, go over to Calloway Park. It's going to be a great time.

COUNCILPERSON T. DAVIS: What time is it?

CHAIR PRO-TEM PARDO: I think it begins at 9:00. You know, take your kids. It's a great -- you know, a great way to spend the day with your kids. There's going to be athletes there. There's gonna be all kinds of activities for the kids. It'll be a great time once again.

Um, and then the other thing I'd like to mention, the landscaping on Singer Island. Um, there are six dead trees. You know, the State gave us a lot of money to do the beautification of A1A. Three trees have been removed. Three dead trees have been removed but they haven't been replaced. And there are currently six dead trees still -- right now they're still standing. Um, they'll be falling over soon.

So I would appreciate, you know, someone getting on top of that, removing the trees and making sure that the new trees are planted. I think we're getting close to our one-year warranty. And I would hate for the warranty to, uh, expire without us getting new trees. That's all I have. Thank you, sir.

CHAIRPERSON THOMAS: Okay. I'm gonna go next, then I'm gonna let Councilman Guyton close it out for tonight. Um, first of all, I would like to say, um, to Miss Cobb -- I don't know where she -- oh, I see her. I happened to get trapped in your library parade, which I thought was one of the most awesome things that this City has done. I saw the kids that were very excited about it. It was just a parade of -- I think you had said things that dig. So we had a bunch of these city vehicles that -- that dug and that -- well, it was just exciting. So I wanted to congratulate you on a -- on a beautiful, um, event. I'll be

trapped any day the City kids have that much fun. So congratulations on that.

The other thing I want to say very quickly is, uh, Miss Jones, congratulations on your contract.

CITY MANAGER JONES: Thank you.

CHAIRPERSON THOMAS: We look forward to you doing some great things. We are going to definitely be making sure that we give you the clear direction that you need, give you the support that you need in order to -- yeah, I'm just kind of just talking to you. But, you know --

CITY MANAGER JONES: (Unintelligible).

CHAIRPERSON THOMAS: Oh, okay. We're gonna make sure that we give you the -- the support that you need to be an effective manager. But we want you to step up, think outside of the box, bring training, doing whatever you need to do to move this city forward. So congratulations on that.

Um, Miss Ward, I wanted to -- I don't normally address you definitely at this meeting. But today you gave me a -- a certain jilt when you offered your expertise of some 30 years of clarifying some of the misnomers that we have out in the community. And I just appreciate you doing that. And we just appreciate all of the years that you've, uh -- you've put in. I know that you're in the drop. I just found that out. I'm -- I'm gonna be sad to see you go. But I definitely -- I definitely appreciate you just being the professional that you are. And I'm -- I'm very glad that you're here and I'm very glad of all the service that you, uh -- that you are giving to this board and to this City. And I don't say it often enough but I really appreciate you and I wanted you to know that tonight.

CITY CLERK WARD: Thank you, Mr. Thomas.

CHAIRPERSON THOMAS: You're very welcome. You're very welcome. To the board, to my colleagues, I know that some of these things are contentious sometime, especially with a contract and -- and different things. But I want to commend the board on 98 percent of that was handled very professional. I think we did get through it. Everybody might not have gotten exactly what they wanted in it. But I -- I think that we handled that well. And I think if we continue to handle that that way, it -- it -- it will -- it will work out.

The media came hoping that it was going to be something totally different and it wasn't. So I was glad to disappoint them at the time. So I was actually glad that they were here. But I would like to thank all of my colleagues for being such the professional. We all debated. We all, you know, had our -- our, uh -- our points of views and got heated at some time. But at the end of the day we did City business and I -- I really appreciate that.

Um, in light of not forgetting, I want to just say hello to my favorite two people, Miss

Jones and Miss Meekins. I see them out late. I mean, it's 10:20 and they're here late. But I do want to address something 'cause Miss Meekins will call me with her darling self every morning that we go out and cut their grass and don't clean up the stuff behind it. So I want to -- Mr. Johnson is right behind them. I want to make sure that we go out and cut everywhere across the city, please make sure that we -- we clean up. If Miss Meekins calls me at 7 a.m. in the morning, I'm calling Miss Jones at 7:01 a.m. in the morning and making sure that this gets done.

So we appreciate you being so concerned about it, Miss Meekins, and you don't hesitate to call. You -- you will call quick, "Some -- somebody better call me back." You know, so, uh, we appreciate you definitely doing that. Miss Jones, who's always been supportive, just sitting here as quiet and (unintelligible). We -- we do appreciate it. I do remember that I owe you an ad and -- I mean, \$20 and I will get that to you. But I do want to just say that I'm glad -- it's been long. I'm glad that we got through it. The City is definitely moving forward. Let's try to increase the peace if we can. Mr. Guyton, I'm letting you close it out, sir.

COUNCILPERSON GUYTON: Thank you, Mr. Chair. And I'll be -- I'll be very quick here. First of all, I'd like to thank the Community Redevelopment Agency, the Waste Management Outreach Program and Kappa Alpha Psi Fraternity for coming into our community on this past Saturday and painting one of our elderly resident's home and doing some other work around the home. Um, also like to thank the Recreation Department, after which I sponsored a barbecue for them. And Tate Gym and the Recreation Department set everything up. Had Mr. Johnson spinning the tunes, and I'd just like to thank everybody.

COUNCILPERSON J. DAVIS: (Unintelligible).

COUNCILPERSON GUYTON: Yeah, it's for coming out and -- and helping one of our residents in need. Um, the Tiki lease, I understand that the City sent the Tiki a letter giving them a time frame to be out. A few people have approached me about whether the City -- and I do support this -- can allow them to stay there until the City start turning dirt. And I'd like to know -- I'd like to ask my colleagues if there's any opposition to allowing the Tiki to stay in business until we actually start turning dirt.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Miss Davis?

COUNCILPERSON J. DAVIS: I would not have a problem with it but I think, um, it need -- it -- we have to give them enough time or specify an end date that gives them enough time to get their stuff, their -- you know, their -- all of their equipment and all of that before construction starts. So, you know, that would have to be -- if they can give us a time frame as to how long it's going to take them to get their equipment and things out, um, then we can give them a date.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: You know, I don't mind extending it, though.

CHAIRPERSON THOMAS: For -- for me, I'll support what --

COUNCILPERSON T. DAVIS: Can I --

CHAIRPERSON THOMAS: -- what that is -- I'll support exactly what Miss Davis said and I don't mind them staying open till we turn dirt. Um, Mr. Davis?

COUNCILPERSON T. DAVIS: Could we have, um, the representatives from Tiki to come to the next meeting and discuss these terms?

CITY MANAGER JONES: (Unintelligible).

CHAIRPERSON THOMAS: Yeah. I don't -- yeah.

CITY ATTORNEY RYAN: You can ask them. You can't make them.

COUNCILPERSON T. DAVIS: I mean, they really -- I mean, this is important to them.

COUNCILPERSON GUYTON: All right. I -- I -- I think the City Manager is -- she's mumbling something down here. Um, and I --

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: -- and maybe --

CHAIRPERSON THOMAS: Uh, you asked the question. So we'll see if they can come to the next meeting.

COUNCILPERSON T. DAVIS: Yeah.

CHAIRPERSON THOMAS: All right. Miss Pardo?

CHAIR PRO-TEM PARDO: Before I make a decision, I want to make sure it's okay with staff. I want to hear, you know, what the City Manager -- if you don't --

CHAIRPERSON THOMAS: Okay.

CHAIR PRO-TEM PARDO: And we need to -- you need to take into consideration the staff, Mr. Legue. You know, what exactly the plans are before deciding tonight. I would rather --

COUNCILPERSON GUYTON: Not a problem.

CHAIR PRO-TEM PARDO: -- you know, if staff could just --

COUNCILPERSON GUYTON: I'm just throwing it out for consideration.

CHAIR PRO-TEM PARDO: Okay.

CHAIRPERSON THOMAS: Yeah. We got it. Go ahead and finish your comments, please, sir.

COUNCILPERSON GUYTON: Okay. So it's -- it's the -- if Miss Jones can get with the other staff and --

CHAIRPERSON THOMAS: Yeah.

COUNCILPERSON GUYTON: -- you know, um --

CHAIR PRO-TEM PARDO: Right.

CITY MANAGER JONES: We'll make a recommendation.

COUNCILPERSON GUYTON: -- get input regarding that request. Um, the marina referendum came up tonight. And -- and as we all know, the judge has compelled us to put it back on the ballot. That's -- that's not an option. He's directed us. Um, there's some discussion about whether -- where is the City, are we going to put it on the ballot and when. So, um, I was wondering if we as a council can do a resolution, um, indicating that, one, we support passage of the marina referendum and that it will be returning on the ballot when Miss Susan Bucher allows us to. Um, so that the public would be aware that that's not an issue that we're not dealing with, but because of our circumstances, we can't deal with it until we get the go-ahead. But this council, before I got on, voted to move forward with the conceptual plan, and there's some that want to know that the position has not changed.

And I'd like to know from the City Attorney if we can do a resolution supporting passage of the marina referendum without advocating for it.

CHAIRPERSON THOMAS: Mr. -- Mr. Guyton, can I ask that you just give that directive to Miss Ryan and let's move -- we're -- we're --

COUNCILPERSON GUYTON: Okay.

CHAIRPERSON THOMAS: -- we're behind so I'm trying to get your comments out.

COUNCILPERSON GUYTON: Good.

CHAIRPERSON THOMAS: Then we can discuss that at the next meeting.

COUNCILPERSON GUYTON: I'm done. This is my last one now.

CHAIRPERSON THOMAS: 'Cause we're -- we're, uh -- we're -- we're -- we're --

COUNCILPERSON GUYTON: Okay. So, what? Um, we're giving Miss Ryan --

CHAIRPERSON THOMAS: Just you can give Miss Ryan that directive.

COUNCILPERSON GUYTON: Okay. To --

CHAIRPERSON THOMAS: To -- to do that, yes.

COUNCILPERSON GUYTON: -- to -- to -- to do the research on that. Okay. Thank you very much. Lastly, um, the -- the referendums that, um, the Mayor has -- has alluded to all night tonight, um, there has been a lot of misinformation. And I see Miss -- Miss McKinney. There's just one question regarding -- I had several people come to me about a leaky roof at -- in the new building we bought. I'd like to know if there is any evidence that there has ever been a leaky roof with this building that we just bought. Could you just answer that? That's all I need to know.

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: I think in our -- now I don't know if this one's on -- I think in our discussions --

COUNCILPERSON GUYTON: Go ahead.

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: -- with staff and then the third-party engineer that the City hired, there was no evidence that the roof had leaked.

COUNCILPERSON GUYTON: At any time?

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: There's no evidence that it had leaked.

COUNCILPERSON GUYTON: Okay. And -- and so I --

COMMUNITY DEVELOPMENT DIRECTOR McKINNEY: That --

COUNCILPERSON GUYTON: -- just want the public to know because part of -- you can sit down now -- part of the Mayor's selling point is we got a rusty, leaky roof and, you know, it's not a good building. And -- and the other thing is that the building was bought in 2003. It's not a tin building. It's not rusty. It's a CBS. It's a brick building. And I would encourage people to go out and take a look.

Um, I would like for my colleagues, since there is a lot of misinformation, could we have staff develop and implement a program to educate the public on this new building?

COUNCILPERSON J. DAVIS: Absolutely.

CHAIRPERSON THOMAS: Yes. And that's a directive.

COUNCILPERSON J. DAVIS: Absolutely.

CHAIRPERSON THOMAS: Yes.

COUNCILPERSON GUYTON: That's a directive.

COUNCILPERSON J. DAVIS: Yes.

COUNCILPERSON GUYTON: Okay. Thank you very much. And the -- the last thing I have for Mrs. -- Miss Ryan, um, the Mayor is trying to increase his veto power, which, when I read it, there was no avenue for us if we chose to override it to override the veto. And my question is -- and maybe you can research this -- does that give him power essentially to veto anything that we have, and he becomes the sole decider of how this City run?

CITY ATTORNEY RYAN: This is the -- you want me to research the issue of what? Of --

COUNCILPERSON GUYTON: The impact of what --

CITY ATTORNEY RYAN: -- the Mayor's referendum?

COUNCILPERSON GUYTON: -- what he's trying to do.

CITY MANAGER JONES: Uh-huh.

COUNCILPERSON GUYTON: Uh, I -- I know that our Mayor loves power. And he's using this building to get people to sign a -- a veto referendum to give him more power. And I have a real problem -- problem with that. So could you research to tell us the impact? Because did you see any avenue for us to override it, his veto, that you looked at?

CITY ATTORNEY RYAN: Um --

COUNCILPERSON GUYTON: That's a yes or no and you can go and research it.

CITY ATTORNEY RYAN: -- I -- I've -- I will research it. But I've read it several times. And, um, the -- the fact that the resolution portion was added to a couple of sentences but not to the entire thing suggests that there is no avenue for the City Council to override his veto on resolutions.

COUNCILPERSON GUYTON: On resolution.

CITY ATTORNEY RYAN: But there is still the avenue to override the vetoes --

COUNCILPERSON GUYTON: On the ordinances.

CITY ATTORNEY RYAN: -- on ordinances.

COUNCILPERSON GUYTON: But most of the things we do are memorialized in resolutions.

CITY ATTORNEY RYAN: That is correct.

COUNCILPERSON GUYTON: So he would become pretty much the sole decider of everything in this city, and -- and I have a real problem with that. So, um, please research that because we need to educate the public, because they're not really being

informed of the consequences of what they're signing.

CITY ATTORNEY RYAN: Absolutely.

COUNCILPERSON GUYTON: And I'm done.

CITY ATTORNEY RYAN: Okay.

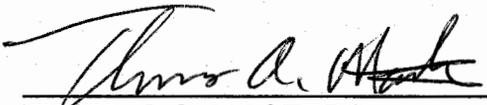
CHAIRPERSON THOMAS: Thank you. Entertain a motion for adjournment.

COUNCILPERSON J. DAVIS: So moved.

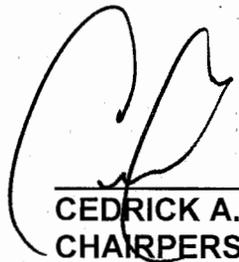
COUNCILPERSON GUYTON: So moved.

(CONCLUSION OF MEETING)

APPROVED:



THOMAS A. MASTERS
MAYOR

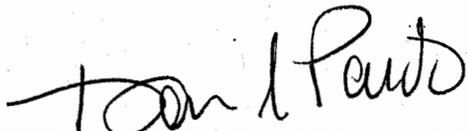


CEDRICK A. THOMAS
CHAIRPERSON

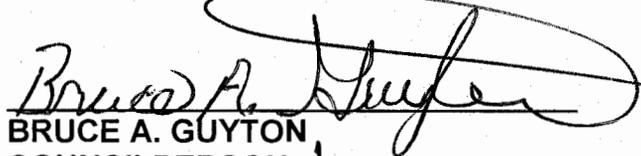
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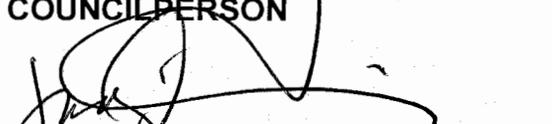
GARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



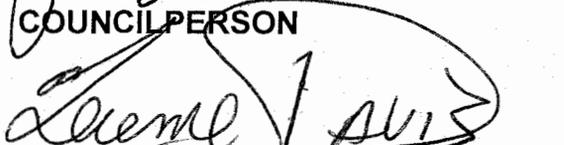
DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: B. GUYTON
SECONDED BY: T. DAVIS

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: 09/04/2013