

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 18, 2013 AT 5:30 P.M.**

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

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM; PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE BEGINNING OF THE MEETING. MEMBERS OF THE PUBLIC SHALL BE GIVEN A TOTAL OF THREE (3) MINUTES FOR ALL ITEMS LISTED ON THE CONSENT AGENDA. MEMBERS OF THE PUBLIC WILL BE GIVEN THREE (3) MINUTES TO SPEAK ON EACH REGULAR AGENDA ITEM. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

CITY CLERK CALL TO ORDER

CHAIRPERSON THOMAS: We'll now call this regular City Council meeting to order. Madam Clerk, would you please call the roll?

ROLL CALL

CITY CLARK WARD: Yes, Mr. Chair. Mayor Thomas Masters? Chairperson Cedrick Thomas?

CHAIRPERSON THOMAS: Here.

CITY CLARK WARD: Chair Pro Tem Dawn Pardo?

CHAIR PRO TEM PARDO: Present.

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

COUNCILPERSON J. DAVIS: Here.

CITY CLARK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Here.

CITY CLARK WARD: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

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

CITY ATTORNEY RYAN: Here.

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

INVOCATION/PLEDGE OF ALLEGIANCE

CHAIRPERSON THOMAS: Thank you, Madam Clerk. Would everyone please stand for a moment of silence, followed by the Pledge of Allegiance led by Ms. Ryan, please. (Everyone stood for a Moment of Silence followed by the Pledge of Allegiance led by City Attorney Ryan).

AGENDA APPROVAL: ADDITIONS, DELETIONS, SUBSTITUTIONS

CHAIRPERSON THOMAS: Okay. Madam Manager, are there any additions, deletions or substitutions?

CITY MANAGER JONES: No. But there is a point of information. It was determined and found out that one of the attachments in item number 15 was missing a couple of pages. And we have changed it in the book in the back and so I would like to give you the corrected copy.

CHAIRPERSON THOMAS: Okay.

CITY MANAGER JONES: Other than that, no additions or deletions.

CHAIRPERSON THOMAS: Okay.

DISCLOSURE BY COUNCIL

CHAIRPERSON THOMAS: Are there any disclosures by Council? Okay. Let the record reflect that Councilman Guyton is in attendance.

CITY CLARK WARD: Thank you.

ADOPTION OF AGENDA

CHAIRPERSON THOMAS: Oh, I'll move for adoption -- I -- I will entertain a motion for the adoption of the agenda.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON T. DAVIS: Second.

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

CITY CLARK WARD: Councilman Thomas?

CHAIRPERSON THOMAS: Yes.

CITY CLARK WARD: Councilman Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLARK WARD: Councilperson Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLARK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLARK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLARK WARD: Unanimous vote.

CHAIRPERSON THOMAS: Okay. We'll move down to the Consent Agenda.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND 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 SEQUENCE ON THE AGENDA.

CHAIRPERSON THOMAS: Is there a motion?

CHAIR PRO TEM PARDO: Motion to accept Consent.

COUNCILPERSON J. DAVIS: Mr. -- oh, I'm sorry. Go ahead.

COUNCILPERSON T. DAVIS: Second.

COUNCILPERSON J. DAVIS: Second.

CHAIRPERSON THOMAS: Okay. It's been properly moved and second. Are there any comment cards? I'll come right to you, Ms. Davis, in just a minute. Are there any comment cards reference to anything on the Consent Agenda?

UNIDENTIFIED SPEAKER: (Inaudible).

UNIDENTIFIED SPEAKER: (Inaudible) comment card?

CITY MANAGER JONES: On the Consent Agenda.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIR PRO TEM PARDO: No. He wants regular.

CHAIRPERSON THOMAS: Right. He wants regular. We -- we understand him. Anything for Consent? Anybody in the audience wishing to speak on Consent? Okay. Are there any questions/concerns from the board regarding Consent?

CHAIR PRO TEM PARDO: Mr. Chair, I'd like to pull item 8.

CHAIRPERSON THOMAS: Okay. All right. Hearing nothing else, Madam Clerk.

CITY CLARK WARD: Councilperson Thomas?

CHAIRPERSON THOMAS: Yes.

CITY CLARK WARD: Council Chairperson Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLARK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLARK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLARK WARD: Councilperson Terence Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLARK WARD: Unanimous vote.

CHAIRPERSON THOMAS: Okay. Item 8.

MINUTES

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, NOVEMBER 6, 2013.

2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD, NOVEMBER 20, 2013.

RESOLUTIONS

3. RESOLUTION NO. 168-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING FUNDING IN THE AMOUNT OF \$83,400 FOR THE CONTINUATION OF REENTRY SERVICES; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE

SAME; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

4. RESOLUTION NO. 169-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA AND THE CITY OF RIVIERA BEACH, FLORIDA; ACCEPTING FUNDING IN THE AMOUNT OF \$132,350 FOR THE CONTINUATION OF REGIONAL AND STATE TRANSITIONAL OFFENDER REENTRY (RESTORE) INITIATIVE; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET FOR THE SAME; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 170-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING A PUBLIC UTILITIES EASEMENT WITHIN THE MARINA DISTRICT UPLANDS AREA DESCRIBED HEREIN, WHICH IS REQUIRED TO PROTECT AND AFFORD ACCESS TO EXISTING UTILITIES AND ALSO TO FACILITATE FUTURE DEVELOPMENT OF SAID AREA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE EASEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY AND RECORDING; AND PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 171-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CHANGE ORDER AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$134,127.17 TO MURPHY CONSTRUCTION COMPANY, INC., FOR THE CONSTRUCTION AND INSTALLATION OF A FIXED FUEL DOCK; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENTS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

7. RESOLUTION NO. 172-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF STANDARD CITY DECORATIVE STREET LIGHTS FOR WEST 13TH STREET FROM MUNICIPAL LIGHTING SYSTEMS, INC. OF LAKE WORTH, FLORIDA, BEING A SOLE SOURCE PROVIDER OF THE SYSTEM IN THE AMOUNT OF \$191,308.19; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR THE SAME FROM ACCOUNT NO. 303-1127-541-0-6351; AND PROVIDING AN EFFECTIVE DATE

8. RESOLUTION NO. 173-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING CHANGE ORDER NUMBER ONE AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$213,627.82 TO B&B UNDERGROUND CONTRACTORS INC. FOR CHANGES IN THE ORIGINAL SCOPE OF WORK TO PROVIDE INSTALLATION OF THE CITY'S DECORATIVE STREET LIGHTING SYSTEM ON WEST 13TH STREET BETWEEN WEST 13TH COURT AND AVENUE R; AUTHORIZING THE DIRECTOR OF

FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 303-1127-541-0-6351; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. Ms. Davis?

COUNCILPERSON J. DAVIS: Yes, sir, Ms. -- Mr. Chair. Just some preliminary questions. I can't remember exactly when we approved the contract for the bid. So if, Ms. Jones, you can just tell us what we started out with the original bid and -- and what the cost breakdown is as to how we were able to accomplish, you know, getting the lights and all that.

CITY MANAGER JONES: Okay. I will ask Brynt Johnson, the Public Works Director to come forward. The original resolution that was approved for this item was for an amount of \$1,691,197 plus the appropriate contingency of 15 percent that took it to a \$6.2 million. That was the original approved amount for this project which includes lighting along the new 13th Street corridor from Old Dixie to Avenue R. This change order here is to install decorative lights so that the lights from Broadway all the way down 13th will be exactly the same. Mr. Johnson may be able to tell you how we were -- if there's any other questions as it relates to the cost.

DIRECTOR OF PUBLIC WORKS JOHNSON: Good evening, Council.

COUNCILPERSON J. DAVIS: Good evening.

DIRECTOR OF PUBLIC WORKS JOHNSON: Brynt Johnson, Director of Public Works. Basically what happened with this was the engineer's estimate for construction was higher than the actual bid that came in. So that basically allowed us additional funds to be able to go back and revisit the installation of -- of lights.

COUNCILPERSON J. DAVIS: So the engineer's cost estimate was what amount? Do you remember?

DIRECTOR OF PUBLIC WORKS JOHNSON: That, I don't remember. I don't remember what their estimate was.

COUNCILPERSON J. DAVIS: Okay. So in the future, I -- I'd just like to have the entire package of information, you know, so that, you know, the audience understands how we're -- we're doing this, and -- and plus I understand how it's done, because you know, we can't remember what we did, like, five or six months ago. At least I can't.

DIRECTOR OF PUBLIC WORKS JOHNSON: Right.

COUNCILPERSON J. DAVIS: So in the future, if you would do that so that we can keep track of, you know, what we're doing.

DIRECTOR OF PUBLIC WORKS JOHNSON: Will do.

COUNCILPERSON J. DAVIS: Thank you very much.

DIRECTOR OF PUBLIC WORKS JOHNSON: You're welcome.

CHAIRPERSON THOMAS: Any other questions?

CHAIR PRO TEM PARDO: Mr. Chair, yes, I have a question.

CHAIRPERSON THOMAS: Ms. Pardo.

CHAIR PRO TEM PARDO: So what's the difference in price between the decorative lighting and regular lighting? You know, it's not like this is a residential neighborhood.

DIRECTOR OF PUBLIC WORKS JOHNSON: Right.

CHAIR PRO TEM PARDO: We're putting decorative lighting in an industrial area.

DIRECTOR OF PUBLIC WORKS JOHNSON: Uh-huh. Well, the cost difference, I really can't say off the top of my head. We didn't really price regular lighting. The plan was just to leave the existing lights.

CHAIR PRO TEM PARDO: Right.

DIRECTOR OF PUBLIC WORKS JOHNSON: And just do any setbacks that we needed to do with the existing lights so we didn't price any FP&L standard lights.

CHAIR PRO TEM PARDO: Okay. So is there a reason besides just trying to be consistent with Old Dixie why we're putting these lights in the industrial area? I can see them in residential. But in the industrial area? Do we really need them? And will they be as bright as a regular FPL light would be?

DIRECTOR OF PUBLIC WORKS JOHNSON: Yes.

CHAIR PRO TEM PARDO: You know, I'm just -- just --

DIRECTOR OF PUBLIC WORKS JOHNSON: Well, we've done -- we've done photometric studies and the lights will meet the same standard.

CHAIR PRO TEM PARDO: All right.

CHAIRPERSON THOMAS: Okay. Are there any other questions? Madam Clerk?

CITY CLARK WARD: Councilperson Guyton? Councilperson T.D. Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLARK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLARK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLARK WARD: Chair Thomas.

CITY CLARK WARD: Yes.

CITY CLARK WARD: That vote passed with Councilman Guyton out.

CHAIRPERSON THOMAS: Okay. Awards and Presentations.

9. RESOLUTION NO. 174-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDS FROM PALM BEACH COUNTY 911 EMERGENCY MANAGEMENT IN THE AMOUNT OF \$100,050 TO PROVIDE FOR A GRANT REIMBURSEMENT OF PUBLIC SAFETY ANSWERING POINT (PSAP) OPERATIONS; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO INCREASE THE 2013-2014, 911 GRANT BUDGET FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.

10. RESOLUTION NO. 175-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ADOPT AND GOVERNOR RICK SCOTT TO SUPPORT LEGISLATIVE CHANGES PROVIDING REGULATION OF RECOVERY RESIDENCES/SOBER HOUSES IN THE FORM OF STATE-WIDE REGISTRATION; PROVIDING FOR AN EFFECTIVE DATE.

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING

AWARDS AND PRESENTATIONS

11. PRESENTATION BY THE 2014 DR. MARTIN LUTHER KING, JR. COMMITTEE MEMBER.

CHAIRPERSON THOMAS: Who -- who's responsible for doing the presentation for --

CITY MANAGER JONES: I believe that was someone that was -- is Rose Anne Brown out there?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Maybe go to the next one.

CITY MANAGER JONES: Yeah. So as not to prolong the time, let me go through the activities. The purpose of this presentation was in order to let the residents know all of the activities that was taking place during our Martin Luther King Jr. celebration. This will be the 30th year that the city will be celebrating the birthday of Dr. Martin Luther King. And we are very pleased to have a full lineup. And not only a full lineup but also a couple of new activities. We have expanded the committee. There have been more community residents on the committee. We have been fortunate to have Councilman T.D. Davis as a regular member of this committee. He volunteered to do that. And so we would just like to share with you tonight and to the -- with the residents the list of activities that will be taking place.

The theme for this year's Martin Luther King celebration is, He was the dreamer; we are the dream realized. Thirty years of working and succeeding together. Our first event will be a kickoff candlelight vigil on Thursday, January the 2nd, 2014. And that will be at 6:30 p.m. here in the council chambers. The second event will be the Youth Riviera Beach Idol. So we will have our own -- instead of "American Idol," we'll have the Riviera Beach Idol contest. That'll be Friday, January the 10th, 2014, at 7:30 at Tate Recreational Center. First- and second-place prizes will be awarded for the best talent. I'm glad I'm not a judge for that.

On Saturday, January the 11th, 2014, at 8 a.m., we will have a Community Service Day. We know that Martin Luther King was more concerned about a day on rather than a day off. And community service was very important to him and so we have now included in our activities a community service day on that Saturday starting at 8 a.m. and volunteers will meet at City Hall and we will perform minor repairs to selected residents' homes in the City of Riviera Beach. So it's a way for the residents, the community and the employees to give back in a community service day.

And also we have always enjoyed and looked forward to our senior citizens luncheon. Once again, that luncheon will be held Thursday, January the 16th, 2014, at 12 p.m. as the final event forever in the current Newcomb Hall. Our Gala Parade will be Saturday, January the 18th, starting at 11 a.m. and we have extended invitations to many of the organizations, the local schools and we're looking forward to decorative floats and buses and vans, and so we are encouraging everyone to come out and participate with us in our Gala Parade.

The new event that I would like to talk about is an award and musical banquet. This banquet will be held Saturday, January the 25th, 2014, at 7 p.m. at the Doubletree Hotel in Palm Beach Gardens. This is the first time that we have had this musical award and banquet. We will honor outstanding persons in the community that will be nominated and will receive awards.

We are so pleased to have for this event Dr. Cornel West as the speaker. He is a renowned educator, theologian and, unfortunately, there's only about 250 tickets.

They're \$25 so they are going to go quickly. So we would encourage our residents that -- and businesses that would like to purchase tickets to please do so and they will be available at the Utility Billing desk. The dress attire is formal and the colors are black and red. Once again, that's \$25 per person and Dr. Cornel West will be our speaker and it will be emceed by Angela Rozier [phonetic].

So we are really pleased with a new lineup, new activities. And we encourage all of our residents, our businesses and our employees to come out and join us in our 30th celebration of the birthday of Dr. Martin Luther King, Jr.: He was the dreamer; we are the dream realized. Thank you, Mr. Chair.

CHAIRPERSON THOMAS: Thank you. Any questions on that presentation? Okay. I'm just going to make a quick comment. I'm not very happy about it moving to another city. But if that's what was decided among the committee, I'm believing that that's what needs to happen. But I'm -- I'm not excited about it being in another city. Okay. We're going to go to 12.

12. PRESENTATION BY THE RIVIERA BEACH EDUCATION COMMITTEE 2014 SCHOLARSHIP DATES, GOALS, AND PROCESS.

ROSE ANNE BROWN: Good evening.

CHAIRPERSON THOMAS: Good evening.

ROSE ANNE BROWN: City Council, City Manager, City Attorney and all these other staff. And I am Rose Anne Brown, co-chair of the Riviera Beach Education Advisory Committee. I -- I do want to digress just a minute and say, Mr. Thomas, Chair Thomas, that's why we have to hurry up and get things going at the marina so we'll have a place in our city that's going to be big enough to do all these things. So we're looking forward to that.

The Riviera Beach Education Advisory Committee had a two-part presentation that you will only receive part of it -- the first part of it tonight because our chairperson has been under the weather for a few weeks now. And before making her presentation on the direction that we're asking you to support for the Education Committee in 2014, you will receive a written report so that you'll have something to look at before we talk to you.

But I did want to talk to you this evening about the scholarship program. We have made every effort this year to make sure that next year's scholarship program gives you a lot more to work with. I know you get questions about the scholarship program and we haven't provided the answers in advance. We wanted to do that this time to assure you also that the -- it will be in a much timely manner and to give you the dates so that you will also be aware. And as people ask you questions, then you'll be able to respond to it.

There's a couple of major changes this year in the scholarship application in that applicants are required to provide proof of residency. There have been some questions in the past about perhaps someone may have manipulated the system. And we had

originally said that proof of residency may be required. This year, in next year's and a going-forward basis, proof of residency will be required in order to be considered. Additionally, we had had some young people who were not enrolled full time. So they were asking to have their monies held over until the January term. This time there's a stipulation in there that says you must be a full-time enrolled student by September 30th to be awarded these scholarship funds.

We found that it has been problematic for Finance trying to hold the funds that long so we may have some unhappy applicants because if they don't start their school term full time until January, then they will forfeit the scholarship that they may have won. We have also provided a one-pager for you all that includes the major qualifications to receive a -- to qualify for a scholarship. Also, the dates. The application period is January 15 through March 31st. The application deadline will be 5:00 p.m. on March 31st. We're asking also that the applications be delivered to the city manager's office in a sealed envelope. And no staff person will be going through the envelope before it gets to the Evaluation Committee.

At -- evaluations will be done during the month of April and that is because -- we are extending that period because from time to time it -- we really need to have time to have perhaps an interview with -- you may have three or four students kind of in the same spot and you -- and interview may be required to break the tie. And the presentation ceremony is scheduled for Friday, May 16th, 2014, and that's at 6:30 p.m. So hopefully this will make it a lot better for you as far as the planning and your insight into the program, be able to answer questions a lot easier as they come to you. And if you have additional questions or additional suggestions that need to be incorporated before the application period opens on January 15th, I'd love to hear them.

CHAIRPERSON THOMAS: Okay. Thank you. Any questions for -- yes, ma'am, Ms. Davis?

COUNCILPERSON J. DAVIS: Yes, sir. As the public and my colleagues know, my niece and nephews usually receive a scholarship from the City. And one in particular, the -- the nephew that attends Juilliard. There is always a problem with them publishing his schedule indicating he's a full-time student. Why that is, I don't know. My -- my sister has constantly been in contact with them to try and get them to -- to change their methods but to no avail. So you know, I'm not one trying to change your rules or anything but just to put that out there. If you maybe can help us and talk to us -- talk to Juilliard about what the problem is, that would be appreciated. Thank you.

ROSE ANNE BROWN: What we've found -- this year we'd asked them to have their proof of enrollment in by September 4th.

COUNCILPERSON J. DAVIS: Uh-huh.

ROSE ANNE BROWN: What we -- and -- and for next year if you look at this draft application, that has been extended to September 30th.

COUNCILPERSON J. DAVIS: Okay.

ROSE ANNE BROWN: And hopefully that will be enough time for -- there were even a couple of young people whose term, full-time term was not starting until mid October.

COUNCILPERSON J. DAVIS: Uh-huh.

ROSE ANNE BROWN: However, they were able, by the end of September, to get proof of enrollment. But now, no one's trying to deny --

COUNCILPERSON J. DAVIS: Uh-huh.

ROSE ANNE BROWN: -- a student money.

COUNCILPERSON J. DAVIS: I -- I understand.

ROSE ANNE BROWN: So if --

COUNCILPERSON J. DAVIS: Uh-huh.

ROSE ANNE BROWN: -- there is just a matter of them being able to get their proof of enrollment a couple weeks later, then we're going to work with them because we don't want to have money left over.

COUNCILPERSON J. DAVIS: And -- and --

ROSE ANNE BROWN: .You know, we're always asking for more money so you know we don't want to have any left over.

COUNCILPERSON J. DAVIS: Yeah.

ROSE ANNE BROWN: So we will work with these young people in whatever manner that we can as long as it's fair to other young people.

COUNCILPERSON J. DAVIS: Uh-huh. And if they meet all the other criteria.

ROSE ANNE BROWN: Oh, they have to meet all of the other criteria.

COUNCILPERSON J. DAVIS: Absolutely.

ROSE ANNE BROWN: Otherwise they wouldn't even be in the -- providing proof of enrollment.

COUNCILPERSON J. DAVIS: Okay. Thank you, Mr. Chair.

COUNCILPERSON T. DAVIS: Mr. -- Mr. Chair?

CHAIRPERSON THOMAS: Mr. Davis?

COUNCILPERSON T. DAVIS: Ms. Brown, does the committee require that each student that is applying for this scholarship to be attending or enrolled in an accredited school or -- versus a non-accredited program?

ROSE ANNE BROWN: (No audible response).

COUNCILPERSON T. DAVIS: 'Cause some schools that -- there's a lot of online programs. There's a lot of schools you can -- you can go to online and be enrolled in.

ROSE ANNE BROWN: Uh-huh.

COUNCILPERSON T. DAVIS: And they're not accredited. And they -- you know, they're just some company out, let's say, in Colorado somewhere, some other city that has a school and you're going to school and you don't even get a degree.

ROSE ANNE BROWN: Uh-huh.

COUNCILPERSON T. DAVIS: So my question is are we looking into that point? That way we make sure that our students are going to accredited schools as we invest these dollars into our youth in our community, make sure they're getting the right direction, the right guidance through this process. You know?

ROSE ANNE BROWN: That had not been an issue in the past because it was always schools that were recognized.

COUNCILPERSON T. DAVIS: Yeah, state.

ROSE ANNE BROWN: You recognized the name of the school. However, before January 15th, we can add "accredited" to -- we can add the word "accredited" --

COUNCILPERSON T. DAVIS: Uh-huh.

ROSE ANNE BROWN: -- to the application.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: Okay. Just to piggyback off of what Mr. Davis said, let's make sure that we don't open up a can of worms because there's different accreditations.

COUNCILPERSON T. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: Some of these schools may be -- they might want to be a nurse or a -- some schools that are not traditionally your -- accredited by SACS or, you know, your northern association. So I mean, I understand what Mr. Davis is saying and I -- I support that concept. But I just want to make sure that we don't disclude [sic] somebody who may decide that they want to go to be a phlebotomist or taking up one of the technical schools or something to --

COUNCILPERSON T. DAVIS: Right.

CHAIRPERSON THOMAS: -- to -- to get that trade. So I understand where he's going and I support that initiative. But I also don't want to -- to block out individuals who may need that assistance to help with a technical or trade school, as well.

ROSE ANNE BROWN: I can assure you if there appears to be an issue, that the committee would be willing to go the extra mile. If it's not a school that the name is easily recognized, that we will take that direction and make sure that we go the extra mile to confirm the legitimacy, if you will, of the school.

CHAIRPERSON THOMAS: Right. Okay. Are there any other questions? Thank you, Ms. Brown. We appreciate it.

ROSE ANNE BROWN: And we thank you all for continuing in this education scholarship program. We're rapidly approaching almost \$300,000 that you will have appropriated to young people to continue their education. It's one of the best things that you do and we salute you.

CHAIRPERSON THOMAS: Beautiful. Thank you. Great presentation. Item 13.

13. PRESENTATION REGARDING ONLINE LIENS SEARCHES.

DIRECTOR OF FINANCE & ADMINISTRATIVE SERVICES SHERMAN: Good evening.

CHAIRPERSON THOMAS: Good evening.

DIRECTOR OF FINANCE & ADMINISTRATIVE SERVICES SHERMAN: Randy Sherman, Director of Finance and Administrative Services. As you all know, the City issues liens for a number of purposes. Whether they're delinquent utility bills, code enforcement liens, lot clearing liens. Even a demolition lien. But we issue a number of - - come on. Oh, good, there we go. Different types of liens. What we found was that when we needed to do a lien search, we needed to go to a number of different places to try to get that information.

It was taking us a lot of time to be able to respond to lien searches. And with the number of properties that are turning over now, it was getting worse and worse as we went. So we literally have spent the last nine months creating a lien database that has brought all of this information into one large database that now we'll just to maintain it all in one pot. So we took all the great information the City Clerk had, the information from Code, Utilities. And with the help of your staff -- Laura Hanson has been a tremendous help -- we've actually been able to create this lien database.

And these are the points that we actually have on the database. The property owner, physical address and legal description are actually off the PAPA system, so those are tying right into the Property Appraiser's system. And the book and page is actually on the Clerk of the Court. So if somebody actually wants to go back to the source

documents, they could actually go back to that. But the exciting part of this is where we're going from here. What we're going to do is we're going to take this information and feed it through a system called Conduits and make it available online so title companies, escrow companies, closing agents, they all can actually have access to this information 24/7. Okay? They won't have to contact us anymore. They can go, they can do it. If a closing gets delayed, they can just go back out and get the new numbers.

I would have loved to have given you a live demonstration because our data isn't out there yet. What I did, this is a screen print from Boynton Beach. And when someone signs into the online system, this is what they're going to see. Obviously it'll say "Riviera Beach" on it. But there'll be two data points that they can search on, primarily the property control number or they could actually use the physical address as is in the Property Appraiser's system. Once they click "Find" -- they fill it in and click "Find It," the next thing that comes up is a report on that property.

And if you can see -- and I'll try to walk you through it. Hopefully you can see this. Up here this is a three-page report. And again, this is off of a Boynton Beach lien, but it's three pages up here. You'll have your information about the property here. And what this is telling me is that there are currently seven liens on this property. And it gives me the information on each of those liens. When I go over to the second page, again here's 5, 6 and 7. What's interesting what Boynton Beach does -- and again, we'll work towards this over time -- here's the information at the bottom of the page as far as what their current utility bill is. So there may not be a lien for this utility 'cause it's, you know, current accounts. But it will tell them what the utility is. We will also have current code violations. So whether they're a lien or not, it will indicate that there is a current code violation if it exists. And then on the third page of this particular report it actually gives you the detail of the utility account. So it only tells you the balance on the first page. If you're curious what that balance is, it'll give you all the detail over here.

One other thing that I will point out on this page is -- if I can find my cursor again -- is right here. This report is costing -- let's say this title company -- \$115. Currently we charge \$45 for a lien search, so we'll be bringing you a rate resolution back in January to bring our rates up where the market is. Most communities are now charging in the 115-\$125 range. And we are charging \$45. And again, we are putting in hours and hours of manual labor and getting \$45 for it. So again, we will maintain the database. The database will be uploaded every night. People can go in so it'll be a constant refreshed, you know, information. And people can go out multiple times.

If the City wants to go out and actually look up information, for example, you know, Ms. Ryan wants to go out and look up something or Community Development wants to look -- it's free to us. It does not cost us anything. So if someone comes to the window and wants us to do a lien search, we literally could go click, click, click, 115, \$120, whatever we set the rate at, and we're done. And that's how fast this will move. 'Cause ultimately at the end of the day when you're done, what is generated is this type of report. And what this report does, again, it'll give you your -- and this doesn't match up with the other one. It's a different client. But it tells you what the date was of the lien. It tells you the amount of the lien, how much interest has been accruing on the lien. And it actually

gives you right here a pay-off date. So people will actually be able to go online, create this report, print it and walk into the office and say, Here's the report. Here's my check, and we're done. We wait for the check to clear. We issue the satisfaction and we're on our way. So that's -- that's the process. Again, we'll bring back to get the rates changed in January. And then shortly after that we should be up and running.

CHAIRPERSON THOMAS: Okay.

PUBLIC HEARINGS

CHAIRPERSON THOMAS: Let me take two cards. And as it states on the card, I'll accept them today. That once the item is read, we do not accept Public Comment cards. But since they're put in and there are only two, we'll take them. First up will be Lloyd --

LLOYD BROWN: Brown.

CHAIRPERSON THOMAS: -- Brown? Okay. It just has Lloyd on here. Good evening, Mr. Brown. You have three minutes to make your comments.

LLOYD BROWN: Good evening. You know what? I can understand what this fellow here is saying. But when you're fair --

CHAIRPERSON THOMAS: Excuse me one second. I need whoever's keeping the clock to -- go right ahead, sir.

LLOYD BROWN: Okay. When you're fair you're fair. I hear him saying these liens. You know, I can understand the water bill lien on that. But like, you got these Code Enforcement people. Like, when they go around, they'll skip houses. You know, we fought for, like, equal rights back in the '60s, you know, where you didn't discriminate. When you got a man looking at your yard and then right down the street the same yard, and then you want to talk about putting liens on an individual, I mean, like me, I'm going to tell you. You can put all the liens you want to, as long as you're liening other people that I see in the neighborhood. I mean, that should be revised, this Code Enforcement. You give them the authority, like, a police officer. These people aren't police officers.

But I done had contact with several people. I mean, the first lady that comes out, it's a house down the street from me on the next block. It was work being done like you talking about these liens that they do. It was work being done. So she came up to the individual and she said, "You know, you don't have a permit for this. If you don't get a permit or whatever, we're going to make you stop doing this and then we're going to put a lien because it's not right." So when this individual told them that one of the building guys was doing the work, this individual who was on the Code Enforcement got in the vehicle and pulled off and let it go. Now, see, I had a house built and I know this shouldn't be right but they weren't there when it was being built because I can't get no insurance right now. I can't get any insurance on it. And I'm not even going to try.

Like, it's got roof -- my roof is tearing up in the middle. But what I'm trying to say, they weren't there then. Now since the house is built -- and if it's not properly built, you got everybody messing with me. Just fine me because I'm not moving. And it's like this. I'm going to the county commission and I'm not going to pay taxes on that property, not to Riviera, not to West Palm, not to Florida, until somebody come in there with, I mean, some kind of consideration for the screwed-up job they did. Somebody come in there and see it and say something instead of coming, Oh, yeah. Yeah. I can see it. But then they leave and you don't hear nothing from them. I'm not paying no taxes. I'm not going to pay not a darn tax. I mean, I might as well take that money and fix the door on my car and give it to my friend. I mean, you know, why should I give it to y'all? I was a soldier in the military. I could have died.

I'm not going to give my V.A. benefits taxes to people who don't even represent. I mean, you don't even represent. I mean, Abraham Lincoln said, "For the people, by the people," and all that. That's B.S. here. I mean, I'm sorry to say it like that but I mean, y'all look real nice sitting up there. But you know, looks are deceiving. I mean, I only got help from really one individual up there. And I'm not even gonna say who she was because if I do, then everybody else know they toes are gonna be stepped on. But I don't really care if they are because you failed me. But, like, the little cracks that's in my roof right now, every night I go there. I sit right underneath them. So when it fall, whoever forgot to do the inspection, it's going to fall right on them. That's all I gotta say. I don't have to say anything else. I don't need you to come over there or nothing. I'm going to the county and that's it.

CHAIRPERSON THOMAS: Okay. Thank you for your comments. Reverend Burrs? Good evening, sir. You have three minutes to make your comments.

REVEREND BURRS: Good evening, Mr. Chairman and Council. Not so much concerning myself, I would like to have heard the rest of his comments concerning this as far as these liens and etc. Because I think I heard -- if correctly, about putting this in the computer, which is right. I know new technology comes along and you got to follow the trend. But are you considering -- not me -- considering the senior citizens, which I am one but this doesn't cover me -- that do not have computers and not able to go in to access this information to learn about their property may have been -- liens been placed on it. And if they come over here they said -- I think they said, if I'm correctly -- I just got here -- that the price may increase to X amount of dollars or whatever the case might be, a random -- and some of these peoples may not could afford it. If -- I think I heard him say \$125 or something in that neighborhood. Y'all correct me if I'm wrong.

But are we considering these type people when we're talking about these liens on their property and etc.? Because the lien go on their property. They may not know it. They can't go in the computer; they don't have one. Come over here; they may not have \$125. I think some years ago this used to go through the City Clerk's Office, was very minimum as far as the people's concerned, to find out concerning their liens on their property.

So is -- you have some kind of backup to help these peoples when the lien goes on their property or how they can find out without going through computer or are you going to send them some type of warning to let them know this? This need to happen so we need to consider our senior citizens who may not -- and maybe there's some other peoples who not senior citizens may be in that category who don't have computers yet, so please consider these peoples when you pass these -- these -- these ordinance or whatever to -- as far as liens are concerned on people's property. Thank you.

CHAIRPERSON THOMAS: Okay. Thank you. Madam Manager?

CITY MANAGER JONES: Yes, sir. I just want to assure the residents that the customer service that we have been providing our residents as it relates to information will continue. Like he mentioned, if I wanted to pull it up, if the Clerk's office wanted to pull it up, Legal, any of us wanted to pull information up to assist a resident, we will continue to do that. So they will not be charged for that. This is when we have -- property has been turning over left and right in the last few years. Whether it's from foreclosure or whether it's from purchases. And title companies are wanting to move very quickly if they're doing a short sale. And so this will assist them in being able to get their lien information as it relates to any purchases that they might do a lot faster.

CHAIRPERSON THOMAS: Okay. All right. Are there any questions from the board. All right. I'm going to just state this and this is not directed at anybody. But you know, I have a complaint on my desk right now in reference to some of these things. It may become a time where we might need to enact some policy that our inspectors or whoever shouldn't do -- shouldn't do outside work for these. You know, Mr. Brown is not the first person to come up and say something about that. And I'm not saying that I'm trying to control the actions outside of employment, ours, for these individuals. But it just does seem kind of -- well, it just seems bad, you know?

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: You know, on that if you have the person that's inspecting that also doing the work -- not saying that they are not going to pass themselves on the work that they've done. It's just -- it just doesn't seem like it's a real check-and-balance system. So I don't know what we need to do to kind of alleviate that issue, but it does need to be looked at, because this is not the -- this is not the first complaint that we've received with that. You wanted to say something else, Madam Manager, or --

CITY MANAGER JONES: Oh. And I wanted to say that I -- I -- I definitely agree with you. And what we are finding is that under the previous administration over Buildings and Inspections, that this did occur. Under the new administration, I sat with him personally and told him I did not want this ever to happen again. And so we are working and Ms. McKinney is working to ensure that that is not currently happening.

CHAIRPERSON THOMAS: Okay. Any other questions/concerns from the board?

COUNCILPERSON GUYTON: Yeah. Mr. Chair?

CHAIRPERSON THOMAS: Mr. Guyton.

COUNCILPERSON GUYTON: Just for clarification, 'cause this is my first time hearing something to that effect, that the person who may do the inspection on the City side may be working on the home that they're inspecting on their own time?

CHAIRPERSON THOMAS: Yes. Yes.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: That's a conflict --

COUNCILPERSON GUYTON: That is clearly a conflict of interest.

COUNCILPERSON J. DAVIS: Absolutely.

CITY MANAGER JONES: It is. It is.

COUNCILPERSON GUYTON: I mean, no if, ands or buts about it. And if we need to enact a policy or an ordinance or -- I'm sorry, we need to do that. So I would hope that we don't let this kind of dissipate from our tension, because that could create liability to the City, as well. That is a problem. So I would hope that we would address that, like, immediately.

CITY ATTORNEY RYAN: Mr. Chair?

CHAIRPERSON THOMAS: Okay. Ms. Ryan.

CITY ATTORNEY RYAN: We do have an outside employment policy, which should address it. I mean, we -- we've enacted that policy last year. In addition to it being an ethics issue --

COUNCILPERSON GUYTON: Yes.

CITY ATTORNEY RYAN: -- it is definitely a violation of the Palm Beach County Ethics regulations to do that. But also, the City has an outside employment policy which requires every employee who has a job of any type outside of the city to get an approval from their department director. So if that's not being done, it just -- it needs to be enforced in every department.

CHAIRPERSON THOMAS: I gotcha.

COUNCILPERSON GUYTON: And, Mr. Chair?

CHAIRPERSON THOMAS: Ms. Davis?

COUNCILPERSON J. DAVIS: Yes, Mr. Chair. And I -- I totally agree with everything that's been said. And -- but I just also have to say that the homeowners also have a responsibility, a part in this, and they play a role in this. You know, to hire a city

employee to do the work is -- I mean, that's kind of a conflict, also. So -- and I'm not letting the employees off the hook. I think mainly it's us and we need to enforce -- prohibit that kind of activity.

CHAIR PRO TEM PARDO: Immediately.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON GUYTON: Yeah.

CHAIRPERSON THOMAS: Also, what I would like to add, if there's a violation that's happening on the street, I've said this in several meetings that in the public's mind, they believe that we get this information. They believe that we get this information real time and we should know what's going on. That's not what's happening. But we do need to find a way so that this information does get monitored. If someone is building something that does not have a permit, yes, absolutely we need to act. But we need to be able to make sure that the public know that is we are acting on that.

I heard Mr. Brown -- not to pick on Mr. Brown, but I heard him say things like, Code Enforcement is looking at this house but not looking at the house next door or the one down the street. I can assure him that that's probably not correct. They're probably looking at them all but they may be active with those particular cases.

COUNCILPERSON J. DAVIS: In different stages.

CHAIRPERSON THOMAS: They may be being addressed at a different --

COUNCILPERSON J. DAVIS: Stage.

CHAIRPERSON THOMAS: -- level, you know? They have days to correct and -- and those type of things. What may need to take place is a Code Enforcement information session. Even if it's just recorded and played on channel 18, people need to understand the -- the process of what's going on and how they can become active in it. So I just want to make sure that the public is getting clarification on that. He's not the only one. I have neighbors knock on my door and, you know, say, Hey, listen. This house is not getting addressed, or, you know, they may be bank owned. Nobody may live there. You know, we may be having to go through the process before we can cut it or -- so it's a whole lot of things that -- that go into that. And we want to make sure that our residents are, you know, feeling like they have the information that they need. Okay. If there's nothing else, we're going to move to item 14.

ORDINANCES ON SECOND READING

14. ORDINANCE NO. 4038 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REVISING THE CITY OF RIVIERA BEACH'S CODE OF ORDINANCES LAND DEVELOPMENT REGULATIONS FOR THE COMMUNITY REDEVELOPMENT AREA BY AMENDING CHAPTER 31, "ZONING", ARTICLE I, "IN GENERAL", SECTION 31-1,

"DEFINITIONS" BY ADDING DEFINITIONS; AMENDING CHAPTER 31, "ZONING", ARTICLE IV, "NONCONFORMING USES" ADDING SECTION 31-80, "NONCONFORMITIES IN THE DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DIVISION 1, "GENERALLY", REVISING SECTION 31-96, "DESIGNATION OF DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", DELETING DIVISION 24, "IHC INLET HARBOR CENTER OVERLAY ZONING DISTRICT" AND ADDING DIVISION 26, "DOWNTOWN ZONING DISTRICTS"; AMENDING CHAPTER 31, "ZONING", ARTICLE VI, "SUPPLEMENTAL DISTRICT REGULATIONS", REVISING SECTION 31-543, "CHURCHES"; AMENDING CHAPTER 29, "STREETS AND SIDEWALKS", ARTICLE II, "CONSTRUCTION", DIVISION 2, "STREETS", SECTION 29-65, "STREET DESIGN STANDARDS FOR THE COMMUNITY REDEVELOPMENT AREA" AND ADDING SECTION 29-66, "RELOCATION AND USE OF PUBLIC RIGHTS-OF-WAY"; AMENDING THE CITY'S ZONING MAP TO INCLUDE THE NEW DOWNTOWN ZONING DISTRICTS WITHIN THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; SPECIFIC AUTHORITY IS HEREBY GIVEN TO CODIFY THIS ORDINANCE AND THE EXHIBITS; AND PROVIDING AN EFFECTIVE DATE.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON J. DAVIS: So moved.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. I don't have any comment cards?

CITY CLARK WARD: None.

CHAIRPERSON THOMAS: All right. Are there any questions from the Board? Madam Clerk?

CITY CLARK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLARK WARD: Councilperson T.D. Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLARK WARD: Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLARK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLARK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

CITY CLARK WARD: Unanimous vote.

CHAIRPERSON THOMAS: Ordinances on First Reading, item 15.

ORDINANCES ON FIRST READING

15. ORDINANCE NO. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUBMITTING TO THE CITY ELECTORS A PROPOSED AMENDMENT TO THE CITY CHARTER AMENDING ARTICLE VII, SECTION 3.5 ENTITLED "CITY MARINA PROPERTY" BY KEEPING CITY OWNERSHIP OF THE MARINA BUT REMOVING CERTAIN USE RESTRICTIONS ON THE MARINA AND SUBMERGED LANDS AND THE RESTRICTION THAT MARINA PROPERTIES, NEWCOMB HALL, SPANISH COURTS AND BICENTENNIAL PARK SHALL BE OWNED, MANAGED, AND OPERATED SOLELY BY THE CITY OF RIVIERA BEACH; PROVIDING THE REQUISITE BALLOT LANGUAGE TO BE PRESENTED AT THE SPECIAL ELECTION TO BE HELD ON MARCH 11, 2014; PROVIDING FOR NOTICE OF THE ELECTION; PROVIDING FOR CODIFICATION IN THE CITY CHARTER; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR REPEALER, SEVERABILITY AND CONFLICTS.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON GUYTON: Second.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: Okay. It's been properly moved and second. We have a few comment cards. First up will be Bonnie Larson. Good evening, Ms. Larson. You have three minutes to make your comments.

BONNIE LARSON: Good evening. Would have been nice if the wording had been written out on the agenda so people could easily read it without having to go to the backup. But I believe this is the backup. I just took it out of your book here. And I believe this is what you intend to put on the ballot. And to me it's confusing and I'm going to tell you why. It says here, "The approved 2010 charter require that marina properties, comma, Newcomb Hall, comma, Spanish Courts and Bicentennial Park be owned, managed and operated solely by the City of Riviera Beach and restricted the use of the marina and submerged lands."

In that same paragraph -- that needs to be a separate paragraph. You gotta keep two separate items here. You gotta keep them separate. The second item says -- and this

is, I believe, the way you want to change it to read. And I'll tell you why it's confusing. "Shall the charter section entitled City Marina Property --" now, the first paragraph mentions "marina property, comma, Newcomb Hall, Spanish Courts and Bicentennial Park." The second, the one you want to put on the ballot, makes no mention of Newcomb Hall, Spanish Courts and Bicentennial Park. It just specifically says "City marina property."

Keep it consistent. "Be amended to keep City ownership of the marina but remove the above restrictions imposed by the 2010 amendment." So you need to be a little more specific here. Like I said, keep the items, the 2010, separate from the one you want to put on in 2013. And in the first paragraph, the 2010, you refer to it as they're all different properties. "Marina properties," and then you say, "Newcomb Hall, Spanish Courts, Bicentennial Park." But in the second paragraph you only call it "City marina properties." So if I were reading this I would say, Okay. So what happened to Newcomb Hall, Spanish Courts and Bicentennial Park? Because you make specific reference to them in paragraph one in the 2010 but then you don't mention them in the 2013.

Now, it says here also that in the 2010, that's where the "restricted use of the marina and submerged lands." Wasn't that always in the charter that way, that that would be restricted? I thought it was. So keep it simple, keep it -- the purpose of having it on here is to get our feedback on it. And as someone who's reading this, it's confusing to me. It's confusing to me; it's going to be confusing to someone else. So be specific. "Marina properties, Newcomb Hall, Spanish Courts," but you don't mention it again in the second one. So that would be my question. So keep it simple, keep it straightforward, and then people will know. They won't be calling this one confusing. Thank you.

CHAIRPERSON THOMAS: Thank you. Just -- Ms. Ryan and whoever else, just jot down basically if you have those answers and at the end -- okay. At the end we'll -- we'll try to answer those. Next up will be Margaret Shepherd. Good evening, Ms. Shepherd. You have three minutes to make your comments.

MARGARET SHEPHERD: Good after -- afternoon, Mr. Chair and to all of you. I -- I just wanted to, I guess, kind of reiterate what Ms. Larson said. However the language is written, however it's written and it go on the ballot, I hope whoever's putting the language on will make sure that the residents understand what they're voting for. Because it is confusing. Very confusing. But it is time for us to -- to move on. It's time for us to move on. And with that, we must get a clear picture. So I hope that when you're writing the language -- I know Mrs. Carrie Ward used to do channel 18 and explain it to the residents -- that before that time, that you all make sure that it's going on channel 18 over and over again explaining it, stop, period, comma, kneel, whatever you do. So that even the slightest one of us that's not quite bright, we will understand exactly what it is. That is something that the seniors are getting very confused about. So I hope we take our time this time and really -- maybe you can get a panel, someone that can really break it down so that everyone can know what's going on. Thank you.

CHAIRPERSON THOMAS: Thank you very much for your comments. Next up will be Bessie Brown. Good evening, Ms. Brown. You have three minutes to make your comments.

BESSIE BROWN: Okay, Council persons. I was looking at -- at reading the attached backup to the agenda for these whereases for the ordinance, charter ordinance number. It is -- it was stipulated under the whereases where this task force sued the City and then, you know -- and challenged Riviera's -- we challenged Riviera Beach citizens, the other committee. But the whole thing about it is that all of this stuff that's put in here by the task force but you didn't -- there's -- there was a copy, and one of the summary judgments, like, page 2 and page 4 where you did not submit it in the backup at all. And that would have been -- that would have given the -- the public all of the -- all of the information.

And which states on page 2 and 4 as it reads is that -- on page 2 says, "To prevent the City from --" say, "The charter amendment prohibits the use of municipal marina for anything other than municipal and public use and specifically prohibits the use of marina property for an industrial commercial boat repair operation." That was the thing that was also challenged with Rybovich. That's according to that. But you know, you need to give all of the information if you're going to put it on the agenda, in the backup to -- to the citizens. And then it says, "The City and the Riviera Beach Community Redevelopment Agency challenge the charter amendment and Circuit Court on -- on numerous grounds."

You know, and then it said, "The challenge -- the City's challenge to the charter amendment was unsuccessful, leading to an appeal to the Fourth District Court of Appeal. Ultimately, the Fourth District likewise rejected the City's challenges to the task force charter amendment." Now, I don't -- I'm not -- I'm here because I don't have a problem. The task force has -- doesn't have any problem with development in the city. You know, but the thing about is that if you're going to get -- just put certain summary judgments in the backup and then part of another summary judgment, I don't think it's fair to the citizens that don't have all of the information pertaining to this item.

Now -- now, that -- that's the way I come in at the question. And -- and I'm like, you know, I -- my -- my point is that we can go back to -- to having an election and all of that, but if you're going to, you know, base it on this information that you're giving out to the public, give them all of the information. And -- and Ms. Ryan, if y'all -- any of y'all look at -- you probably got an attachment late -- late this afternoon that page 2 and page 4 is not there. Because that's -- after I was reading it, I called and asked why wasn't it there.

CHAIRPERSON THOMAS: Okay. Thank you very much for your comments. Next up we'll have Fane Lozman. Good evening, Mr. Lozman. You have three minutes to make your comments.

FANE LOZMAN: Fane Lozman. Emma Bates, Andrew Byrd, myself and many of the members of this audience spent a lot of time and money getting the first referendum passed. One of the reasons we fought so hard was to ensure Charles Newcomb's

legacy where he gave a bequest of the marina property to be used for recreational purposes in perpetuity. That means forever. As a fellow inventor like Mr. Newcomb -- he had a U.S. patent for the Newcomb Loom. I have a U.S. patent myself. I decided to spend seven years of my free time or a portion of my free time fighting to keep the marina a public recreational facility.

When you look on page 2 of the backup, you wanted to cross out the language which says, "And to provide that the use of dedicated submerged lands shall be limited to municipal park and recreational purposes." That isn't going to fly. The recreational purposes has to survive 'cause that's what the public marina's all about. It's not a commercial boatyard. It never was designed to be a commercial boatyard. Matter of fact, we have one of the biggest commercial boatyards in the country now that's being built on 21st Street. We certainly don't need one in the recreational marina.

If you do anything besides recreational activities as Scott Woolam [phonetic] has informed the City a few years ago, you're going to lose the State dedication and have to pay a lease fee to the City. So I have a major problem and I'm sure the courts will have a major problem if you take away the recreational component of this language in section 1 when you go and you go back to the bequest back from 1913 from Charles Newcomb.

And I'm sure the people in this community, now that we have a major boatyard on 21st Street, they want to make sure "in perpetuity," the recreational component of the marina is maintained and the free use of the state lands are maintained. And that's not what's going on here in section 1. It says right here that's been crossed out in section 1.

The other problem I have is what is the big rush to give away a marina, to put language in that will allow all these possible in the future commercial and industrial activities to take place? You know, you guys think it's a big joke. It isn't a big joke to people who went to the polls and voted it past the first referendum. They didn't want the boatyard. That was quite clear. They did not want a boatyard. Okay? But yet that's not in the ballot language, We'll never have a boatyard in that marina. Matter of fact, you've designed the southern third of the marina to accommodate two mega yachts to doing water repairs. So I mean, you're just setting up a protracted legal challenge if you don't clear up this charter language.

CHAIRPERSON THOMAS: Thank you very much for your comment. Next we'll have Reverend Burrs. Good evening, Reverend Burrs. You have three minutes to make your comments.

REVEREND BURRS: Good evening, Mr. Chairman and Council. Again, as you have heard, my concern and I'm quite sure most of the citizens' concern, they are concerned and they want to see the marina develop. And we don't want peoples to think, based on some of the comments being made, that we are against the marina being developed. We are -- and according to this as we were saying, that it's -- the language in here, it was said that it would be solely owned, operated and managed by the City. But what they're not -- what is -- what -- that's somewhat seemingly misleading due to the fact that this allow the Council or whoever to give the developer a 50-year lease. Now,

that's a lifetime for all of us. And that's as good as owning it as far -- as far as that is concerned. So this doesn't say that you will not do that.

Now, you lead in saying that would be "owned/operated by the City." Managed by the City. That's not going to be the case and you all really know. If you're going to give this to a contractor for 50 years, they're going to manage this. And for 50 years, they're going to own it, as far as -- as far as the management is concerned. So as it was stated at some council meeting, I think by Ms. Duncombe, that if West Palm Beach and all the marinas up the coast and municipalities up the coast can develop their marina and own it and manage it themselves, what -- why y'all think we're too dumb to do that? I can't see. It -- it just doesn't matter. It just -- just don't -- it just doesn't -- it don't register in my mind when you're saying that if they could get their marinas developed, owned and keep it under their control, why can't Riviera Beach do that?

We got these -- the money -- and if you remember, I was in a meeting with Carlos who was trying get this contract sometime ago. He stated -- I was in the meeting. He stated if he would have got that contract, he was not going to -- his -- his business does not hire people from Riviera Beach. He got all his staff with him. He said that. Now, what kind of proof that when we get a developer to come here that they don't fulfill the same obligation? Bring their peoples in they're going to manage.

As this -- if you tell -- I -- I -- help me understand. This Newcomb Hall, when it has been rebuilt by the City taxpayers, who it going to be contracted out to? Not the City of Riviera Beach. They're going to get out -- I understand -- y'all could correct me -- that they're going to contract it out to some other person. They're going to have the contract over Newcomb Hall. And therefore, whoever want to rent the place, they've got to go through them and not the City as is --

COUNCILPERSON J. DAVIS: Uh-huh.

REVEREND BURRS: -- as of now. So if you develop that marina and contract that for 50 years, that's a giveaway. You could call it what you want but that's a lifetime. And none of us will be alive to see that contract conclude. So think about it. We want to see it developed but let the City own something. You got rid of the refuse department and then Newcomb Hall. Now this is our last piece of land that will bring revenue to the City. Don't give it away.

CHAIRPERSON THOMAS: Thank you, Reverend Burrs, for your comments. I'm going to go to Pam. But just so you know, Reverend Burrs, I -- I hope to be here 50 years from now. I -- I don't think I'm quite, you know -- so just don't speak that over me. Let me live as long as I can. Ms. Ryan, would use please answer those questions or the ones that you were able to jot down?

CITY ATTORNEY RYAN: Okay. Mr. Chair, first let me comment on the pages 2 and 4 being missing. Apparently the pages were front and back and when they were copied into the agenda, the two pages got left off. They are in the back. That information was given so that you would have all of the information. The point of putting this charter

ballot question on has been answered over several months. The judge ordered the City at some point -- it didn't tell us when but it ordered us to put back on the question that was asked by the Committee for a Better Riviera Beach. It didn't say, um, City, come up with your own question. Leave portions of it out, as I think Mr. Lozman alluded to about the submerged lands.

The issue of the submerged lands is not one that needs to be in the charter. That is an issue that we already have to abide by with the State of Florida. So the Committee for a Better Riviera Beach chose to have that language removed when it circulated its petition and got its signatures. The only thing that the City Council is doing is doing what the judge told us to do, which was to create a ballot summary which takes out all of the -- the sections that the task force added so that the charter will say what it said in 2008.

This charter didn't say -- didn't have the 50-year restriction since the beginning of the charter. That amendment came about through a charter committee that the then city council put in place. And that section states, "This city -- the City's municipal marina shall not be sold; however, the City Council may enter into management, license or lease agreements with marine users and/or outside operators for a term of not more than 50 years in order to facilitate marina activities, use or operations," period. That's the way the charter stood in 2008. It was changed with the addition of the section -- I heard Ms. Larson say she was confused. I -- you know, I have to say this. I've said it many times before. We're also confused.

So all we're trying to do is to put the language on that will give the chief purpose of the Committee for a Better Riviera Beach's question. And if you will read the current charter, number one, the title of the section is "City Marina Property." That's what the title of the charter section is. Section 3.5 is entitled "City Marina Property." In the body of the language that is now a part of the -- the charter, it states that -- and I'm just reading it. I'm not interpreting it. My attempts at interpreting it have not been that successful. So I'm not going to try to interpret it. I'm going to tell you what it says. I'm going to read it. In addition to the language I just read to you, it says, "And to provide --" so when it -- it starts, "The City's municipal marina shall not be sold; however, the City Council may enter into management, license or lease agreements with marina users and/or outside operators for a term of not more than 50 years in order to facilitate marina activities, use or operations," new part, "and to provide that the use of dedicated submerged public lands be limited to municipal park and recreational purposes according to the terms of State of Florida dedication number 24438-8 --" I'm sorry, dot -- "-A, 2725-50, by the board of trustees of the Internal Improvement Fund to include the marina and public municipal marina properties; Newcomb Hall, Bicentennial Park and Spanish Courts shall be owned, managed and operated solely by the City of Riviera Beach for municipal and public uses; the use of the marina shall not be changed to industrial/commercial, to include an industrial/commercial boat repair operation."

There is no period in anything that I just read to you. It is a run-on sentence and in three different sections of that run-on sentence, it is called City's Municipal Marina in one section. It is called Marina in part of it and then it's called Public Municipal Marina Properties. And then it's called Marina again. So there's, like, four different ways that

the marina is described. So what we are tasked with is finding a way of putting that language in a charter question in 75 words or less. You have got to ask a question in 75 words or less. And this is the City's attempt at that.

I have heard some of the things that were said tonight. We will look at it again. I will tell you, I have conferred with several attorneys in this field to get their advice on trying to write a question that everyone will understand and which will give you the chief purpose -- that's the key -- the chief purpose of what this section means. That has not been an easy task. I have to tell you. But we have done the best we can.

And between now and second reading, I will continue to reach out to other people. If you want to call me and give me your take on it, I will entertain any other changes. But this language was thought about carefully and I know that the City will do its best to help the citizens understand exactly what this section means. We cannot -- the City cannot promote one way or the other. And the City's not trying to do that. But we will try to educate to the extent we can. We will be doing that, Mr. Chair.

CHAIRPERSON THOMAS: Thank you. Questions from the Board.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Ms. Davis.

COUNCILPERSON J. DAVIS: Yeah. I think that, Ms. Ryan, probably if people could see the words that we were talking about and -- and, you know, so that they can actually see it as you're talking, it would have been great. But --

CITY ATTORNEY RYAN: Okay. Yeah.

COUNCILPERSON J. DAVIS: -- but in the future, you know, maybe you can get on channel 18 and, you know, do this. Not to promote but to explain. And also, I -- as it relates to -- there was a person who came before Council a few meetings ago and says that the county runs their airport. Well, they own the airport but it is a third party that manages the airport. So that is no different than what we're trying to do here. And I'm trying -- I was trying to find out whether the City of West Palm Beach owned a marina. I don't think they own a marina.

So, you know, that information is incorrect that someone just said, that West Palm runs their own marina, 'cause they don't have one. So, you know, we're not trying to bamboozle anybody. We're just trying to make sure that we make every effort so that we can get this language correct so that everybody understands what it says. I said from the very beginning when the task force brought the language before this council, it was very confusing. And it was just a giant run-on sentence. So, you know, but everybody said no, that's not right. We understand it. So I mean, here we are a few years later and we're still having a problem about understanding, you know, what the language meant and -- and as our Chair said at our last CRA meeting, it may not have been intentional. But this is where we are and we're trying to fix it. Okay? We need to move on and -- and develop our marina.

CHAIRPERSON THOMAS: Thank you. Anyone else?

COUNCILPERSON GUYTON: Yes. Mr. Chair?

CHAIRPERSON THOMAS: Mr. Guyton.

COUNCILPERSON GUYTON: And I need to -- and you asked earlier at the beginning of the meeting were there any disclosures, but I need to make the disclosure that I was then a member of the Committee for a Better Riviera Beach and I am still a member of the Committee for a Better Riviera Beach. I sit here partly because of this language that we're talking about now. That precipitated partly my decision to run again. It was asked by one of the speakers why we're trying to commercialize our marina or something to that effect. Let me make it very clear. Our marina is going to remain public at all times. It is a public marina. The public will always, always have access to our marina. There seems to be some suggestion that somehow the public won't have the access that they are deserving of. We have no intention of privatizing our marina.

The -- the next thing is that our marina is one that we have not capitalized on to the extent that we can. That should be a money-maker for us. I told somebody last meeting, I make my decisions based on data, documents and evidence. Not emotions. The data that I have seen clearly indicates that since we have owned it, we have lost a lot more money than we will ever make. We have lost millions on that marina.

The taxpayers have subsidized people who can afford the boats. We have subsidized some of the wealthy people. Our residents, many of whom unfortunately cannot afford a boat. We're talking about slips now, parking our boats on, which is always going to be open to the public. There's the suggestion that we -- many of us, to include me, po' folks, should continue to subsidize them. That's ridiculous. We don't use it. We're not going to give it away. We're not going to let somebody else own it. But we need to develop a strategy to make money on it. We have not done that. The concept sounds good. Let's own, operate and manage. Let's do it ourselves.

I've found out in my lifetime that we need to understand our strengths and our weaknesses. Whether we like it or not, we need to deal with the facts of the situation, not with our emotions. So as I look at the numbers as we've managed it for the last 40 years, we have lost a lot of money. So now the question becomes do we continue to do the same thing and expect a different result? I think not. One has said that if we do that, that would not make us very smart; I'll put it like that.

Now, if we were to continue doing what we're doing out in the business world, if we develop an apartment and -- and I'm not suggesting the City does that. Someone develops an apartment because they have the money to. But they understand that managing it is not their expertise. They go get a management company. They still own it. We make the money. We sit back. We collect. This is a very common concept.

We have people trying to pull that emotional strings that we're going to give something away, somebody else is going to manage it, somebody else is going to own it. That is not true. We will always own our marina. We have an opportunity to start and complete

what is estimated to be a \$200 million project at build-out. We have attempted to do a lot of projects and then at the last minute we start talking about, Well, we're going to give it away, and somebody else is going to own it and we're not going to do that and everybody get all upset and let's not do it.

But you know what that end result is? What we have now is about 25 percent of our people living under the poverty line. We don't create the type of jobs that we need in our community so that our people can work. That comes in the private sector, not the public sector. We have not generated the type of private investment that our residents deserve to give them the jobs and the income to have more dignity about themselves. We let people who don't live in our community, who do not pay any taxes, come and preach to us about staying poor, essentially. We are trying to do something that will stimulate our economy, and I would hope that our community understand that and support these efforts. Thank you.

CHAIR PRO TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Ms. Pardo.

CHAIR PRO TEM PARDO: Okay. I just want to remind the residents of a couple of things. The first thing is, everyone needs to remember in our charter the -- the first paragraph or the first sentence in the charter relating to the marina says, "The City, the City's municipal marina shall not be sold," period. We have no intentions of selling the Riviera Beach Marina, nor have we had intentions in the past. When we had the referendum several years ago, it was never about selling the marina. We never had a discussion about selling the marina. What we were trying to do was we were trying to exploit something that we owned that was underutilized. And if we would have moved forward with the plan that we had to lease a third of the south end of the marina for 20 years, we would have had a couple of million dollars in our pockets already. And the marina would have been underway. But instead, people decided that it was their marina and they didn't want to see anything happen there. So here we are.

What's going on at your marina right now? What's going on there? Nothing. You can go to the Tiki if you have the money and go have a meal. What else can you do at your marina? Nothing. Okay. What we're trying to do is make a substantial investment in your marina so you have a place to go. We're rebuilding Newcomb Hall and turning it into an events center. We're investing a couple of millions of dollars in Bicentennial Park so you can go down to your marina and participate in events. What we're also trying to do is reach out to other businesses so you can go down to your marina and instead of just going to the Tiki, go to other restaurants. And if you feel like shopping, you'll be able to shop in your marina. That's all we are trying to do.

So we are here. We're trying to clean up this language so you will be able to have a place to go in your city. A place where you can be proud of. There is nothing to be proud of right now down at that Riviera Beach Marina. If you own a boat, then fine. You can park your boat there and -- and do what? Go out into the ocean or go somewhere else, because you're really not doing anything else at your marina. So this

is all we're trying to do. Not one of us up here would vote to sell your marina. And remember, when I say your marina, it's our marina, too.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: Because each and every one of us sitting on this dais are taxpayers. So you know, in the next couple of months you're going to be hearing a lot about your marina and how you can help us move forward with developing the marina. And the first step is changing this language because the language that we have right now is tying our hands. We can do nothing at your marina.

So decide, Do you want the marina to look like it is right now where other people come in and dock their boats and go to the Tiki and that's it? Or do you want to see the vision that we've laid out in the past couple of years where -- where you attend concerts and community events and shop and, you know, go to different restaurants. And something to be proud of in this city.

You know, we all talk about Riviera Beach being a waterfront community. Well, we are, but we need to exploit it. Because if we don't, what good is it? You want a run-down waterfront? I know I don't. And that's why I ran for office. To try to make Riviera Beach everything it should be. And for too long it has been -- we haven't moved forward with projects and it is time. The time is now. We have the funds to do it. The CRA has the money to do it. We have the will of your elected leaders to move forward and the majority of the people in this community need to move forward. That's all I have to say. Thank you, sir.

CHAIRPERSON THOMAS: Thank you, Ms. Pardo. Because all of my colleagues have expressed great passion and detail in their statements, I concur with it all so I'll just, you know -- just pose a question to the individuals that are in support of the old language. Under this particular language, I don't know what it is that you all want to be done there, because your hands are tied, as well, up under this particular language that's very confusing. So I don't know what ideas or, you know, what businesses that you think can go there under this particular language the way it sits. But your hands will be tied, you know, as well. This is not about what side's language is better. It's about making the language appropriate enough for the City to move forward and having a marina that will sustain itself, bring jobs and be able to have an income for the City. So there's nothing else, Madam Clerk?

CITY CLARK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLARK WARD: Councilperson T. Davis? T. Davis?

COUNCILPERSON T. DAVIS: (No audible response).

CITY CLARK WARD: Oh, he's not in. Councilperson Judy Davis?

COUNCILPERSON J. DAVIS: Yes.

CITY CLARK WARD: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

CITY CLARK WARD: Chair Thomas?

CHAIRPERSON THOMAS: Yes.

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

CHAIRPERSON THOMAS: Okay. We're going to move to -- I'm going to do -- I'm going to go ahead and start Public Comment.

**COMMENTS FROM THE PUBLIC -7:00 PM NON-AGENDA ITEM SPEAKERS
(THREE MINUTE LIMITATION)**

PLEASE BE REMINDED THAT THE CITY COUNCIL HAS ADOPTED A SET OF "RULES OF DECORUM GOVERNING PUBLIC CONDUCT DURING OFFICIAL MEETINGS", WHICH HAD BEEN POSTED AT THE ENTRANCE OF THE COUNCIL CHAMBERS. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO, THE COUNCIL CHAIR MAY HAVE ANY DISRUPTIVE SPEAKER REMOVED FROM THE PODIUM, FROM THE MEETING AND/OR THE BUILDING, IF NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY. PUBLIC COMMENTS SHALL BEGIN AT 7:00 PM UNLESS THERE IS NO FURTHER BUSINESS OF THE CITY COUNCIL, WHICH IN THAT EVENT, IT SHALL BEGIN SOONER. IN ADDITION; HOWEVER, IF AN ITEM IS BEING CONSIDERED AT 7:00 PM, THEN COMMENTS FROM THE PUBLIC SHALL BEGIN IMMEDIATELY AFTER THE ITEM HAS BEEN CONCLUDED.

CHAIRPERSON THOMAS: Since we have several cards, I'm going to start Public Comment a little early. And if you want to put in a Public Comment card, I'll accept them up until 7 p.m. Okay. First up we have Lloyd Brown. Lloyd Brown, going once, twice. Mr. Brown, if you're here, this is your last opportunity. Okay. All right. Next up will be Bonnie Larson. Good evening, Ms. Larson. You have three minutes to make your comments.

BONNIE LARSON: Hi, there. It would help the public if the -- if the Council would explain to us -- at the marina you say, you know, we're going to have all this income and whatever. For eternity the marina has been a franchise account, meaning the money made at the marina goes into the City coffers, into the general fund. So, you know, we really don't even know how much the City made. As far as outside people coming in and using the marina, I think that's a good thing. Let them spend their money at our marina. Let them pay for it. Let them pay us for it rather than our people trying to scrape together money.

CHAIR PRO TEM PARDO: Right.

BONNIE LARSON: I think that's a good thing that other people come in and -- and use it. If they pay rent, that's good. But you know, if we have restaurants, shops, whatever, tell us how that's going to benefit us. We're going to get rent from them on the building, but tell us how, if it becomes a booming success, that we're going to be making money on that, on those businesses.

And what I think Reverend Burrs was talking about when he said, "You're selling the marina," I didn't think he meant to say you're selling the marina. I don't believe he did but what he said was, If you're leasing it out to -- for 50 years, that's most -- that's like a lifetime. That's like selling it because you're -- you're losing control of it yourself. You're leasing it out to someone else for 50 years. So 50 years is a long time. But if you can tell us how, having other businesses at the marina -- which we need -- will benefit us other than their basic rent. As you saw, with the Ocean Mall, 50-year lease on that, you saw what trouble we got into for that.

We -- it's hard to predict the economy 10 years down the road. Fifty years is really, really impossible. So tell us, if you can, how that's going to benefit us, how that's going to be financially benefit us in the future. And as far as jobs and whatever, is it going to be written into their contract that they have hire Riviera Beach people? Is it going to be written in -- remember -- oh, Mr. Thomas, the hotel that was planned on Singer Island, you talked about was it going to be gross or -- what is the other one?

CITY MANAGER JONES: Net.

CHAIR PRO TEM PARDO: Net.

BONNIE LARSON: Net income. Are we going to have that on all of our contracts? That was a big fiasco at the Ocean Mall. Let's think about that this time and let's work that into the contracts that we make for those people who are going to be building things down at the marina.

The lights on Blue Heron, I talked about that last time. Ms. Pardo, you said it was because of the turtles. The lights on U.S. 1 are just as dark. Very, very dark. I know we contracted with DOT to put in those decorative lighting. So I think we can contract with them again to put in some kind of white lighting. Of course the yellow light is much cheaper. Let's not go cheap on the lives of people. A man died out there December 6th. They're not going to have a very nice holiday, those people. He died out there and I can tell you that those lights in that area are out and they're still out today. So let's not go cheap on the lives of people in Riviera Beach.

The sidewalk that I mentioned a month ago on 27th and Broadway, it's a -- it's -- a huge chunk is missing. There's an old "Road Closed" sign in there, whatever. It came to me that that's a city-owned sidewalk. So there again, the drop-off is like that. Somebody's going to fall and hurt themselves. Fix the sidewalk. It's a city sidewalk. Thank you.

CHAIRPERSON THOMAS: Thank you very much for your comment. Ms. Jones, I've heard Ms. Larson say that someone died out there a couple of times now. I need you to find out about that. I can't believe that channel 12 didn't take an opportunity to take a

stab at us about that and no one gave me or this board, I don't believe, an update on that.

CITY MANAGER JONES: We didn't get notice of anything.

CHAIRPERSON THOMAS: So please find out 'cause she said that several times and I'm sure she knows what's going on. She lives out there. But can somebody please find that -- about that for this board so that we -- you know, we know.

CITY MANAGER JONES: Yes, sir.

CHAIRPERSON THOMAS: Thank you. I have two comment cards here for Jim and Lois Mathews. If you would like, I will let one of you speak on one and one of you speak on the other, or if you would like, you can speak together. I don't want to break a happy home up at this point.

JIM MATHEWS: (Inaudible) come up here.

LOIS MATHEWS: No.

CHAIRPERSON THOMAS: Okay. I told you.

JIM MATHEWS: Can you hold our cards? Well, I (inaudible).

CHAIRPERSON THOMAS: So would you -- would your wife like to --

LOIS MATHEWS: No, give it to --

CHAIRPERSON THOMAS: Yeah. Yeah. You could just give it to -- yes. No.

CHAIR PRO TEM PARDO: Right there.

JIM MATHEWS: (Inaudible).

CHAIRPERSON THOMAS: Okay. No -- no problem. I -- I understand. Yeah. I -- Ms. Lois, would you like to come up after your husband?

LOIS MATHEWS: No.

CHAIRPERSON THOMAS: Okay.

LOIS MATHEWS: I'm bashful.

JIM MATHEWS: Come up now.

LOIS MATHEWS: No, I'm not going --

JIM MATHEWS: We can't both speak.

CHAIRPERSON THOMAS: Okay. Okay, sir. Mr. Jim, please don't cause a domestic in here. We -- just go -- go right ahead. You speak and we're going to let Ms. Lois relax, if you don't mind.

LOIS MATHEWS: I'll stand by him.

CHAIRPERSON THOMAS: Okay. She's decided to accompany you. Okay. Go ahead, you got three minutes. Go right ahead.

JIM MATHEWS: Good evening, City Council. My name is Jim Mathews and I'm here with my wife Lois. And we have brought to you the petitions signed by the residents of Beach Road on Singer Island in the 1100 block, along with their selection of the type of street lighting that they would or would not prefer, along with pictures that have been included. And I'm not standing here saying I represent the street. My wife took those petitions around and had them signed, copies of which we have included in the document that we've just presented to you. I had the occasion a few minutes ago to get a call from Ms. Pardo that she intends to have a meeting with the residents sometime in January. And we look forward to that.

CHAIRPERSON THOMAS: Okay.

JIM MATHEWS: That's it.

CHAIR PRO TEM PARDO: Yeah, Mr. Chair?

CHAIRPERSON THOMAS: Would you hold on just one second, Ms. Pardo? Are you done, Mr. --

JIM MATHEWS: Yes.

CHAIRPERSON THOMAS: -- Mr. Jim?

JIM MATHEWS: Yes.

CHAIRPERSON THOMAS: Thank you very much for your time and welcome to the meeting.

JIM MATHEWS: Thank you.

CHAIRPERSON THOMAS: And you can have a seat if you -- did you want to say something? You still have some time, Ms. Lois.

JIM MATHEWS: No, I -- we have one other item.

CHAIRPERSON THOMAS: I'm sorry?

JIM MATHEWS: We have another item, sir. I have a presentation to make to Ms. Willie Watson.

CHAIRPERSON THOMAS: Okay. I don't know who Ms. --

JIM MATHEWS: and I -- Ms. Watson is right here.

CITY MANAGER JONES: Food bank. Food bank.

COUNCILPERSON J. DAVIS: Food services.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Food bank.

JIM MATHEWS: If you're unaware of Ms. Watson, she runs the Healthy Food/Healthy Living that distributes food, clothing and shelter -- not shelter but a bunch of other stuff to needy people here in the City of Riviera Beach.

CHAIRPERSON THOMAS: Mr. -- Mr. -- Mr. Mathews, we have strict rules here. I'm going to allow you to do this just this one particular time but this should be done inside Presentations. You only are allowed to comment on the agenda item. So because this is your first time here and you want to make a presentation, you can. This will be the only time. I'm just using a point of personal privilege right here to allow you to do that. So you go right and make your presentation.

JIM MATHEWS: Excuse me for my ignorance and I appreciate --

CHAIRPERSON THOMAS: (Inaudible). I do understand. Yes, sir.

JIM MATHEWS: Okay. Again, my name is Jim Mathews and I'm here with my wife Lois to do a presentation to the Healthy Food/Healthy Living, Incorporated, and its Executive Director Willie Watson, which is located at 1101 Avenue E, Riviera Beach, Florida. I'm sure that you are aware of the existence of her organization and what they do for our community. That is, she feeds the poor, the infirm, the crippled and the homeless. In addition, she distributes a multitude of things such as clothing, furniture and appliances to people in need.

I had the occasion yesterday to visit Ms. Watson at her location on Avenue E. I found it to be immaculately clean but in great need. Her 10 rows of six-high shelves were nearly bare except for a few loaves of bread. Had she existed in the time of Christ, He would have blessed them to feed the multitudes. However, we live in a society that seeks immediate gratification. Ladies and gentlemen of Riviera Beach City Council, this lady needs help. I urge you to step up to the plate and at least match the check I am giving to her organization.

Each of you has a discretionary money fund that you can draw against. There is no better use for those funds than to support the program that Ms. Willie Watson has founded. She fills a void that is so badly needed in our community. I wish to thank the Riviera Beach City Council for giving me a few minutes to give this presentation and to plead with you to at least match my \$100 donation from your individual discretionary accounts. God bless you.

CHAIRPERSON THOMAS: Thank you very much, Mr. Mathews. Congratulations, Ms. Watson.

JIM MATHEWS: Here you go.

CHAIRPERSON THOMAS: Thank you. Thank you for participating.

CHAIR PRO TEM PARDO: Mr. Chair, can I just make a comment?

CHAIRPERSON THOMAS: Ms. -- yes, go right ahead.

CHAIR PRO TEM PARDO: Mr. Mathews, just so you're aware --

JIM MATHEWS: Yes, ma'am.

CHAIR PRO TEM PARDO: -- staff and I did have a discussion earlier. We will be sending letters to the residents on Beach Court and we'd like you guys to come in on January 14th.

JIM MATHEWS: It's Beach Avenue.

CHAIR PRO TEM PARDO: I'm -- I'm sorry. Beach Avenue. Sorry.

JIM MATHEWS: Yeah, Beach Court is up by the --

CHAIR PRO TEM PARDO: Right. I know. I know. So --

JIM MATHEWS: Okay.

CHAIR PRO TEM PARDO: -- you'll be receiving a letter in the next couple of days.

JIM MATHEWS: Thank you so much for your consideration.

CHAIR PRO TEM PARDO: Okay? Okay. All right. We look forward to seeing you. All right. Thank you, sir.

CHAIRPERSON THOMAS: Okay. Next up will be Margaret Shepherd.

MARGARET SHEPHERD: Margaret Shepherd, Riviera Beach. To the Chair, Vice Chair, all of you. Mr. Mathews said it all. And I really forgot the fliers that was supposed to accompany that presentation. But it talk about Chef Lenny Seasonings and on Sunday, December 22nd, from 1 to 4 at Healthy Food/Healthy Living at 1101 Avenue E, they will be serving some barbecued fish, peas and rice and different sidings, drinks and whatever. And we're just asking everybody in the community to come out and fellowship with Mrs. Watson and Healthy Food/Healthy Choice [sic]. She's working very hard as Mr. Mathews said. And I will hope that everyone -- and you all have supported her when the grand opening was there. And I think Mr. Davis was over the other day to kind of help her out with a few things, and different ones have been coming out. With that I want to say a very merry Christmas and a happy New Year to all of you.

I want to say to you on behalf of some of the residents of Riviera Beach, we thank you all for all your hard work. We understand that this year has been a tremendously overwhelming session with you all. But I must say that you all are pulling it off. I will say to you, please don't give up. Never give up. I heard y'all say you're on third base. You're not on third base. You're right there at the finish line. It's just a puff and you all are there. And I want y'all to understand that. Please don't give in to derelict talking. I mean, it's -- it's there. I hear it every day. But I take in my mind what I think is right and what is not right. And we know what's right.

We know that this is a city that's on the blink [sic] of wonderful things. I can foresee it. You can foresee it. And with foreseeing this, you must take the -- the -- the -- the -- the realm that's within you to make sure that the residents not only get their tax dollar money spent, but spend their tax dollar well. And with the draw -- different drawings I have seen and different places I've seen, I've kind of quelled some of the things that people have to understand. Until you see it, don't make a comment. I take them to everything. To 13th Street. I take them over to where the library's supposed to be. I take them over the bridge. I take the citizens where they need to know what is going on in their city. And like Ms. Pardo said, the only thing -- you could go get something from the Tiki. I mean, you know, I mean, come on. That's getting to be old school now. It's time to spend money. I mean, I'm sure people got credit cards. They're going every -- everywhere else spending. My children are spending money like it's coming out of the ceiling. I would like them to spend it here in Riviera Beach. I want my children to spend their money here.

COUNCILPERSON J. DAVIS: Believe me, we do, too.

MARGARET SHEPHERD: But trust me, you guys must understand you are at that little blue moon of getting there. Thank you.

CHAIRPERSON THOMAS: Thank you very much for your comments. Next up will be Mary Brabham. Good evening, Ms. Brabham. You have three minutes to make your comments.

MARY BRABHAM: Good evening. Season greetings. Merry Christmas to each and every one. To touch on a little comments here. One thing about a voter, a voter will vote either yes or no. I've heard Ms. Bates' name float around so often. I'm just going to say something here for the records here. I knew Ms. Bates very, very well. I knew the intent of what she was trying to do very, very, very well. Ms. Brabham have every plan on the Charrette, the previous plans. I was going to bring them in the chambers here and just to show the audience how many plans that this city has had and never, never came to fruition.

Now, the henchpin [sic] for the redevelopment down at the marina was Bicentennial Park. That's why. You had to go in there and do it the way that it's done now. Because in Mr. Newcomb -- Mr. Newcomb's agreement for the city here, for this land, you couldn't do anything with the park. And Ms. Bates knew that. Her main concern was for Newcomb Hall to remain as a public entity for this -- for at least the City as well as all --

the entire city to receive some revenues. Yes, she felt as it that it should be owned and managed by the City. But she also realized that we have to have partnerships in order to be achievers. The City has not done anything in this city for years and years and years.

As a resident, Ms. Brabham is tired. I have grandkids. I have relatives that perhaps that would like to invest and come to this city here to live. We have to decide who and whose we are and what do we want. Do we want to be a city that's on the move, that could bring in profit and revenues for the city here? I'm sure that, you know, when this is on the ballot here, the residents will vote either yes or no. And whichever way they vote, take it. But we still could move forward. I'm tired of this. I hear it all the time.

Mr. Thomas, Chair, you made mention about the -- the dinner Gala banquet, why it's not held here. If you think, this is for the same reason. It was inquired. Could we have it somewhere else within our city? But the accommodation was not there. So we need things in our city here that the whole city could be a part of. So I ask you all to go ahead on. Move it. Put it on the ballot. Put it on the ballot. Let the residents vote and let's move on. We will always have opposition, but it's timeout for it. And we need volunteers for the Community Service Day, too, residents.

CHAIRPERSON THOMAS: Thank -- thank you very much, Ms. Brabham.

MARY BRABHAM: Thank you.

CHAIRPERSON THOMAS: Thank you very much. Next up will be Bessie Brown. Good evening, Ms. Brown. You have three minutes to make your comments.

BESSIE BROWN: Just for the record, you know, I did work for the City of Riviera Beach. And every -- councilperson says that we lost money. You know, I actually did the cash -- daily cash report on the marina when I worked here. So if -- you may be new now but if you go back and see the marina, we didn't -- we didn't really lose -- we was making money and re-putting money back in and all that. But the time that we really start making money for the marina was when you got rid of the dry storage. That was making a lot of money.

Now, and as far as we're here tonight about -- we can redevelop. There's nothing wrong with redeveloping. I don't -- we have a partnership. And we're -- Mr. -- Ms. Pardo said we're having partnerships. Well, it's okay to have partnerships. But when are they going to spend some money? Because the point of it is is that we're redeveloping on the backs of our taxpayers and citizens. The \$29 million we will have to pay that back. And what and when will our partners start shoring up some money here?

Because according to our CRA director, he said that to build -- to rebuild a new Tiki, Viking has first dibs. Where is Viking's money? You know, 'cause the majority of this stuff that's being done now in the phase 1 is from the dollars that the Council voted to approve, have the CRA get the loan for the citizens. It's -- this is the taxpayer dollars that we have to pay back. And -- and -- and -- and the other thing, we -- we've -- we've

had plenty of people come in and say they're going to do things and even lied with the boat -- with the -- with the boat repair. And he -- and he didn't really lie because he sat here and I sat here, also. And he said no, there is no jobs. There'll be no jobs in Riviera Beach. The Rybovich project.

Sure, we could have been making money, Ms. Pardo, but at -- but it would have been at the -- pollution. You're going to pollute the city's water for -- for a boat repair and you're not going to put it in any other city but you'd rather put it here in Riviera Beach? We have enough people dying and -- and -- and have health problems. You know, I -- I -- I sit and listen to everything but I -- I'm -- I've been here and I'm around. And -- and it would be good if we do get some jobs out of this -- this project. We -- 'cause we need some. Because everything else -- the Ocean Mall just -- I don't think we got any jobs out of there. We couldn't even get the, um -- we couldn't even get the hotel. Where is that that the tax -- that Council would never address?

You know, I don't have a problem with -- with development in this city. But if you're going to have contracts and do all of this stuff and -- and projects, you should be accountable for making sure that it happens. That's the only thing. And as sure that -- and as sure as the taxpayers, which I am one, is going to pay back this \$29 million, let's make sure it happens for all of the residents in -- in Riviera Beach.

CHAIRPERSON THOMAS: Thank you for your comment. Next up will be Fane Lozman. Good evening, Mr. Lozman. You have three minutes to make your comments.

FANE LOZMAN: Fane Lozman. Ms. Pardo, as the representative from Singer Island, could you please arrange to have a street sign -- street sign put in at 5281 N. Ocean Drive for the property known as Lozman's Cove? Right now there's just a temporary wooden sign. Hope you got our Christmas card, by the way. Emma Bates. The problem she had was an industrial boatyard. Leasing a third of the marina for \$500,000 was not an acceptable use for the boatyard for the residents who voted. They didn't want an industrial boatyard. The 2008 plan that the Council accepted had no boatyard in it. It had Viking putting up 25 million bucks to privately redo the marina. When they didn't have the money, then in 2010 the boatyard plan showed up.

In 2012, the plan morphed into the City was going to put up the 25 million, which they're doing. The problem is that it should have gone through a competitive process for the boatyard. You want a boatyard? Let all the boatyards in the world bid for it. You didn't do that. That was the grounds for the recall. If you want the 2012 plan where the county's putting in the money, have a competitive plan and let developers bid for it. Maybe a developer will say, you know, We'll take \$15 million of the public money and we'll put in 10.

You have made a material change to the 2008 plan. That's illegal. I've been nagging the U.S. Attorney to bust you guys for doing what you've done: violating the state and city competitive procurement processes. Maybe I'll get lucky and it will happen. People said I couldn't win at the Supreme Court. I think I'm getting traction on the federal side

that if you want a publicly funded boatyard, put it out for bid. You, Mr. Thomas, said when the Tiki Bar lease expired in 2011, you'd put it out for bid to get a better price than 6,500 when your own city appraisal was 19,000. You never did that. You continued to lease the marina for 6,500 bucks a month. That's cronyism. You don't have the discretion to do that. You have to follow the law, means competition. Viking said they would put up the 25 million. Why don't you go back to 2008 and say, We are holding you to that. If you're not going to do that, we're going to put it out for bid again and see if somebody else gives us the 25 million or gives us 5 million or 10 million. But we cannot, in good faith, let you morph it into a boatyard and then morph it into a publicly funded thing.

I mean, you're smart enough to know you can't do that. Your city attorney sitting next to you should tell you if you don't understand that clearly, that you cannot make a material change to a plan that you accepted in 2008. You're going to be in a lot of trouble one day for having that happen. You can't blame her. You can blame yourself. Go look at the competitive procurement statute. That's the problem. And again, leasing it for 5 -- okay. You want a boatyard? Great. Say, Hey, maybe a boatyard would give us 5 million. But the competitive procurement is going to be your downfall.

CHAIRPERSON THOMAS: Okay. Thank you for your comments. Vivian Havener? Good evening, Ms. Havener. You have three minutes to make your comments.

VIVIAN HAVENER: Good evening, folks. Nice seeing Ms. Davis -- Ms. -- my City Councilperson is back. You have my deepest sympathy.

COUNCILPERSON J. DAVIS: Thank you, ma'am.

VIVIAN HAVENER: I am here tonight to thank all of you for all the work that you're doing for the City and have for the City in the last year. And Ms. Jones and Ms. Ryan, keep strong. We're all behind you. Mr. Thomas, keep banging the gavel. I also would like to say something about the -- Ms. --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: McKinney.

VIVIAN HAVENER: -- McKinney and Mr. Johnson over here and the Water -- the -- the gentleman at the Water Department. I can't remember his name.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Lou Aurigemma.

VIVIAN HAVENER: Pardon me?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Lou Aurigemma.

VIVIAN HAVENER: I can never pronounce it. That's why I can't remember. Of course the old -- the old mind is kind of slipping, too, a little bit. But anyway, Ms. McKinney was maligned here last city council meeting, 'cause I come to most all of them. And I think it was very nasty, because I've had dealings with Ms. McKinney for years. This last year I had when my neighbor was messing around and took part of the easement away and I

didn't understand it. And she called me back and she was very, very kind and explained it out of the book to me.

Also Ms. -- Mr. Johnson here. He has been down to my street because we've had trouble with the school bus and one of the corners breaking down the street where the water runs off. And he came down and fixed it for us. Had to fix it twice. And the fire department has been down there. Yes, the fire thing is there and fixed it up. And I don't see anything wrong with these young people. Any time I ever called them or have any problem, I get civil -- you know, I get nice answers. It pays to be civilized. Anyway, I wish you all the best in this holy season that's coming up. And all the best in the New Year. And thank you for everything.

CHAIRPERSON THOMAS: Thank you very much for your comments, Ms. Havener.

CHAIR PRO TEM PARDO: Thank you, ma'am.

COUNCILPERSON GUYTON: Mr. Chair? Mr. Chair?

CHAIRPERSON THOMAS: We have -- Mr. Guyton?

COUNCILPERSON GUYTON: I -- I know many probably know but some don't, but Ms. Havener has been volunteering her time for years in this city. And I'd just like to thank her for all of her service to this city. Thank you.

VIVIAN HAVENER: Thank you.

CHAIRPERSON THOMAS: Okay. Next up will be Reverend Burrs. Good evening, sir. You have three minutes to make your comments.

REVEREND BURRS: Good evening, Mr. Chairman. Let me clarify the record. I didn't say sell the marina. I said lease for 50 years. And again, as far as coming here preaching to you all, I'm a preacher. I pastor a church. I pay more taxes -- probably more tax than most of y'all sitting up there.

CHAIR PRO TEM PARDO: Uh-huh.

REVEREND BURRS: I live in the City of Riviera Beach. Has a right to come and voice my opinion, whether y'all like it or not. I said many times I don't dislike anybody up there but I do have a right to voice my opinion. I'm a taxpayer. And I pay heavy tax in this city. And I live here. I raised my children here and I will come and voice my opinion any time I feel like it.

I never came to this podium and asked nobody for anything for me. And I never will, because I don't need y'all to do anything for me personally. I'm concerned about the City. I worked for the City for 30 years. I love this city. I could have moved out of this city when I -- when I moved out of my first home. But I chose to stay in this city. So I am a taxpayer. I live here. And I will come and voice my opinion whether y'all like it or

not. I tell you when you're right and I tell you when I think you're wrong. I may not be right all the time but I try to be right.

Marina, when I served the City and served on the council at the time I served on this council, that marina did make money. If anybody say that it didn't, they're lying. I proved it because I went to the marina when I served on this council and stood there for almost a whole day and saw the business that was coming there and the -- and the laundry -- can any of y'all tell how much money that Laundromat make? No. How could you buy gas and sell gas and lose money off gas? Impossible. That's bad management if the marina lose money.

So again, don't make the citizen think and believe that we're saying don't develop. Now, that was stated that, well, West Palm Beach may not have a marina. But there's other municipalities up the coast do have marinas and manage them. They didn't mention that. But they mentioned only one: West Palm Beach don't have a marina. Maybe they don't. Maybe they don't -- but all we're saying, don't give our assets away like we've done in the past, because if you give it to a developer for 50 years, it is a give-away. You're not going to -- you're not going to get the benefit from that as you would if you have the developer to develop it and you manage it yourself.

Just like somebody mentioned concerning the Ocean Mall. We're not getting the benefit that we should have gotten from that Ocean Mall. Somebody mentioned about the business not having the -- the parties or whatever here, because they refuse to build that motel at the Ocean Mall. They lied to the citizens to get it not be -- why don't y'all appeal that ordinance?

COUNCILPERSON J. DAVIS: Uh-huh.

REVEREND BURRS: It's (inaudible) the marina from -- from making money -- from the Ocean Mall from making money. But this ordinance what y'all are saying, it left out the 50 years. We said no leases for 50 years. It's not in the -- in here saying that you will not do it. So don't make the citizens feel and believe that we are saying don't develop the marina. Well, we come here for three minutes and y'all got a whole hour to rebuttal and make people think that we don't know what we're saying. We do know but y'all don't want to cooperate or listen to people who do have some history of this city and could give you some information. As we said -- and we're through --

CHAIRPERSON THOMAS: Reverend Burrs?

REVEREND BURRS: -- that -- that marina -- that -- and that -- and the Refuse Department, if we'd have kept -- if we'd have kept that Refuse Department, this city would have been swimming in money. I know that for a fact. I helped run it. If anybody say it lost money, they lying.

CHAIRPERSON THOMAS: Thank you very much for your comments. At this point we're at the end of Public Comment. Does any of the council members choose to want to have any comments to respond to anything that was said at this -- this time?

COUNCILPERSON GUYTON: Mr. Chair?

CHAIRPERSON THOMAS: Briefly, please.

COUNCILPERSON GUYTON: Very briefly.

CHAIRPERSON THOMAS: Mr. Guyton.

COUNCILPERSON GUYTON: Yes. My comments about the marina losing the money over the life of it is supported by data. And I'd like for -- if I can, request Mr. Sherman. I know that through the City Manager Karen Hoskins had put together a chart of revenue at one time for us. I don't know if you all remember it but I remember it well. If Mr. Sherman could get that for me, because one thing that I would not do is mislead the public.

That marina over the life of it has lost a lot of money. I think out of 40 years there were two years where we made a small profit. I would get the data to support my position. I don't sit up here and just spout off information if I can't support it. So I'm going to request the data and anyone who would like it, I would provide it for them. We can still make money whether we are managing it or we are leasing it. We haven't even discussed that yet. We haven't decided if we were going to have a third party. Everybody's assuming. I would hope that we do consider that option, to be honest. But we haven't even made it to that point. So I just want everyone to know that if anyone want the data as to the revenue that has been generated, I would get it and provide it for you. Thank you.

CHAIRPERSON THOMAS: Thank you.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Ms. Davis?

COUNCILPERSON J. DAVIS: Just a -- just -- thank you, sir. Just to add something to that. I think it was because of the -- the loans, the bonds. You know, that's why it didn't make money, because the marina --

COUNCILPERSON GUYTON: Uh-huh.

COUNCILPERSON J. DAVIS: You know, the City was paying it and proceeds came to the City. So that's why it did not make money. But I think that would be in your documents.

COUNCILPERSON GUYTON: In the data.

CHAIRPERSON THOMAS: Any one of the other council members?

CHAIR PRO TEM PARDO: Yeah, one thing, sir.

CHAIRPERSON THOMAS: Ms. Pardo?

CHAIR PRO TEM PARDO: Okay. Someone brought up the dry stack, that we were making money up until the time we -- well, I think it was basically that it -- the dry stack was the cash cow. You know, we need to remember there are several dry stacks in town. And again, if Mr. --

COUNCILPERSON J. DAVIS: Sherman.

UNIDENTIFIED SPEAKER: Sherman.

CHAIR PRO TEM PARDO: -- Sherman can -- sorry, sir. It's late. If he could get those documents, you'll be able to see that the business in the dry stack started going down when Loggerhead came on board. And then also New Port Cove.

UNIDENTIFIED SPEAKER: New Port Cove.

CHAIR PRO TEM PARDO: And, you know, if you recall, our dry stack needed to be completely -- it needed a complete overhaul. And I believe our consultant at the time said it would cost anywhere from 7 to \$12 million.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: To rehab it. So you know, the decision was to let the private enterprise deal with the dry stack and let us, you know, try to do something more at the rest of the marina. So just want to put that out there for the record.

CHAIRPERSON THOMAS: Okay. And when those documents are compiled, they need to go online.

CHAIR PRO TEM PARDO: I think I even have them.

CHAIRPERSON THOMAS: They need to go --

COUNCILPERSON J. DAVIS: Exactly.

CHAIRPERSON THOMAS: -- everywhere that they can go so that the public --

CHAIR PRO TEM PARDO: Yeah.

CHAIRPERSON THOMAS: -- this -- listen, every dime that's spent is public money here. You have a right to know where it is, what's going on with it, and no one is trying to hide that. Okay? From every city department, everything that's being spent, if you want that information, you can get that. No one's trying to hide anything. But that information that Councilman Guyton just requested, that needs to go up online. That needs to go up. People need to be able to see it. If you don't want to take our word or you don't want to take someone who's coming to the mike's word for it, the data will be

there. The data will be there. You have a right to know. And we want you to know. We want you to know. Okay. We're going to move to item 16.

REGULAR

16. RESOLUTION NO. 176-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING A SENIOR ROOF ASSISTANCE PROGRAM; PROVIDING FOR ELIGIBILITY REQUIREMENTS; PROVIDING FOR A FUNDING SOURCE; AND PROVIDING AN EFFECTIVE DATE.

COUNCILPERSON GUYTON: So moved.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: Okay. We -- it's been properly moved and second. We have two comment cards. Ms. Shepherd? Good evening, again, Ms. Shepherd. You have three minutes to make your comments.

MARGARET SHEPHERD: Good evening, again, Mr. Chair, Riviera Beach. I'm very happy that this is going up on the agenda, because senior citizens are really having problems with their roof and quite a few other things. I heard one of the past council persons stand here reprimand Council on different issues when she gave a million and a half dollars away to Bernard Kinsey. Bernard Kinsey live in California, on record, 13 houses. The one he live on is the one that's in the mountain. A million and a half dollars. Think about it; I mean, you're talking about money. That these senior citizens, not only senior citizens, but the people that just can't afford it. They ought to be included in having their roofs repaired. They ought to have an opportunity like everybody else in this city that come here and have lived the bulk of their life and they cannot enjoy a roof on their house.

I heard Mr. Brown say he can look up through the ceiling. My heart went out to him. That should not be. You only heard that in the South, the deep South, Mississippi and Alabama and all those places. Not in Florida. It's ridiculous. It's ridiculous that people come to this mike and try to pretend like they're for the City when all along they're standing in the background trying to destroy this city. I want to let you know that I've just about had it. And I hope -- I hope while you are retrieving yourselves during the holiday, that you know that you must come back.

You must come back and take care of the citizens of Riviera Beach. Because that lady, that lady needs some real help to come here and reprimand us, reprimand the City when she took that money. A million -- I want you to go home and look what a million and a half would have done for everybody. Not just the old and the sick and the crazy but people that really need help. I mean, you got a soup kitchen here. People say, "I didn't even know a soup kitchen was here." A lot of people don't know nothing is here because only the wealthy people survive. So-called wealthy, because you wouldn't have gave away that million and a half. Thank you.

CHAIRPERSON THOMAS: Thank you very much for your comments, Ms. Shepherd. Next up we'll have Felicia Wilder.

COUNCILPERSON GUYTON: I saw her just walk out.

CHAIRPERSON THOMAS: She --

COUNCILPERSON GUYTON: (Inaudible).

CHAIRPERSON THOMAS: Okay. Going once.

COUNCILPERSON GUYTON: Call her name again.

CHAIRPERSON THOMAS: Felicia Wilder. Felicia Wilder. Is Ms. Wilder in --

UNIDENTIFIED SPEAKER: She had to walk out.

CHAIRPERSON THOMAS: Okay. Will someone just step out there, just give a little courtesy to -- oh, I see her. Okay. Good evening, Ms. Wilder. You have three minutes to make your comments.

FELICIA WILDER: Good afternoon. My name is Felicia Wilder and I reside in Riviera Beach, have been living there the bulk of my life. And I'd just like to address everybody on the council tonight in reference to the Senior Roof Assistance Program. I'm just having a little problem breathing but just bear with me. It's in reference to the age that they have here on this paper about 66 being a senior citizen. I've -- this is my first hearing of that, being a senior citizen. Only place I know -- I've gone to Social Security Office. You can be a senior citizen; you can get your retirement, full retirement at the age of 66. But you can be a senior citizen before you reach the age of 66. So I just want to know where and who retrieved this kind of information. You have a whole lot of programs here.

You have a big sign downstairs saying 62, which the Mayor is sponsoring a senior program at 62. So you're under the same umbrella. But you're not going by the same guidelines. Something's wrong. I'm looking at 62. Then I come upstairs, I'm looking at 66. So what's the next age? So I want to know where did you get this 66 age group from -- from being a senior citizen. Because you have a whole lot of -- like AARP. I can name only a few. Like AARP and other programs, Denny's and the Social Security even give you Social Security at 62. So I'm trying to see where did you come up with the age of 66.

The only place I've gone -- I went to Port St. Lucie and I found out that being 66 you get full retirement, Social Security. So where did you get that? That's for Social Security. But when you're talking about a senior citizen, that's something totally different when you're coming to an age group. So I'm trying to get information on how did they come up with the age group of 66 when you have a big sign down by the council office down the stairs saying 62. You have a Mayor sitting here on the Council and he implemented this, too. So I'm trying to see, well, what's the age group? You know, and I -- I mean,

there's a whole lot of things to be discussed but I heard tonight about the easement. So now I here they're doing easement. When I asked them about the easement for the property in Riviera Beach, they have certain sections where they do. I'm mowing a yard the other day. The guy saw me and waved. "You're the lady cutting the yard?" "Yes, I'm the lady cutting the yard."

CHAIRPERSON THOMAS: Ms. Wilder, I -- I'm sorry, I'm gonna just have to have you just keep your comments to this particular item, please.

FELICIA WILDER: Okay. I'll keep it to that. Okay.

CHAIRPERSON THOMAS: Yes.

FELICIA WILDER: Okay. And I just want to know when are these applications going to be distributed or when are they going to finalize the guidelines for this Senior Roofing Program? Because there's a lot of roofing that needs to be done and seniors need to know about it. You know? And how are we reaching out to our seniors to let them know these funds are available to them for their roof? Now, my other thing about the roof, if you have a senior that has a home and they're not able to live in their home because of -- it's not suitable for them to live. They have mold and everything has come in because of the water and the leak in the roof, they're not there. They're in another temporary area. But here you say they have to be living in the place. So I don't know how you're going to run around those guidelines to try to assist those people.

CHAIRPERSON THOMAS: Okay. Thank you very much --

FELICIA WILDER: Okay.

CHAIRPERSON THOMAS: -- Ms. Wilder for your comments. We're going to try to answer most of those questions that you have inside of the presentation. And that's another reason why we like to get the comments first. But I do want to state that the Mayor's program is just that. It's the Mayor's program. That did not come before this Council. This Council did not set an age. The Mayor individually brought together that program and chose it -- an age. I don't know how we came up with this age but if you're asking for consistency, that program was never brought before the Council. So the Mayor made that particular age up on its -- on its own. But Ms. McKinney, if you -- if you would, would you please give us a presentation and --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

CHAIRPERSON THOMAS: -- try to address those questions that you heard from Ms. Wilder.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay. As you know or recall, this resolution was previously discussed at the November 20th City Council meeting. And at that time the City Council decided to review the item more and then provide comments to staff and then have the item brought back for review at this meeting. And staff received feedback from a couple of council members, one

suggesting the funding allocation of 200,000 and another council member suggesting allocation of \$100,000. So we left \$200,000 and the Council, of course, can make their determination as to how much they actually went to fund the program. But regarding the age of 66, we looked at the Social Security age and the current suggested full retirement for Social Security is 66. You can apply for Social Security at the age of 62 but it's not a full Social Security benefit.

COUNCILPERSON J. DAVIS: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Regarding residing in your home. It must be the applicant's primary residence. And it must be homesteaded. We have actually had some people call and inquire of us now if they -- they own one property and they rent it.

COUNCILPERSON J. DAVIS: Huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: And they don't live there, if they could have the roof repaired on the rental property. And we said no. That would not be considered. It would have to be someone living in their home and be homesteaded for that property. I mean, you can have other residents in your home but you would then have to provide, you know, documentation of their incomes, also. So we tried to think of all of the requirements that you'd have to provide the City in order to document that you were of age and you needed the assistance. And we included in the program -- as far as the application we had decided or felt that a first come/first serve would be the most efficient method of dealing with residents. So, you know, we would accept applications on a first come/first serve basis.

The amount of funding would be up to \$25,000. It's not a guarantee of \$25,000 because sometimes when you go and you look at these roofs that are in really bad shape, first thing you have to do is mitigate for the termites, which means that you have to have the residents out of the home so some temporary location funding for maybe a three-nights' stay. And then remove the termites and then tear off a lot of the roof. And then it's -- a lot of them do have damage to the trusses and the structures which have to be replaced. So sometimes it gets up to almost 25. We've seen that with a lot of roofs that we've been doing at the DRI Program. And of course we do permit roofs all the time. I mean, that's one of our businesses.

So anything over that amount would have to come back to the City Council for approval. We included a five-year covenant of \$5,000, that if they moved and sold the property, they would have to pay \$5,000 back to the City. However, we included that if the applicant passed away, that that covenant would be removed, because that does happen. And that's basically the entire program. It's not complicated but, you know, as far as processing and the materials, the applicants will have to provide to fully document their income and then of course the condition of the roof, which we would verify that.

CHAIRPERSON THOMAS: Let me ask you a question, Ms. McKinney. In -- in terms of actually constructing these roofs, replacing these roofs --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes.

CHAIRPERSON THOMAS: -- are we allowed to make it just Riviera Beach construction companies?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I think we can. I don't see any reason why not. I don't know if you want to limit yourself like that, though, because you want good competitive bids.

CHAIR PRO TEM PARDO: Correct.

CHAIRPERSON THOMAS: I do. I want good competitive bids, but I also -- I want to make sure that the Riviera Beach companies get a chance too. Reason being, you know, if you're a larger company, you can obviously do it for cheaper.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: You can, you know -- so I understand that and --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: -- I'm not trying to create another problem.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: I just want to see if it's something we can do, you know, have some higher percentage or give them some points for living in the -- or having their business in the -- in the city or something like --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Well, I'd -- I'd have to verify that with Legal.

CITY ATTORNEY RYAN: Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am.

CITY ATTORNEY RYAN: You have to follow the procurement code even on these issues. So there are some sections of the procurement code which would allow for points to be given but I -- I'm -- I'm looking at Ben now. I'm not sure that applies in the construction arena. If this is going to be a straight bid or --

CHAIRPERSON THOMAS: Ms. Jones?

CITY ATTORNEY RYAN: -- something other than that.

CITY MANAGER JONES: I don't believe the decision has made -- been made as to how we would procure the particular companies. An RFP will allow us flexibility as it relates to points and selection. And so that may be the way we want to go rather than taking the lowest bid, which may not always be the best work.

CHAIR PRO TEM PARDO: That's right.

CHAIRPERSON THOMAS: Okay. All right. And also, the age of 66. Is there a problem with lowering it; maybe we don't go 62. Maybe we go 63?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, of course that's up to you. But I think in today's age, most people are working till they're 70.

CHAIR PRO TEM PARDO: That's right.

CHAIRPERSON THOMAS: Okay.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: And so I would suggest staying with the recommended 66.

CHAIRPERSON THOMAS: I understand. Ms. Davis?

COUNCILPERSON J. DAVIS: Yes, sir. I read the 11/20 minutes and understood -- I -- you know, while I was away I saw the e-mail that you sent but I was very busy.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON J. DAVIS: And I really didn't spend a lot of time on it and I didn't send any -- send in any comments. But I do have some questions. And you know, I'm -- I like to think that people are honest. But I know that sometimes, you know, there are some who are -- who aren't. So my question is if, for instance, someone who lives with a person who is 65 -- 66 years of age, and they also work --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes.

COUNCILPERSON J. DAVIS: Because you know, we have a lot of that in our community.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON J. DAVIS: How -- is there -- is there anything in place that you will be able to verify whether there's an additional income?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Well, they're required to provide us the list -- names of all of the occupants and their employment and what they earn.

COUNCILPERSON J. DAVIS: Okay. Well --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: They're required to. Right.

COUNCILPERSON J. DAVIS: -- they -- but we can't -- you know, if they say they don't work then we -- we don't know so that's -- that's just an issue we have to go on face

value that people are going to be honest. Okay. So what if not only the roof is infested with termite damage but a great portion of the home itself? I mean, would it be feasible to -- to -- to move forward? I mean, has that question come up?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Well, I -- I think if we were -- if we look at a roof and we say, Even though -- and we've had this happen in DRI instances.

COUNCILPERSON J. DAVIS: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: If we look at a roof and it's not -- it's not just the roof, but there's major structural damage in the whole house --

COUNCILPERSON J. DAVIS: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- that it's beyond the point of repair --

COUNCILPERSON J. DAVIS: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- and actually would need -- really needed to be demolished, then we would not do the roof repair.

COUNCILPERSON J. DAVIS: And you know, that -- that -- and -- and the only reason I'm asking this is because, you know, there are a lot of people out there who need this assistance.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON J. DAVIS: And \$200,000 is not going to help everybody. But, you know, we're not going to be able to -- to -- to do this for everyone. And I'm just putting these questions out there because these are the things that came to -- to my mind.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON J. DAVIS: And will we be doing a records search? Like I said, everybody is not honest.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON J. DAVIS: For instance, if I were a homeowner, okay, who needed some roof assistance and I got Mom or Grandmom who's 66 years old, I could do a quitclaims deed, go and record it and it's then in her name. So will you be doing a records search?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yeah. We're gonna look. Yes.

COUNCILPERSON J. DAVIS: Okay. All right. Wait a minute. My screen went out. Okay. Now, and you also stated in your documents that, you know, we may have to put people up, you know, while the work is being done.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes. Right.

COUNCILPERSON J. DAVIS: Well, have we -- will we be asking the question whether or not there is a relative that they can live with?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes. Yes.

COUNCILPERSON J. DAVIS: You know, for two or three days or whatever?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes. And we have done that in other instances.

COUNCILPERSON J. DAVIS: Okay. All right. Those are my questions and I just wanted to put them on the record. Thank you.

CHAIR PRO TEM PARDO: Mr. Chair?

CHAIRPERSON THOMAS: Ms. Pardo?

CHAIR PRO TEM PARDO: Okay. I have a couple of -- I was one of the council people that did send a list on the 21st to Ms. McKinney, some recommendations. And the one thing that I really wanted to see, you know, I was the one asking for the 100,000 instead of 200,000. But I'm fine. If everyone wants to go with the \$200,000 for the initial program, I'm fine with that. However, I still have a problem with the first come/first served criteria. And I feel that it should be on the -- it should be based on need. So the neediest people, the person whose roof is getting ready to cave in should have priority over, you know, someone who has, you know, a leak in the porch or -- or something like that, you know? And so I would like to see something like that.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, let me -- let me just give you a scenario that we -- and we have faced this before. You have an applicant. You have individuals making applications. Say you have one submitted on January 1st. And they're going through the process. They meet almost all the criteria. They have a roof that needs repair. Maybe it's \$12,000.

CHAIR PRO TEM PARDO: Sure.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Say you have a certain amount of applicants that have submitted. They're being evaluated. And then you have somebody come in on March 15th or the middle of February and they have a really bad roof.

CHAIR PRO TEM PARDO: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: But this person has already been processed and in the point of approval. You wouldn't not do that roof in order to go do this roof because it was actually worse.

CHAIR PRO TEM PARDO: Or we could do something like we did over at the CRA when we had the façade program. We put it out for a couple of months.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIR PRO TEM PARDO: And asked people or --

COUNCILPERSON T. DAVIS: (Inaudible) for the state.

CHAIR PRO TEM PARDO: Yeah. Put it out for -- you know, phase 1 is out there for 30 days. And whoever comes in in those 30 days, then look at it by need. And then after the 30 days, after you, you know, divvy it up, you know, if there's money left then, you know, go out again.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I mean, we -- we could do that. It's just --

CHAIR PRO TEM PARDO: That's -- that's my only thing. I just want to make sure that the people who are truly in need --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIR PRO TEM PARDO: -- are going to be able to participate --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIR PRO TEM PARDO: -- in the program. The other thing I have a little bit of a problem with -- and I just want to make sure that this language is very tight. The eligibility requirements.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIR PRO TEM PARDO: And -- and I like everything that you have here. But instead of "must," I think it should be "shall." Just so we make no exceptions.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIR PRO TEM PARDO: Because you're going to have people coming in saying, Well, yeah, I do have an outstanding water bill but, you know --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We can change that. We can change that. It's easy.

CHAIR PRO TEM PARDO: -- and you know, if we're going to do it, I say it should be a nice tight program.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIR PRO TEM PARDO: Okay? And -- and --

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIR PRO TEM PARDO: -- really --

CHAIRPERSON THOMAS: Hold on one second.

CHAIR PRO TEM PARDO: -- hold on one second. And -- okay. That's all I have. Thank you.

CHAIRPERSON THOMAS: Before I go to you Mr. Davis, let me just hear Ms. Davis real quick.

COUNCILPERSON J. DAVIS: Yeah. And -- and the last thing was my -- my last question is what about someone who may be facing foreclosure but it hasn't been -- it hasn't happened and it's not on the record books.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON J. DAVIS: How do you plan to --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, it would be difficult because, I mean, they always have the opportunity to cure that possibility of the foreclosure.

COUNCILPERSON J. DAVIS: Right.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: So it would -- I mean, it would be difficult for us not to take them through the program even though that was a possibility.

COUNCILPERSON J. DAVIS: I'm just trying to not spend money --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON J. DAVIS: -- when, you know -- when --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. I will say that from my experience here -- and it's -- dealing with a lot of the roof programs, that a lot of the older seniors here -- I shouldn't satisfy -- the seniors, they own their houses.

COUNCILPERSON J. DAVIS: Uh-huh.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: And a lot of them own them outright.

COUNCILPERSON J. DAVIS: Right.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: And so we haven't seen the foreclosure issue so much with seniors as you see with what, you know -- the speculative buyers that have -- that have taken place in some of the newer developments.

COUNCILPERSON J. DAVIS: Well, maybe some -- the question that could be asked is that they provide recent tax bill.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON J. DAVIS: You know?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yes.

COUNCILPERSON J. DAVIS: And a recent mortgage --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh. Yeah, we've asked -- we've asked for -- right.

COUNCILPERSON J. DAVIS: -- payments. Okay. Thank you.

CHAIRPERSON THOMAS: Mr. Davis?

COUNCILPERSON T. DAVIS: Thank you. I, too, agree with all my counterparts as we -- colleagues with this issue. It's a very dire need but there's a lot of things that we need to tweak. And Chair Pro Tem Pardo addressed how do we prioritize. We can look at maybe potentially looking at having an open and closing application date, let's say for 60 days.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: And what happens is -- 'cause we need to get this process moving as fast -- before that rainy season coming in before you're addressing roofs, you know, because we're coming up in the spring in just a few months.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: And then once you get that close date, now you can review all the applications at the same time.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We could do -- yeah, and we can do it that way.

COUNCILPERSON T. DAVIS: And don't worry about opening it up again. Because if you get so many applications in 60 days that'll allow us to get the word out to the community and get people --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: -- allow people the time to come in, because they have to go back --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: -- get the documentation that we're asking for them through -- 'cause a lot of them don't have cars.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: A lot of them don't drive.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON T. DAVIS: So that's going to be the first area. My other issue is the price of the roof of the program, the \$25,000.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: No. That's -- that's the maximum amount.

COUNCILPERSON T. DAVIS: No. The -- that's the maximum. Okay. There's --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: That it's (inaudible) --

COUNCILPERSON T. DAVIS: -- there's nothing here that addresses the type of roof that we're going to put on.

COUNCILPERSON J. DAVIS: Okay. Yeah.

COUNCILPERSON T. DAVIS: You know, because one person may have a flat top. A person may have tile. We need to be very consistent with something --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We -- we would -- right.

COUNCILPERSON T. DAVIS: -- that's very --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. And -- and we can put it in there but we would replace it with similar materials.

COUNCILPERSON T. DAVIS: So that would -- that can easily drive the costs up because I may have a flat top and somebody else may have tile.

COUNCILPERSON J. DAVIS: Yeah.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON T. DAVIS: And that'll drive that cost up.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, if you have barrel tile, if you have tile --

COUNCILPERSON T. DAVIS: Right.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- the house is built for that. Usually we haven't seen any serious barrel tile roof issues. Most of it is shingles.

COUNCILPERSON T. DAVIS: Right.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Some flat roof, of course. They -- they tend to leak, too, if they're not sealed properly. But predominantly in the city we don't have a lot of barrel tile roofs.

COUNCILPERSON T. DAVIS: Okay.

CHAIRPERSON THOMAS: The cost will correct that anyway.

COUNCILPERSON T. DAVIS: Do what?

CHAIRPERSON THOMAS: It's up to 25,000 so --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON T. DAVIS: I know. But see, my issue is when you have up to 25,000, like we say, we -- some people want to be fair. But that's going to limit how many roofs -- homes we can really address, you know? When it come to looking at that. I don't -- the approval amount -- let's say I agree with the 25,000. But that approval amount should be anything over 15,000 should come back before the board so they can explain to the board --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay. Well, if that's what --

COUNCILPERSON T. DAVIS: -- why are we going over a 15 --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. Okay.

COUNCILPERSON T. DAVIS: -- \$15,000.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: And if the board wants to do that, we can do that.

COUNCILPERSON T. DAVIS: And then we can also look at as the program is moving forward, someone coming back and giving us a presentation, an update on how the program is working.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: What are some of the -- the triggers that are causing the problems, what things are making it very effective so this whole entire board can give you the right direction or the approval --

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

COUNCILPERSON T. DAVIS: -- to make sure that this program is successful.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON T. DAVIS: As it was brought before us. That'll be all.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yeah. We can do that.

CHAIRPERSON THOMAS: Okay. I'm just going to put my comments on it. I'll come to you, Mr. Guyton. I know you haven't spoken. I'm fine with the 25,000. The manager has a signing authority up to 25,000 so I'm fine with the 25,000. I think the 25,000 will address some of those issues.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIRPERSON THOMAS: If you have a tile -- if you have a -- a regular --

COUNCILPERSON J. DAVIS: Shingles.

CHAIRPERSON THOMAS: -- shingle roof and you're trying go to tile --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: No.

CHAIRPERSON THOMAS: -- yeah, that's -- that's -- that's --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right. But you don't -- right.

CHAIRPERSON THOMAS: -- that's an issue. You know? It --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: But the houses aren't built --

CHAIRPERSON THOMAS: -- this --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- if they're not built for tile you can't do it.

CHAIRPERSON THOMAS: Yeah. But I'm -- I'm just saying this is not a come-up program.

UNIDENTIFIED SPEAKER: Right.

CHAIRPERSON THOMAS: This is not, Let me --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: -- you know, upgrade and --

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

CHAIRPERSON THOMAS: -- this is -- this program that was really thought of by Mr. Guyton off of the extra money that we got from the Ocean Mall. It was to help the seniors --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: No. Actually this is the money from State Road 7.

CHAIRPERSON THOMAS: -- you know -- yeah, I'm sorry, FDOT. I'm sorry, FDOT.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: It's from FDOT.

CHAIRPERSON THOMAS: Our money --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Just want to keep the City Attorney happy.

CHAIRPERSON THOMAS: Right. No, no, no. We need to say correct things. So, yeah -- so the -- the FDOT money. I'm -- I'm just saying it -- this program is designed. We know we're not going to help everybody but it was -- it's just a thought. This was not a budgeted item.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: No.

CHAIRPERSON THOMAS: And I don't want it to get outside of the 200,000.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIRPERSON THOMAS: I don't want to be saying, Okay. Well, we've got two more left. Three more left. Can we go -- I don't want to go to the general fund.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: No.

CHAIRPERSON THOMAS: I will not support --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, we can't -- we couldn't do that.

CHAIRPERSON THOMAS: -- -- doing any of that. I'm just saying we need to operate the amount of people that we can help with this.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIRPERSON THOMAS: I'm all for it. I -- I really am and I don't want to slow the process down. I really don't want you coming back to us saying that you need to spend more than 25,000.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, we'll leave that to Council Member Guyton.

COUNCILPERSON GUYTON: No.

CHAIRPERSON THOMAS: Definitely not. You know what I'm saying? And I'm sure he doesn't want that responsibility.

COUNCILPERSON GUYTON: No, I don't want that responsibility.

CHAIRPERSON THOMAS: No. I -- I really don't. I think that, you know, we need to do as many as we can.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIRPERSON THOMAS: It's not going to be many 'cause we only have 200,000.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: But that -- I -- I don't want to slow that process up and --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: -- I don't want it to -- to become, you know, a political issue. This is what we have. This is the program that we have.

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

CHAIRPERSON THOMAS: And if the program is successful and the Council decides during budget season that, you know, we want to entertain maybe trying to do another round, then that will be the time for it. But this right here, I just want it to be --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIRPERSON THOMAS: -- my thought process was for it to be let's handle what we got. Let's see how it goes and move forward. Mr. Guyton.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON GUYTON: Thank you, Mr. Chair. And I concur with all of my colleagues, especially the -- the last comments that the Chair made regarding not wanting to slow the process down. I do understand about monitoring it at the 15,000 level. But I think that that would slow us down if we had to bring those back. So I would be in support of letting staff use their judgment in respect to what is needed at that time

in order to accomplish that. And should it need to go over 25, that may be out of our range. That may be something that we --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON GUYTON: -- I -- I don't know, may want to consider if we want to go above 25 or try to identify the --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, that's why we suggested we would bring anything like that back to Council to explain whatever unique circumstances may be with that situation.

COUNCILPERSON GUYTON: Yeah. I -- it appears that it's the Council decision that the -- well, I don't want to speak for them.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON GUYTON: -- that 25 would be the limit. And -- and anything above is that, I guess the resident would need to show that they can come up with the difference because I wouldn't want us to invest 25 and they can't come up with -- if it needed more.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

COUNCILPERSON GUYTON: So that would be a condition that is -- if it's over 25 they would have to come up with the balance. And if they can't prove that they can come up with it --

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

COUNCILPERSON GUYTON: -- then that one we may have to reconsider.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON GUYTON: But we wouldn't want to leave anybody out there if we didn't have to. As it relates to the foreclosure --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON GUYTON: -- if one is pending --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON GUYTON: -- is there language that we can put in there that should this foreclosure go through and the home is sold or whatever the condition might be, that we get our money back in that process? Is that possible?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: I think so. I'll talk to the City Attorney but I think we could probably do that.

COUNCILPERSON GUYTON: Okay.

COUNCILPERSON J. DAVIS: (Inaudible). Not 5,000 but the (inaudible).

CITY MANAGER JONES: Well, you want it all (inaudible).

COUNCILPERSON GUYTON: Yeah. Yeah. Well -- well, whatever we invest.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON GUYTON: If -- if it's a pending foreclosure and sometimes they don't go through. But if -- should it go through --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

COUNCILPERSON GUYTON: -- when that home is sold or bought or whatever the case is, that the City get their money back, their investment.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CHAIRPERSON THOMAS: I agree with that.

COUNCILPERSON GUYTON: Okay. Okay. That's dealing with the foreclosure. I just need some clarity on the water bills. It says outstanding water bills. Now, is that one month, two months, three months? What -- what -- what do we consider --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, I would say if -- well, we didn't say how many months. But I don't know what the cut-off period usually is, if it's three months.

UNIDENTIFIED SPEAKER: Two cycles.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Two cycles? So two months? So we could put in there two months of outstanding water bill.

COUNCILPERSON GUYTON: Okay. If they're past two months.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yeah.

COUNCILPERSON GUYTON: Okay. I think there needed to be more specificity there.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

COUNCILPERSON GUYTON: Those are my questions. I am really excited about helping those that we can. Unfortunately, I know that we will not be able to help everyone in need. I think the Chair made a good suggestion that if it goes well, and if, during the budget session, we may be able to find a few dollars -- not promising anything --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

COUNCILPERSON GUYTON: -- that may be a program that we want to consider at the appropriate time. But there are no guarantees that this would go beyond what we're doing now. 200,000 is it. And I'm just happy that we can help whoever we can, because if we help just a few, I think it would help our city a lot. Thank you, Mr. Chair.

CHAIRPERSON THOMAS: Thank you. I also want to ask this question. And -- and maybe it's in a -- a section that I didn't read and I can't pull it back up right now. I want to also make sure that if there's any pending lawsuits against the City or --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh.

CHAIRPERSON THOMAS: -- I would like to have that language added that we don't --

COUNCILPERSON J. DAVIS: Right.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay. Right. We have city liens, water bills, Code Enforcement violations --

CHAIRPERSON THOMAS: Yes.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: -- or fines, so I guess we could --

CHAIRPERSON THOMAS: Or lawsuits.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRPERSON THOMAS: Yes. No, definitely. I -- I -- you know, if -- if -- if you're suing the City for any reason, we just want to make sure that we're not --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Uh-huh. I agree. Yeah.

CHAIRPERSON THOMAS: Yeah.

UNIDENTIFIED SPEAKER: That's right.

CHAIRPERSON THOMAS: Yeah. Yeah. I -- I just -- you know, I just wanna, you know, make sure that we've covered that, if that's all right with the Board.

COUNCILPERSON J. DAVIS: Fine with me.

COUNCILPERSON GUYTON: Yeah.

CHAIR PRO TEM PARDO: Absolutely.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am.

COUNCILPERSON J. DAVIS: One last question. When -- when is the proposed start date?

COUNCILPERSON GUYTON: That's (inaudible).

COUNCILPERSON J. DAVIS: For accepting applications?

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Well, it would be sometime in January.

COUNCILPERSON J. DAVIS: Okay. But you're --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: After -- after the holidays.

CHAIRPERSON THOMAS: Okay. Let's just give a date. January 15th? January --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: We'll -- we'll strive for the 15th.

CHAIRPERSON THOMAS: -- 15th. Okay.

CITY MANAGER JONES: Yeah, because we're going to need to advertise it so we need an established date --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right.

CITY MANAGER JONES: -- to start.

CHAIRPERSON THOMAS: Okay. Well, let's say February.

COUNCILPERSON J. DAVIS: Well, why don't they -- why don't -- why --

CITY MANAGER JONES: January. January 15.

CHAIRPERSON THOMAS: January 15th is fine if it's enough --

COUNCILPERSON J. DAVIS: -- why don't we just let you -- you guys look at it and then send us an e-mail?

CHAIRPERSON THOMAS: Yeah. That's what I -- that -- that's what I was trying to avoid.

COUNCILPERSON J. DAVIS: Okay.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Okay.

CHAIRPERSON THOMAS: You having to bring it, you know, back to us. 'Cause we won't have another meeting --

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yeah.

COUNCILPERSON GUYTON: Yeah.

CHAIRPERSON THOMAS: -- until the end of January.

COUNCILPERSON J. DAVIS: Right.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Right, I will sit down -- right -- sit with my staff and go over the -- the time frame.

CHAIRPERSON THOMAS: That'll be fine. That'll be fine.

COUNCILPERSON GUYTON: And -- and get back to us.

DIRECTOR OF COMMUNITY DEVELOPMENT McKINNEY: Yeah.

CITY MANAGER JONES: Yeah. We'll do it (inaudible).

CHAIRPERSON THOMAS: Okay. That'll be fine. All right. Madam Clerk?

CITY CLERK WARD: Councilperson Guyton?

COUNCILPERSON GUYTON: Yes.

CITY CLERK WARD: Councilperson T. Davis?

COUNCILPERSON T. DAVIS: Yes.

CITY CLERK WARD: Councilperson J. 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: Unanimous vote.

CHAIRPERSON THOMAS: Okay. We're going to move to --

COUNCILPERSON J. DAVIS: 17.

CHAIRPERSON THOMAS: -- the Discussion and Deliberation. We're going to move down to Community Benefits.

DISCUSSION AND DELIBERATION

COMMUNITY BENEFITS REQUEST

17. J.A.Y. MINISTRIES - \$250 - COUNCILMAN BRUCE A. GUYTON - CHRISTMAS TREE FUNDRAISER.

CHAIR PRO TEM PARDO: So moved.

COUNCILPERSON J. DAVIS: So moved.

COUNCILPERSON T. DAVIS: Second.

CHAIRPERSON THOMAS: It's been properly moved and second. One comment card. Ms. Bonnie Larson. Good evening, Ms. Larson. You have three minutes to make your comments.

BONNIE LARSON: Thank you. This is the second time we're giving them money for the Christmas Tree Program. We gave them 500 the first time so now it's another 250. And this is the third time that I'm asking that since they're asking us for money, why can't we make sure that their building, their thrift shop on Broadway is cleaned up? The -- the rule is you have to keep all your merchandise inside your store front. Oftentimes it -- it looks like a ghetto over there. All the trashiest furniture that they probably can't sell is sitting outside. We're trying to look like an up-and-coming city and that looks like a ghetto.

There's been a board there in front of the plate glass window in the front for more than two years. That screams break-in. We're trying to improve our image. You look at that, you know they've been broken into. So when we're handing them the money, the third request now from me, can we please get after the owner of that building on Broadway and W. 28th Street to make the code -- do their code compliance, because like I said, it screams break-in. And then with them putting all the old trashy furniture out there, that really, really looks bad.

We have about four or five tents over there right now. I understand -- I know that one of them's for the -- one of them is for the -- the Christmas trees, which is just the four, but there's also a food truck which sits over there. I understand that's supposed to be gone every night. It's there every night. And tents all over the place. So if we're helping them, let's have them help us and let's get rid of that old plywood in the front. Like I said, it just screams break-in. And we're trying get away from that image. It's right there on Broadway. Thank you.

CHAIRPERSON THOMAS: Okay. Any questions from the Board? All in favor signify by saying aye.

(All unanimously affirm).

CHAIRPERSON THOMAS: Any opposers same sign. Hearing none, that motion is unanimously approved. Okay. Discussion by the City Manager.

DISCUSSION BY CITY MANAGER

CITY MANAGER JONES: Thank you, sir. Very quickly, just a couple of items. First of all, many of you will remember Mr. Dixon. The resident that came in and we fixed up his home. His family brought him in. The family called me on yesterday to inform me that Mr. Dixon had passed away on Monday. He was 107 years old. And they wanted me to express their gratitude to the Council for assisting them in making his final years as comfortable as we made them. And I assured them that tonight I would relay their sentiments and their appreciation. The family viewing hour will be Friday at St. John's Baptist Church in West Palm Beach from 5 to 7, and the actual home-going celebration will be Saturday at 11 at Inlet Grove.

The City Council Team Building and Vision Retreat will be held January 10th through the 12th, 2014, at the Hilton Garden Inn.

CHAIRPERSON THOMAS: Ms. -- Ms. -- Ms. Jones, one second. Didn't you announce some of the other activities on the 10th for the Martin Luther King.

COUNCILPERSON J. DAVIS: Uh-huh.

CITY MANAGER JONES: Uh-huh.

CHAIRPERSON THOMAS: Okay. No problem. I just thought I'd bring it up. Please continue. Please continue.

CITY MANAGER JONES: Yeah, that's the Riviera Beach Idol night.

CHAIRPERSON THOMAS: Okay. All right. No problem.

CITY MANAGER JONES: That's what they're doing with that one.

CHAIRPERSON THOMAS: Go right ahead. Just didn't want to conflict schedules.

CITY MANAGER JONES: That will be the Hilton Garden Inn, PGA Village in Port St. Lucie, Florida. You asked me if I would address Ms. Larson's statement that as a result of either the lights being dark or something that was not correct on Broadway, that someone lost their life.

BONNIE LARSON: I -- I didn't say --

CHAIRPERSON THOMAS: Ms. Larson, you know the rules. You cannot do that. Please refrain from doing that.

BONNIE LARSON: She's misquoting --

CITY MANAGER JONES: Because of something on Broadway, a man died.

CHAIRPERSON THOMAS: Go right ahead.

CITY MANAGER JONES: The real truth of that is -- and this is the joy of technology. I have the police report here. And an individual that was unfortunately intoxicated walked out in front of a southbound vehicle and was hit. And unfortunately, he did expire. But he did not yield to the oncoming traffic that was there on that particular corner. So you asked me if I could find out and give the answer and so that's the answer for that.

I just distributed to each of you a press release from the Business Development Board that highlights another project that we worked together on the City of Riviera Beach and the Business Development Board in assisting with the expansion of the Sancilio Company, which is referred to as SCI. And they are a pharmaceutical company, and we were able to work together.

The comments in this article are the kinds of comments that reflect the employees that we have for this city. And in this press release, we didn't do the press release; the Business Development Board did the press release. And they were talking about the great assistance that they got from the City of Riviera Beach and the employees to help them with this project. And without your approval of the expedited permitting, this would not be possible. So I just wanted to highlight this success for the City and your success as it relates to providing for expedited permitting so that we can assist businesses, either new businesses, the retention of businesses or the expansion of businesses.

Finally, I would like to wish each of you happy and safe holidays. We look forward to a progressive and prosperous 2014. I don't know about you but I just know some great things are happening here in this city. And I am so excited. And I just wanted to be able to say that to you and to the residents that just look forward to 2014 in the City of Riviera Beach. Thank you, sir.

CHAIRPERSON THOMAS: Thank you.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Ms. Davis?

COUNCILPERSON J. DAVIS: Just to piggyback on -- on -- on -- on Ms. Jones, those names of the employees, I think they need to be announced. Mr. Peter Ringle of the City's Building Division and Mr. Terrence Bailey of the City's Engineering Department. I think kudos go out to them for doing a great job.

CHAIRPERSON THOMAS: Okay. Congratulations to those employees. And I know Mr. Davis, I'm sorry -- Mr. Jones' name is not included in there but everybody knows that he steps out and --

CITY MANAGER JONES: Integral part.

CHAIRPERSON THOMAS: Yes. -- of that. So Mr. Jones, as well. All right. We're going to go down to Legal.

LEGAL DISCUSSION/REQUEST

CHAIRPERSON THOMAS: Anything from Legal?

CITY ATTORNEY RYAN: No, I've got nothing.

CHAIRPERSON THOMAS: You sure?

CITY ATTORNEY RYAN: Uh-huh.

CHAIRPERSON THOMAS: Okay. Nothing for the public to -- to know? Any cases been discussed? Any cases won? Nothing like that? Any cases lost? Any -- anything?

CITY MANAGER JONES: We won one today.

CITY ATTORNEY RYAN: Okay. Mr. Chair?

CHAIRPERSON THOMAS: Ms. Ryan, go right ahead.

CITY ATTORNEY RYAN: Okay. I wasn't going to mention the case but since you decided to bring it up -- you brought it up -- you know, and I don't -- as I keep saying this. I don't normally mention cases but when they're in the press the way some of them are, it is important for the City Council to know about the -- I'm going to call them weekly filings that we have and the results of those cases. This case was a public records case that I was told was going to be on the news and I don't know if it was or not but the press was certainly there. Not at my calling but at the calling of the -- the plaintiff's attorney, Richard Ryles, today.

Over the last few months, Mr. Ryles has made a point of working closely with channel 12 in attempting to show the City in a bad light, particularly as it relates to litigation and litigation expenses. It seems to be his position that the City should settle cases instead of defending itself in cases. And I've talked about this a couple of Council meetings ago. Mr. Ryles filed a -- recently filed a public records lawsuit against the City for some records pertaining to litigation which, of course, the City is in the process of gathering for him.

I want to make a point of saying on the record that the City complies with all public records requests. We get public records requests on a daily basis in one department or another. There are 13 departments in the City. The police department gets, I would say, hundreds of records requests a year, if not even approaching a thousand. I mean, they really get a lot of public records requests. And so do other departments.

Well, Mr. Ryles decided to file a public records lawsuit against the City. I won't use the term frivolously, but it does come to mind. But we, of course, filed a motion to dismiss

the -- the complaint. It was a writ of mandamus. And a hearing was held today. Mr. Thomas came by my office yesterday, and as I said, this is not something that I normally would have even mentioned to City Council. But I told him about the case and he chastised me a bit because it's his position that I have to let you all know about these things. Because he said he would have attended the hearing.

Anyway, we get to the hearing and as I said, not only was Mr. Ryles there but channel 12 was there in full uniform, which was extremely surprising to me. And I did make comments that I'm -- you know, I don't know if they aired them or not, but it seems sad to me and a little confusing that a news station would allow an attorney to use them for advertisement or to do its bidding the way Mr. Ryles has done.

Anyway, the -- the Court ruled in favor of the City and dismissed the complaint. Of course, the -- what was interesting to me is that the press, instead of -- I -- I guess I couldn't expect them to congratulate the City, but they wouldn't even acknowledge that we -- we had the case dismissed. And instead, chose to talk about the public records request and why hadn't Mr. Ryles gotten them and why haven't they gotten their public records request, which I stated it -- we were in the process of complying with right now. So you know, that's the report on today. And it was nice because, you know, Mr. Ryles is an attorney.

You know, we have other people who file lawsuits against us who are not attorneys. And you can forgive some of the things that they do because they're pro se. But when you have an attorney who's acting in this manner and who has a Facebook page where they don't like the way our elected officials deal with their city employees, in particular their city attorney because the city attorney will do what this City Council has advised her to do, which is to defend the city in all of its cases and settle when necessary. But like today, when the court asked Mr. Ryles, you know, when it was his turn to speak, Mr. Ryles made a comment, "I don't know why we're here. I don't know why we're here." Well, we're here because you filed a lawsuit against the City. And I guess he expected us to just lie down and take it from him.

But I have my marching orders. And I expect that he will maybe refile this lawsuit correctly or -- and we know that he's filed other lawsuits against the City. But I hope that this Council will not allow him and his -- and channel 12 -- I guess that's his free advertisement group, to keep the City from doing what it has always done, which is to defend itself vigorously in cases that are not meritorious but to settle cases that are. If we're in the wrong, we settle cases. But if we're not, we're not going to do that. So that's my report on that case, Mr. Chair.

CHAIRPERSON THOMAS: Yes, ma'am. Madam Attorney, to me this is really not about Attorney Ryles. This is about getting information out to the public. So often we only get to hear about these cases either through the -- through the media and its spin to how they feel like it should be. I don't know if channel 12 is going to air that, because I, for one, don't watch channel 12. And as long as they are abusing our city the way that they have been, I would advise you not to watch channel 12, as well. For a week

straight everything that happened was negative about the City of Riviera Beach. That is a direct attack.

When they catch me in the parking lot -- 'cause they're going to have to catch me. I'm not stopping. I don't have time for them. When they corner me coming out of my office to ask me something and don't take the liberty or the dignity to at least air what I say, I have an issue with that. No one is trying do anything wrong. Believe me. If this board felt that Ms. Ryan was not acting in the best interest of this city, everybody up here would act. There's not one council member up here that is afraid to act. You do have that in this Board. We would act. But under no circumstances do I want Ms. Ryan or any other attorney that we have to not defend this city vigorously. At the time that Ms. Ryan decides that she does not want to defend the city vigorously, then it may be time for her to look at some other options. But as long as she's here, I can assure you that I'm going to be saying, Defend this city because that is the job that you have.

Now, on the other side of this, you must be able to read through some of this media stuff. I was looking at the Smart Water thing. Riviera Beach was the first or the second city in this state --

CITY MANAGER JONES: First. First.

CHAIRPERSON THOMAS: -- the -- the first city to do the Smart Water thing. And I'm hearing these stories. Not on channel 12 'cause I don't watch them. But on channel 25 I heard them giving Boynton Beach --

CITY MANAGER JONES: Boynton -- Boynton Beach --

CHAIRPERSON THOMAS: -- two days of press.

CITY MANAGER JONES: Yeah.

COUNCILPERSON J. DAVIS: That's right.

CHAIRPERSON THOMAS: Over something that we were a trailblazer on. And then -- I have nothing against Boynton, but I saw us giving them some press tonight on something else that they have. I get it. I -- I understand that. It's nothing against Boynton. But we have hard-working staff here, hard-working council people here. We're moving this forward and we allow them because they have much more air time. They can get out to a larger audience to just defame us. We -- we -- we will not be allowed to do that. Now, Ms. Ryan needs to explain any case that comes to a resolution and let the public know. Not just this one, but any case. She needs to get that out because you deserve it; the public deserves to know exactly what's going on.

The only way that we can clear this out is with some truth. The only way that darkness leaves is with light. Darkness against darkness cannot -- it can't -- it won't do it. You have to have some light. And as long as I'm here, I'm going to shed light. Now, I'm pretty sure channel 12 will get this or somebody will send it to channel 12. I'm not really concerned about this at this point. You know, I'm going to continue to be here to fight

for this city just like my colleagues. But I just want to make sure that we get those -- those things out -- those things out. Mr. Guyton?

COUNCILPERSON GUYTON: Thank you, Mr. Chair. Let me first say I concur with all you have said regarding channel 12 and our city attorney. And -- and I especially agree with your position that when she stops fighting these cases vigorously, it may be time for her to consider some other options. I want her to continue to defend this city. It is my position that for too long people have -- attorneys have expected us to just settle with them.

COUNCILPERSON J. DAVIS: Uh-huh. Exactly.

COUNCILPERSON GUYTON: When there is no good reason to. And I would not, as a council person, support that type of position. Let me also say, too -- and I'm going to make it very short -- that Ms. Ryan has, in my estimation -- has been performing to my expectations and she has been doing a very good job.

COUNCILPERSON J. DAVIS: Uh-huh.

COUNCILPERSON GUYTON: We always hear the complaints about this city and what Ms. Ryan may not be doing because of what they hear on the media. Our city have a voluminous amount of legal issues on a daily basis that Ms. Ryan has to navigate through. And if there is one or two times when a case does not come down in our favor, we have the naysayers saying that we need to change attorneys. I don't agree with that. I'm now on the inside. I've had the opportunity to deal -- deal with Ms. Ryan for over eight or nine months now. And I am of the position that she is doing a good job.

She never comes and tell us about the wins that she have. And she has more wins or settle cases in our favor than we would ever imagine. So I just want her to know that as far as I'm concerned, that one thing for sure -- and let me say this: We have attorneys and other people who would file lawsuits against us and then complain about how much we're spending to defend the lawsuits that they filed.

COUNCILPERSON J. DAVIS: Yeah. Yeah.

COUNCILPERSON GUYTON: And let me say this to the attorneys. And I hope y'all are listening. And if they're not, would y'all make a copy and send it to them? Don't worry about our budget. Do you. Don't complain. Don't go gathering information trying to show how much we're spending on outside attorneys. That's our business. I mean, and that's -- at the point where we feel it may be excessive, we'll deal with it. We don't need you gathering information for us. So those public records requests trying get cases back to 2005, it would do nothing for my position in supporting Mrs. Ryan.

Let me say this, too. I am not terminating Ms. Ryan. I don't care what you develop at this point. I mean, so it's a waste of time to try to go out there and try to make Ms. Ryan look bad by demonstrating what attorney she's using. So on that note, I just want everybody to know -- and at some point where Ms. Ryan starts slipping or she's not defending this city vigorously, I'll reconsider that. But right now, don't -- don't waste your

time and I don't want people to think that somehow they're going to pressure me to terminate Ms. Ryan because Ms. Ryan has won cases against them and they're trying get rid of her. And that is the case in this last instance where this attorney has even -- has had cases dismissed or motions dismissed. And now there's this effort to go and assimilate information to -- to show us how much we're spending. We know how much we're spending. Thank you very much.

CHAIRPERSON THOMAS: Okay. My -- my -- my -- I've been getting several messages in reference to that story has been aired. The story has been aired so everybody who's texted me from outside, I got it. The story has been aired. Our point still remains. I'm also being advised that, you know, we're doing our very best to utilize channel 18 to get the facts out to our residents. So do understand that and everybody's a little bit passionate right now, heightened about that because we just love this city. You know, we love our residents. We love our staff. And you know, we -- we get real sensitive, you know, on the bad press that, you know -- that we get. So my comments still stand. We're going to try to move the meeting on a little bit. Ms. Ryan, is there anything else that you need to discuss with us or --

CITY ATTORNEY RYAN: No. I -- I think that's it. Thank you, Mr. Chair.

CHAIRPERSON THOMAS: You're very welcome. And keep your head up but keep -- keep fighting it. Keep your head up but keep it down moving forward. Okay. Any City Council Committee Reports?

CITY COUNCIL COMMITTEE REPORTS

COUNCILPERSON GUYTON: Yes, Mr. Chair.

CHAIRPERSON THOMAS: Mr. Guyton?

COUNCILPERSON GUYTON: Very quickly, I -- I have the good fortune to serve as an alternate on the Treasure Coast Regional Planning Council now. And as you all know, that's a body that deal with issues that impact the region, the Southeast region. At our last meeting there were a couple of things that I'd just like to bring to the Council's attention.

Piggybacking on the good news from the Business Development Board about the pharmaceutical company, they're actually expanding a drug manufacturing facility. And the state has an ordinance that they have proposed that I have given to staff to review to see if it would be useful for us. We have an expedited permitting process in place. But they have also developed an ordinance where the process can be expedited simultaneously on the state level, as well. I don't know if we have that now. But I've given that information to staff and I think that if we can use that, we need to do all that we can to make our city one that others will look to because our process may be painless.

The other thing that -- that took place at the Treasure Coast Regional Planning Council meeting that impacts us, there was an update given on the proposal to extend Tri-Rail

up to Jupiter. They were asking support for them to enter into the project development phase at which time more concrete numbers can be developed as to the cost. The Treasure Coast Regional Planning Council did support the project moving into the next phase, and they also went before the MPOs and I thought about Ms. Davis, and I'm sure she probably is aware of that.

The last thing that I would like to advise the Council of that took place is that there is a 750 plan where there's a plan to plan out for 50 years in the Southeast region. And that draft report is still available. And if we, staff, have any comments because it does deal with a lot of different issues and communities and how our community will look in 50 years, we need to be a part of that long-range planning. And now I'm speaking as a planner, because one of the basic principles of planning is to plan long term. And that creates the sustainability of jobs and economic prosperity when we have a long-range plan. So it is my hope that we would get involved in that process and give our input. That's it, Mr. Chair.

CHAIRPERSON THOMAS: Thank you. Any other committee reports?

COUNCILPERSON J. DAVIS: Just one, Mr. Chair.

CHAIRPERSON THOMAS: Yes, ma'am.

COUNCILPERSON J. DAVIS: I just want to update my colleagues that I was not at the last MPO meeting but asked Ms. McKinney to go in my place. And the City of West Palm Beach has already done a letter to the state asking for consideration for quiet zone funding, because as we know, All Aboard Florida is coming. And the MPO Board, as well, is going to submit a letter to the Governor asking for the consideration. So I have asked Mrs. Jones to put this on the agenda so that we can also do a letter asking for funding for quiet zone in our city.

CHAIRPERSON THOMAS: Okay. Is that it for Committee Reports? Okay. Let me give a little bit of a report. As you know, being the school district liaison, they have their meetings around the same time we do. But I -- I know that it's either the school board or the county is having for a half cent tax.

COUNCILPERSON J. DAVIS: County.

CHAIRPERSON THOMAS: And -- and I'll be bringing that back to you once I confirm. I heard Ms. Davis say the county.

COUNCILPERSON J. DAVIS: Yeah.

CHAIRPERSON THOMAS: I've -- I've talked with the county representative, Commissioner Taylor or Mayor Taylor, and she's going to be asking for our support. But I will bring you back the information on it, what it's going to be used for. While I'm on the Committee Reports, there's two things that I want to discuss in very brief detail. The first thing I want to discuss is a bit of good news. A lot of our -- our students out of Riviera Beach attend Dwyer High School. And they did win the state championship so

what I would like to do if it's okay with the Board is to invite them to be a co-marshal in our Martin Luther King Parade if they --

COUNCILPERSON J. DAVIS: That would be great.

CHAIRPERSON THOMAS: -- if -- you know, if it pleases the Board. We do want to -- to support that. If it's okay with the Board, now.

COUNCILPERSON J. DAVIS: Fine with me.

CHAIRPERSON THOMAS: If -- if everyone doesn't agree, then just don't let the championship team of 2013 of 15 and 0, of a bunch of kids that came up through our recreational system -- no, no, no. I'm joking. But we need -- we do need to support that. A lot of those athletes did come up through our recreational system, and this will be a chance to showcase that. A couple of them have signed at D1 schools, major schools, and we definitely need to promote that accomplishment for them.

COUNCILPERSON J. DAVIS: Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am, Ms. Davis.

COUNCILPERSON J. DAVIS: Did you say the -- the -- the team or the coach?

CHAIRPERSON THOMAS: I would say the team. I would say the team.

COUNCILPERSON J. DAVIS: Be the marshal?

CHAIRPERSON THOMAS: Right. They can just walk in there or however.

COUNCILPERSON J. DAVIS: Oh, okay.

CHAIRPERSON THOMAS: Just the entire team.

COUNCILPERSON J. DAVIS: Fantastic.

CHAIRPERSON THOMAS: Yeah.

UNIDENTIFIED SPEAKER: Co-marshal.

CHAIRPERSON THOMAS: The co-marshal.

COUNCILPERSON J. DAVIS: Or maybe we can --

CHAIRPERSON THOMAS: I -- I believe that the committee has selected a co-marshal. I mean, a marshal already but I -- I still think that we need to add them in at some point. Yes, ma'am.

COUNCILPERSON J. DAVIS: Is there any way that we might be able to work out something with a party bus or something that can carry the team? You know?

CHAIRPERSON THOMAS: That would be fine with me, as well.

COUNCILPERSON J. DAVIS: You know, I would be willing to assist with that.

CHAIRPERSON THOMAS: That -- that would be fine with me, as well.

COUNCILPERSON J. DAVIS: All right. Thank you.

CHAIRPERSON THOMAS: I just wanted to bring that up. The -- yes. Yes, sir?

COUNCILPERSON GUYTON: I was going to save this, but since you brought up Dwyer, I got a call from an attorney today regarding recognizing Dwyer outside of the parade but having some type of event. I have not spoken to him in detail about what he wants to do but he says -- I'm told he's willing to contribute to the cause so once we have that discussion, if it's something feasible, I would like to bring it back to the Council for discussion.

CHAIRPERSON THOMAS: No problem. No problem. Carrying on with the school district or with the liaison for this committee, normally -- it may not always seem like it but I try not to be too controversial. However, this may come across as a little controversial. I don't apologize for it because I'm passionate about it. You know, the school district -- and go ahead and get the public records request ready 'cause I am saying it -- they bought the entire I Avenue, between I and J, all of those homes, all of those duplexes, which essentially took taxes from our bottom line. Now, they did. And they did that under the pretense of giving us a school. Now, under no circumstance am I saying that Inlet Grove shouldn't be there or that, you know -- that I -- I support Ms. Banks and every student that she has there. She's doing a phenomenal job. But we still need a school.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: And I am going to -- over the next year or two, I am going to be asking for support from my hometown, from this board to say, Look, give us the cool that was so richly deserved. Give us what you've asked us for when you came in here eminent domaining, taking these properties and harming us and leaving it that way. Now, it may be viewed as controversial but all I want is what you said, and I want you to be true to what you originally put on paper, that a new school was going in. That's why you were taking the property. So I'm asking the board for your support in pushing this issue a little bit.

It makes zero sense. Zero sense to be on these -- these committees and not actually, you know, go before them and ask them to do something for our city. If we don't pick up the ball and run with it, then it's going to be an issue. Now, like I said, Inlet Grove is a wonderful school. That's a wonderful school there. But the only other high school that we have here is Suncoast. And we're fighting very hard to make sure that we get -- I would say equal access but get some access. And we do have more than we -- we had before. But we -- we still need our school here. So I want the Board to know that I'm

going to do it very diplomatic as possible but I only know one way to be and that's full throttle and that's wide open. We cannot run from this fact again.

As I pass up and down that street, it reminds me that they've taken this property some years ago and have not done anything with it. So I just want to let the Board know. And I'll be bringing you back some of the ideas that I had. But I wanted to let you know in Committee Reports. All right. I'm done with that. We're going to move down to Statements by the Mayor and Council.

STATEMENTS BY THE MAYOR AND CITY COUNCIL

CHAIRPERSON THOMAS: We're going to start with the illustrious Ms. Davis. She's back and we're happy to have her back. So Ms. Davis, would you please give us your comments first tonight?

COUNCILPERSON J. DAVIS: Thank you, Mr. Chair. Glad to be back. My first thing, I had written the question to Mrs. Jones because -- relating to what Ms. Bonnie Larson had said about the accident. And I remember it very vividly because I read it in the minutes. What was stated was that somebody had driven a car into a ditch and, you know, I had planned to send an e-mail to you and to the police chief to find out what happened about that because it's in my district. And I'm so happy -- I -- I -- it -- I -- I did not do that, but I'm so happy that it came up tonight because that was really bothersome to me. So it's -- it's great that you have the information and the facts have been put out there instead of --

BONNIE LARSON: (Inaudible).

COUNCILPERSON J. DAVIS: -- and Ms. Larson, I'm not speaking to you, okay? So please don't disrespect me like that.

BONNIE LARSON: Don't (inaudible).

CHAIRPERSON THOMAS: Ms. Larson. Ms. Larson.

COUNCILPERSON J. DAVIS: Also --

CHAIRPERSON THOMAS: Stop. Stop. Stop.

BONNIE LARSON: Don't call me a liar.

CHAIRPERSON THOMAS: Go ahead. Go ahead, Ms. -- Ms. Davis.

BONNIE LARSON: (Inaudible).

COUNCILPERSON J. DAVIS: I -- I'm only repeating what you said. Okay? So if it is a lie then, you know --

BONNIE LARSON: (Inaudible).

CHAIRPERSON THOMAS: Officer -- excuse me, Officer, just have Ms. Larson leave the meeting. This is all she's doing is being asked to leave the meeting at this point for disruptive behavior. That's it. She -- she doesn't even have to leave the building. Just outside of these doors. Thank you. Ms. Davis, please continue.

COUNCILPERSON J. DAVIS: Okay. Also, there was also mention about a sidewalk that was broken. Please, somebody get that information to me so that we can get that straightened out. Also, I'm going to ask my colleagues if it is okay, if you would agree that Ms. Ryan can do a TV segment clarifying those points. I don't know if -- how y'all --

CHAIRPERSON THOMAS: Consensus is good from me.

COUNCILPERSON GUYTON: Yeah.

COUNCILPERSON J. DAVIS: Okay. Thank you very much. Also, as for the Dwyer team, would my colleagues also agree that a proclamation and plaque -- that Ms. Jones has the authority to do a proclamation and plaque at the 15th meeting?

COUNCILPERSON GUYTON: (Inaudible).

COUNCILPERSON J. DAVIS: Okay? Is that all right?

CHAIRPERSON THOMAS: Good.

COUNCILPERSON J. DAVIS: Okay. And also, I did submit a letter to Secretary Wolfe yesterday. Not on behalf of the Council, not on behalf of the City, but as an individual council person, as it relates to the situation with homeowners who have cracks in their properties. I would love for any of my colleagues to also join me in that effort. And if, you know, the --

CHAIRPERSON THOMAS: Once again, you have my consensus on that.

COUNCILPERSON J. DAVIS: -- if you want to use the letter, fine with me.

CHAIRPERSON THOMAS: That's fine.

COUNCILPERSON J. DAVIS: You know, and sign your names to it, that's fine.

CHAIRPERSON THOMAS: I will.

COUNCILPERSON J. DAVIS: And also, Mr. Chair, based on what you said about the school district, I would be most happy to assist you with that, because I was an employee at the school district at that particular time. And I know that a lot of money was spent to go out there and gather support for the half-penny sales tax that was going to be used to build all of these schools. Okay. Now Superintendent Gent came to our city and asked for our support and we gave it. So you know, here it is now that the -- I believe the school was supposed to be built in 2011, if my memory serves me correct. Then, because of the -- because of the economy, it went to '13 and now I think it's '16.

But you know, I think it's time that we start to put pressure on them and let them know that we haven't forgotten. And they made promises to us and we expect them to keep their promise. So I will work with you on that 100 percent.

And I'm going to end by saying Feliz Navidad, Happy Hanukkah, Merry Christmas to everybody.

CHAIRPERSON THOMAS: Thank you, Ms. Davis.

COUNCILPERSON J. DAVIS: Okay.

CHAIRPERSON THOMAS: And we'll now go to the illustrious Ms. Pardo. Ladies night first.

CHAIR PRO TEM PARDO: That's great. And then can we be excused after our comments? Okay. Thank you. First of all I would like to thank our staff who came out and assisted me with the toy drive. We had a lot of work to do and I have to say that Assistant City Manager Jones, you really stepped up to the plate, so thank you. Thank you. Thank you. Lucinda was right there helping us. Public Works, Brynt was out there. As a matter of fact, twice. He helped me set up and then he helped me pack toys, also.

CITY ATTORNEY RYAN: Oh, my God.

CHAIR PRO TEM PARDO: So thank you. And a lot of guys from Public Works, the fire department, the police department, they all came out and they helped me pull the event off. I would like to thank my colleagues on the council for coming out and supporting this. Mr. Guyton, thank you so much for everything that you did. I truly appreciate it. And the businesses in Riviera Beach. Because of all of you, we're going to have a lot of kids -- I think the -- we had about 600 children on our list this year. Unfortunately, applications came in -- we extended the application period several times and as of today we're still getting applications but unfortunately we don't have any toys left. You know, hopefully next year it'll be even larger than this year. So again, thank you, everyone, for supporting the event. And thank you to our staff for really assisting me.

I had one other comment. Oh, Ms. Jones. You need to be aware of this. Last -- well, two weeks ago Thursday when we were setting up for the toy drive, we ran into a problem when we were closing off the street because there were several cars parked on the Beach Road there. And at first we thought, well maybe there -- they were people who were inside the restaurants enjoying themselves. Well, after a couple of hours they were still there so we had a problem parking the fire truck. Well, lo and behold the people whose cars were there, they were employees over at the -- that pink hotel in Palm Beach Shores.

COUNCILPERSON J. DAVIS: Marriott? Marriott.

CHAIR PRO TEM PARDO: And if you recall, you sent them several letters.

CITY MANAGER JONES: Yeah. Yes.

CHAIR PRO TEM PARDO: Okay. So they moved their cars and whatever. That Saturday morning, Jessica and I were over at the little space where we were packing the toys. We were there at 6:30 in the morning. At 8:00 all of a sudden I'm looking outside and people are parking. I'm like, Is everyone going for breakfast, you know, on a Saturday morning? No.

It was people going -- employees going into the hotel and they're parking along the beach and then they're parking in the back. At one point about 9:15 or so, Officer Cheeseman came by and I mentioned it to him. And, you know, he said there's really nothing we can do because we don't have any signs out there. We've sent them letters and obviously they're not, you know -- they don't care about the letters because everyone is still parking there. But perhaps -- and I don't know if this is something the City should do or do we have to talk to, you know, the -- the, you know --

CITY MANAGER JONES: (Inaudible).

CHAIR PRO TEM PARDO: Okay. All right. Well, maybe we can put signs out there and maybe do, like, a sting. One weekend -- I'm serious.

UNIDENTIFIED SPEAKER: Start towing them.

CHAIR PRO TEM PARDO: That's the only way we're going to teach these people. We've -- we've given them notice too many times. And they're parked there from 8:00 in the morning until -- and they stagger. They're there -- some come in at 8; some come in at 9. And they leave anywhere from 4 to 6:30. They want to park there -- well, I'm not even going to say they should be paying us. There's no room for them to be parking. All right? They're running a business. They need to figure out where their employees are going to park.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIR PRO TEM PARDO: So I think at this point, Ms. Jones, maybe you can talk to the chief, you know, you guys can arrange something. But we've given them notice too many times. And at this point I would say start towing.

CITY MANAGER JONES: Towing.

CHAIR PRO TEM PARDO: That's the only way they're going to -- to move their cars.

COUNCILPERSON J. DAVIS: But make sure it's legal.

CITY MANAGER JONES: Put the signs up first.

CHAIRPERSON THOMAS: Okay.

CHAIR PRO TEM PARDO: Um --

CHAIRPERSON THOMAS: Oh, I'm sorry.

CHAIR PRO TEM PARDO: -- yeah, and --

CHAIRPERSON THOMAS: You still have the floor.

CHAIR PRO TEM PARDO: -- I do. And, oh, God, I had something else. I am getting old.

COUNCILPERSON J. DAVIS: I know that feeling.

CHAIR PRO TEM PARDO: Right? What did the Mayor say the last time, I was getting old? Right?

UNIDENTIFIED SPEAKER: He said it.

CHAIR PRO TEM PARDO: Well, he's not here so who's really getting old? All right. The last thing, I'd like to wish everyone a Merry Christmas and a very, very happy New Year. I have a very good feeling about 2014. And rest assured this Council will be working harder than we worked this year on your behalf. We have a lot going on down at the marina this year. Broadway corridor is going to be done. There's a lot of great things happening in this city. So rest, stay with your families through the holidays and we look forward to seeing everyone back here in 2014. Thank you, sir.

CHAIRPERSON THOMAS: Thank you.

CHAIR PRO TEM PARDO: Can I leave now?

CHAIRPERSON THOMAS: Go back to Ms. Davis just for one moment.

COUNCILPERSON J. DAVIS: I've been remiss. I just wanted to thank everyone who sent a card, who visited, who brought food, everything, during the loss of my brother. Thank you all very much. God bless you.

CHAIRPERSON THOMAS: Okay. Thank you. We're going to go -- no, I'm just playing with you, Mr. Davis. Go -- go right ahead, Mr. Davis.

COUNCILPERSON T. DAVIS: Thank you, Chair Thomas. For once I'm going to say thank you to all those parents who came out there Saturday here at the municipality, right here in front of the library and in front of the City Hall for the Strive for 5 Rally. I'd also like to thank Bridges. Ms. Terry, she did an accident job of organizing. I would like to thank the City Manager's Office, Ms. Jones and Mr. Jones, Public Works, Parks & Rec. I would like to thank all the volunteers who came out from Stonybrooks to help out.

Also, West Riviera Elementary, Lincoln Elementary, Washington Elementary, Suncoast High School chorus, Inlet Grove, JFK drumline who came out to participate, Watkins Middle School, Pepsi for sponsoring the drinks, our Youth Empowerment. Our students

did a great and excellent job with deejaying and the photography where they were to tap into our youth showing their talents at this event. I'd like to thank my staff, Ms. Williams, who -- also who participated.

And last but not least, our -- too, Mr. -- Chair Thomas with this great effort as you work on making sure that we hold the school board officials accountable, because once when I came back home as an educator, my goal was to teach at that school that was projected to come to Riviera Beach. And I was sad to come home and realize that that school was not here in existence. So as you move forward, I'm pretty sure you're going to have a lot of support from the entire city and others in the county that is watching the effort as we work together on that initiative. And I'd like to wish everyone a Merry Christmas. Be safe as we get ready to come into the New Year and drive very carefully and celebrate responsibly. Thank you.

CHAIRPERSON THOMAS: Thank you. Mr. Guyton.

COUNCILPERSON GUYTON: Thank you, Mr. Chair. Just one announcement. On January the 16th -- let me make sure of that date. January the 16th, I am having my quarterly town hall meeting. I had my first one in October and I have committed to having one a quarter. It would be from 6:00 to 7:30 p.m. at the Lindsey Davis Center, and I am inviting everyone, irrespective of where you live in the city, to come out.

There will be a presentation on the ballot language for those who say that it is still confusing. We're going to have an opportunity at that time to discuss it. We'll also have a discussion or a presentation on the new public services center, as well. And we will be entertaining all questions, even those not related to the presentation. So I am inviting everyone to come out on January the 16th at 6:00 p.m. at Lindsey Davis for my second quarterly meeting.

And lastly, I would like to thank all of staff from Public Works to Recreation to the Library, Utilities. I know I'm gonna forget a department. But to all of our departments. Finance. Community development, for all of the hard work that you have done in the past year. And I know that you will be doing just as good in the upcoming year. And I wish all of you a happy -- a Merry Christmas and a Happy New Year and be safe. Thank you.

CHAIRPERSON THOMAS: All right. Thank you. My comments will be very brief. There will be no meeting on the 1st, New Year's Day, of course, unless the Council wants a meeting on that date. But at this point we've decided to have no meeting on that date. If someone wants the 1st, I -- I'm not going anywhere after, you know -- after I come from Watch Night Service, I'll -- you know, I'll come in if you want. But at this point there's -- there's no meeting on that day. The other thing is, there -- I've had some inquiries about some of the trees. Now, they say the City is spraying for whiteflies or something?

CITY MANAGER JONES: Uh-huh.

COUNCILPERSON J. DAVIS: Yeah. Uh-uh.

CHAIRPERSON THOMAS: Is the City actually spraying for whiteflies?

COUNCILPERSON J. DAVIS: Well, they're inject -- they injected the trees on my street.

CHAIRPERSON THOMAS: Okay.

COUNCILPERSON J. DAVIS: Because, you know --

CHAIR PRO TEM PARDO: We have (inaudible).

COUNCILPERSON J. DAVIS: -- if I may, Mr. Chair?

CHAIRPERSON THOMAS: Yes. Yes.

COUNCILPERSON J. DAVIS: This was detected last year sometimes. And -- and I didn't know what was going on. And I called -- what's the name of the county organization to -- and they came out and they told me it was whitefly.

CHAIRPERSON THOMAS: Flies?

COUNCILPERSON J. DAVIS: So you know, that was a big -- and it was county dollars that paid for it. But, you know, it's an investment. So I talked to Mrs. Jones and she had Public Works come out and inject the trees.

CHAIRPERSON THOMAS: Right.

COUNCILPERSON J. DAVIS: And they are looking --

CITY MANAGER JONES: It's not spraying.

COUNCILPERSON J. DAVIS: -- they --

CHAIRPERSON THOMAS: Good.

COUNCILPERSON J. DAVIS: -- they look much, much better.

CHAIRPERSON THOMAS: The -- the inquiries about that, people were eating the --

COUNCILPERSON J. DAVIS: Coconuts.

CHAIRPERSON THOMAS: -- coconuts or whatever.

COUNCILPERSON J. DAVIS: Uh-huh.

CHAIRPERSON THOMAS: So we wanted to make sure that if that's happening, we -- we definitely don't want them eating the coconuts.

COUNCILPERSON J. DAVIS: Right.

CHAIRPERSON THOMAS: And we need to put something out on that -- in that area, wherever we are injecting. I don't know. I'm just repeating it. I don't know if they're coconut trees or not, but I was told that there's people that are eating the coconuts. So we want to make sure that we give them the information that's needed to -- well, don't eat the coconuts. Just don't. Just don't.

COUNCILPERSON J. DAVIS: (Inaudible) said that.

CHAIRPERSON THOMAS: Yeah, don't. Don't eat the coconuts. But send some letters, do whatever. But I'm just telling everybody don't eat the coconuts.

COUNCILPERSON GUYTON: All right.

CHAIRPERSON THOMAS: No problem. Okay.

CHAIR PRO TEM PARDO: Motion to adjourn?

CHAIRPERSON THOMAS: No. Not yet. Not yet.

CHAIR PRO TEM PARDO: I need to make it to Publix.

CHAIRPERSON THOMAS: I -- yeah, I know. You've gotta get to Publix. But the -- I don't want to over -- I don't want to steal Mr. Guyton's thunder. He wanted to recognize Mr. McCray. But -- he wanted to recognize Mr. McCray for his success in another TV show. But Mr. McCray -- this is Derrick -- has been cast in one of the top TV shows and now a second TV show called "Pitmasters." He's doing very well. So Mr. Guyton is going to do that. And -- and I couldn't get him on the agenda this time but Mr. Guyton has been eagerly chomping at the bit and he'll be getting recognized then.

COUNCILPERSON J. DAVIS: And that's great.

CHAIRPERSON THOMAS: The other thing we have is Operation Holiday Smart Mark. And this is important so we're going to sit for another 30 seconds. Where you can bring in your goodies, these -- that you're buying for your children, the -- the -- the PlayStations and iPods and all that. Somebody give me a date of when they're going to do this. You have that, Chief? The date of when they're going to do it? The Smart -- the -- the Smart Water.

COUNCILPERSON J. DAVIS: Smart Water. CSI.

CHAIRPERSON THOMAS: Yes. It's called Operation Holiday Smart Mark.

MAJOR COPPIN: Yes, I do.

CHAIRPERSON THOMAS: Can you -- can you do that real quick, please, if you don't mind?

MAJOR COPPIN: Yes, I do. Robert Coppin, Riviera Beach Police Department. The dates that we have are December 23rd at 1 p.m. to 9 p.m.

CHAIRPERSON THOMAS: And where? Where?

MAJOR COPPIN: We're going to have our mobile command center set up in the City Hall parking lot.

CHAIRPERSON THOMAS: Okay.

MAJOR COPPIN: It'll be staffed by two Crime Scene personnel. They'll mark all your property for you. The next date it will have it is Friday, December 27th, from 12 p.m. to 4 p.m. and Saturday, December 28th, from 2 to 6 p.m.

CHAIRPERSON THOMAS: Okay. That should be on channel 18. I know they did a spot, I think yesterday or today.

MAJOR COPPIN: Yes.

CITY MANAGER JONES: Uh-huh.

CHAIRPERSON THOMAS: So in -- watch the spot. But basically you can mark it with it and if somebody tries to take it or touch it, you know, you can -- it'll be on their hands and it's -- just watch the presentation so you can have it a little bit better. But we -- as I say, we are a trailblazer in this and we definitely want everybody to know. So we'll run those dates, as well. But you're spending a lot of money on these gifts. Let's come out and let's try to keep you with them and -- and make sure that no one takes them. Okay. With that being said, I want everybody to have a good night. Thanks for a great year. Merry Christmas.

CITY CLERK WARD: Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am?

CITY CLERK WARD: Excuse me. You want to start the year 2014 off in a positive mode?

CHAIRPERSON THOMAS: Yes, ma'am.

CITY CLERK WARD: Okay. So would you -- you need to schedule -- give me a date for the next city council meeting.

CHAIRPERSON THOMAS: Yes. That would be a good idea.

CITY CLERK WARD: The next regular, unless you want to have it for that Tuesday.

CHAIRPERSON THOMAS: The -- the 15th.

CITY MANAGER JONES: 15th.

CHAIRPERSON THOMAS: January 15th.

CITY MANAGER JONES: We're only doing one.

CITY CLERK WARD: You're going to --

CHAIRPERSON THOMAS: We're doing one that month.

CITY CLERK WARD: Okay. You're pushing the time as far as it going on the ballot.

CHAIRPERSON THOMAS: Okay. All right. So that means that we need to -- 'cause we have to go through two readings, is what you're saying?

CITY CLERK WARD: Correct.

CHAIRPERSON THOMAS: Okay. So we need to have a --

CITY MANAGER JONES: (Inaudible) that'll be the second --

CITY CLERK WARD: Oh, for right --

CITY MANAGER JONES: -- the second reading will be on the 15th.

CITY CLERK WARD: You're pushing the time. There's a deadline that I need to get that information in.

CHAIRPERSON THOMAS: Okay. When is the deadline that you need us to have this done by?

CITY CLERK WARD: Noon on the 7th. Before then.

COUNCILPERSON J. DAVIS: The 7th of what?

CHAIRPERSON THOMAS: Of January? Okay. So we need to have a meeting.

CITY CLERK WARD: Not January. February.

CHAIRPERSON THOMAS: February?

CITY MANAGER JONES: February. So you can make the 15th.

CHAIRPERSON THOMAS: Oh, so -- so the 15th will be good?

CITY MANAGER JONES: Yeah.

CITY CLERK WARD: I'm not going to make you that promise. Because they -- any time you're doing a referendum, you need to get the language in in a time just in case if we run into any errors or whatever. And we'll have time to make the corrections.

CHAIRPERSON THOMAS: Okay.

CITY CLERK WARD: So -- so if we can schedule it possibly --

CHAIRPERSON THOMAS: The C -- what day is the CRA meeting on?

CITY CLERK WARD: I set it for the 2nd to be advertised.

CHAIR PRO TEM PARDO: It's the 8th.

COUNCILPERSON GUYTON: The 8th?

CHAIR PRO TEM PARDO: January 8th.

CITY ATTORNEY RYAN: No. No, Mr. Chair?

CHAIRPERSON THOMAS: Yes, ma'am.

CITY ATTORNEY RYAN: The charter requires that ordinances be heard at regular city council meetings. So if you do a special meeting that's not a regular meeting. And I would not want anyone to challenge the ballot question based upon that technicality.

CHAIRPERSON THOMAS: I gotcha. I -- understood. So --

CITY CLERK WARD: Could we schedule the regular meeting for the 2nd?

COUNCILPERSON J. DAVIS: Why don't we do it on the -- on the 2nd? Yeah.

CITY CLERK WARD: We can schedule the regular meeting for the 2nd of January since the 1st is a holiday. You can schedule -- you can schedule your meetings whatever date. That's what you've been doing all the time.

COUNCILPERSON J. DAVIS: On the 6th?

CHAIRPERSON THOMAS: Um, okay.

COUNCILPERSON J. DAVIS: What about the 6th? The Monday? We'll just have two meetings that -- that week, the 6th and the 8th.

CITY CLERK WARD: I've already advertised it for the 2nd, that there would be that -- that's the first city council regular meeting. And it's gone to post time.

CITY MANAGER JONES: Yeah. But that wasn't --

CITY CLERK WARD: Just so we can meet the deadline.

CITY MANAGER JONES: -- but that wasn't -- that date wasn't decided on prior to. I'll talk with Ms. Ward to see when we need -- what the timetable is for that. But we had

always said that week there was not going to be a meeting in that original schedule that -- that was given. So we'll -- we'll talk.

CITY CLERK WARD: Well, you'll -- you all need to -- well, you need to be accurate because you don't need to make any errors when it -- when it comes (inaudible).

CITY MANAGER JONES: But, no, no, no. I'm saying we'll decide and I'll talk with the Chair about when the next -- the best time would be to call that meeting. Because no one else was scheduled to meet that week, which means now, when do we get out the full agenda, 'cause you don't want to have a regular meeting and not have --

CITY CLERK WARD: Without -- without the items on there?

CITY MANAGER JONES: -- a full agenda. So, yeah.

CITY CLERK WARD: Well --

CITY MANAGER JONES: It's with the other items.

CITY CLERK WARD: -- well, we need to, you know, be in a hurry.

COUNCILPERSON GUYTON: Mr. Chair, I have a quick question.

CHAIRPERSON THOMAS: Mr. Guyton, yes, sir.

COUNCILPERSON GUYTON: Now, if -- if -- if we've -- Madam Manager and Madam Clerk, if we have advertised it for the 2nd, as I understand -- it's already advertised?

CITY CLERK WARD: We just sent it off.

COUNCILPERSON GUYTON: I guess the question is, could you all get together? Could it be pulled into -- until a decision is made as to the date? Is -- is it retrievable?

CITY CLERK WARD: Yeah. Yes. And perhaps since Mrs. Jones said that she want to use it, have other items.

CITY MANAGER JONES: And if it's a regular meeting --

CITY CLERK WARD: In -- in addition to that.

COUNCILPERSON GUYTON: Okay. Okay.

CITY MANAGER JONES: -- it's got to have more than that.

CITY CLERK WARD: Have other items on that.

COUNCILPERSON GUYTON: All right. So -- so you can retrieve that, I guess, as soon as you can and then you all can get together and communicate with us and we'll decide on the date?

CITY MANAGER JONES: Yeah. And I'll get back with the Chair once we see what we do with that.

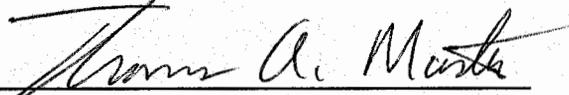
COUNCILPERSON GUYTON: Okay. All right.

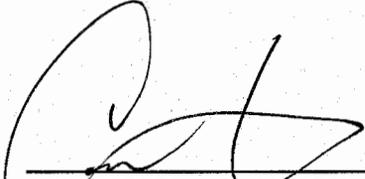
CHAIRPERSON THOMAS: All right. Entertain a motion to adjourn.

ADJOURNMENT

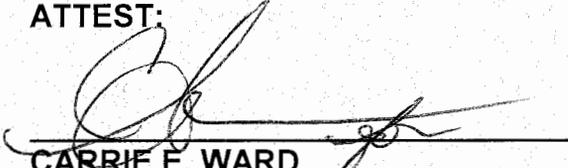
COUNCILPERSON GUYTON: So moved.

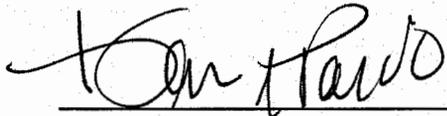
APPROVED:

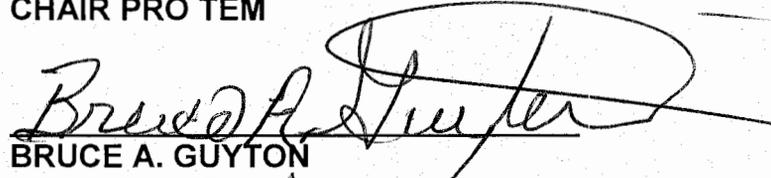

THOMAS A. MASTERS
MAYOR

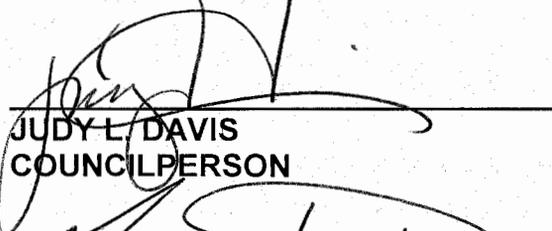

CEDRICK A. THOMAS
CHAIRPERSON

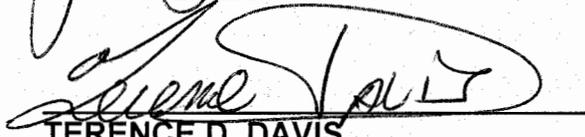
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


DAWN S. PARDO
CHAIR PRO TEM


BRUCE A. GUYTON
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: J. DAVIS

B. GUYTON AYE

J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: 02/19/2014

