CITY OF RIVIERA BEACH CITY COUNCIL

AGENDA ITEM SUMMARY

MEETING DATE: 06/20/2012 AGENDA ITEM SUMMARY NO. M12-062-1

[XX] CONSENT [ ] AWARDS/PRESENTATIONS/PETITIONS [ ] RESOLUTION
[ ] PUBLIC HEARING [ ] ORDINANCE ON FIRST READING [ ] DISCUSSION
[ ] ORDINANCE ON SECOND READING

SUBJECT: MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 16, 2012

RECOMMENDATION/MOTION: APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 16, 2012

INTER-DEPARTMENTAL REVIEW & DATE

CITY ATTORNEY NA	MARINA NA
• CITY CLERK	POLICE NA
COMMUNITY DEVELOPMENT NA	PUBLIC WORKS NA
FINANCE NA	PURCHASING NA
FIRE NA	RECREATION & PARKS
HUMAN RESOURCES NA	WATER & SEWER
LIBRARY NA	OTHER

APPROVED BY CITY MANAGER: Ruth C. Jones DATE: 6-13-12

ORIGINATING DEPARTMENT: OFFICE OF THE CITY CLERK	COSTS: CURRENT FY:_____	CITY COUNCIL ACTIONS: [ ] APPROVED [ ] APPROVED W/CONDITIONS [ ] DENIED [ ] TABLED TO [ ] REFERRED TO STAFF
USER DEPARTMENT: CITYWIDE	FUNDING SOURCE: [ ] CAPITAL IMPROVEMENT [ ] OPERATING [ ] OTHER	
ADVERTISEDDATE: PAPER: [ ] NOT REQUIRED AFFECTED PARTIES [ ] NOTIFIED [ ] NOT REQ'D	BUDGET ACCOUNT NUMBER:	ATTACHMENTS: MAY 16, 2012 REGULAR CITY COUNCIL MEETING MINUTES

BACKGROUND/SUMMARY:

Item No. 1

EXHIBIT A-1

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013
Capital Expenditures	NA	NA
Operating Costs	NA	NA
External Revenues	NA	NA
Program Income (City)	NA	NA
In-Kind Match (City)	NA	NA

NET FISCAL IMPACT _____ _____ _____ _____

NO. ADDITIONAL FTE POSITIONS (Cumulative) _____ _____ _____ _____ _____

Is Item Included In Current Budget? Partial_ __ Yes _____ No. ____

Budget Account No.: Fund ____ Dept/Division ____ Org____ Object_____
Reporting Category_____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. Finance Department and/or Purchasing/Intergovernmental Relations/Grants Comments:

_____ _____
Finance Department Purchasing and Grants

B. Other Department Review:

_____
Department Director

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 16, 2012 AT 6:30 P.M.
MUNICIPAL COMPLEX CITY COUNCIL CHAMBERS

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NON-CONSENT ITEMS ONLY), PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE LEGISLATIVE ASSISTANT PRIOR TO THE BEGINNING OF THE MEETING. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

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

CALL TO ORDER

CHAIRPERSON BROOKS: Good evening, everyone. We are calling to order the City Council meeting. We need the door closed, please. Thank you. Madam Clerk, roll call, please.

DEPUTY CITY CLERK ANTHONY: Mayor Thomas Masters?

MAYOR MASTERS: Present.

DEPUTY CITY CLERK ANTHONY: Chairperson Brooks.

CHAIRPERSON BROOKS: Present.

DEPUTY CITY CLERK ANTHONY: Chair Pro Tem Dawn Pardo?

CHAIR PRO TEM PARDO: Present.

DEPUTY CITY CLERK ANTHONY: Councilperson Judy Davis?

COUNCILPERSON DAVIS: Here.

DEPUTY CITY CLERK ANTHONY: Councilperson Cedrick Thomas? Councilperson Shelby Lowe.

COUNCILPERSON LOWE: Here.

DEPUTY CITY CLERK ANTHONY: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

DEPUTY CITY CLERK ANTHONY: Deputy City Clerk Claudene Anthony is present. City Attorney Pamala Ryan?

CITY ATTORNEY RYAN: Present.

Councilperson Thomas was tardy.

INVOCATION/PLEDGE OF ALLEGIANCE

Everyone stood for a Moment of Silence with The Pledge of Allegiance being led by Chair Pro Tem Dawn Pardo.

AGENDA APPROVAL:

Additions, Deletions, Substitutions

CHAIRPERSON BROOKS: Okay. We'll ask you to please silence all of your cell phones. Miss Jones, do we have any additions, deletions, or substitutions?

CITY MANAGER JONES: Yes, Madam Chair. You have received a revised resolution for Item Number 3 on consent. Um, this is a grant request to FIND for Bicentennial Park that was submitted by the CRA, and we were informed by FIND today that we needed to restructure the resolution.

CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: And that's what this is. There's also, um, additional information that you have received this week dealing with Item Number 12.

CHAIRPERSON BROOKS: Uh-huh.

CITY MANAGER JONES: The AIS form that you received did not have my signature on it, as well as a new page on the resolution to correct an error.

CHAIRPERSON BROOKS: So did everyone receive the -- the new information? Okay.

COUNCILPERSON DAVIS: Um –

CITY MANAGER JONES: I would –

COUNCILPERSON DAVIS: Oh.

CHAIRPERSON BROOKS: Yes, you were about to say, Miss Jones?

CITY MANAGER JONES: There's also, um, a revision for Item 14F.
CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: And I would like to add since Item 10 was deleted prior to printing, a discussion, MPO -- according to staff, MPO has asked for a discussion of the on street parking along U.S. 1 and whether that the position that we've taken is the consensus of Council. So I would just like to add that discussion as Item Number 10 on Regular.

CHAIRPERSON BROOKS: Item Number 10?

CITY MANAGER JONES: Yes, ma'am.

CHAIRPERSON BROOKS: Okay.

CITY MANAGER JONES: That's all.

CHAIRPERSON BROOKS: Thank you. Thank you, thank you, thank you. Okay. We're down to Adoption of Agenda, to the Consent Agenda. All matters listed under this item are considered to be Routine. I'm sorry?

DEPUTY CITY CLERK ANTHONY: Adopt the agenda.

Disclosure By Council
(If any Council Member has anything to disclose regarding any item on the Agenda, please do so at this time.)

Adoption of Agenda

CHAIRPERSON BROOKS: Yes, we need to adopt the agenda. Need a motion.

CHAIR PRO TEM PARDO: Motion to adopt the agenda.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Okay. All matters listed under this item are considered to be routine and action will be taken.

DEPUTY CITY CLERK ANTHONY: Make a call for the vote.

CHAIRPERSON BROOKS: Uh, let's go for the vote. I'm sorry. I'm just ready to move this, this –

DEPUTY CITY CLERK ANTHONY: Okay. Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

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.

MINUTES

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 2, 2012.

RESOLUTIONS

2. RESOLUTION NO. 52-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE REVISED POLICY GOVERNING INTERDEPARTMENTAL AND PUBLIC USAGE OF THE CITY'S GOVERNMENT ACCESS CHANNEL, RBTV-18; AND PROVIDING AN EFFECTIVE DATE.

DEPUTY CITY CLERK ANTHONY: Resolution Number 52-12, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving the revised policy governing interdepartmental and public usage of the city's government access channel, RBTV-18, and providing an effective date.

COUNCILPERSON LOWE: So moved.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Thank you.

COUNCILPERSON DAVIS: Okay. We'll talk.

DEPUTY CITY CLERK ANTHONY: Discussion (inaudible).

CHAIRPERSON BROOKS: Councilperson Lowe pulled this.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe.

COUNCILPERSON LOWE: I -- I know what I did. I -- I wanted to -- I wanted to discuss it for a little bit. I had a chance to thoroughly look at it just recently and, you know, some parts of it, I think I'm giving up some of my authority to both you and the media director, which –

CITY MANAGER JONES: Do you want to point out those sections first?

COUNCILPERSON LOWE: I can point them out. Everywhere you replaced the City Council with either your name or his name, so that's my problem with it.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: This is meant -- this is a public, I mean, broadcast station and as a representative of the -- of the City, you know, I -- I believe I should have access whenever necessary, and it should be a Council decision, not -- not yours or the, um, media director.

CITY MANAGER JONES: Okay.

COUNCILPERSON LOWE: And I said Council, not mine, so that's the area where I have the problem.

CITY MANAGER JONES: Yeah. If I'm understanding correctly, it's the section that talks –

COUNCILPERSON LOWE: Well, we can workshop it if you want to and not have it go through this.

COUNCILPERSON THOMAS: I can go with that.

CHAIRPERSON BROOKS: You want to workshop it? Okay.

COUNCILPERSON THOMAS: (Inaudible).

COUNCILPERSON LOWE: All right. Thank you.

CHAIRPERSON BROOKS: Okay. That will be good. That way (inaudible) --

MAYOR MASTERS: Madam Chair, I want to make some comments on that.

CHAIRPERSON BROOKS: Yes, yes --

MAYOR MASTERS: May I, please?

CHAIRPERSON BROOKS: -- Mr. Mayor.

MAYOR MASTERS: I concur with the distinguished gentleman, um, Councilman Lowe. I think that any policy that restricts, interfere, or prohibits or circumvent elected officials from having access to Channel 18 when and whenever any one of us feel that there is a need to address the public, or to communicate based upon whatever we feel at that particular time -- I've done some research independently of this proposal. Spoke to someone from a very -- from another city close by that has access for their city, and certainly there is no policy that would restrict.

We are elected to represent the people. This is an access channel, public, and I feel that the elected official should have a right at any given time to speak whatever they feel is necessary. To restrict that is certainly -- I have a problem with it, number one. Number two, we have a fiduciary duty as the representative of the people to communicate with our, um, uh, constituents, and I feel that if this policy is passed, which I think there are many parts of it ought to be struck from the record, but if it's passed, it would certainly infringe and circumvent us from doing our job as we ought to be able to do it freely.

Secondly, um, there's something in here that says that elected officials ought to pay for some out of their budget for something, and that's unheard of. That ought to be struck from the record.

So I agree with the gentleman. And I'm sure and hope and pray when we have a workshop, uh, we will address these issues more in detail. It was well intended by the Media Director, but I think that it goes too far in those areas. Thank you, Madam Chair.

CHAIRPERSON BROOKS: You're welcome, Mr. Mayor. Any other comment?

COUNCILPERSON THOMAS: Madam Chair, I withdraw my second for this item.

CHAIRPERSON BROOKS: I think the City Manager wanted to answer something, and then you, Mr. -- um, Councilman Lowe -- or Thomas.

CITY MANAGER JONES: No, I just wanted to say by no means was there ever an intent to limit, circumvent, or to restrict an elected official's access to the constituents. It is and was proposed as an attempt to make sure we stay within the FEC guidelines of public access channels and adhere to, and do scheduling to accommodate the fact that we only have two people. But it was -- and I want to say to Council, it was never the intent to limit your access. Things come up all the time that need to be voiced, and I don't believe that we have ever tried to limit your access. And I just wanted it -- want

each of you to understand that was not the intent, to limit access.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Mr. -- oh, I'm sorry.

MAYOR MASTERS: Oh, I'm sorry.

CHAIRPERSON BROOKS: Councilman Thomas, you're next.

COUNCILPERSON THOMAS: I was just saying I withdrew my second for the item.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON THOMAS: We're gonna workshop it.

CHAIRPERSON BROOKS: Okay.

MAYOR MASTERS: Madam Chair? I -- I don't think that the Manager heard me correctly. I didn't say that. As a matter of fact, I said the opposite. It was not intended to. I said that. That was not the intent. That's what I said. But at the end of the day, if elected officials feel that this is not a good thing to do, regardless, then we ought to look at it.

But I never felt that it was the intent of this gentleman or the Manager to restrict, but it does. And then 30 days from election. I mean, all of this is stuff that we never heard of. Whatever we've been doing all this time has been working, and we have not been in violation of anything, so I don't see it as not -- if it's not broken, there's nothing to fix. But let's workshop it and –

CHAIRPERSON BROOKS: We will workshop it, and that will --

MAYOR MASTERS: -- we'll see, but --

CHAIRPERSON BROOKS: -- give us an opportunity.

MAYOR MASTERS: -- I think the intent was well intended.

CHAIRPERSON BROOKS: Absolutely. Absolutely.

MAYOR MASTERS: Thank you.

CHAIRPERSON BROOKS: Okay. So you've withdrawn your second. And it is the consensus then that we want to workshop this. So do we need a motion to do it?

CITY MANAGER JONES: No, Miss Brooks.

CHAIRPERSON BROOKS: Okay. We just --

CITY MANAGER JONES: Just a date.

CHAIRPERSON BROOKS: Okay. We will decide on the date to workshop. Okay. We have to look at everybody's schedule, because there's quite a few, um, meetings scheduled in May and June. Okay. Resolution number –

3. **RESOLUTION NO. 53-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE SUBMITTAL OF A $75,000 MATCHING GRANT APPLICATION AND ACCEPTANCE OF SAME FOR THE DESIGN OF FUTURE IMPROVEMENTS TO BICENTENNIAL PARK, UNDER THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) WATERWAYS ASSISTANCE PROGRAM (WAP); AND UPON NOTIFICATION OF APPROVAL BY FIND AUTHORIZE THE INTERIM FINANCE DIRECTOR TO ESTABLISH THE BUDGET; AND PROVIDING AND EFFECTIVE DATE.**

CHAIRPERSON BROOKS: Okay. Resolution Number 2.

DEPUTY CITY CLERK ANTHONY: 3.

CHAIRPERSON BROOKS: No, it's 3. Yeah, 3.

DEPUTY CITY CLERK ANTHONY: Resolution Number 5312, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the submittal of a 75,000 matching grant application and acceptance of same for the design of future improvements to Bicentennial Park under the Florida Inland Navigation District Waterways Assistance program and upon notification of approval by FIND authorize the Interim Finance Director to establish the budget and provide an effective date.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

CITY MANAGER JONES: Second.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: Yes, um, Madam Manager, I'm seeing that you put this on as an addition to the consent. I just want to just get a clarification of what's going on with the grant, the modification that you have here.

CITY MANAGER JONES: This item is before you. In March the CRA applied for a grant that was due April 1st to FIND for Bicentennial Park. Once we became aware, and

after the submission of the grant, that the CRA could not apply for the grant, then the City was the entity that needed to apply and accept.

COUNCILPERSON LOWE: All right.

CITY MANAGER JONES: And what this is is a resolution to apply and accept the grant from FIND that has previously been submitted by the CRA.

COUNCILPERSON LOWE: Now --

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes?

COUNCILPERSON LOWE: -- where are we taking the money from?

CHAIR PRO TEM PARDO: Okay. I don't believe --

CHAIRPERSON BROOKS: Hold on for a minute. I'm sorry.

CHAIR PRO TEM PARDO: Okay.

CHAIRPERSON BROOKS: Are you finished, Councilman Lowe? There was --

COUNCILPERSON LOWE: No, my second question was where -- where is the money coming from?

CITY MANAGER JONES: They were -- CRA was providing the $75,000 match.

COUNCILPERSON LOWE: Okay. Now, who's providing it now? The CRA still?

CITY MANAGER JONES: The CRA still.

COUNCILPERSON LOWE: Okay. All right.

CITY MANAGER JONES: If it comes to a point that the City needs to, we do have money budgeted for Bicentennial Park in the event they do not. As a backup.

COUNCILPERSON LOWE: All right. I just wanted to make sure we get the money.

CITY MANAGER JONES: Right.

COUNCILPERSON LOWE: That's all. Thank you.

CHAIRPERSON BROOKS: (Inaudible), yes.

CHAIR PRO TEM PARDO: Madam Chair, yeah, I just wanted to clarify something that the City Manager said. We're not accepting this. FIND hasn't decided whether or not they're going to allocate the money. We won't know until September or early October. Okay.

CHAIRPERSON BROOKS: Any other comments? Okay.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

4. **RESOLUTION NO. 54-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING FINAL PAYMENT TO SAMADI ENGINEERING, INC. FOR PROJECT ADMINISTRATION SERVICES RELATED TO THE BLUE HERON BOULEVARD/SR AIA LAP PROJECT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT IN THE AMOUNT OF $33,660 FROM THE CITY'S CAPITAL PROJECTS FUNDS TO SAMADI ENGINEERING INC. FOR PROJECT ADMINISTRATION SERVICES RELATED TO THE BLUE HERON BOULEVARD/SR AIA LAP PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.**

CHAIRPERSON BROOKS: Okay. Resolution Number -- Item Number 4.

DEPUTY CITY CLERK ANTHONY: Resolution number 5412, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving final payment to Samadi Engineering, Inc. for project administration services related to the Blue Heron Boulevard/State Road A1A LAP project, authorizing the Interim Finance

Director to make payment in the amount of $33,660 from the City's Capital Projects Fund to Samadi Engineering, Inc. for project administration services related to the Blue Heron Boulevard/State Road A1A LAP project and provide an effective date.
CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON BROOKS: And a second?

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Discussion?

CHAIR PRO TEM PARDO: Okay. Madam Chair, I pulled this because, um, I am aware that Mr. Samadi is no longer with the City. He is no longer our consultant, and I just want to say that as the representative for the island where this project was going on, Mr. Samadi went above and beyond his call of duty with this project, and you know, I just want to bring that to everyone's attention.

I can't tell you how many times I asked Mr. Samadi to come out. Some of the condominiums had issues. Some of the homeowners had issues. They had questions. And whenever asked, he was there. If problems arose, call Mr.Samadi; he was there. He was on top of everything. And I just want to say that he did an excellent job on that project, along with you, Miss McKinney. So I just want to give kudos where kudos are due.

CHAIRPERSON BROOKS: Any other comments from the Board?

COUNCILPERSON DAVIS: Yes, Madam Chair. I would like to just point out, also, that this is a -- well, this is to rectify a situation where we were cited by the I.G. for this hire, so you know, let the public know that it is rectified at this particular time.

CHAIRPERSON BROOKS: Thank you, Miss Davis.

COUNCILPERSON LOWE: Yes, ma'am. Madam Chair?

CHAIRPERSON BROOKS: We have -- anymore --

COUNCILPERSON LOWE: To be honest, anything LAP certified or Samadi or anything like that, I'm not signing off on, and that's why I pulled it. All right?

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: Thank you.

CHAIRPERSON BROOKS: All right. Thank you, Mr. Lowe. Did you want to respond to anything?

CITY MANAGER JONES: No.

CHAIRPERSON BROOKS: Okay. We have one comment card. Tina White?

TINA WHITE: Good evening. Tina White, 808 West First Street. It is, you know, just unbelievable to me that Dawn Pardo would give kudos to Samali [sic] and Mary McKinney for lying for four years to the public, deceiving us into paying Samali 600,000 plus dollars. If I was paid 600,000 plus dollars, I would have gladly come out to the condos, too, at the drop of your phone call, as well, Miss Pardo.

I am -- don't understand why the City Manager has not suspended Mary McKinney. She lied on the record consistently for four years. Mr. Thomas, Mr. Lowe, other councilpeople consistently asked the LAP certification, LAP certification, and she consistently told the same lie, that the certification belonged to Samali, which turned out to be a full-fledged lie. How do we reward employees for lying on the public record to deceive for the gain of another retired employee to receive over $600,000 of the taxpayers' money?

When Mr. Thomas found out that Dr. Sierra was lying on the public record as part of the utility district, he insisted upon the City Manager taking action, and she took action. She suspended Sierra and he was fired. Why are we applauding Mary McKinney for lying for the gain of Lal Samali of over $600,000 of the public taxpayers' money?

I am asking you to table this matter, do not allow any additional money of the taxpayers to go to Mr. Samali, refer this to the State Attorney for criminal charges. They stole the taxpayers' money. They defrauded. There is a criminal statute that is a second degree felony that says under Florida Statute 838.222, "If a public employee lied to circumvent the competitive bid process, it is a second degree felony."

Mr. Ben Guy, our Purchasing Director, had a fiduciary duty to tell you that Lal was an engineer. The contract says engineering service. And it had to be bidded. This is not something that your staff did not know. Miss Jones should have known that the LAP certification was made out to the City. Are we protecting Mary McKinney? Are you all protecting her because she's Pam Ryan's children's godmother and all of you fraternize, and Dawn Pardo and Mary McKinney fraternize?

You have to seriously look at you were lied to. You made decisions. You voted eight times to give him more money, more money, more money based on a LAP certification that the Palm Beach County Inspector General found out did not -- was ever issued to Lal Samali. The report shows Lal and Mary and Ben Guy still lying about the LAP certification in their interviews.

What kind of council can you be? You have a fiduciary responsibility to protect the taxpayers. We voted you in for that reason. And there has not been any repercussions for staff telling you a consistent lie since 2008. I believe they came before you eight separate times telling the same lie. Are we not going to have any reprimand? There's no -- we're rewarding lies told to the public. They stole our money, and I'm hoping that the State Attorney is watching this meeting.

And if you guys don't refer this down -- when the young lady stole money out of the business tax money, when the young lady was paying herself out of finance, you all had her arrested. What is the difference between what Mary McKinney and the rest of the staff did? They all colluded to deceive. You were all forced to make votes on lies from your staff. How can you accept that?

Mr. Thomas, you're in business. Miss Brooks, you're in business. You would never accept your employees lying to you and you spent money that was based on a lie. You would fire those people. If they stole from you, you would have them arrested.

What Mary McKinney did was egregious, it was criminal, and it should be looked into by the State Attorney. And you all should direct the Chief to have that looked into by the State Attorney. Thank you.

CHAIRPERSON BROOKS: Thank you for your comments Miss White. I believe that's all under Item number 4.

CITY ATTORNEY RYAN: Hold -- you want to say anything?

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes.

CHAIR PRO TEM PARDO: I'd like to hear from Miss Ryan.

CITY ATTORNEY RYAN: Okay. So --

CHAIRPERSON BROOKS: Yes.

CITY ATTORNEY RYAN: First of all, let me say this. It is very difficult, very difficult to sit here and have members of the public use the word "lie" so many times when we're not allowed, because of our professionalism, to use the same word on them.

I will say this, though. Number one, Mary McKinney is not the godmother of my children. Luckily, that paperwork is not a public record. My children have official godparents. I am friends with many people in the City. They are my colleagues, and if I respect them and work well with them, that's my business. But you will not stand up here and tell untruths about my relationships with City employees.

Number two, on the LAP certification, let me say this. Perhaps the words "LAP certification, LAP certified," were used loosely, but I looked closely at the paperwork, we talked to the State, and what should have been said was that Lal Samadi was qualified, was LAP qualified, and because of that the City was able to maintain its LAP certification. Without LAP certification, without having somebody who's qualified, you cannot have the money.

There -- the City of Riviera Beach received, I believe, well over $100,000, maybe 2 or $300,000, that other cities were not able to receive in their projects, because they were not LAP certified. The only reason the City of Riviera Beach was LAP certified is because of Mr. Samadi. Tell that. That is a fact. And we have two employees who are now becoming qualified under the -- under the City's LAP certification, and that's why we're able to maintain it. But you have to have someone who's LAP -- who is qualified in order for you to have your LAP certification, and that's what Lal Samadi did for us.

CHAIRPERSON BROOKS: Thank you and --

CITY ATTORNEY RYAN: The third thing I want to address is I want to correct what Miss Davis said. She said the reason this is happening is because of –

COUNCILPERSON DAVIS: That is not the reason it happened.

CITY ATTORNEY RYAN: -- the ethics -- the I.G.'s letter to us. That is not correct. Mr. Samadi chose to resign himself to avoid putting the City in any -- a bad situation, but the City Manager wrote a very thorough letter to the Inspector General's office explaining Mr. Samadi's work with the City.

And it needs to be clearly understood that everything -- all of the -- the -- some of the projects that Mr. Samadi worked on as an engineer were not under Chapter 287. All projects do not have to be under 287 to have, um -- and require to -- you have to go out for bid for an engineer. So some of the projects that he worked on were under the threshold, and he was capable of doing the work for the City.

The City did nothing wrong. And I agree with you, Miss Pardo, that we received -- and the I.G.'s office, they even said it. They believe that the City received a substantial savings by using Mr. Samadi. They just preferred that we use a different method. The I.G.'s office provides a lot of guidance to us, and we're taking their comments and suggestions to heart and making changes in the City.

No city is perfect. You have seen where several cities have been under the scrutiny of the I.G.'s office, and like they are, we're making some changes in our processes so that we can be more transparent and do things in the most correct and legal way that we can.

COUNCILPERSON DAVIS: Miss Ryan? I'm sorry.

CITY ATTORNEY RYAN: But to say that -- no, I'll just go on and on.

COUNCILPERSON DAVIS: I just want to say that I didn't say that this, you know, is a result of the I.G. I simply said that this corrects what the I.G. had –

CITY ATTORNEY RYAN: Okay. I -- okay.

COUNCILPERSON DAVIS: -- written upon us.

CITY ATTORNEY RYAN: I understand.

COUNCILPERSON DAVIS: Okay.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: I heard -- Miss Ryan, I heard you say "qualified," and maybe that's where the issue is. There's obviously a difference between certified and qualified.

CITY ATTORNEY RYAN: Absolutely.

COUNCILPERSON THOMAS: So I think maybe if we knew what "certified" meant and "qualified" meant, then maybe we could understand the situation. Also, I heard you say "Statute 287." I believe that's for the procurement, but just so everybody knows, and myself included if I'm incorrect, please tell us what that statute is.

CITY ATTORNEY RYAN: I may need Ben for that. It's the CCNA. I always get it --

COUNCILPERSON THOMAS: Competitive negotiation?

CITY ATTORNEY RYAN: -- confused. Yeah, the -- it's Competitive Negotiation Act. What is it, the Contractor's? It's a statute -- go ahead, Ben.

BENJAMIN GUY: Yeah, 287.055.

CITY ATTORNEY RYAN: Yeah.

BENJAMIN GUY: It's the Consultant's Competitive Negotiation Act. And it establishes a requirement for certain engineering work to be acquired through a competitive selection process. If it's over a certain amount -- they have what they call categories. So once you exceed certain categories, it triggers the requirement for you to go out and acquire the services under competitive solicitation. And again, it's for engineering services.

COUNCILPERSON THOMAS: Can you explain -- will you explain the difference between being certified and qualified? Because I really want to -- I want to know that myself. I -- I heard Miss Ryan say certified -- qualified, not certified. She said other employees are also getting qualified. So I mean, the talk, and what we've been -- what I've been, you know, made to understand is that the agency gets certified, and their employees, they get qualified or -- please explain that so everybody understands, so we -- we actually know what's going on here.

BENJAMIN GUY: Well, actually, in terms of that, I mean, that's something separate and apart from any requirement under 287, but my understanding of the City Attorney, it's simply that in terms of the LAP, there's a certification that belongs to the organization, but then for the organization to receive a certification, that certification is premised upon you having qualified staff, you know, on board.

And that being the case, with Mr. Samadi the situation was that he had done a number of federally funded projects that qualified him under LAP to be able to basically allow the City the certification to receive the money. If you didn't have qualified staff that had worked on these numerous federal projects and were familiar with the reimbursement requirements and the other sundry requirements, then you wouldn't have been able to qualify or to be certified as an organization to receive the funding.

COUNCILPERSON THOMAS: Okay. I have another question. Thank you, Mr. Guy.

By approving this particular item -- I don't know if this is to Miss Jones or Miss Ryan -- does this put us in any type of, um, legal issue? Is it -- I mean, does it -- because of whatever the –

CITY ATTORNEY RYAN: Well, I will say this. This is -- this final payment is for work that Mr. Samadi did, in fact, perform for the City. So if you don't pay it, then he will have a legal action against the City. He's done the work. This is not for future work. You know, his last day was, I believe, April 27th, and this is for work that he completed.

COUNCILPERSON THOMAS: Okay.

CITY ATTORNEY RYAN: So we have a contractual responsibility to pay our bills.

COUNCILPERSON THOMAS: Okay. Right, I understand that. Miss Jones, what I would like to know is, since Mr. Samadi has decided to terminate his contract with the City, what is going to happen now with the funding that we get for these projects? Because the project is not completed, correct?

CITY MANAGER JONES: Yes. We have informed FDOT our City Engineer, Terrence Bailey, as well as, I believe, Mr. Aurigemma from Utilities, both have taken the State's LAP certification course, so now we have two engineers in the City that meet the requirements of LAP certification in order to continue the project.

COUNCILPERSON THOMAS: Okay. So we're -- we're fine in that aspect. Okay. That's all.

CHAIRPERSON BROOKS: Any other comments?

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Lowe.

COUNCILPERSON LOWE: So -- so that I get this clear now, the LAP certification comes with the organization, meaning the City, and the only -- only thing that we were lacking was an engineer –

CITY MANAGER JONES: Right.

COUNCILPERSON LOWE: -- at that time.

CITY MANAGER JONES: He was the City Engineer.

CITY ATTORNEY RYAN: Mr. Samadi was the City Engineer.

CITY MANAGER JONES: When this happened.

COUNCILPERSON LOWE: I understand that. But we could -- anybody could have been the engineer.

CITY ATTORNEY RYAN: No, he was employed at the City, yes.

COUNCILPERSON LOWE: I understand that.

CITY ATTORNEY RYAN: Oh, okay. I'm sorry. Yes.

COUNCILPERSON LOWE: I said -- what I was saying is the LAP certification comes with the organization. All we had to do was hire an engineer.

CITY ATTORNEY RYAN: Who was LAP -- who -- right, right, who would become qualified. That is correct.

CITY MANAGER JONES: By taking the course, yeah.

COUNCILPERSON LOWE: Okay. And we didn't, based on the fact that Lal was the only one around that was qualified. That's what you're telling me? Can I hear from an engineer what LAP is?

CHAIRPERSON BROOKS: Brynt Johnson, would you please --

COUNCILPERSON LOWE: An engineer.

CHAIRPERSON BROOKS: Oh, an engineer.

COUNCILPERSON LOWE: Not a -- I -- I want to hear from an engineer.

CHAIRPERSON BROOKS: Is the engineer in the house?

COUNCILPERSON LOWE: Do we -- do we have (inaudible)?

CHAIRPERSON BROOKS: Okay.

LOU AURIGEMMA: Good evening.

CHAIRPERSON BROOKS: Good evening.

COUNCILPERSON LOWE: Let's get it straight and final. I just want to know what --

LOU AURIGEMMA: Lou Aurigemma, Executive Director of the Utility District. Yes, Mr. Lowe, I am a professional engineer and you are correct. LAP certification -- FDOT LAP certification goes with the agency, the City of Riviera Beach. And the City of Riviera Beach needs to have someone on board to administer the LAP funding, the job itself. Mr. Samadi, when he was the City Engineer, met that qualification for the LAP

certification of the City. Upon his retirement, then the City had a choice. They could either hire Mr. Samadi, as they did, or they could have hired another engineer or an engineering consultant. And so it could have gone any way. And that's really the bottom line.

COUNCILPERSON LOWE: Thank you very much. I appreciate that. All right. I'm done.

CHAIRPERSON BROOKS: I'll just add a comment. I think what might have been confusing was that in earlier meetings when the matter had come up about the renewal of the contract we were made to understand that the LAP went with the person, and that might have been just a misunderstanding. But you know, look, it's all been identified the areas that we should have gone in a different direction, and what's important now that we're taking corrective action, and we just will not see this happening again.

CITY MANAGER JONES: Right.

CHAIRPERSON BROOKS: And that's really what it is. We can admit making an error, a misunderstanding, but just learn from it and move forward, and that's what we're trying to do. And I know perhaps some of the citizens feel, well, you know, is this the right thing to do, but we feel that it really is the right thing to do now, just to move forward. And we've taken the corrective action that we need to take, Miss White, really.

MAYOR MASTERS: Madam Chair?

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes, yes, yes. Um, Mayor, and then Mr. Lowe. I mean -- I'm sorry, Mr. Thomas.

MAYOR MASTERS: Thank you. I heard distinguished Councilman Lowe said he's not gonna sign off on this thing, and I also heard distinguished Councilman Thomas had some serious concerns as it relates to this being legal and that. And it makes me a little nervous, because I'm signing on or signing off, as well.

I need to know, is -- are we still being investigate -- is this over by the I.G., the State? I heard people talking about the State Attorney and I.G. I mean, where are we with this? Is this over?

CHAIRPERSON BROOKS: Legal, would you answer that?

MAYOR MASTERS: Or is it still being -- is it still being looked at?

CITY ATTORNEY RYAN: It is my understanding that the Mayor and the City Council received the final report and that this matter is over.

MAYOR MASTERS: Okay. What --

CITY ATTORNEY RYAN: But I'm only going by the final report that was submitted to the City.

MAYOR MASTERS: Have we seen the final report?

CITY ATTORNEY RYAN: Yes. It was sent to you.

CHAIRPERSON BROOKS: Yes, we have.

MAYOR MASTERS: Okay.

CITY ATTORNEY RYAN: By the I.G.

MAYOR MASTERS: The other thing that concerns me is a citizen made some serious statements and it seems like to me -- now, if the citizen make those statements about me, I'm -- I'm going to defend myself and say that's just ridiculous, it's not true, and prove that it isn't. Now, I don't know whether this is for the Manager or for the Attorney. I heard the Attorney say a little something but this is a -- is this true or not? Does -- the statements that Miss White made, are all those statements true? Were we misled? Were they not the truth?

I mean, we have people who have reputations on the line, whether it's Mr. Samadi, whether it's, uh, distinguished people who are over departments, whether it's councilpeople, or whether it's even citizens. But I think that somebody needs to say there's no truth to this or it's -- I don't know what the answer is, but to leave it out there hanging and no one responds, I don't –

CHAIRPERSON BROOKS: Let me just --

MAYOR MASTERS: I don't know, Madam Chair.

CHAIRPERSON BROOKS: -- say, Mayor, if we have the Inspector General's report, I think it would answer a lot of your questions. Maybe some of them, not all of them. But what we don't want to do here is drag any of our staff through any kind of mud. We're just not going to do it.

MAYOR MASTERS: And I agree with that, but --

CHAIRPERSON BROOKS: And so, you know --

MAYOR MASTERS: I agree with you.

CHAIRPERSON BROOKS: -- right now I just think we've said enough. If -- I hope I've answered –

MAYOR MASTERS: Madam --

COUNCILPERSON THOMAS: I -- I still have a question, (inaudible).

CHAIRPERSON BROOKS: Okay. Okay.

COUNCILPERSON THOMAS: If -- whenever you'll recognize me, I have something --

CHAIRPERSON BROOKS: Yes, yes. Yes, Mr. Thomas.

COUNCILPERSON THOMAS: I heard Mr. Aurigemma say something, but I -- I just need to know, whoever can answer this, does the person carrying that qualification have to be an engineer?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON THOMAS: They have to be an engineer.

CHAIRPERSON BROOKS: They have to be a professional engineer.

COUNCILPERSON THOMAS: Well --

COUNCILPERSON: P.E. P.E.

COUNCILPERSON THOMAS: P.E. Okay. I understand that. But let me -- let me ask this, and this is not to throw any member under the bus, did we not have an engineer on board at the time? We didn't -- we didn't have an engineer in Utility?

CITY MANAGER JONES: In 2008, I believe, when you received the monies, Mr. Samadi was your City Engineer.

COUNCILPERSON THOMAS: I understand.

CITY MANAGER JONES: He --

COUNCILPERSON THOMAS: But I'm saying, once he left --

CITY MANAGER JONES: He left, and then we did not have anyone that had taken the course. We had Mr. Aurigemma that was hired in 2010.

COUNCILPERSON THOMAS: Okay. Let me -- let me --

CITY MANAGER JONES: Is when the next -- yeah.

COUNCILPERSON THOMAS: Okay. Let me ask this. Mr. Aurigemma has this qualification?

CITY MANAGER JONES: He has -- he's a Professional Engineer, and he has taken

the LAP certification course.

COUNCILPERSON THOMAS: So he has that in -- in now. He --

CITY MANAGER JONES: He has it in now, as well as Terrence Bailey, our City --

COUNCILPERSON THOMAS: He has it in now.

CITY MANAGER JONES: -- Engineer. Well, let me -- let me ask this. If we had an engineer on staff already, why didn't we send that engineer, the same way we just did Mr. Aurigemma, who was here before Mr. Aurigemma, to get the LAP certification? Or LAP qualification, let me say.

CITY MANAGER JONES: It was Mr. -- it was a decision to continue Mr. Samadi, because his actual function was as the engineer and –

COUNCILPERSON THOMAS: I know. I -- I don't have a problem with Mr. Samadi.

CITY MANAGER JONES: Yeah. No, I know.

COUNCILPERSON THOMAS: I understand that. But in all honesty, that is a question that's in my mind. I remember saying, "Listen, we can't find an engineer. That's a lot of money. We can't find an engineer. We can't find an engineer." And it was because of that. So we understand that it was confusing, and we -- we're past that. But my issue is we had the ability and still do have the ability to make sure that more than just that one person is LAP qualified. So why not step forth and do that, and that probably should have been something that we did before.

Now, I'm not gonna cry over the spilled milk, but just in case Mr. Samadi -- not Mr. Samadi. Just in case Mr. Aurigemma or any of these other -- other individuals decide that they want to separate from the City, as Mr. Samadi did, how are we preparing ourself for that is -- is where I'm getting with this. What -- what is our plan? What is our -- what's our course of action, just in case the two people who just came on decide that they want to pursue other opportunities, being that they have that qualification now? What -- what -- how do we protect ourself?

CITY MANAGER JONES: You want -- we will make sure that -- currently we have three engineers in the City, and that all of them are LAP certified, taken the course. If all of them elect to leave at the same time, then we'd have a difficulty. I would like to think that that wouldn't happen and we could replace them with another engineer and make sure at least two at a minimum always stay, you know, certified.

COUNCILPERSON THOMAS: Well, I -- you know, I just want to make sure that people understand that, you know, we have this information now. We're gonna work toward that, but that is a question. That is a question. If you have to be an engineer, then fine. But all of our engineers need to be LAP certified or LAP qualified, and we need to make sure that that is a process, so we can continue to get the -- these -- these monies. So

as long as this item is fine, we're just paying Mr. Samadi for the work that he's already done, I'm -- I'm -- I'm okay with that.

CITY MANAGER JONES: Right. And the City currently has three professional engineers. Two of them have already completed the course and now we just need to make sure the third one gets through the course.

COUNCILPERSON THOMAS: Yes, ma'am.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Mayor?

MAYOR MASTERS: Thank you. Just as Councilman Thomas makes his points, I'm -- I'm gonna make mine. Um, my point is this. He just made a statement which I think is key, the people. And you indicated or someone indicated that this I.G. report clears staff, so I'm going to ask that if this report can be made public for the public can see, number one, and also be placed on –

CHAIRPERSON BROOKS: I believe it is, isn't it?

COUNCILPERSON DAVIS: It's on the website.

MAYOR MASTERS: -- the -- on the website. Can it be placed on the website for the public can –

CHAIRPERSON BROOKS: It is.

MAYOR MASTERS: -- can see.

CHAIRPERSON BROOKS: It is.

MAYOR MASTERS: Thank you.

CHAIRPERSON BROOKS: Uh-huh.

MAYOR MASTERS: I didn't see it on website.

CHAIRPERSON BROOKS: Miss Davis, was there -- okay.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Lowe?

COUNCILPERSON LOWE: Just my final statement. I just want to say that, you know, I'm -- I'm kinda hurt behind this. I -- you know, I -- I -- my -- my -- when I came in here,

my objective was to stand behind staff 100 percent, because that's -- that's all I had. But in this case, when you talk about engineering and having the agency certified and having an engineer qualified, I know we've always either had an engineer or a consulting engineer on paid staff, either an engineer or a consulting engineer. And you can go back and look at the records, 'cause I've approved from the time I've been on here, several contracts for engineers. So in that regard, you know, I -- you know, I just -- I just feel like I've been -- I feel -- I felt deceived.

And then in light of recent weeks, we've just had to settle a $450,000 settlement behind an engineer and, you know, I'm not taking it with a grain of salt. You know, it's not water under the bridge for me. And I haven't seen anything come across this dais to address that problem.

We just can't kick around a half a million dollars and just say, "Oh, well, you know, next time. You know, we'll do better next time." It's a serious problem and I'm not -- I'm not voting on this. So you can call the question.

CHAIRPERSON BROOKS: Okay. We can call it.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: No.

DEPUTY CITY CLERK ANTHONY: The motion is approved with Councilperson Lowe dissenting.

5. RESOLUTION NO. 55-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FOR CONTINUATION OF THE YOUTH EMPOWERMENT PROGRAM IN THE

AMOUNT OF $25,000; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

5A. RESOLUTION NO. _56-12_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTIVE AN AGREEMENT COMMENCING JUNE 25, 2012 – AUGUST 3, 2012 BETWEEN THE CITY AND WORKFORCE ALLIANCE, INC., TO PERMIT THE CITY OF RIVIERA BEACH TO BECOME A HOST WORKSITE FOR SUMMER JOBS PROGRAM FOR YOUTH AND YOUNG ADULTS AGES 17 - 21; AND PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO._57-12__ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF NICHOLAS ONOFRIO AND DYLAN DONNELLY, A MINOR VS. THE CITY OF RIVIERA BEACH, CASE NO.: 502010 CA 019126XXXX MB AJ, IN THE TOTAL AMOUNT OF $1.4 MILLION; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT ON BEHALF OF THE CITY FROM THE CITY'S LIABILITY INSURANCE TRUST FUND ACCOUNT NO.: 602-0539-513-0-4508, SAID AMOUNT TO BE REIMBURSED AS APPROPRIATE FROM THE CITY'S INSURANCE CARRIERS; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

CHAIRPERSON BROOKS: Okay. 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. Do we have any item to be removed?

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes.

CHAIR PRO TEM PARDO: I would like to pull Item 4.

CHAIRPERSON BROOKS: Item 4.

COUNCILPERSON LOWE: Yes, Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON LOWE: Item 2 and 3.

CHAIRPERSON BROOKS: Any other? Okay. Item Number 2.

DEPUTY CITY CLERK ANTHONY: We need to get a motion to approve --

CHAIRPERSON BROOKS: Please.

DEPUTY CITY CLERK ANTHONY: -- consent agenda.

CHAIRPERSON BROOKS: Please. Item Number 2?

COUNCILPERSON THOMAS: Need (inaudible).

DEPUTY CITY CLERK ANTHONY: You need a motion to approve consent --

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes.

CHAIR PRO TEM PARDO: I'd like to make a motion to vote on the consent agenda?

CHAIRPERSON BROOKS: Need a second.

COUNCILPERSON THOMAS: Second.

CHAIRPERSON BROOKS: Vote. (Inaudible) --

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote. Okay. Now Number 2.

PETITIONS AND COMMUNICATIONS FOR FILING

AWARDS AND PRESENTATIONS

7. PRESENTATION TO THE CITY COUNCIL MEMBERS AND MAYOR FOR THEIR OUTSTANDING SUPPORT AND CONTRIBUTIONS TO THE RIVIERA BEACH PUBLIC LIBRARY.

CHAIRPERSON BROOKS: Okay. Now we're to petitions and communications. For filing, none. Awards and Presentations. And we are going to add under Awards and Presentations, an additional proclamation by the Mayor, um, to Dan Marino. But first we'll do the Item number 7, which is a presentation to the City Council Members and Mayor for their outstanding support and contributions to the Riviera Beach Public Library.

CYNTHIA COBB: Good evening.

COUNCILPERSON: Good evening.

CHAIRPERSON BROOKS: Good evening, Miss Cobb.

CYNTHIA COBB: I'm Cynthia Cobb, Library Director, and I would like to make some very special presentations this evening. Uh, some have already occurred, but we're going to reenact them for the general public here at Riviera Beach to experience. Um, the first -- well, first of all, Bobby -- Bobby Powell, the Chair of the Library Advisory Board, and Monty Green, Vice Chair of the Advisory Board are going to accompany me in, um, making the presentations. Okay?

The first presentation, which should go to Councilwoman Judy L. Davis. Miss Davis, will you please come down? I would like for the general public to know that on April the 20th, 2012, Councilwoman Judy L. Davis was presented the Outstanding Citizen Award by the Florida Library Association. Um, Miss Davis' donation in the total of $3,000 to the library was warmly received, very much so, to the point that we felt that it was worth a statewide recognition and honor. So I will please read the plaque that she received at the closing banquet of the Florida Library Association's conference in Orlando. "The FLA," which is the Florida Library Association, "presents the 2012 Outstanding Citizen Award to Judy L. Davis."

COUNCILPERSON DAVIS: Thank you. Thank you, Mrs. Cobb, for the submission of my name, and I just wanted to make a clarification. In our agenda packet it says Community Benefits Donations. This was the result of a donation from $3,000 of my money from my pocket. So that's how much I appreciate the library and what you do for the City. Thank you.

CYNTHIA COBB: Thank you. All right. The second award, will Mayor Thomas A. Masters please come forward? Okay. The library staff and especially the Board, we are very appreciative for any and everything that we receive from our friends, and the Mayor has most certainly stepped forward to present himself as a true friend to the library, and we want to thank him with our Gift of Giving award for his generous bequest to the library by way of the Singer Island Civic Association at the passing of his mother.

MAYOR MASTERS: Thank you.

CYNTHIA COBB: Okay. I want to ask if Council Chair Pro Tem Dawn Pardo would please come forward.

MAYOR MASTERS: She always follows her mayor.

CHAIR PRO TEM PARDO: Always following my mayor. My mayor for life here.

CYNTHIA COBB: Council Chair Pro Tem Dawn S. Pardo donated $1,000 to the library, supported by her Community Benefits Funding, through the Waste Management, for the purchase of 73 self-help textbooks which were most desperately needed. She came over to my office and basically said, "How can I help?" And we put those funds to very good use, and they are actively circulating throughout the City as I speak, probably. So we want to thank you so much for the donation, in addition to some dictionaries that you gave us, and they're also being used very heavily. So thank you very much.

CHAIR PRO TEM PARDO: Thank you. I'd like to say something. You know, this award is because of Waste Management, so I'd like to thank Waste Management for being so generous to the City of Riviera Beach. All right. Thank you.

CYNTHIA COBB: Okay. Will please Councilman Cedrick Thomas please come forward?

COUNCILPERSON THOMAS: There must be some mistake.

CHAIRPERSON BROOKS: Oh, no.

CYNTHIA COBB: Councilman Cedrick A. Thomas. Councilman Thomas has provided encouraging support to our library and our literary events, but most important, this award that we have named Libraries Mean Business, because believe it or not, our Councilman never hesitates to stop to give an encouraging word to some of our teenagers who are not behaving properly in the library, and we want to re-enforce the fact that you mean business. Very good.

COUNCILPERSON THOMAS: Thank you.

CYNTHIA COBB: Okay. Go on back. Um, Council Chair Brooks? Council Chair Billie E. Brooks has donated $1,500 to the library to enhance the library's African-American

book collection, and to support a community event in recognition of Juneteenth. And we want to present to you our Literary Leaders Award, because you are a literary leader, and we thank you so much for your contribution.

CHAIRPERSON BROOKS: Thank you.

CYNTHIA COBB: Thank you. Councilman Shelby Lowe. To Councilman Shelby Lowe, Shelby L. Lowe, who donated $6,000 to the library that was used for various jazz-related events during the month of April. And one of the tasks that I found very challenging, because I thought he would really appreciate it, was to have one of the commemorative posters personally autographed by all of the performers. So this is your very special contribution -- or reward from us to you for your contribution of Jazz Appreciation Month.

COUNCILPERSON LOWE: Wow.

CYNTHIA COBB: Thank you.

COUNCILPERSON LOWE: Miss Cobb, I thought you were getting those signatures for yourself. Thank you very much.

CYNTHIA COBB: You're welcome.

COUNCILPERSON LOWE: We really put -- we really put the City on the map in April.

CYNTHIA COBB: Yes.

COUNCILPERSON LOWE: So we're known in the Capitol, even at the Smithsonian Institution for our program, and we'll be back in full strength next year to do it all over again.

CYNTHIA COBB: Okay.

COUNCILPERSON LOWE: Thank you very much.

CYNTHIA COBB: You're quite welcome.

COUNCILPERSON LOWE: Thanks. I appreciate it.

CYNTHIA COBB: Well, that ends our presentation. Thank you.

CHAIRPERSON BROOKS: Thank you so much, Miss Cobb. Next?

8. PROCLAMATION FROM THE OFFICE OF THE MAYOR PROCLAIMING MAY 19, 2012, AS "NATIONAL HEPATITIS TESTING DAY" IN THE CITY OF RIVIERA BEACH.

DEPUTY CITY CLERK ANTHONY: Proclamation.

CHAIRPERSON BROOKS: Yeah, I'm waiting for the picture. Okay. Next we have a Proclamation from the Office of The Mayor proclaiming May 19th, 2012, as National Hepatitis Testing Day in the City of Riviera Beach. Mayor Masters?

MAYOR MASTERS: Thank you, Madam Chair. Unless, of course, some of these young people here, if we can use them in this exchange. Bobby, come on in and do this. This young man -- we're passing, trying to pass the torch to some of these young people, and get them involved in helping an old man out, so go ahead. You're gonna read that (inaudible).

BOBBY POWELL: Thank you. This is a Proclamation from the Office of the Mayor, City of Riviera Beach, Florida. Whereas -- maybe I'll just read it without the whereas clauses. Is that all right?

CHAIRPERSON BROOKS: Yeah.

BOBBY POWELL: More than four million people in the United States are infected with hepatitis C, an estimated 300,000 -- 304,920 of whom are living in Florida. And the majority of persons infected with hepatitis C are unaware of their status, yet if left undetected, the virus can lead to cirrhosis, liver cancer, or liver failure, which makes it more important than ever for people to know their status by getting tested. And for the first time a special date this year, the 19th of May, is being set apart and recognized as National Hepatitis Testing Day. And even though currently there is no cure or vaccine for hepatitis C, some doctors believe education, proper diet, medical treatment, and lifestyle change can control the disease. And the Palm Beach County Health Department has a comprehensive hepatitis prevention program which last -- which last year alone tested nearly 1,800 residents. Now therefore be it resolved that –

MAYOR MASTERS: -- that I'm still the mayor. That I, Thomas A. Masters, Mayor of the City of Riviera Beach, Florida, by the power vested in me by the residents of Riviera Beach do hereby proclaim May 19th, 2012, as National Hepatitis Testing Day in the City of Riviera Beach. In witness therefore, I have hereunto set my hand and caused the official seal of the City of Riviera Beach to be affixed on the 16th day of May, 2012 A.D., Thomas A. Masters, Mayor, Carrie E. Ward, M.M.C., City Clerk. Thank you, Madam Chair.

CHAIRPERSON BROOKS: Thank you, Mayor. Now, you are still on for the proclamation for Dan Marino.

MAYOR MASTERS: Yes.

CHAIRPERSON BROOKS: Would you explain?

MAYOR MASTERS: Yes. Madam Chair, as you know, Dan Marino will be in our City tomorrow on a very wealthy -- a very well -- a very positive cause and Walgreens is to be commended for their efforts in the healthy living lifestyles. And I've asked the Mayor's Chief of Staff, since we have volunteers, interns that work throughout the office who did the research on this, to actually read the proclamations. Thank you.

CHAIRPERSON BROOKS: Thank you.

MAYOR'S CHIEF OF STAFF: Proclamation from the Office of the Mayor, City of Riviera Beach, Palm Beach County, Florida. Whereas Dan Marino is a retired American football quarterback, possibly the most famous quarterback in League history for having led the Miami Dolphins to the Super Bowl playoffs ten times in his 17 season career with the team; and whereas today Mr. Marino is becoming internationally known for his foundation, out-patient center, and comprehensive care programs for autism and other developmental disorders in children all over the world, helping them to emphasize their strengths and overcome cognitive weaknesses; and whereas the Marino Foundation's new after-care vocational program, Step Into Employment, is making a difference in the lives of teens and young adults with developmental disabilities, demonstrating that all age students with autism disorder can learn to lead successful, fulfilling and productive lives; and whereas Mr. Marino is visiting the City of Riviera Beach, having teamed up with Walgreens and a vitamin company to launch a new line of dietary supplements that promote joint support and cardiovascular help which reportedly can help residents stay fit, mobile, and active in the game of life; now therefore, be it resolved –

MAYOR MASTERS: -- that I, Thomas A. Masters, Mayor of the City of Riviera Beach, Florida, by the power vested in me by the residents of our city, do hereby proclaim Thursday, May 17th, 2012, as Dan Marino Day, a true champion in the City of Riviera Beach, a champion who not only a champion on the football field, but a champion in our community as relates to all the positive and wonderful things that he's doing to give back to the children and others; and witness therefore, I have hereunto set my hand and caused the official seal of the City of Riviera Beach to be affixed on the 16th day of May, 2012 A.D., Thomas A. Masters, Mayor. Attest, Carrie E. Ward, M.M.C., City Clerk. And on tomorrow I will be presenting the Key of the City to Mr. Marino for his wonderful efforts. Thank you, Madam Chair.

CHAIRPERSON BROOKS: Thank you, Mayor, for representing our City so well. Thank you. Now, Ordinances on Second Reading. No public hearings. Ordinance on Second Reading?

PUBLIC HEARINGS

NONE

ORDINANCES ON SECOND READING

9. ORDINANCE NO. 4013 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14 ENTITLED PENSIONS AND RETIREMENT PROGRAMS ARTICLE III ENTITLED FIREFIGHTERS PENSION PROGRAM OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES BY ESTABLISHING SECTION 14-62 TO BE ENTITLED "SHARE PLAN"; PROVIDING FOR CODIFICATION, SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE. PUBLISHED MAY 7, 2012 PALM BEACH POST

DEPUTY CITY CLERK ANTHONY: Madam Chair, the following ordinance was published in the May 7th, 2012, edition of the Palm Beach Post, Ordinance number 4013, an ordinance of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending Chapter 14, entitled "Pensions And Retirement Programs," Article 3, entitled "Firefighters Pension Program of the City of Riviera Beach," Code of Ordinances, by establishing Section 14-62 to be entitled, "Share Plan," providing for codification, severability clauses, and providing an effective date.

CHAIRPERSON BROOKS: Motion, please?

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON BROOKS: Second?

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Thank you. Comments?

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON DAVIS: Miss Ryan, in speaking with you, I understand that, um, the Union voted on this plan?

CITY ATTORNEY RYAN: Yes, they did.

COUNCILPERSON DAVIS: Okay. So where is the official documentation of the vote?

CITY ATTORNEY RYAN: I don't have that. The -- the Manager (inaudible).

COUNCILPERSON DAVIS: Do you have it?

CITY MANAGER JONES: Yes.

COUNCILPERSON DAVIS: That's -- I think it should be included with the document.

That's --

CITY MANAGER JONES: Well, it did not come until this afternoon's mail, and so -- because the vote wasn't until Monday.

COUNCILPERSON DAVIS: Okay.

CITY MANAGER JONES: And it came in the afternoon mail, but we do have it.

COUNCILPERSON DAVIS: And it includes current and retired persons?

CITY MANAGER JONES: It just says that --

CHAIRPERSON BROOKS: Miss Jones, why don't you explain to everyone what the document is, so that they'll understand.

CITY MANAGER JONES: Okay. What I have before me is a document from the Professional Firefighters & Paramedics of Palm Beach County, IAFF Local 2928, and according to the ordinance that is before you, the Union had to vote on this particular item prior to the second reading. Um, and this states that the members, the Riviera Beach Pension Members, voted unanimously on May 13th, 2012, to establish a supplemental plan, the SHARE plan. And so this is their official document that came –

COUNCILPERSON DAVIS: Do we know how -- how many members there are?

CITY MANAGER JONES: Oh, I don't know how many members there are.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes.

CHAIR PRO TEM PARDO: Yeah, I believe it was, um -- there's 53, and it was a 53 to 0 vote.

COUNCILPERSON DAVIS: Okay.

CITY MANAGER JONES: Unanimous.

COUNCILPERSON DAVIS: And just --

CHAIR PRO TEM PARDO: Unanimous.

CITY MANAGER JONES: Yes.

COUNCILPERSON DAVIS: Usually -- I'm just saying -- it's usually spelled out that way if there were yeas and nays, and how many. So -- but I don't have any problem with going forward with it.

CHAIRPERSON BROOKS: So we'll make that a part of the official public document here. Okay. We don't have any comment cards. Any other comments from the Board? Okay. We have no comment cards so we're ready for the vote.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: And under Ordinances for First Reading, please, Item 10.

ORDINANCES ON FIRST READING

10. ORDINANCE NO. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING ARTICLE I ENTITLED "IN GENERAL", SECTION 31-1 ENTITLED "DEFINITIONS"; AMENDING ARTICLE VIII, ENTITLED "LANDSCAPE REGULATIONS", BY REPEALING SAME AND IN LIEU THEREOF CREATING A NEW ARTICLE VIII ENTITLED "LANDSCAPE REGULATIONS"; PROVIDING FOR FLORIDA FRIENDLY LANDSCAPE PRINCIPLES AND DESIGN STRATEGIES; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.
(Item Deleted Prior to Print)

CITY MANAGER JONES: It was deleted.

COUNCILPERSON LOWE: That was deleted.

CHAIRPERSON BROOKS: Oh, it was deleted. That's right. I'm sorry.

COUNCILPERSON DAVIS: But there is a new 10.

CHAIRPERSON BROOKS: I'm sorry. Okay. Yeah. But now we will have a discussion of MPO?

CHAIR PRO TEM PARDO: Yes.

CHAIRPERSON BROOKS: We're on the MPO?

COUNCILPERSON DAVIS: Yes.

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON DAVIS: Okay. Madam Chair, at the last MPO meeting there were several Riviera Beach residents there who particularly had some issues with the Broadway Corridor. And it became very -- I won't say confusing, but what had been stated by some of the MPO board members was that the FDOT officials had stated to the MPO members that the City Council did not want parking, that -- you know, and my comment to them was that the FDOT said to us, or said to me that, you know, to put parking on Broadway was a safety issue. So I told them that I would bring this back to the Board to get comments from you.

As you know, there is a MPO meeting tomorrow. And what had been stated was that we were asking all of the FDOT officials, Mr. Jim Hughes and others, to be at this meeting tomorrow, so that, you know, we could clear everything up and move forward, but I wanted to bring it back to you to see what the direction of the Board is to be. And I know Miss McKinney is going to be accompanying me tomorrow to this meeting.

CHAIRPERSON BROOKS: The -- Miss Davis, the persons who were there from Riviera Beach, most of the business community or –

COUNCILPERSON DAVIS: No, there was a couple of people from the business community. Others were there concerning the State Road 710 project. And I've learned just recently we -- that's going to work out very favorable to the residents who were there in concern for that. But some of the MPO members even stated that, you know, they supported having parking on Broadway, and that's what they told FDOT. So there was a lot of -- I don't know what to call it.

CHAIRPERSON BROOKS: Confusion.

COUNCILPERSON DAVIS: There was a lot of confusion, yeah, and so, you know, I

said, Well, there's nothing I can do. You know, just bring it back to you for discussion.

CHAIRPERSON BROOKS: Well, I want to be clear on what parties are saying what. Now, the MPO is under the impression that we do not want parking? And where did they get that impression?

COUNCILPERSON DAVIS: From FDOT is what I --

CHAIRPERSON BROOKS: And where did FDOT get that impression?

COUNCILPERSON DAVIS: -- is what I was told. I have no idea.

CHAIRPERSON BROOKS: Well, that's how I hear about it's confused.

CHAIR PRO TEM PARDO: Yeah. Madam Chair?

CHAIRPERSON BROOKS: Yes.

CHAIR PRO TEM PARDO: Okay. Now, I was under the impression, and I attended some of the meetings, that FDOT did not want the parking. FDOT was concerned with safety.

COUNCILPERSON DAVIS: Exactly.

CHAIR PRO TEM PARDO: And the City then said, Well how about if we increase setbacks and let's use -- what street is it, 17th Street, 18th Street -- what -- what street do we have –

COUNCILPERSON DAVIS: 23rd.

CHAIR PRO TEM PARDO: Okay. Let's use that --

COUNCILPERSON DAVIS: Modify the model.

CHAIR PRO TEM PARDO: -- as the model. So when we get ready to build, either if the City builds, or if someone comes in and purchases the property from us, the setbacks will be further west, and then we can try parking and see how it goes. And -- and I believe that FDOT was okay with that. But for FDOT to say that the City was against it, I –

COUNCILPERSON DAVIS: Well, I'm just -- I -- I wanna be --

CHAIR PRO TEM PARDO: No, no. I know.

COUNCILPERSON DAVIS: -- clear that FDOT wasn't there, and they didn't say it. This is what the County is saying.

CHAIR PRO TEM PARDO: Right.

COUNCILPERSON DAVIS: Or said, so --

CHAIR PRO TEM PARDO: Right. But in the meetings, FDOT --

COUNCILPERSON DAVIS: I know.

CHAIR PRO TEM PARDO: -- they were saying that they did not want it. So, you know.

CHAIRPERSON BROOKS: Question. Were there not public meetings?

CHAIR PRO TEM PARDO: Oh, yeah.

CHAIRPERSON BROOKS: And we would have had minutes from those public meetings, so that we would know what everybody was saying at that meeting, or those meetings? If FDOT is saying that it is their impression or their understanding that the City is not favorable to parking, then would there not be some minutes of that meeting?

COUNCILPERSON DAVIS: Well, I --

CHAIRPERSON BROOKS: Or some communication?

COUNCILPERSON DAVIS: I know there were several meetings held at Newcomb Hall that we attended.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON DAVIS: I attended. Miss Pardo attended. I think Mr. Thomas and others. But I don't know if there were minutes taken.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON DAVIS: You know, they were just there and showed the plans and -- you know, and I know the residents asked the questions. I asked the questions. Why can't we have parking? And I was told that it is definitely a safety issue.

CHAIRPERSON BROOKS: A safety --

CHAIR PRO TEM PARDO: Uh-huh.

COUNCILPERSON DAVIS: So we moved forward and adopted the -- the plan with the median.

CHAIR PRO TEM PARDO: Uh-huh.

COUNCILPERSON DAVIS: So, is that to be where -- you know, where this Board stands? Because I need to know, you know, what I need to do and say to the MPO Board.

CHAIR PRO TEM PARDO: Well, I agree with you, Miss Davis. My recollection is the same as yours.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON LOWE: I was -- I was in Chattanooga, Tennessee a couple weeks ago, and they had parking both in the interior of the lane and the exterior of the lane, and I noticed it did something for their downtown. It slowed down the traffic and it provided parking spaces for the local business, and they also did things to make the -- the street walkable. You know, wider sidewalks and –

CHAIRPERSON BROOKS: The best (inaudible) -- uh-huh.

COUNCILPERSON LOWE: And if we're anticipating a business district, then you know, the decision is obvious. We want to slow -- we want to have traffic at least slow down enough to patronize our -- our businesses. But here again is another instance where we were told one thing and another thing came up to be what –

CHAIRPERSON BROOKS: Something else was said, yeah.

COUNCILPERSON LOWE: -- the deal is but --

CHAIRPERSON BROOKS: If I recall --

COUNCILPERSON LOWE: I know this FDOT is -- is just -- FDOT has a responsibility to the community.

CHAIR PRO TEM PARDO: (Inaudible).

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

COUNCILPERSON LOWE: That's -- that's just it. FDOT and MPO. And we already know what we're doing and we need to find -- they need to adjust to what -- you know, what we have planned. And we have -- we have planned a downtown.

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON LOWE: Not a downtown that people just whiz by, but a downtown that people stop by and shop.

CHAIRPERSON BROOKS: Did we not have a rendering at one of the presentations on this showing how the flow of traffic could be impacted if we had parking on the street? Any of you recall that?

CHAIR PRO TEM PARDO: Yeah, but --

CHAIRPERSON BROOKS: It was --

CITY ATTORNEY RYAN: Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON: (Inaudible).

CITY ATTORNEY RYAN: And maybe --

CHAIRPERSON BROOKS: (Inaudible), uh-huh.

CITY ATTORNEY RYAN: -- I don't have -- my memory's not completely intact, but --

MAYOR MASTERS: What does that mean?

CITY ATTORNEY RYAN: I said maybe it's not completely intact, but I recall having a full-blown discussion about this at either a workshop or a special meeting and I believe the City Council -- I see Mr. Mahoney [phonetic] sitting here. I know that he raised the issue about parking on Broadway, and I think that the Council made a decision and -- and I want to say a vote –

COUNCILPERSON DAVIS: They did.

CITY ATTORNEY RYAN: -- not to have the -- the on-street parking. So that decision is probably on the record someplace.

COUNCILPERSON DAVIS: It is on the record. I -- I mean, I have the documentation of the resolution.

CITY ATTORNEY RYAN: Okay. So what --

COUNCILPERSON DAVIS: But what I'm saying is that at -- you know, at the MPO meeting, when all of these issues are being raised at MPO by the residents and of the businesses –

CITY ATTORNEY RYAN: Right.

COUNCILPERSON DAVIS: -- that the MPO is saying that FDOT told them that the City did not want parking, and I don't think that was the case. We didn't want -- we -- we

went with this because FDOT informed us that it was a safety issue. Okay?

CITY ATTORNEY RYAN: But at this --

COUNCILPERSON DAVIS: And I want to -- and also, I want to inform everybody that the project has already been let.

CITY ATTORNEY RYAN: I was -- I was gonna say that.

COUNCILPERSON DAVIS: Okay? And they're supposed to start in August. Now, whatever the decision is from this Board, you know, whatever direction you want to go, if you want to say, Oh, we're gonna stop this, there is a possibility that you're going to lose your dollars.

CHAIRPERSON BROOKS: If we reverse our decision.

COUNCILPERSON DAVIS: Yeah, but -- yeah, because if you remember, the money had been sitting in a pot for many, many years, and Mr. Thomas, I think, was the MPO rep, and managed to move the money, because we said we weren't gonna move Avenue -- I mean, move Broadway over to Avenue E, and we got the money set to go ahead and go forward with the Broadway reconstruction. And that's been, what, 2007? And finally here it is, it's been let already, and if we -- it -- it -- you know.

CHAIRPERSON BROOKS: So we're really in a posture where we cannot --

COUNCILPERSON DAVIS: Exactly. You know, I just --

CHAIRPERSON BROOKS: -- reverse our decision.

COUNCILPERSON DAVIS: -- I just want to be clear that my decision was based on what FDOT gave me, and I -- I -- you know, if -- and they weren't there, so I can't really say whether they said that or not, but you know, I don't like to be told one thing and then other people are telling me they tell them something else. So, you know, I -- I -- I really can't say whether they did it or not, but I'm looking forward to tomorrow to get some answers.

CHAIRPERSON BROOKS: So if I'm understanding what you just said, we really have no choice except to stick with whatever we agree to do, whatever year that was.

COUNCILPERSON DAVIS: There's -- there's -- there's always a choice. I'm simply saying –

CHAIRPERSON BROOKS: Okay. But there's a consequence.

COUNCILPERSON DAVIS: -- that you might -- yes. Yes.

CHAIRPERSON BROOKS: Mr. Lowe, any comments?

COUNCILPERSON LOWE: No, I don't have any comments in -- I mean, since you put it that way, if the -- if the project's already been let, then -- then we don't have to say anything to them.

COUNCILPERSON DAVIS: So is that the consensus --

CHAIRPERSON BROOKS: Miss Pardo?

COUNCILPERSON DAVIS: -- for me to -- okay.

CHAIR PRO TEM PARDO: Yes.

COUNCILPERSON DAVIS: That's all I need.

CHAIRPERSON BROOKS: Mr. Thomas?

COUNCILPERSON THOMAS: I mean, Miss Brooks, it was hard enough to try to get the money back four years ago or five years ago when, you know, I fought for it. I think by doing anything at this point, you would definitely probably lose the opportunity, as Miss Davis said, to utilize that money, and our Broadway will continue to look –

CHAIRPERSON BROOKS: Uh-huh.

COUNCILPERSON THOMAS: -- in the deplorable conditions that it -- that it's in now. So I -- I just don't think that we ought to -- I don't think we ought to -- to try to stop the progress from going on. I mean, it's unfortunate that we are getting information that it's -- well, I won't say it's incorrect. It's, you know, people are pushing certain agendas, and we gotta make sure that we're getting the -- the information that best suits us.

I heard Mr. Ward say this, and I don't normally agree with Mr. Ward in public or private, but I have to agree with him on this, that the -- the -- the DOT, you know, is a government entity that has to respond to government. Their lower level government and we should be, you know, making these complaints, you know, to the -- the people who are running DOT, but at this point if we -- if we do anything, I -- I think that's gonna put us in a -- in an adverse position in terms of getting our Broadway redone.

CHAIRPERSON BROOKS: Okay. Thank you for your comment. Do you have enough guidance? The consensus is that we just –

COUNCILPERSON DAVIS: Yes, ma'am.

CHAIRPERSON BROOKS: Okay. Moving on to Item --

MR. MAHONEY: You had a card on that.

CHAIRPERSON BROOKS: Oh, I'm so sorry. Okay. Let's see. Yes, Mr. Mahoney? Thank you.

MR. MAHONEY: I'd like to just make a comment on this whole thing with the Broadway parking. You know, I've been here, I don't know how many hundreds of times talking about it. So you guys have been aware of it for as long as this thing's happening, and again, I hear you guys are saying, Oh, well, we didn't do this. We should have done this, should have done that. You know? And I've talked to FDOT and got the idea that, you know, basically the City, it's their decision with this.

And like Shelby said, we should be telling FDOT what we want in the City. Jerry Ward's been saying it. Everybody's been saying it. So for you guys to sit up here again and basically play it off, trying to throw it off on FDOT, I'm -- I'm putting the responsibility on you guys, because myself and many of these other people have been talking here for 12 years how bad we need parking. So now it's like the 11th hour, we're talking about it again, and that's -- that's nobody's fault except yours.

So you guys are going to be responsible at the end of the day if we don't have parking on Broadway. And just because there's not a hundred other people up here talking like I am, that's not the issue. I mean, it would help, but I can't talk for other people why they don't come to these meetings, but I can sure think why they can't.

But you guys are up here speculating what's gonna happen to the money, what's gonna happen with this, what's gonna happen with that. You guys should have done your diligence, and like I've been doing for the last 12 years, and trying to get to the bottom of this, and find out exactly where the money is instead of sitting up here like you are, saying, oh, we can't do this. We can't do that. That's all I've been hearing since I've been coming to these meetings. That's why I don't come to meetings anymore. And this is another example why Riviera Beach isn't going anywhere.

And I hate to come here -- because I haven't been here in a long time, but I've been in business here in Riviera Beach for 20 years and I've been here for 50 years, and I like what's happening, but I don't understand why you guys can't fight for something that everybody in the city wants. Because I've been watching the marina industry grow crazy in Riviera Beach, while the small other businesses that aren't affiliated with it are kinda not getting any assistance. You know, a lot of times we get looked down on and -- and other things. And so my opinion is, if I was in the marine industry and I needed Broadway to accommodate something marina oriented, I think we'd probably get it without argument, because that's what it looks like to me that's going on in the city.

And I understand the marine industry is bigger than me, bigger than anybody. But my -- my point being is that MPO is expressing their concern on this issue and alls you guys have to do, alls I'm asking you to do is try to be on our side for once, you know, the small businessman, which I am. And I wish there were other people here with me, backing me up, but there ain't, and it's typical with -- here in the city.

And that needs to change, because this ain't just for me. This is for all the other little businesses that are on Broadway that can't get up and come in here and speak, or are too tired, or -- or just don't give a you know what. So it's still on the -- it's still on the books, and I don't -- I think, again, you're just speculating that this may throw the project off. I -- I don't think it would.

And I mean, 'cause where's Treasure Coast? I wish Treasure Coast was here. How hard it -- how hard it would have been to call -- uh, ask Mike Busha here, but he's intimidated to come here in front of you guys because he works for you guys, so he doesn't want to step on his own toes by coming in here. But if any of you had the -- uh, the idea to call him and find out, he would tell you, and you already know it. So just don't sit up here and act like you don't know what's going on. This has been going on too long.

The ones that are up here, you've been here as long as I have, and you've listened to everything that's going on in this city for as long as I have, whether you were out here in the audience or you were up there. So you know the deal with this.

And please, come to the meeting tomorrow and just show us support, because we can -- we can still have this. And I honestly think this is the only chance we have. If we blow this now, when -- it's not gonna happen in the future, because I've talked to people from the City. Mary McKinney, and that's down the road five or ten years, and that's speculating again. So we've got something positive that we can work with. And I appreciate your time. And that's all I'm asking. Thanks.

CHAIRPERSON BROOKS: Thank you, Mr. Mahoney. Any other comments? Mr. Lowe?

COUNCILPERSON LOWE: Yeah. I will say that other -- if your project gets reprioritized, other folks will take that money, and it's happened to Riviera Beach over and over and over again. And that's the risk that we're trying to avoid.

Now, tomorrow's meeting, if the MPO comes up with a solution that won't delay the project and give us parking, so be it. I'm -- I'm for that 100 percent. But I'd have to hear that from them, because I know they'll reprioritize a project and it will be 20 years before we get another allocation. So if our representative can find out for certain that it won't delay the project asking for parking, then I would like to ask her to pose that question at least.

COUNCILPERSON DAVIS: I will.

COUNCILPERSON LOWE: Thank you.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Mayor?

MAYOR MASTERS: Mr. Mahoney, I -- I -- I consider a friend, but I -- I do want to just say this, because when -- when people say the City isn't going anywhere, I -- I take issue with it, because we are going somewhere. Redevelopment is at an all-time high. The Ocean Mall, a new marina, a new Publix, a new D&D, new faces, buildings, even on Broadway at the shopping plaza; um, Celebration cruise ship twice, two or three times to the Bahamas. So there's great things happening in our city, so we -- we -- we want to balance that. So talk about some of the positive, wonderful things that's happening. Right there on Broadway, even with Dee's T-shirts, still here, still doing

business right there on Broadway. So we are going -- we are going places, and we want to be -- continue to grow, go, and glow. Thank you.

CHAIRPERSON BROOKS: Thank you, Mr. Mayor. Thank you. And you know, I was just thinking as Mr. Mahoney was talking, you know, Broadway is U.S. 1, and I -- as my mind travelled south on U.S. 1 and north, there is no off street parking in any municipality that U.S. 1 runs through. So it's not that we are -- I don't think. Is there any parking in north –

COUNCILPERSON DAVIS: I think, uh, (inaudible).

CITY MANAGER JONES: Uh-uh.

CHAIRPERSON BROOKS: I mean, in as far as I --

COUNCILPERSON THOMAS: Not on -- on the street.

CHAIRPERSON BROOKS: Not on -- not on the street. And this is what we're addressing here is on street parking. And perhaps they're justifiable -- it's justified that they say that it's because of safety reasons. And, okay, so those are my comments. So you have the consensus.

COUNCILPERSON DAVIS: Thank you, ma'am.

CHAIRPERSON BROOKS: Now it's time for comments from the public. And we do limit three minutes, and we have a set of rules of decorum governing public conduct, and it's been posted at the entrance of the Council chambers. So 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. So please govern yourselves accordingly. But I'm sure we won't have a problem.

MAYOR MASTERS: Absolutely not.

COMMENTS FROM THE PUBLIC – 8:00 PM*[1]– Non Agenda or Consent 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 has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

CHAIRPERSON BROOKS: Okay. Earl Davis?

COUNCILPERSON LOWE: Some will say (inaudible) or something.

CHAIRPERSON BROOKS: Earl Davis.

EARL DAVIS: Earl Davis, Riviera Beach. I just have a couple questions. And first of all, I'd like to thank our Miss Brooks, Miss Davis, Shelby Lowe, and the Mayor for the project that they helped us complete. It was a very nice project. I had been working on it for quite some time and they stepped up to the plate to help us. You know, it was a senior -- I'm a senior myself, but this senior's much older than I.

But anyway, I want to say thank you all very much and y'all keep stepping up to the plate for us seniors, you know, because I can -- I promise you, I'm gonna continue to call on you, not for finance, but other things that we need on the south side of the city because, you know, we don't get very much help over there. I think our councilperson, Cedrick Thomas, I think he kicked us up under the bus, because we've set up meetings with this gentleman and he never showed up, and you know, most of the time when we called him, he don't return our calls. But anyway, we ask the good Lord to take care of the brother. He know what he doing, I guess.

But anyway, one, I got a question for Miss Jones, because the Concerned Mothers of the Southside, and the Southside womens, which is the womens of my Southside Coalition, when we come to the City and ask for different ones to meet with these ladies and myself in a meeting, we want to know why that the person we ask for is so busy or so important that they can't meet with the citizens of Riviera Beach. And I mean, this is -- we wanna know why, because this is something that's very disturbing to me, by me being the president, and when they catch me, "Mr. Davis, why Miss Jones can't meet with us?" I say, "Well, I'm going to Council meeting Wednesday night. I'm gonna let all of them know that we was turned down." We -- they told us we couldn't meet with Miss Brooks and Shelby Lowe and Miss Jones at the same time. I said, "Well, we'll take any two." Then we was told that, "Miss Jones can't meet with you guys," and I wanna know why.

This is our city. We are seniors. We've been here a long time and I figure in the past when we asked for the City Manager to meet with us, there never were a problem. And all of a sudden now, you know, we be getting someone else. I don't have nothing against A.C. Jones, but the thing about it is, the seniors, they wanted the City Manager, and he's not the City Manager. You know? And I want some -- I want somebody to tell us why.

You know, you kinda kick the seniors up under the bus, and I don't think it's fair. You know? I mean, there's got to be a reason why you can't meet with the seniors, you know. And if there's a reason, we want to know why, because it -- I wanna know why so I can tell my group. Thank you.

CHAIRPERSON BROOKS: Okay. Mr. Davis, I'm sure Miss --

CITY MANAGER JONES: Can I respond, please?

CHAIRPERSON BROOKS: Miss Jones wishes to respond, so just stay right there,

dear.

EARL DAVIS: Well, all right.

CHAIRPERSON BROOKS: Okay? We'll see if we can't make it happen before you go.

CITY MANAGER JONES: With all due respect, Mr. Davis --

EARL DAVIS: All right.

CITY MANAGER JONES: -- my calendar says -- not Mr. Jones' calendar, but my calendar says that I have a meeting on Monday with the Concerned Mothers of the Southside Coalition, Earl Davis, to talk about several issues, 3rd Street property and George Street property. I don't know what more you want from me.

EARL DAVIS: Well, Miss Jones, what we was told, that you couldn't meet with us, that we would be meeting 3:30 with Shelby Lowe and A.C. Jones. That's what we was told no longer than today.

CITY MANAGER JONES: No, it's all three of us.

EARL DAVIS: Well --

CITY MANAGER JONES: And we told you that you could not meet with two councilpersons, because otherwise you would have to advertise it in the program.

EARL DAVIS: That's okay. But we never heard nothing about you was gonna attend the meeting.

CITY MANAGER JONES: Right here.

EARL DAVIS: Well, that's all well and good, but if we don't know about it, I don't care where you got it at.

CHAIRPERSON BROOKS: Mr. Davis, you know how a mess can start.

EARL DAVIS: I -- I know.

CHAIRPERSON BROOKS: So we know we're okay.

EARL DAVIS: Tell me about it, because I'm well acquainted with it.

CHAIRPERSON BROOKS: Okay. Well, see, I'm glad that you came, because now you got the truth of the matter.

EARL DAVIS: Thank you.

CHAIRPERSON BROOKS: You're welcome, dear.

EARL DAVIS: It's the only way to get the truth.

CHAIRPERSON BROOKS: Absolutely. Tom Fallone?

TOM FALLONE: Good evening. I'm Tom Fallone. I'm from Juno Beach. I've been working with the City of Riviera Beach Parks & Rec on developing a group fitness program –

CHAIRPERSON BROOKS: Uh-huh.

TOM FALLONE: -- at the Municipal Beach on Singer Island. And right now we're offering yoga, pilates, and group personal training at 7 and 8 a.m. at different areas of the park on Tuesdays and Thursdays. Classes are $10. And I just want to let you know that our goal is to provide a place where the residents can have a place to work out outside and get some fresh air.

You know, outdoor exercise programs are very popular, so this could actually draw in residents from surrounding communities to the new park so that they can see the reimaging of the Ocean Mall, as well as the municipal beach. And the increased foot traffic, that could help stimulate local businesses, and the revenues that comes from the participants, a portion of that does go to the City. So that can make a nice revenue stream for the City, as well.

CHAIRPERSON BROOKS: Now, would you repeat the location and the hours again and the days?

TOM FALLONE: Yeah, it's 7 and 8 a.m. on Tuesdays and Thursdays at the municipal beach

.

CHAIRPERSON BROOKS: Okay.

TOM FALLONE: I also would like your support in this, and maybe you guys can come down one day for a class.

CHAIRPERSON BROOKS: 7 a.m.?

TOM FALLONE: 7 -- uh, 8 a.m. In fact, tomorrow Channel 18 is coming down to film one of the yoga classes, so if you're free you can stop by and participate.

CHAIRPERSON BROOKS: Okay.

TOM FALLONE: Thank you.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes.

CHAIR PRO TEM PARDO: Yeah, this is the perfect example of a -- you know, a small public/private partnership.

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

CHAIR PRO TEM PARDO: The City -- you know, for every person that he's able to bring into the program, the City gets a percentage of it. I can tell you that several of my neighbors have participated and they have nothing but great things to say about it. They have yoga on the beach. How great is that?

CHAIRPERSON BROOKS: Oh, wow.

CHAIR PRO TEM PARDO: To watch the sun come up and do your stretching and -- and the whole bit. And, you know, and it's at our beach. Our beach is the finest beach in South Florida.

CHAIRPERSON BROOKS: It is.

CHAIR PRO TEM PARDO: So -- and -- and I told the gentleman that we're going to try to put an event together, you know, like Workout Riviera Beach, or Get Fit Riviera Beach, and have people come over and, you know, participate in a class on the beach. And we were thinking about possibly doing it on a Saturday. So once we figure everything out we will come back and let everyone know about it. But thank you.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Thank you so much.

TOM FALLONE: All right. Thank you.

CHAIRPERSON BROOKS: Yes. Miss Davis?

COUNCILPERSON DAVIS: I just think that's -- it's a wonderful idea, and I think it's going to be a great marketing tool for the City.

CHAIRPERSON BROOKS: Uh-huh. And we can all get in shape.

COUNCILPERSON DAVIS: I don't know about that.

CHAIRPERSON BROOKS: All right, now. Terry Bradden, Jr., on the Brother Speak To Me event.

TERRY BRADDON, JR: Good evening.

COUNCILPERSON DAVIS: Good evening.

CHAIRPERSON BROOKS: Good evening?

TERRY BRADDON, JR: How you doing? My name is Terry Bradden and I'm from Riviera Beach, Florida, and I'm attending Tuskegee University right now.

CHAIRPERSON BROOKS: All right.

TERRY BRADDON, JR: And I'm having an event June 2nd from 12 to 3, which is -- this event is basically an event where we bringing brothers together. It's an all male event. Not neglecting the ladies, but it's time for us brothers to come and speak to the younger brothers and let them know that even though you're going through a certain circumstance right now, that you still can make it.

And this event, we have brothers that's playing college football, and also I have guest speaker Derek Haley. He's traveling all the way from Virginia. He was my terrific conditioning coach at Howard University at the time. And we'll have, you know -- Reverend Masters will be there, also the Chief, and I'm inviting you to come, as well. So if you have time, June 2nd, 12 to 3. And also we have a speed camp right after.

COUNCILPERSON DAVIS: Where?

CHAIRPERSON BROOKS: Where?

TERRY BRADDON, JR: At Inlet Grove.

CHAIRPERSON BROOKS: Inlet Grove, yes.

TERRY BRADDON, JR: Yes, ma'am. So it's a great event, and it's just time for -- you know, I'm not rich. I'm not in the NFL, God's willing, yet, but it's just time for young males to come back to speak to the youth, because –

CHAIRPERSON BROOKS: That's right.

TERRY BRADDON, JR: -- in high school I didn't have a mentor, somebody to come tell me, you know, it's a free scholarship to go to University of Florida if you do such and such, you know. But now it's time for us to come back and say, you know, This is what I went through. Like, I have a friend, Frederick Barthel [phonetic]. You know, he was in a car accident not too long ago on Royal Palm, and he's paralyzed. And he thought he would be in the NFL right now, but he'll be talking about, you know, treasure your life, because you don't know when it's your last time on the field or in the classroom. And also I have a friend, Tommy Lee Lewis that played for Northern Illinois, and he'll be talking about perseverance and things of that nature. So I hope you'll be there. It's going to be a great event. And it's free.

CHAIRPERSON BROOKS: Well, we thank you so much. And I'll tell you, we will probably have to do a quick stop by, because we have the Clean-Up Campaign on June 2nd, and we also have the Maritime Academy graduation between 1 and 2, but we'll

certainly come by.

TERRY BRADDON, JR: Oh, and also, I'm a proud member of Phi Beta Sigma Fraternity, Incorporated, and they will be in the building, too. They will be helping me out a lot.

CHAIRPERSON BROOKS: Wonderful. Wonderful.

TERRY BRADDON, JR: And the Sigma Beta brothers will be there, and the Mayor tomorrow will be there, also, too.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Thank you so much. Yes, Mr. Lowe?

TERRY BRADDON, JR: And Shelby Lowe is my old baseball –

COUNCILPERSON LOWE: Now, hold on. Hold on. No, no, no. Now, you've given accolades to everybody. But who started you off?

TERRY BRADDON, JR: Yes, you was my baseball coach at –

COUNCILPERSON LOWE: Baseball?

TERRY BRADDON, JR: Softball. Well, T-ball.

COUNCILPERSON LOWE: T-ball. And how old -- how old were you then?

TERRY BRADDON, JR: The Riviera Beach -- the Red Sox. I don't know. About five or six?

COUNCILPERSON LOWE: Five or six.

TERRY BRADDON, JR: Yeah.

COUNCILPERSON LOWE: Okay. I'm glad to see you up here, and you know, I feel proud personally, you know, to be a part of you and your success.

TERRY BRADDON, JR: You know, you've seen a lot of negative things. I'm a happy proud member of Riviera Beach and I –

COUNCILPERSON LOWE: I -- I understand that.

TERRY BRADDON, JR: I tell people everywhere I go where I'm from, you know,

Riviera Beach, Florida, and I love what we're doing with the City. I know it's moving better and better each year, so I love my city.

CHAIRPERSON BROOKS: Now, you're Carolyn Runner's son, I understand.

TERRY BRADDON, JR: Yes, ma'am.

CHAIRPERSON BROOKS: Well, yeah.

TERRY BRADDON, JR: And also (inaudible), uh, she would be there, but Martha Lee has been helping me out, so –

CHAIRPERSON BROOKS: Okay. All right. Okay. Home grown. Okay.

COUNCILPERSON LOWE: Thank you.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mayor?

MAYOR MASTERS: I did promise this young man that I would certainly be there, stand here tonight with him in support it, and also, our two other African-American colleagues. Um, we're very proud and we will support this event, because when we have young men of this caliber coming back to the community to give back –

CHAIRPERSON BROOKS: That's right.

MAYOR MASTERS: -- you know, we'll set our agendas aside and make room to be there, because –

CHAIRPERSON BROOKS: That's right.

MAYOR MASTERS: -- this is so important that young people reach young people.

CHAIRPERSON BROOKS: That's right.

MAYOR MASTERS: And young African-American men like he and others can reach others of the same, you know, ethnicity.

CHAIRPERSON BROOKS: That's right.

MAYOR MASTERS: Thank you.

CHAIRPERSON BROOKS: Thank you, Mayor.

MAYOR MASTERS: He's a role model.

CHAIRPERSON BROOKS: Okay. Thank you, sir.

TERRY BRADDON, JR: And I'm a Tuskegee quarterback, ma'am.

CHAIRPERSON BROOKS: Hey. That's my school, now, my alma mater.

MAYOR MASTERS: (Inaudible) the house (inaudible).

CHAIRPERSON BROOKS: Gregg Moree. Mr. Moree?

GREGG MOREE: Madam Chair, Councilors, Mayor Masterson [sic], my -- my name is Gregg Moree and I'm the owner of 21st Street and Avenue C, the two house lots on the corner, and my grandmother's house is right across the street there on 21st Street. And they incorporated the City in 1922 and they came together right there on those four streets, the 20th Street, 21st Street, 22nd Street. And that is my grandmother's house. It is on the Palm Beach Historical Society. We need to recognize that.

We need to get some money from the federal government or from the Governor, because the Governor ordered the book, the Conch Town, U.S.A book. So we can put a grant in for some money, federal money. And we can move that house over to the city park over there, right up front next to the Bicentennial Park. And lots of people have been fighting for this, to move this house over there. I think maybe that's a good step in the right direction. If we can't move a small little house, I don't know how we're gonna build a big hotel or a big parking garage or anything like that.

Atlantic -- the Atlantic College, the Governor of Florida asked Atlantic College to write up a book way back then. That's been achieved. And also, the Commissioners -- the Historical Commission is a 90 years old commission that Shelby Lowe mentioned the other night at the CRA meeting, that we -- we all want to -- we all want to attend that meeting. And we -- we support moving the city forward. And by putting all the pieces in the right perspective and the right place, and the U.S. -- the John F. Kennedy -- it's the 50th year of John F. Kennedy up in Boston. The tall ships are coming up there and you have the Honey Fitz Fitzgerald boat right down the street from here.

And so, we have the Charles River up there, you have the Intercoastal right here. That's my grandmother's house. I lived in that house for four years of my life when I was a baby and I spent 50 years coming back and forth, back and forth, back and forth, back and forth. And I know it's coming to a climax now that we need to make major decisions in the City on the -- of -- of the master plan.

And this fits in just perfectly, having a historical house and it's over near the Bicentennial Park, right there. It's only 22 feet wide, 50 feet long. It could serve as many things. You can have maps in there of Riviera Beach, information system, a historical house. It's the last house -- the last fishing house in Riviera Beach, I believe.

CHAIRPERSON BROOKS: Uh-huh.

GREGG MOREE: And you knocked down all the others, so don't knock the last one down. You know? I mean, heaven's sakes. So I'll be e-mailing all of youse.

CHAIRPERSON BROOKS: Okay.

GREGG MOREE: I'll be Facebooking youse, e-mailing youse, sending youse letters and doing everything I need to do.

CHAIRPERSON BROOKS: I'm gonna be Facebooked. Yeah, okay.

GREGG MOREE: And I support the master plan. Let's move the City forward.

CHAIRPERSON BROOKS: Thank you.

CHAIR PRO TEM PARDO: All right. Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo.

CHAIR PRO TEM PARDO: All right. Mr. Moree, um, when you came in front of us last week at the CRA meeting –

GREGG MOREE: Yeah.

CHAIR PRO TEM PARDO: -- I suggested to you that, you know, possibly you'd consider moving the house over to the lot that you own.

GREGG MOREE: Uh-huh.

CHAIR PRO TEM PARDO: Have you thought about that, since that lot that you own is in the middle of our true working waterfront.

GREGG MOREE: You know, we're -- we're willing to sit -- sit down and I -- I really don't know. I mean, there's other people much smarter than me in urban planning and designing. You know? I -- I did think that at the end of the boardwalk, just before Bicentennial Park, that's where you would have an information booth, a historic site for the citizens to see when they come down from the hotel. They would walk down –

CHAIR PRO TEM PARDO: Okay. Fine. I'm just saying –

GREGG MOREE: -- the boardwalk and, you know –

CHAIR PRO TEM PARDO: All right. I'm -- I'm just saying you know, it's going to be –

GREGG MOREE: I know. I mean, um –

CHAIR PRO TEM PARDO: -- an expense to the City. So you know, I was just wondering if you thought about that. Put the house on your lot.

GREGG MOREE: All right. Well, um –

CHAIR PRO TEM PARDO: And then it's your house. It's your family house on your family lot.

GREGG MOREE: Okay.

CHAIR PRO TEM PARDO: In the middle of our working waterfront.

GREGG MOREE: Well, the working waterfront is absolutely fabulous.

CHAIR PRO TEM PARDO: Right. Okay.

GREGG MOREE: But we're talking about a lot of money to move the house, and I'm just an average person.

CHAIR PRO TEM PARDO: Exactly, and that's -- right, and that's our issue.

GREGG MOREE: But that's where the federal government comes in.

CHAIR PRO TEM PARDO: Okay.

GREGG MOREE: You put a block plan for money –

CHAIR PRO TEM PARDO: All right. Thank you.

GREGG MOREE: -- into the -- the Historical Commission.

CHAIR PRO TEM PARDO: Okay.

GREGG MOREE: And I'll be looking forward to seeing this happen.

MAYOR MASTERS: Madam Chair? Hold it, stay right there.

CHAIRPERSON BROOKS: Yes.

MAYOR MASTERS: I think Miss Pardo's -- I'm sorry -- Councilwoman Pardo's point is well taken, and your point is well taken, and I'm sure that we could do something. You know? I mean, you've got the house. Like you said, you own the property. The maps idea, something -- you just want to make sure that people of the City recognize this is a historical house, and so compromise with us, work with us, and we're gonna work with you.

GREGG MOREE: Absolutely. See, I know for a fact –

MAYOR MASTERS: Wait. Okay.

GREGG MOREE: -- that the Governor 50 years ago—

MAYOR MASTERS: We're gonna work with you.

GREGG MOREE: -- ordered this book. I mean, he just ordered it.

MAYOR MASTERS: The councilwoman has given you a good idea.

GREGG MOREE: And -- and -- and those people voted –

MAYOR MASTERS: Hold on. Hold on. She's given you a good idea.

GREGG MOREE: Yeah.

MAYOR MASTERS: And we'll try to do something. The fact is we will do something.

GREGG MOREE: All right. And I -- once -- the people in those days voted for the name, Riviera Beach.

MAYOR MASTERS: We recognize that.

GREGG MOREE: They got that. They got the name.

MAYOR MASTERS: And rightfully so, we should do something.

GREGG MOREE: All right. I'm proud of all of youse.

MAYOR MASTERS: Thank you.

GREGG MOREE: Stay in touch, stay in touch. Thank you.

CHAIRPERSON BROOKS: All right. Thank you, sir. Pam Williams, and after Pam Williams we'll have Tom Pearce.

PAM WILLIAMS: Good evening.

CHAIRPERSON BROOKS: Good evening, Miss Williams.

PAM WILLIAMS: How's everybody doing?

COUNCILPERSON DAVIS: Good.

CHAIR PRO TEM PARDO: Good.

CHAIRPERSON BROOKS: Good, thank you.

PAM WILLIAMS: Okay. That's great. I'm going to be brief. My -- I hurt my leg, so I can't stand too long. I want to bring something. Our neighborhood captain, Miss

Richardson, has been complaining about the burnt house that sits on the corner of 33rd Street and R. She said she has called many times and have not gotten a response. Now, I don't know what -- what schedule it might be on, but I believe somebody need to call her and tell her, because she's really somebody to deal with. So I told her I would mention it while I was here tonight. Her name is Miss Richardson. I'm sure you got her number in the office. But some child is gonna get hurt, because it's half burnt. It was burnt over a month ago and the kids are still playing in it, so it's serious. Somebody's gonna get hurt.

Okay. The second item is this, the podium. I know you all don't know this, but if you're sitting at home, this thing does not -- you can't -- it -- it -- it can't hear it. It's -- it's awful. It's just awful. And you'll be surprised how many people in your neighborhood that listen to this meeting. And this need to be on somebody's budget to be replaced. Okay? It's serious.

And the reason why I'm here tonight is to invite you all to a meeting that's gonna be held on May the 31st at Jay Ministry. This is -- it's being sponsored by the Committee for a Better Riviera Beach and JAY Outreach Ministry. It's gonna be on the 31st of May, which is a Thursday, and it is going to be from 6 p.m. to 8. And we are inviting Susan Booker there to talk to all the people, and we want everybody to come, everybody. We don't care who you vote for, how you vote, we want you all to come, because there have been some changes made regarding our absentee ballot, regarding, um, the time that we're going to be allowed to, um -- to come out to vote. It's a lot of changes and if you don't come out and listen, you won't know. But more importantly, I expect to see all of you because you all were elected by us, and now it's your turn to get your people to come out and listen so that they will know what they need to know about voting.

Now, I'm very serious about this. I am extremely serious. I've been hearing from people saying, Well, I don't wanna vote. I don't wanna do this. This is not -- we need to vote. A lot of changes are being made about our Medicare, about everything that we -- that makes us have a decent life. The young people need to go, and you are the leaders, so you can encourage them to come. And we expect that.

Now, this is done by the Committee for a Better Riviera Beach and JAY Outreach Ministry. And we're very serious. If we don't get out we're gonna hurt this year. We're gonna hurt badly. It's not just about a President. It's about our life. Everybody needs to pay attention to this.

CHAIRPERSON BROOKS: Miss Williams, I want to ask you about this burned house. Someone had come by my house -- it was over the week -- Saturday, I think it was, or Sunday.

PAM WILLIAMS: Uh-huh.

CHAIRPERSON BROOKS: And mentioned about this house, and it's located on the corner of 30 –

PAM WILLIAMS: 33rd Street and R Avenue.

CHAIRPERSON BROOKS: Do we know anything about that, Miss Jones, if -- because I'm understanding that –

COUNCILPERSON DAVIS: Yeah, somebody set it, I think.

PAM WILLIAMS: It's been there about a month now.

CHAIRPERSON BROOKS: Is this the house where a young man was murdered?

PAM WILLIAMS: Yes, also. He was shot in front of the house. And that's the first time -- I've been there on that street for 35 years. It's the first time we've ever had any problem at all, and -- and we are very -- we are very upset. We are very upset.

CHAIRPERSON BROOKS: It sounds like a Code Enforcement matter, too. Okay. Well, we'll –

CITY MANAGER JONES: It has been declared unsafe.

PAM WILLIAMS: It is unsafe.

CITY MANAGER JONES: So it's going through the –

CHAIRPERSON BROOKS: So it should be boarded?

CITY MANAGER JONES: No, it –

PAM WILLIAMS: It doesn't matter.

CHAIRPERSON BROOKS: I'm asking.

CITY MANAGER JONES: It probably needs to come down.

CHAIRPERSON BROOKS: Oh, oh, I haven't seen it. Okay. Okay.

PAM WILLIAMS: I'm sorry. I didn't mean to say that.

MAYOR MASTERS: Madam Chair, whose district is that in?

CHAIRPERSON BROOKS: It's in my district.

MAYOR MASTERS: Oh, okay. Okay.

CHAIRPERSON BROOKS: So that's why I'm inquiring as to what needs to happen here.

PAM WILLIAMS: It needs to be removed.

CHAIRPERSON BROOKS: Okay.

PAM WILLIAMS: I'll appreciate it very much.

CHAIRPERSON BROOKS: Well, Miss Jones is writing down that there will be some action.

PAM WILLIAMS: Yeah.

CHAIRPERSON BROOKS: Okay.

PAM WILLIAMS: I appreciate that very much.

CHAIRPERSON BROOKS: Thank you.

PAM WILLIAMS: And I expect to see all of you out there, and if I don't see you, you know I'm gonna talk to you.

CHAIRPERSON BROOKS: Okay.

PAM WILLIAMS: Have a nice day.

MAYOR MASTERS: Now, when is that, because I -- I don't know what –

PAM WILLIAMS: May the 31st.

MAYOR MASTERS: Okay.

PAM WILLIAMS: May the 31st, 6 p.m. at JAY Outreach Ministry.

MAYOR MASTERS: All right. Thank you.

CHAIRPERSON BROOKS: Next we have Tom, is it Pearcey or Pearce? And after that, Reverend Burrs.

TOM PEARCE: Good evening. My name is Tom Pearce from Fort Lauderdale. Can you distribute that for me, Mayor?

MAYOR MASTERS: Yes, I can.

TOM PEARCE: I have a -- I'm here to speak about Resolution number 12, and basically, the award of your marina work. Um, the documents that I'm passing out consist of three pages. The first page is posted on your website. It's the bid results. Specifically, it shows that Murphy Construction –

COUNCILPERSON THOMAS: Miss Brooks, point of order?

CHAIRPERSON BROOKS: Yes, Mr. –

COUNCILPERSON THOMAS: It's an agenda item.

CHAIRPERSON BROOKS: But is he not allowed to speak anyway? Although it's an agenda item –

COUNCILPERSON THOMAS: He has to speak under the agenda item.

CHAIRPERSON BROOKS: Okay. Yes. Okay. All right. They're saying that you can't deal with -- you can't speak to it on a public comments, that you have to wait until we –

TOM PEARCE: Oh, okay.

CHAIRPERSON BROOKS: -- get to that item.

TOM PEARCE: Um, okay. In that item there, the minority participation was not met. It is a requirement of the bid.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Sir, we can't -- you can't –

COUNCILPERSON THOMAS: He has to speak under the agenda item.

TOM PEARCE: I don't understand (inaudible).

CHAIRPERSON BROOKS: You cannot -- you can wait until we get to that item.

MAYOR MASTERS: The item didn't come up.

TOM PEARCE: Oh, okay. I'm sorry.

CHAIRPERSON BROOKS: But right now you can't. This is public comments. Okay.

TOM PEARCE: I'm totally sorry. Okay.

COUNCILPERSON THOMAS: That's okay.

CHAIRPERSON BROOKS: Okay.

TOM PEARCE: Call me when I can, then.

CHAIRPERSON BROOKS: All right. Number 12. Okay.

COUNCILPERSON THOMAS: We -- we won't forget you.

CHAIRPERSON BROOKS: We'll get you that. Thank you. What is this that's being passed around? Reverend Burroughs?

REVEREND BURRS: Madam Chair, Council, Mayor, City Attorney, my comment is brief, as well. Congratulations to the gentleman, the young man from the university coming back into Riviera Beach to -- to work with the -- with the young peoples of the city. Mine was on a issue that you all brought up I wanted to make my comments concerning, the Riviera Beach TV 18. I agree. It does need some riteeking [sic], some workshops, because -- and I'm gonna blame you all for it -- because there's too much campaigning goes on on that -- on that station. I think the City Manager should do some regulations concerning that. You all opened the door. I'm not criticizing you all, but -- and I'm guilty, as well. When you open the door, other peoples come up and use it for campaigning purpose. And you sit there and say, Well, I'm running for office and et cetera, et cetera. Then other peoples come to this podium and say, Well, I'm supporting John Doe, whoever.

I don't think it should be used for that, honestly. I shouldn't use it for that. Neither should y'all should use it for that. And you ought to get some guidelines to that purpose, and set up some guidelines. If you use it, be fine. If I come up there and use it, set me down, because I personally don't think that this television program should be used for campaigning purpose. No, it shouldn't be.

Now, not that you all shouldn't use it for informing the citizens. That's what it's for, but not for campaigning. It wasn't designed for that. I'm guilty, because y'all do it yourselves. Let's face the facts. That's the problem.

Another thing that I would like for y'all do, and I'm not gonna get no comments from none of y'all, because I don't get nothing from you no way. Another thing I would challenge y'all to do, call your City Hall sometime on this answering machine. It's ridiculous. It's totally ridiculous. You call here and it -- and it says, Dial this number for this office, that office, and et cetera, et cetera, et cetera. You dial it. It go right back and repeat the same thing over and over again. Try it yourself. You'll see. It say, Dial this number for the Mayor's office, or the City Council office, or the -- it -- whatever number you points, that recorder starts all over again. It's irritating.

CHAIRPERSON BROOKS: So it doesn't take you to –

REVEREND BURRS: No.

CHAIRPERSON BROOKS: -- the extension –

REVEREND BURRS: It will not.

CHAIRPERSON BROOKS: -- of a -- of a department.

REVEREND BURRS: It -- it will not.

CHAIRPERSON BROOKS: Oh. Thank you for bringing that to our attention. We don't just call –

REVEREND BURRS: It will just go all -- and it's just ridiculous. So you need to do that.

CHAIRPERSON BROOKS: Okay.

REVEREND BURRS: So again, my main purpose was, y'all are right about this Riviera Beach TV 18 need to be regulated. The City Manager's right. It does need to be regulated. Stop campaigning on it, and me, too.

CHAIRPERSON BROOKS: Thank you, Reverend Burrs.

MAYOR MASTERS: Wait a minute, Madam Chair.

CHAIRPERSON BROOKS: Mary Brabham?

MAYOR MASTERS: Madam Chair? Madam Chair, I have a question.

CHAIRPERSON BROOKS: Oh, I'm sorry.

MAYOR MASTERS: Now, when was that that you called and it went over, because I call –

REVEREND BURRS: Every time. Any time.

MAYOR MASTERS: -- I don't never do -- it never does that for me.

REVEREND BURRS: Every time I call it does that. Maybe -- maybe it's just me, then. I don't know.

CHAIRPERSON BROOKS: Well, if you said it, that's all that's important to us. We'll check it out.

REVEREND BURRS: Yeah. Yeah, it -- it does that.

CHAIRPERSON BROOKS: Okay.

REVEREND BURRS: It's just -- it -- it –

MAYOR MASTERS: No, I thought it might have been something new, Madam Chair, you know, because I'd never experienced that, and I don't think anybody up there has.

CHAIRPERSON BROOKS: Well, I don't usually call –

REVEREND BURRS: Yes, yes, I've called it, and the City give you -- it will tell you.

CHAIRPERSON BROOKS: I call -- I don't want –

MAYOR MASTERS: We need to fix it, then.

REVEREND BURRS: Well, it will tell you to punch the dial 2 or 3 -- whatever number, whatever office you want to get, it'll tell you to dial that number. But once you do that, it doesn't -- it doesn't carry to that office. It start all over again, just saying the same thing over and over and over again.

MAYOR MASTERS: And that's the 4000 number.

CHAIRPERSON BROOKS: Thank you, Reverend Burroughs.

REVEREND BURRS: It's the 4000 number. When you dial that 4000 number –

CHAIRPERSON BROOKS: Okay.

REVEREND BURRS: -- that's what it does. It doesn't carry you to the -- to the position, to the office that you're asking for. It just –

CHAIRPERSON BROOKS: Okay.

REVEREND BURRS: -- start all over again.

CHAIRPERSON BROOKS: Okay. Thank you. Mary Brabham? And after that, Miss Bessie -- after Miss Brabham, Miss Bessie Brown.

MARY BRABHAM: Good evening.

CHAIRPERSON BROOKS: Good evening.

MARY BRABHAM: All representatives, as well as Chair, let me start off saying it's good to see everybody.

CHAIRPERSON BROOKS: Good seeing you.

MARY BRABHAM: This is the best place to live, work, and play. It still is the best place to live, work, and play. It's what we do as leaders, and what we do as citizens to continue to make this the best place to live, work, and play.

FDOT, we've been talking about FDOT and that parking for years. Myself have stood up before the Board, as well as FDOT Treasure Coast. It's what we do. Even though the -- the fundings are there, but we set the standards for our city. We do that. No one can come into your house or my house and tell me what they want to put there without my permission.

So I challenge the representatives to do what is right. We are on the move. I do want to see us progress. We have the best beach, the best marina. We have all of those things there that other cities just clam up to get. So -- so let's do. Let's -- let's -- let's get on the ball. We -- we -- we can be achievers in what we set out to do.

Suncoast, yes, I have a problem here with the City of Riviera Beach pertaining to Suncoast. Why? None of our kids can get into that school there. And the school is based and harbored in our city. I know students right today that are A and B+ students. So as council representatives, we need to look into that. This is what I said before when they were talking about building a new school here. You had a great school here. Our kids are bused miles and miles away, when we have a top notch -- the third top notch school in the country. So let's do better. Let's do better here.

Also, I have another problem. With the youth programs that are in this city here, all youth programs should be treated equally and fairly within this city. We had the Weed & Seed program. Now it is under another name. I serve on that board, so I'm with the county; I'm all around. And I see progress that are made in other cities. When -- when fundings are received and you all can do (inaudible) for the Jazz Fest or anything else, make these programs work in our city.

These are our harbored programs for -- for our city. And these are our children. They are the structure that is conducive to our family structure in our city. When we talk about us, our children going wild or haywire, we need to have things in place for them. So please, take care of those things. And Jazz -- and after Jazz Dog, that program, whatever that is, the mothers said that they would like for that to continue. Now if something has gone wrong in it, put the safety guards in there. If you're not getting a profit from your revenues, find out. Put those safeguards there.

CHAIRPERSON BROOKS: Thank you, Miss Brabham.

MARY BRABHAM: Thank you.

CHAIRPERSON BROOKS: Thank you. Welcome back. Miss Brown? And then following Miss Brown we'll have Ed Golson.

BESSIE BROWN: Good evening. Bessie Brown, 391 West 35th Street. I just have -- I was about -- I wanted to say something -- um, Councilperson Judy Davis was saying that the group was kinda interested in the 710 project -- project, and it was going to look -- we -- we -- we were looking to be successful. We were look -- we are looking to be successful, because when we came to the Council we were told by Councilperson Judy Davis, Just wait. But we did not wait. We proceeded to see commissioners, go to these meetings, and we are going to be very successful because at -- at -- at -- let me -- if you -- if we would have waited, we don't know where we would be.

But people aren't losing their homes. They're not gonna encroach on the cemetery. And all of that construction or what they were planning to do, it's not going to happen on Australia, not 710. That was our interest. And I just wanted to let you all know that the citizens did this. But we didn't really get any help from the Council.

CHAIRPERSON BROOKS: Thank you, Miss Brown. Mr. Golson?

ED GOLSON: Okay. Yes. Greetings, Council and Chair and Mr. Mayor.

CHAIRPERSON BROOKS: Yes.

ED GOLSON: I'm here to present an event that's coming up on the 19th of May at 4:00 here in the council chamber. It's the Pan-African Book Fest & Cultural Conference. It's going to be featuring Steve White, and he's going to talk about how we can begin to save our children. So it's very important that family members and kids come out to this event. And we'd like to invite the Council. The Mayor's going to do our invocation so he's going to be there.

And also, Black Identity Politics, this is going to be presented by Terry Thomas and Dr. Cathy Pressey with the African-African Studies with the Palm Beach County School District. And I'm with the African-American Cultural (inaudible) Organization. I'm the one -- we're the group that present Kwanza each year –

CHAIRPERSON BROOKS: Uh-huh. Uh-huh.

ED GOLSON: -- here in this facility, so we've been around. What I -- the next thing I'd like to ask the Council to agree to is to not necessarily give us a contribution, but to allow us to put the logo in our program book like we have here. This is a program book that we created before we got the (inaudible) Palm Beach County, uh, Palm Beach Junior College, at least. And y'all agreed to letting us put the logo and a congratulations type of statement for the Pan-African Book Fest. So if I can get that, we could create that program and we'll have a little program when the event comes up on Saturday.

So if any of the Council members want to, you know, Best wishes and much success from council member -- uh, Councilperson Ann Owels [phonetic] did this one for us, so if anyone would agree to something like that, that would be great, too. Or the whole Council can do it, either one. And I've got a minute and 13 seconds left.

CHAIRPERSON BROOKS: I just want to be clear, Mr. Golson, that what you're asking is that we give more like a statement with our seal.

ED GOLSON: Right. Exactly. And like I say, this is usually a hundred dollar page, but since I'm doing the program, don't worry about the hundred bucks. So we just need -- we just think it gives more credibility to our program if something like this is in there. That's all. And y'all have done that before.

CHAIRPERSON BROOKS: Sir -- ma'am?

CITY MANAGER JONES: Like an ad.

CHAIRPERSON BROOKS: Like an ad. Okay, sure.

ED GOLSON: Yeah, it's just an ad, but –

CHAIRPERSON BROOKS: Yes, that's fine.

ED GOLSON: -- you know, like I say, if you want to pay the hundred bucks, you can, but that's -- that's not necessary. That's not necessary now.

CHAIRPERSON BROOKS: Well, for those who wanna have their signature on there, we'll work out something.

MAYOR MASTERS: But, Madam Chair, the –

CHAIRPERSON BROOKS: The media person can come up with something that would be appropriate.

ED GOLSON: Okay.

MAYOR MASTERS: Madam Chair, I have a question.

CHAIRPERSON BROOKS: Yes, yes, Mayor.

MAYOR MASTERS: I have, I think, a legitimate question. If the City seal is on the cover of the book, does that not imply that we are a partner, that we're sponsoring it?

ED GOLSON: Well, it won't be –

MAYOR MASTERS: And is that –

ED GOLSON: -- on the cover. It's just going to be on the inside -- inside –

MAYOR MASTERS: So it won't be on the cover.

ED GOLSON: No, it won't be on the cover.

MAYOR MASTERS: Okay. Thank you.

ED GOLSON: No, just the name is on the -- on the cover.

MAYOR MASTERS: Okay.

ED GOLSON: Yeah.

MAYOR MASTERS: That's my question. I think it would be some legal –

CHAIRPERSON BROOKS: Okay. That's why I'm saying we want to know the legality for the media specialist –

ED GOLSON: Yeah, it's really not on the cover.

MAYOR MASTERS: I just wanted to ask my question. That's all.

CHAIRPERSON BROOKS: -- to work that out.

ED GOLSON: No, just one page inside that, congratulating us on a great job.

CHAIRPERSON BROOKS: Okay.

MAYOR MASTERS: That's on the cover of that one. So this one will be different.

ED GOLSON: Right.

MAYOR MASTERS: Thank you.

ED GOLSON: Right, right, right. But this is -- yeah, this is not the cover. This is just an inside page there.

CHAIRPERSON BROOKS: May 19th.

MAYOR MASTERS: At 4:00 p.m.

CHAIRPERSON BROOKS: At 4.

ED GOLSON: Yeah, 4:00 p.m., yeah.

CHAIRPERSON BROOKS: And he does have some fliers, so –

MAYOR MASTERS: Yeah, I got it.

ED GOLSON: On the inside, it's just –

MAYOR MASTERS: Okay.

ED GOLSON: -- an ad (inaudible).

MAYOR MASTERS: Okay.

CHAIRPERSON BROOKS: Okay. That's the end of comments from the public. Are there any issues discussed here that staff wish to respond to?

COUNCILPERSON: Bonnie Larson.

CHAIRPERSON BROOKS: Oh, Bonnie Larson. I'm sorry. Oh, yeah, Lord. Where is Bonnie's card? I did see it. Uh-huh.

MAYOR MASTERS: We can never forget you, Miss Bonnie. We're gonna always (inaudible) –

CHAIRPERSON BROOKS: Oh, here she is. I had her under an item. I had her under 14. (Inaudible) –

BONNIE LARSON: It's just not an ulcer without Miss Larson to give some comments, is it?

CHAIRPERSON BROOKS: I had you for Item 14. Did you also have a public comment card?

MAYOR MASTERS: Wait till they check and see.

CHAIRPERSON BROOKS: Miss Larson?

BONNIE LARSON: Uh-huh?

CHAIRPERSON BROOKS: I had you for Item 14. Did you also have a public comment card?

BONNIE LARSON: Yes, ma'am.

CHAIRPERSON BROOKS: Go ahead.

BONNIE LARSON: Okay. My clock is ticking, so I got time for –

CHAIRPERSON BROOKS: We'll give you three minutes.

BONNIE LARSON: I probably won't need it. If you could give us tonight an update on some of the things that are happening in Riviera Beach. We had -- Rybovich had a ribbon cutting, this, that, and the other, about what they were gonna do on their property, but we haven't heard anything from Rybovich since then. So have they got their permits or what are they going to be doing? What's the situation with that? If you can just give us an update on that. At the CRA meeting I cautioned you -- I know you're the same people -- but I cautioned that Viking -- it -- it was admitted that they really are not qualified to be the developers of the marina, so they have hired as their's, kind of a subcontractor, a company called Live Work Play, something like that.

Anyway, I cautioned you the other night, and I want to caution you again that Viking is still our master developer, so we do not need to be making any agreements with Live Work & Play. We have to deal with the master developer. And it was a little disconcerting to me one night when Mike Clark was here. This was a couple months ago, and Mr. Thomas, you asked him -- you asked a question on the Board, and he was here, and Mr. Thomas, you asked him would he please come to the podium and -- and comment on it. Now, this is our master developer's representative. And he said, "No, I'd really rather not."

And it just seems like we don't see Viking unless it's something pertaining to them that they want from us. They never seem to come to the meetings, and I thought that was -- it just didn't feel that was the right way to treat Riviera Beach people was to say, "No, I'd really rather not comment."

Now, I just learned the other night at the CRA meeting that our CRA Director has been to New Jersey to meet with Viking. The question was asked, "Are they still

committed to this project?" And our CRA Director said, "Oh, yes, they're very committed." Then I learned that our CRA Director and probably other staff -- I don't know if City staff also have been traveling to New Jersey to meet with him. If they're our master developer, they need to get themselves down here. Why are we spending City -- uh, CRA money to go up and talk with them? That, I was just -- I was just flabbergasted when I heard that. And I know that CRA has canceled a lot of meetings. We never here why they're canceled, but probably because they were out of town meeting with them.

And I don't know, like I said, if any City employees went, either, but that's just wrong. They're our master developers. They need to be right here. And we ask them a question, they should gladly come to the podium and answer that question. It's just not right. So how committed they are, I don't know.

I'm glad you workshopped the Channel 18 thing. What is a PRMM at the end of this, if you could -- I see PR. I can figure that as public relations, and media, maybe, but PRMM, is that a new position or what is that? Because that person, whoever that person was seemed to be making a lot of decisions. But that will be workshopped. Has that -- was a date set for that workshop?

CHAIRPERSON BROOKS: Not yet.

BONNIE LARSON: Not yet. Okay. The other thing, there are a lot of things -- I have seen some improvements along Broadway. I did see some sod going in today. Even that makes a huge difference. I know there's a request tonight from JAY's Ministry for something, and they have that big piece of plywood. It's been there for months and months and months, right on Broadway. They need to get rid of that and replace the glass. We're trying to upgrade our city, you know, and then they're asking us for money on the other hand. And they're kind of deteriorating our look. Thank you.

CHAIRPERSON BROOKS: Thank you, Miss Larson. That is the end of Public Comments. Okay. Thank you. Now on to our regular agenda items. Resolution number -- um, Item number 11.

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[1]Public Comments shall begin at 8:00 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 8:00 PM, then public comments shall begin immediately after the item has been concluded.

REGULAR

11. RESOLUTION NO. 58-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING ARCHITECTS DESIGN GROUP (ADG) INC. TO PERFORM PROFESSIONAL SERVICES IN THE SCOPE OF WORK AS OUTLINED IN WORK ORDER NO. 2; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT IN THE AMOUNT OF $228,143 FROM ACCOUNT NO. 310-0817-521-0-6251; AND PROVIDING AN EFFECTIVE DATE.

DEPUTY CITY CLERK ANTHONY: Resolution Number 5812, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing Architects Design Group, Inc. to perform professional services, and the scope of work is outlined in Work Order Number 2, authorizing the Interim Finance Director to make payment in the amount of $228,143 from Account Number 310081752106251, and providing an effective date.

CHAIRPERSON BROOKS: A motion, please?

COUNCILPERSON THOMAS: So moved.

CHAIRPERSON BROOKS: A second?

COUNCILPERSON DAVIS: Second.

CHAIRPERSON BROOKS: Any comments from the Board? Any comments?

MAYOR MASTERS: Well, I -- I have a comment.

COUNCILPERSON LOWE: I do, too.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: I just want to go on the record with my standing position on building a police station, so -- you know –

CHAIRPERSON BROOKS: (Inaudible).

COUNCILPERSON LOWE: -- every -- every dime we spend towards this, I -- I think we're bleeding, bleeding out money. So –

MAYOR MASTERS: And my comment's just the opposite.

COUNCILPERSON LOWE: Well –

MAYOR MASTERS: Madam Chair, I –

COUNCILPERSON LOWE: Can I finish mine?

MAYOR MASTERS: Oh, I thought you were finished. I'm sorry.

COUNCILPERSON LOWE: I do see that there's some provisions in -- on -- in this phase to kinda have some public meetings about the police station, so I welcome that. You know? And that will be money well spent. It would be nice to have the public chime in on, you know, the fact that we're putting up a new police station and -- and the condition of some of the inner neighborhoods. But like I said, I was happy to see the --

that you guys are gonna spend money to hold a community meeting. And that's my -- that's my comment on Item 13 or 12, whatever.

CHAIRPERSON BROOKS: 12. Thank you, Mr. Lowe.

DEPUTY CITY CLERK ANTHONY: 11.

CHAIRPERSON BROOKS: 11.

COUNCILPERSON LOWE: 11.

DEPUTY CITY CLERK ANTHONY: Mayor.

CHAIRPERSON BROOKS: Yes. What were you about to say?

DEPUTY CITY CLERK ANTHONY: Nothing.

CHAIRPERSON BROOKS: Oh.

COUNCILPERSON LOWE: Thank you.

CHAIRPERSON BROOKS: Mr. Jones, Deputy Jones, did you want to make a comment or –

MAYOR MASTERS: I -- I had -- I was trying to make a comment. I apologize to –

CHAIRPERSON BROOKS: Oh, I thought you wanted to add something to what he said.

MAYOR MASTERS: I apologize to, uh, distinguished Councilman Lowe, because I thought he was finished. But I'm sorry. But my opinion is just the opposite. I feel it's long overdue, number one. Number two, anything that's going to make our police department look better, a new building -- we have a great chief, and he deserves to operate a new building. And I fully support it. I think we ought to do whatever we can. It's long overdue. Thank you.

CHAIRPERSON BROOKS: Any other comments? Well, my comment is this: When we were first presented with the matter of the need for us to get this building, we were told how much it would be saving us over the long term, when we look at the amount of rent that we're paying out. And so, you know, for me, that was a very serious matter, because we were not just putting money in the hole, shall we say. And we do need more space. And so I see it as a very necessary expenditure at this time. And there's the potential, also, for maybe once the facility is constructed, of even leasing out for training. So there's a lot of opportunities here for us to -- to make money. Well, not that we're building it to make money, but there certainly could be some opportunities there for us in that regard. So those are my comments. Miss Davis, any comments?

COUNCILPERSON DAVIS: None.

CHAIRPERSON BROOKS: Okay. Well, let's see. Miss –

COUNCILPERSON DAVIS: Is there a –

CHAIRPERSON BROOKS: We don't have a comment card on number 11.

COUNCILPERSON DAVIS: I mean, well –

CHAIRPERSON BROOKS: Well, let's see. We do have a quorum, so, all right, let's go for the –

DEPUTY CITY CLERK ANTHONY: Call for the vote?

CHAIRPERSON BROOKS: Yeah, let's go for the vote, please.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: No.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo? Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: That motion is approved with Chair Pro Tem Pardo out.

CHAIRPERSON BROOKS: Okay.

12. RESOLUTION NO. 59-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING BID NO. 359-12 FOR THE DEMOLITION, DREDGING AND INSTALLATION OF THE FIXED AND FLOATING DOCKS FOR PHASES 1 AND 2 OF THE MARINA REPLACEMENT PROJECT AT THE CITY MARINA TO MURPHY CONSTRUCTION CO. OF WEST PALM BEACH, FLORIDA, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN THE AMOUNT OF $1,857,106.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE

THE PROPOSED CONSTRUCTION SERVICES CONTRACT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO ESTABLISH A BUDGET AND MAKE PAYMENTS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

DEPUTY CITY CLERK ANTHONY: Resolution 5912, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, awarding Bid Number 35912 for the demolition, dredging, and installation of fixed and floating docks for phases 1 and 2 of the Marina Replacement Project at the City Marina to Murphy Construction Company of West Palm Beach, Florida, the lowest responsive and responsible bidder, in the amount of $1,857,106, authorizing the Mayor and City Clerk to execute the proposed construction services contract, authorizing the Interim Finance Director to establish a budget and make payments for same, and providing an effective date.

CHAIRPERSON BROOKS: Need a motion.

COUNCILPERSON THOMAS: So moved.

CHAIRPERSON BROOKS: A second?

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON BROOKS: We're open now for comments from the Board. Miss Davis, any comments?

COUNCILPERSON DAVIS: Well, if -- if -- do we have (inaudible)?

CHAIRPERSON BROOKS: Oh, I'm sorry. Go ahead. Yeah.

ED LEGUE: Actually, Madam Chair, I believe you do have that gentleman that was going to do public comment, or has a card in on this.

CHAIRPERSON BROOKS: Well, we're gonna first do our comments. Then we'll go to –

ED LEGUE: Okay. That's -- oh, it's okay.

CHAIRPERSON BROOKS: Yeah, we'll do -- because oftentimes once we –

ED LEGUE: Good. I'm certainly not telling you what to do. I apologize.

CHAIRPERSON BROOKS: No, no, it's fine. Because we've done it in reverse, but I've found that once we do our discussion, then many times the answers are there that the persons have questions about. So we're doing it in that order.

ED LEGUE: Well, good evening. I'm Ed Legue. I'm your Marina Director. What you have before you is a next step to get the marina docks in place, along with removal of

the old docks, and the dredging, the spot dredging that we need to do to keep the -- the depth where we need it. The bids, as far as the specifications on the bids and so forth, I have Mr. Guy here that can answer any questions along that. This -- this particular item and this contract will keep us within our critical path so we are absolutely on time at this point, barring no unforeseen problems, which there's always some problems, but we will be able to overcome them. So with that, I'll answer any questions you have.

CHAIRPERSON BROOKS: It's open for questions.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis?

COUNCILPERSON DAVIS: First, I'd like to say that I totally respect Mr. Murphy's -- and his company. I understand that he's very much qualified and -- to do this project, but I -- I really struggled with how this bid was written. Who -- who are the -- who, exactly, are the consultants that we used to assist us to write this bid?

ED LEGUE: Our -- our marine consultant is –

COUNCILPERSON DAVIS: What's the name of that company? Sea –

ED LEGUE: Sea Diversified.

COUNCILPERSON DAVIS: Yeah.

ED LEGUE: And we used John Sprague, LLC, for the marina consultant.

COUNCILPERSON DAVIS: Mr. Sprague actually helped write the bid?

ED LEGUE: We all did, actually.

COUNCILPERSON DAVIS: Okay.

ED LEGUE: Staff and the consultants and Purchasing.

COUNCILPERSON DAVIS: Okay. Let me ask this question. Why did we put the language in this bid that says the G.C. has to complete at least 75 percent of the project?

ED LEGUE: There's -- actually, the -- the guy that would be better to answer that specific would be Mr. Sadler, so if you don't mind, I would like to bring him up. He's the engineer.

COUNCILPERSON DAVIS: Sure.

CHAIRPERSON BROOKS: This is the engineer?

ED LEGUE: Yes.

BILL SADLER: Good evening. My name is Bill Sadler. I'm with Sea Diversified, and as was indicated, we're the marina consultants for the project. I want to first indicate that we did work long and hard with City staff, including Ed and John Sprague, on putting together these bid requirements. This is a very -- this project is under a very tight time frame. It's a very complex project. We want the best contractor to support this project. We went through a tedious project -- or process of hiring the manufacturer to start building the docks. Now we need a qualified contractor to put these docks in. The -- basically, the requirement -- we evaluate not only the contractor's qualifications, but we want to –

COUNCILPERSON DAVIS: Okay. So you're -- you're answering my question why we put -- said that the G.C. has to do 75 percent of the work.

BILL SADLER: Yes.

COUNCILPERSON DAVIS: And why is that?

BILL SADLER: Basically, what we're looking for is we're looking for a contractor that can self-perform over the next year to year and a half on this project. We -- based on our experience, we find that contractors that can self-perform have a better control of their schedules, because they're scheduling their own crews, using their own equipment, and not relying on a subcontractor or multiple subcontractors which they may have not even worked with in the past –

COUNCILPERSON DAVIS: Okay. So basically –

BILL SADLER: -- to support the project.

COUNCILPERSON DAVIS: -- are -- are you saying that if we had hired just a G.C., you know, a qualified general contractor, that possibly we wouldn't have been on schedule and all of that?

BILL SADLER: I'm not saying that. I'm saying that typically in our experience, working with a contractor that can self-perform, especially on a project like this –

COUNCILPERSON DAVIS: Uh-huh.

BILL SADLER: -- where we've got such a tight time frame, if they can self-perform using their own people, they have better control of their schedule.

COUNCILPERSON DAVIS: Okay. So are we -- and I heard Mr. Legue say that we are on schedule right now. Are we on schedule or are we behind?

BILL SADLER: We're right on schedule right now, and we've got a lot of work to do between now and December 1.

COUNCILPERSON DAVIS: No. I'm talking about according to the schedule that had been given to us previously. Are we on schedule?

BILL SADLER: We're on schedule.

COUNCILPERSON DAVIS: Okay. All right. And also, you know, I have a problem with it simply because, you know, we worked very hard on our ordinance to be very inclusive, and it just seemed to me -- I -- you know, I had made a decision. I -- I -- like I said, I've been struggling with it because, you know, I -- I met with Mr. Guy. I asked the questions and decided that I probably wouldn't ask them tonight, but then again, you know, I said I needed to put this on the record, to let you know what my concerns are. Because we worked on an ordinance to be very inclusive, to include everybody to be able to bid on, you know, projects and everything, and particularly local participation. And Mr. Marty fits that criteria.

But you know, I look at this like, say for instance Mrs. Jones, our City Manager, our City Manager, do you know everything you -- you need to know about finance? Do you know everything about water? You know, the City Attorney, does she know everything about criminal law or does she know everything about –

COUNCILPERSON: (Inaudible).

COUNCILPERSON DAVIS: Yeah, right. You know, so I'm -- I'm saying, if we really are about the business of hiring qualified general contractors, you know, what do general contractors do? I mean, you know, they -- if -- if they need expertise in an area, they hire that expertise. You know?

So I just think that the -- the bid was very, very restrictive, and I wanted to put it on the record. And I know that, you know, we've got to move forward and -- and spend this money, you know, but I -- I -- I don't want to see another bid like this. But I -- those are my comments.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes, yes, Mr. Lowe.

COUNCILPERSON LOWE: Okay. First of all I'd -- I'd like to say it's about time and based on the circumstances, I definitely want us to stay on track. And whatever we can do to save money and keep the job on track, I'm all for it. The next phase, okay, how long is it going to take to install these?

ED LEGUE: This dock, this is the last major chunk of this project, with the exception of the hiring the electrical portion for the dock. This will likely -- the installation will go a lot faster than we think. What's going to take the amount of time is getting the electric and the water and so forth into the docks.

COUNCILPERSON LOWE: Uh-huh.

ED LEGUE: The docks will probably be in -- I -- I don't -- I don't wanna give you a date, but it will be a lot faster than we think, and I would -- I would -- I would guess that my last dock is arriving somewhere in September.

COUNCILPERSON LOWE: Uh-huh.

ED LEGUE: I would say shortly thereafter they'll be in a position to -- to push the pilings in and -- and get that in place. That's just getting the docks in, though, and that's what -- what the Murphy Construction Company is doing.

The next -- and -- and it's -- it's -- it's a concert of -- of -- of jobs we're doing, but the -- the two next major bids that are going out will be one for the steel pilings. We're buying those on our own as the City to save mark-up and taxes, so we're saving money there. The next bid after that will be for the mechanical/electrical company to come in and do the water and sewer and so forth.

COUNCILPERSON LOWE: That's just for the -- the north side, right?

ED LEGUE: That's just for the north side, yeah.

COUNCILPERSON LOWE: Okay. And then we'll -- it will –

ED LEGUE: We'll -- we'll contract -- we'll contract for -- for both phases.

COUNCILPERSON LOWE: Oh.

ED LEGUE: But we're only doing, obviously, one phase at a time.

COUNCILPERSON LOWE: Okay. All right. Well –

ED LEGUE: So this -- this -- what you have before you is for –

COUNCILPERSON LOWE: Just promise to keep the birds off –

ED LEGUE: -- phase one and phase two.

COUNCILPERSON LOWE: -- of the new -- the new docks.

ED LEGUE: I'm sorry?

COUNCILPERSON LOWE: I say, just promise to keep the birds off the new docks. And we don't want them installed and -- and have a brand new home to be –

ED LEGUE: I'll run them out myself, sir.

COUNCILPERSON LOWE: Well, I'll step there with the birds.

MAYOR MASTERS: Yeah, remember I brought that up before?

ED LEGUE: Yes, sir.

COUNCILPERSON LOWE: But we have a qualified -- we have a qualified contractor who's local and experienced, so let's -- let's get on with it. You know? We've got –

ED LEGUE: I agree.

COUNCILPERSON LOWE: -- a tight schedule. Thank you.

CHAIRPERSON BROOKS: Thank you. Well, like Miss Davis, I -- I -- I -- when I first read the -- that particular part of the bid proposal, I did have in my agenda discussion with Miss Jones a question about it. And the explanation that was just given by the engineer was the explanation that she had given to me. And she had gotten the explanation from Mr. Guy and the engineering. Also, Legal, we had quite a discussion about it and after the discussion I was pretty much satisfied with -- with the information given. Yes, sir, Mr. Guy?

BENJAMIN GUY: Excuse me. Ben Guy, Purchasing Department. I just wanted to clarify just a couple of things for the record. In terms of solicitation, the qualifications were -- they were tight, but again, that had to do with the nature of the project, the restraints on the available funding for the project and, um, the nature -- well, just the nature of the construction itself. I'd use this analogy: they're surgeons, but if -- you know, if -- say if you need brain surgery, you're not gonna get a podiatrist. You know what I mean? You know, one specializes in one thing, one in another thing. And our efforts are only designed to try to ensure that the City, when they're looking at offers that they're looking at offers from the most qualified contractors in that specialty field because, you know, we're -- as staff, we're just trying to protect the best interests of the City. And again, that was just the intent of those requirements.

And it's not unusual. For instance, when we do major utility improvements, underground work, we'll say that we're looking for an underground contractor. You know, now, not -- you know, you could be a G.C., but if you haven't been down there with pipes and all, we're not really looking to take our first chance or risk –

CHAIRPERSON BROOKS: Uh-huh.

BENJAMIN GUY: -- with a company that doesn't have that in-depth long term sort of experience. And that was the case here. Now, I will say that Miss Davis made a good point. We worked very diligently to try to make changes to the procurement code to be more inclusive.

CHAIRPERSON BROOKS: Uh-huh.

BENJAMIN GUY: And those changes were reflected in this particular solicitation. We did include the local participation provision. That was reflected in there. And basically, what that did was it said to the contractors, if you're not a local contractor, if you will consider hiring at least 25 percent of your workforce with -- you know, make those -- those subcontracting opportunities with our local vendors –

CHAIRPERSON BROOKS: Uh-huh.

BENJAMIN GUY: -- then you can get a five percent local preference –

CHAIRPERSON BROOKS: Uh-huh.

BENJAMIN GUY: -- as -- as if you were a local business. And that was included in there to be, you know, more inclusive, to try to encourage those candidates to look at our local vendors for subcontracting opportunities.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Thank you. Yes, Miss Davis?

COUNCILPERSON DAVIS: So did -- I mean, there's -- there's an apprenticeship program requirement in here, too. Did -- are we gonna do that?

BENJAMIN GUY: We're -- we're asking in this particular item that it be waived. What we did do, if you'll look at your backup, we personally notified the three apprenticeships programs that are here in the City. We e-mailed them. We even -- I called two of them personally to notify them of the opportunity. We also did an addendum where we provided the list of the certified apprenticeship programs throughout Palm Beach County to the contractors at the pre-bid conference. And we personally invited the apprenticeship programs that are local to attend the pre-bid conference in hopes of them discussing or making contacts with those vendors for the opportunities, but we -- they didn't show -- they didn't show any interest. We didn't get any of the apprenticeship programs that availed themselves of the pre-bid opportunity. So we're asking for that reason that that provision be waived.

COUNCILPERSON DAVIS: And who were those that you called?

BENJAMIN GUY: The Iron Works, which is located right down the street from the Purchasing Department. And there's -- there's two others. They're in the backup. The e-mail that I sent them is actually there in the backup. I sent them an e-mail notifying them of the new changes in the code and that there were potential opportunities for them to participate in large City contracts.

COUNCILPERSON DAVIS: I don't see an e-mail in my backup.

BENJAMIN GUY: That would be –

CHAIRPERSON BROOKS: Have you received a response from any of them?

BENJAMIN GUY: No. Right. Yeah.

COUNCILPERSON DAVIS: Okay. (Inaudible).

CHAIRPERSON BROOKS: Okay. Here it is.

COUNCILPERSON DAVIS: Yeah, I got that.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON DAVIS: Okay. I see it.

CHAIRPERSON BROOKS: Any further comments or questions from the Board?

CHAIR PRO TEM PARDO: I'll just make a comment, just so the public's aware. Seven companies came in and they picked up the package, and only three people bid on it.

BENJAMIN GUY: Right.

CHAIR PRO TEM PARDO: And I think that says something, also. I think people -- well, you would think that most people understood that we were looking for contractors with an expertise in the marine -- in marine construction. So that whole thing, I totally understand and I agree with. I like the fact -- and I did talk to you about this -- that you did contact the apprenticeship programs here in the City, and they even acknowledged to me that you did contact them, so thank you for that.

And then the last thing, there's a -- there's a million dollar difference between the company that you guys are recommending and then the other company. A million dollars is a lot of money. So you know -- so with this whole thing, I'm good.

BENJAMIN GUY: Okay.

CHAIR PRO TEM PARDO: Thank you.

CHAIRPERSON BROOKS: Mr. Thomas, any comments before we go to the public?

COUNCILPERSON THOMAS: None for now.

MAYOR MASTERS: I have a comment, Madam Chair.

CHAIRPERSON BROOKS: Okay, Mayor.

MAYOR MASTERS: With the apprenticeship being waived, if in the future if any of them -- is it a possibility that could stay open, that if -- if they come back and say, We're ready, we -- we can do it, would it create any kind of hardship?

BENJAMIN GUY: Well –

ED LEGUE: The electrical side would be probably the next best opportunity.

MAYOR MASTERS: Electrical?

BENJAMIN GUY: Yeah, that's on the next bid. I'm -- it would be -- but for this bid, I mean, we've -- we've already had that provision waived as part of the contract.

MAYOR MASTERS: But for the electrical?

BENJAMIN GUY: And that's why -- um –

MAYOR MASTERS: He said the electrical may be –

BENJAMIN GUY: Well, yeah, electrical. Not for this bid –

MAYOR MASTERS: Right.

BENJAMIN GUY: -- but for the next bid –

MAYOR MASTERS: Okay.

BENJAMIN GUY: -- for the electrical, mechanical, and the water and sewer hook-up –

MAYOR MASTERS: All right. So we keep trying. BENJAMIN GUY: -- for -- for the docks, yeah.

MAYOR MASTERS: Okay.

BENJAMIN GUY: No, no, no. That -- that -- that provision is a provision of the code.

MAYOR MASTERS: Right.

BENJAMIN GUY: So any time the actual contract is for more than $750,000 there's that requirement. And then we're required to come before the Board, if the requirement isn't met, and ask that you waive it if -- if -- you know, if there's justification for that.

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis.

COUNCILPERSON DAVIS: In the future are -- are -- I think somebody asked before that all bids be sent to us for review.

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON DAVIS: Is that going to be happening from now on?

BENJAMIN GUY: You -- if -- if –

CHAIRPERSON BROOKS: That was -- that was requested several months ago.

BENJAMIN GUY: No, that's -- that's -- if that's the direction from the Board, I mean, we don't have any –

COUNCILPERSON DAVIS: Well, I mean, I think that was, so, yeah.

CHAIRPERSON BROOKS: Yes, it was –

COUNCILPERSON DAVIS: All right.

CHAIRPERSON BROOKS: -- it was requested. So yes, sir, Mr. Guy.

BENJAMIN GUY: So you're asking for copies of all the bid submittals?

CHAIRPERSON BROOKS: Of the –

COUNCILPERSON DAVIS: We did it last time.

CHAIRPERSON BROOKS: The -- you know, whatever you submit. Be clear on what we're asking now. Miss Davis?

COUNCILPERSON DAVIS: I think it was asked at our last meeting by Mr. Thomas, I think.

CHAIRPERSON BROOKS: I thought Mr. Thomas or Mr. Lowe.

COUNCILPERSON THOMAS: Yes, I -- I asked that because a bid was put out that I didn't even know was out, so I asked that we -- we definitely get notification before those bids go out, or at the same time. You know, it really doesn't matter much, but we -- we do need to know that a bid is going out. Several times I've -- I mean, I actually told the person I didn't quite believe that they had information correct, because it was such a -- a large bid package. And then I was told that actually I was incorrect, that it was out there, and they showed me the newspaper article. So I did ask for that to be sent to us.

BENJAMIN GUY: Okay.

COUNCILPERSON DAVIS: Well, so that's what I'm saying.

BENJAMIN GUY: All right. So you're –

CHAIRPERSON BROOKS: So that's a –

BENJAMIN GUY: -- so you're asking –

CHAIRPERSON BROOKS: So that's a direction.

BENJAMIN GUY: -- for the actual –

CITY MANAGER JONES: Okay. Well, you're wanting -- okay. It's -- it's notification or want them on the agenda for approval?

COUNCILPERSON DAVIS: No, not wanting them –

CHAIRPERSON BROOKS: No.

COUNCILPERSON DAVIS: I would just like to see them –

CHAIRPERSON BROOKS: Not for approval.

COUNCILPERSON DAVIS: -- before they go out.

CITY MANAGER JONES: Just notification.

CHAIRPERSON BROOKS: Just notification.

CITY MANAGER JONES: Notification.

CHAIRPERSON BROOKS: Yes, yes, yes. That would make the process too cumbersome.

COUNCILPERSON LOWE: It's on the website, too. Don't -- don't we usually carry the –

BENJAMIN GUY: Yeah. No. It's -- it's –

COUNCILPERSON LOWE: -- all right.

BENJAMIN GUY: -- it's posted out there.

COUNCILPERSON LOWE: All right.

CHAIRPERSON BROOKS: Thank you, Mr. Guy. We have one public comment card. Tom Pearce.

TOM PEARCE: All right. Let's try this again. Good evening. Tom Pearce –

CHAIRPERSON BROOKS: And party.

TOM PEARCE: -- Fort Lauderdale. The documents I passed out to you earlier are all part of your bid -- your bid package. If you'd look at the first page you would see that Murphy Construction met the minority percentage of six percent. If you look at the bottom of the second page, it states very clearly that if you do not meet 15 percent you will be disqualified.

With that being said, the only other thing that -- that it also shows there is that the third page shows the required submittal forms of your bid, Schedule 4 being local participation is one of them. On your bid tabulations that was published on the Riviera Beach website it was posted that Schedule 4 was also not submitted. So I would petition this Board that this bid be re-bid and put back out. Thank you.

CHAIRPERSON BROOKS: Are you with –

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: That -- that gentleman who just spoke, you say you're from Fort Lauderdale? Are you from Shoreline?

TOM PEARCE: Yes, sir.

COUNCILPERSON THOMAS: Okay. That's good. That's good. I -- I don't -- I just need to get some clarification. The reason why we're recommending Murphy Construction is because of the local points that -- that he received for being here in the City?

BENJAMIN GUY: No, sir. We're recommending Murphy Construction Company because they -- they were determined to be the low responsive and responsible bidder, in accordance with the provisions of -- of the bid.

COUNCILPERSON THOMAS: Okay. Well, obviously the gentleman from Shoreline feels that his price was lower than Murphy Construction, and he's not being awarded this. I was under the assumption, which I probably shouldn't be, that because Murphy Construction was in the city, and we do push local --

BENJAMIN GUY: Right.

COUNCILPERSON THOMAS: -- business, I thought that there was a point. So we're -- we're recommending for what other reason? What other reason are we recommending him, even -- Murphy Construction? What other reason are we recommending the company, Murphy Construction, even though they're about 107,000 more –

CHAIR PRO TEM PARDO: About a million.

COUNCILPERSON THOMAS: -- than the number two?

BENJAMIN GUY: I think probably the better -- the better -- the better explanation is for me to explain why we're not considering the low bidder, and that's simply because they didn't submit the requisite information for us to be able to determine them as a qualified contractor. There are a certain number of projects that had to be submitted in order for us to be able to evaluate your qualifications –

COUNCILPERSON THOMAS: So that they should –

BENJAMIN GUY: -- to do the work.

COUNCILPERSON THOMAS: -- have been deemed non-responsive, then.

BENJAMIN GUY: And that's what they were.

CHAIRPERSON BROOKS: That's right.

COUNCILPERSON THOMAS: Well, then –

BENJAMIN GUY: And we notified them.

COUNCILPERSON THOMAS: -- they should -- well, hold on one second. What would have eliminated a lot of confusion is this form that we have, if they would have been considered non-responsive other than number two on this list, then it wouldn't be any kind of confusion.

BENJAMIN GUY: I think what you have is the bid tab. The bid tab is done at -- before the –

COUNCILPERSON THOMAS: How -- okay.

BENJAMIN GUY: -- evaluations.

COUNCILPERSON THOMAS: How -- how do we get this? How do we get this?

COUNCILPERSON: They gave it to you.

CHAIR PRO TEM PARDO: He -- he's –

BENJAMIN GUY: We -- we gave it to you.

COUNCILPERSON: Shoreline.

CHAIR PRO TEM PARDO: Shoreline gave it to you.

COUNCILPERSON THOMAS: Okay. Okay. Well, this -- this is an issue. If this document comes up here, I'm thinking it's an official document that you all have given us for additional backup.

COUNCILPERSON: No, he said I'm handing out the documents –

COUNCILPERSON DAVIS: But he said -- he said he gave us (inaudible) –

CHAIR PRO TEM PARDO: No, he said he handed –

COUNCILPERSON THOMAS: But just because he said he handed out something doesn't mean that we need to get it. There's nothing on here saying this is from him. I mean, I'm looking at this, thinking that this is our form. You know?

CHAIRPERSON BROOKS: Well, it is ours. But it wasn't presented to (inaudible).

COUNCILPERSON THOMAS: I -- I understand that. I -- I understand that. But that -- that raises confusion. This should be stopped over there, or this should be provided to us before now, so that we can look at it, not making us think that this is additional backup.

BENJAMIN GUY: Well, I -- I –

CHAIRPERSON BROOKS: Mr. Guy.

BENJAMIN GUY: Again, I haven't -- I haven't seen whatever you have there.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON THOMAS: Well, somebody give him –

BENJAMIN GUY: You know, that isn't anything –

COUNCILPERSON THOMAS: -- a copy of it.

BENJAMIN GUY: -- from -- from -- that's not –

COUNCILPERSON THOMAS: Somebody give him a copy of it.

BENJAMIN GUY: -- from staff. I mean, it -- it may be a document, but that wasn't -- again, in -- in our -- in our package, in our recommendation we clearly state in page 2, my recommendation to the Marina Director, that we had a lower offer from Shoreline. That's -- that's in the recommendation report that's provided with your agenda backup, and we explained, you know, why that offer could not be considered.

CHAIRPERSON BROOKS: Considered, yeah.

BENJAMIN GUY: Additionally, we provided a copy of the certified notice that was provided to Shoreline explaining to them why their offer could not be considered.

COUNCILPERSON THOMAS: So you had a conversation with Shoreline before tonight?

BENJAMIN GUY: Yes, sir. I've spoken at length with Mr. Pearce and his attorney on Friday after 6:00 explaining, you know, the City's position, consistent with the written notification that was provided to Mr. Pearce via e-mail, and also by certified mail. And I also encouraged Mr. Pearce that if he felt that somehow he was aggrieved with regards to our decision, that he should avail himself of the bid protest procedure that was provided or -- and outlined in the bid.

COUNCILPERSON THOMAS: Did that happen?

BENJAMIN GUY: No, he did not.

COUNCILPERSON DAVIS: No.

COUNCILPERSON THOMAS: Okay. Well, all right. I understand that. Then there needs to be something that they can't come up in public comment and then try to do a -- a protest through public comment, you know. Because if I'm provided with information, I'm definitely gonna look at it, you know. So if -- if that's the case, if you want to speak as a regular citizen, that's fine. But he's clearly working -- he's clearly speaking as this company, and he's clearly giving us information that should be done in a protest. So I -- I understand how that work.

Who -- whoever, it doesn't have to be Shoreline, whoever doesn't get the bid, and they feel like they should, is gonna be trying to do the same thing, but to provide us with this information, somebody needs to, you know, make sure that these type of documents doesn't, you know, come up and make us feel like this is additional backup that we're -- that we're receiving, you know. So they did -- they did get up on the dais, so I'm -- I'm fine with that. I'm ready.

CHAIRPERSON BROOKS: Okay. If there are no -- any further comments?

COUNCILPERSON THOMAS: Not from me.

CHAIRPERSON BROOKS: Let's go for the vote, please.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

13. **RESOLUTION NO. 60-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE UTILITY SPECIAL DISTRICT BUDGET BY ADDING THE CLASSIFIED POSITION OF OFFICE ASSISTANT, SENIOR; AND DELETING ONE (1) CLASSIFIED POSITION OF MAINTENANCE WORKER FROM THE 2011-2012 UTILITY SPECIAL DISTRICT BUDGET; AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO TRANSFER NINE THOUSAND DOLLARS ($9,000) FROM LINE ITEM 401-1430-536-0-1201 TO LINE ITEM 401-1417-536-0-1201; AND PROVIDING AN EFFECTIVE DATE.**

CHAIRPERSON BROOKS: Okay. Moving on to Item Number 13.

DEPUTY CITY CLERK ANTHONY: Resolution Number 6012, a resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, amending the Utilities Special District budget by adding the classified position of Office Assistant Senior and deleting one classified position of Maintenance Worker from the 2011-2012 Utilities Special District budget and authorizing the Interim Finance Director to transfer $9,000 from Line Item Number 401143053601201 to Line Item Number 401141753601201, and providing an effective date.

CHAIRPERSON BROOKS: May I have a motion, please?

CHAIR PRO TEM PARDO: So moved.

CHAIRPERSON BROOKS: Second?

COUNCILPERSON LOWE: Second.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Any comments? Yes, Mr. Thomas?

COUNCILPERSON THOMAS: I'm gonna pass down a letter that was left in the chair of my assistant for all of everybody to read. I didn't want to pass it down beforehand, so that it got mixed up. I did have my assistant give a copy of it to Miss Jones. Miss Jones, have you had a chance to –

CITY MANAGER JONES: Not yet.

COUNCILPERSON THOMAS: -- to read it? I'm gonna read it into the -- into the record. And it states -- the envelope is up here, as well. It just says, "Mr. Thomas, confidential, read before tonight's meeting." That's all that's -- that was stated on the envelope.

The letter reads, "Mr. Thomas, since we know that you are the only one that asks the right questions and never back down, we are hoping that you would not be fooled by Item Number 13 from the Utility District Department. This is sent anonymously for fear of retaliation by the department head. Item Number 13 on May 16, 2012, meeting is not necessary because it will eliminate a needed maintenance worker that maintained the right-of-ways and easements throughout the city, especially on the west side where there is overgrowth in the right-of-ways and easements.

"The number of water complaints the department head states Item 13 has always been even before the current director came, and there were only a Staff Assistant Senior and a Staff Assistant and the complaints were handled. What the department head should have said but failed to state is the real need to have the right-of-ways and easements throughout the City cut and maintained on a regular basis. Because the maintenance workers that are there are overworked and trying to keep up top of the right-of-ways and easements. This is where the complaints are coming from, citizens wanting to keep the areas maintained near their properties where water meters are.

"Citizens will suffer the most if a maintenance worker position is eliminated, because the west side is where a lot of water meters are in these areas. The Office Assistant Senior position is simply being asked for to help the incompetent Maryann Guarascio because she is doing just like she did when she worked in the legislative office. We have lodged several running complaints with the director, and he is trying to hire someone to support her lack of competence. She should be written up and fired when she worked in the legislative but was allowed to bump a young lady that gave 110 percent to the Utility District and eventually, because of stress of having to go to another department may have caused the young lady her life.

"We ask that you, the one that we knew -- we know will ask the right questions and do what is right for the residents of this city not to approve Item 13 and keep the maintenance worker position and direct the Utility Director to hire a maintenance worker that is most needed for the residents. Thank you for taking the time out to read this letter. Anonymously," this is how it's sound -- signed, "Anonymously, Utility Workers."

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Lowe?

COUNCILPERSON THOMAS: I wasn't quite –

CHAIRPERSON BROOKS: Oh, I'm sorry.

COUNCILPERSON THOMAS: -- done, if you could just –

CHAIRPERSON BROOKS: Okay. Uh, Mr. Thomas?

COUNCILPERSON THOMAS: I don't know who this letter came from. And it was placed in my assistant's chair. And I'm not even sure if the letter has any merit. I -- you know, I don't agree with the insulting of any staff member, no matter where the staff member works. There is one issue in this letter that I do want to discuss, and that is the part about the easements being maintained.

The reason why I put the letter on the record is because this is public record when you send it to me. It's public record, whoever sent it. And if there's an issue, I'd rather it be done this way than to have it sent down to the I.G.'s Office without us being able to correct it. So I want to make sure that that is -- that is brought in. We decide things as a Board here, so that's why my colleagues have a copy of it, as well, to discuss it.

If this is going to affect the -- the maintenance of the easements, you know, then we definitely need to know that before making a -- you know, a -- a decision, if you're going to do that. If -- because we do have a lot of water complaints, if you need an additional employee then, you know, tell us that, as well. But I -- I definitely would like to know if this is going to affect the -- the easement maintenance.

CHAIRPERSON BROOKS: Yes, please.

LOU AURIGEMMA: Good evening. Lou Aurigemma, Executive Director of the Utility District. Again, Mr. Thomas, this is the first time I've seen this letter, as you just passed it out. Let me just say this, the anonymous utility workers are cowards. This letter is slanderous towards my executive assistant. I am not pleased with that. However, let me just say that I've had discussions with Miss Jones with regard to this being the first step of -- and be it a baby step -- of reorganization and succession planning within the Utility District. That's my job as the Executive Director.

Now, with respect to the maintenance worker that I am eliminating, that is a vacant position. There is no one in that position right now. That position has been vacant for over a year, and I observed -- I have observed that there has been no degradation of the maintenance of the easements. If we were that far behind, I'd be looking at privatizing that portion of our -- our area. But we're doing just fine and -- and granted, this is something that I have observed and would like to proceed with.

COUNCILPERSON THOMAS: Why -- why has the maintenance worker position been empty for a year?

LOU AURIGEMMA: Why? The previous person who was in that position was promoted within the Utility Division, the Utility District, and I chose not to fill it for budget purposes, and then beyond that, I -- I -- I've been in observation mode. And I've come to this point, and that's why this item is before you tonight.

COUNCILPERSON THOMAS: So are we behind in our easements and maintaining of our easements and the right-of-ways? Are we behind in that?

LOU AURIGEMMA: No, we're -- we're up to -- up to date as best we can.

COUNCILPERSON THOMAS: Have you -- have your office been receiving any complaints –

LOU AURIGEMMA: I have not heard of any.

COUNCILPERSON THOMAS: -- about the -- the easements and the -- the maintenance of it?

LOU AURIGEMMA: I have not heard of any, sir.

COUNCILPERSON THOMAS: And you didn't -- you didn't advertise for this position to try to save money to -- to do what with?

LOU AURIGEMMA: My -- my -- my job is to run the Utility District as I see fit and as best I can, taking into consideration fiduciary responsibilities.

COUNCILPERSON THOMAS: I understand that and you -- you're absolutely correct. What I'm asking is, if it's a budgeted position, the money is already budgeted for the position.

LOU AURIGEMMA: Yes, sir.

COUNCILPERSON THOMAS: So by you not filling it, that money accumulates. What are we doing with that money?

LOU AURIGEMMA: That money is just -- it's there. There might be a surplus at the end of the year.

COUNCILPERSON THOMAS: So you not filling that position didn't help us at all, but having a maintenance worker fill that would give us an opportunity to get some more work done out there, or have it done more frequently.

LOU AURIGEMMA: Not necessarily.

COUNCILPERSON THOMAS: Okay. I -- I just need to make sure that I -- that I understand this. And you know, I -- the person or persons who may have written this

letter, I'm not gonna say that they're a coward, and I don't think that you should be saying that, either. But if -- if employees feel like this is the only way that they're going to be able to be heard, then this is the way that their gonna do things. So clearly there's -- there's an issue, you know, with this.

And that's not our job to make sure that whatever issues are going on in your department, but our job is to find out if any of this is true, you know. And -- and that's -- that's really what I want to, you know, know. Miss Jones, I guess from you, it -- since it's on the agenda that means that you're in -- you're in agreeance with eliminating this position.

CITY MANAGER JONES: Based on the information that I got from Mr. Aurigemma, and that we maintain on a regular cycle the easements and there had not been any complaints -- that he had an administrative need, and this was the way to address that administrative need, uh-huh.

COUNCILPERSON THOMAS: Well, the reason why I'm finding it hard to believe that there's not been any complaints, 'cause I get them all the time.

MAYOR MASTERS: I do, too.

COUNCILPERSON THOMAS: So my -- this -- this is why citizens are -- are really upset, because they feel like they complain to us, or they complain to you, or to the departments, and nobody does anything. And then we just sit by routinely and let things like this happen and go. I'm not trying to -- alleviate whatever you think you need to do to make your department more efficient. You exactly right. That is what we hired you to do. But I cannot believe that -- that our -- our easements are being maintained and we have not filled that position so you could accumulate money that you can't carry over to the next year. You haven't told me what you would do with it this year. That's a waste. We've already allocated that money. It should be used to service the citizens.

So my issue is we spent over a half a year, we're gonna fill this position now, and then what happens next year? You gonna totally delete this position, and then try to rebudget it again in next year's budget for the next couple of months, or what -- what, exactly, is -- is going to happen there?

CITY MANAGER JONES: What this item does is abolishes the maintenance worker position and creates the office assistant position. And it is not for only six months or so. It becomes permanent within the budget.

COUNCILPERSON THOMAS: Have -- have we ever had three assistants over there?

CITY MANAGER JONES: I know they've had part-time people, three -- and -- and two full-time people.

COUNCILPERSON THOMAS: Is the workload that heavy that it is taxing the two individuals there? What I'm trying to -- what I'm trying to get –

CITY MANAGER JONES: I can't assess the workload.

COUNCILPERSON THOMAS: You can't assess it?

CITY MANAGER JONES: I can't on an every -- I'm not there every day.

COUNCILPERSON THOMAS: Okay.

CITY MANAGER JONES: So I can't assess the workload within that particular department. I do know that it probably has -- after Police and Fire, it's probably close to being one of the larger departments, but I can't assess who does what, who does the finance piece, who does the clerical, who does -- yeah.

COUNCILPERSON THOMAS: Well, based on your recommendation, do you feel -- and I just need you to tell me this, because I have to decide on it, obviously -- do you feel that that is an even trade to give up a maintenance worker that's going to be out in the field dealing with, you know, our citizens to put another administrative person in there? Not that they're not needed. I just need to know if we -- if we have to pick one, I just need to know, you know, what -- what your recommendation is for that.

CHAIRPERSON BROOKS: Let me –

CITY MANAGER JONES: Look -- okay.

CHAIRPERSON BROOKS: Let me just say something. I know that Miss Jones has given directions to her department heads that wherever you can save, save. And it has not been unusual for us in the City when a position has been vacated to not fill it, because come the next year for budgeting, if a department head has a vacant position, then -- and it is not filled, then we can remove those monies, thus bringing about some saving to the department head. And I'm not -- and I'm not taking a position either way on this. I'm just saying that the City Manager has given her department heads those directions, where you can save, save. Next year, there will be a savings of over $4,000, I believe, by creating this position and eliminating -- doing a line item change and eliminating the other position.

My question to you is this. How -- how do you keep a record of complaints that come in? I mean, what is the system there so that you could answer our question about the number of complaints that might be coming in, complaints that would have to do with this position?

LOU AURIGEMMA: If a complaint comes into the Utility District, basically it's forwarded to the -- to the appropriate person. It will be one of my either superintendent or supervisor. If there was a complaint about an easement, per se, it would go to our customer service supervisor, who would then get with the easement crew and get that rectified.

CHAIRPERSON BROOKS: Are they logged in? Are complaints logged in?

LOU AURIGEMMA: Yes, ma'am.

CHAIRPERSON BROOKS: Okay. So -- but for tonight, could you give us an idea about the average number of complaints?

LOU AURIGEMMA: I -- I don't have that information this evening.

CHAIRPERSON BROOKS: Okay.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo?

CHAIR PRO TEM PARDO: I just have -- I have a question. Why -- do you have any idea why we're seeing an increase in complaints, and why we're seeing an increase in people coming in and asking questions, and -- you know, you list -- you list here people requesting information of -- information about their billing, water turn on and turn off, problems with water and sewer, blah, blah, blah. You know, all of a sudden are we seeing an increase or –

LOU AURIGEMMA: Well –

CHAIR PRO TEM PARDO: You know, can you just tell me what's going on there?

LOU AURIGEMMA: Miss Pardo, time -- times are tough.

CHAIR PRO TEM PARDO: Uh-huh.

LOU AURIGEMMA: And -- and people are watching every penny.

CHAIR PRO TEM PARDO: Uh-huh.

LOU AURIGEMMA: And they're going to, quote, complain or at least ask a question about many, many things from your -- your water bill to easements.

CHAIR PRO TEM PARDO: Uh-huh. Have you found that the online system that we implemented two years ago or so is working? Do we have a lot of people using that system or no? Or are they still coming into the City and paying the billing?

LOU AURIGEMMA: I'm not aware of any complaints coming through the online system. Maybe, maybe a couple, but not very many.

COUNCILPERSON THOMAS: Madam Chair? I –

CHAIRPERSON BROOKS: Yes, Mr. Thomas.

COUNCILPERSON THOMAS: Those complaints that you put in as backup, they would actually go to utility billing, right?

LOU AURIGEMMA: Some do and some don't.

COUNCILPERSON THOMAS: Is this position going to be shared with utility billing?

LOU AURIGEMMA: No, sir.

COUNCILPERSON THOMAS: Okay. The -- the complaints that you have in that backup right there, those seems like they're all, uh, utility billing matters. Now, there's a -- there's a -- I mean, if -- if a -- if a department should be coming to ask for some additional help, definitely utility billing should be. But since you two have to tight -- kinda work together, would this position be utilized in any way to offset some of the -- the -- the strain that's on utility billing?

LOU AURIGEMMA: I -- I can't speak for utility billing, but we do have a good working relationship and we will help them wherever we can, and they try to help us wherever they can.

COUNCILPERSON THOMAS: Let me ask you about the easements. Do you go out and check the easements to see if they've actually been done?

LOU AURIGEMMA: I -- I may go see a spot one here and there, but I -- I have -- I have many other duties, sir.

COUNCILPERSON THOMAS: Okay. Have the workers ever said that it's -- it's kinda tough out there and they could use a little bit more help?

LOU AURIGEMMA: I'm sure they've, you know, mentioned, you know, it would be nice --

COUNCILPERSON THOMAS: No, I'm saying, have they ever asked you, directly, specifically?

LOU AURIGEMMA: We -- we've had, you know, just casual discussions, but nothing serious.

COUNCILPERSON THOMAS: Okay. You know, it's funny. In my comments tonight I'm going to be talking about a property, 700 West 9th Street, that seems to -- to have an issue with their -- their -- their meters. I mean, are we working efficiently over there? Because from what I understand -- and that's not the only person. That's just the person that actually saw me earlier this morning.

But a lot of individuals with their meters being read, they're having complaints of them not being consistent, for lack of a better term. They'll get a $60 water bill this month, and then they'll get a $200 water bill next month, and for no increased usage, for

no -- you know, so it's a lot of issues happening like that. Are -- would that type of complaint go to this potential spot that you're trying to create, or would that go to utility billing?

LOU AURIGEMMA: Well, that -- that -- that is -- what you're describing right there is a -- it's a case-by-case basis, but typically I will handle those cases with Miss Jackson in Water Billing, because it -- it's dealing with a specific finance. And -- and we may have workers that go out and physically fix a meter, a meter box, or something, but when it comes to the financial portion of it, it comes into the office, and yes, this person will help with that, taking some of the calls and -- and -- and, you know, directing it in the proper position. But when it comes down to the final decision, it's between myself and -- and -- and I work with Karen Hoskins in the Finance Department, also.

COUNCILPERSON THOMAS: Okay. So do you have a complaint from that address, 700 West 9th?

LOU AURIGEMMA: I'm not aware of it, but that doesn't mean it isn't in the Utilities District.

COUNCILPERSON THOMAS: When the complaint comes in, 'cause we're trying to figure this out, where does it go? And I'm gonna ask questions until everybody can understand what happens. This is clearly a huge problem in the City.

MAYOR MASTERS: Madam Chair, can I –

CHAIRPERSON BROOKS: Yes.

CITY MANAGER JONES: Can I tell you what's supposed to happen?

COUNCILPERSON THOMAS: You –

CHAIRPERSON BROOKS: Yes.

MAYOR MASTERS: (Inaudible).

COUNCILPERSON THOMAS: No, we're not gonna call a question. I'm going to ask these questions and get the answer.

COUNCILPERSON DAVIS: (Inaudible).

CHAIRPERSON BROOKS: Well, what –

COUNCILPERSON THOMAS: Yes, ma'am.

CHAIRPERSON BROOKS: -- we can do is –

COUNCILPERSON DAVIS: If somebody calls a question –

COUNCILPERSON: Madam Chair, the floor of the meeting –

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON THOMAS: Yes, ma'am.

MAYOR MASTERS: And I have questions.

COUNCILPERSON THOMAS: Yes, ma'am. I'm -- I'm waiting –

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON THOMAS: -- you know, for you.

CITY MANAGER JONES: What is supposed to happen is that they -- every time the individuals come in, they've got the electronic meters. The information is downloaded. A report is generated from that reading. The supervisor is supposed to be looking at that printout, and if that printout shows this month there was a higher usage than it was the previous month, that triggers somebody needs to go look at this. They may have a leak or they may have an issue, something, a written letter going to that particular residence, We've noticed that from this month to last month there appears to be an increased usage of water, and go out and see what is going on with that.

And then that way, even though the information is already in the system, and it may already generate a bill, at that level you're still trying to investigate it. Then Mr. Aurigemma and Miss Jackson figure out if it was really a leak, if whatever happened with that, what might need to be adjusted on the sewer side of the bill payment, and get to that particular individual whatever adjustments that can be made in that process. I'm not sure if -- what the database is within the department to track the calls, and I think that's what was –

COUNCILPERSON THOMAS: I -- right.

CITY MANAGER JONES: -- you were talking about earlier.

COUNCILPERSON THOMAS: Right. I -- I understand. This is -- this is my issue. And if, you know, my colleagues are upset and want to, you know, call a question, they can. But the issue is, this is a -- this is one of the biggest problems that we have.

CITY MANAGER JONES: It is.

COUNCILPERSON THOMAS: Yet we want to rush through this because nobody wants to answer any questions. We're talking about deleting a position that we get complaints on for a -- another position, and I'm just trying to figure out, is it -- is it worth it, is -- when this happens? So I'm going to ask those questions, and I'm going to

continue to ask those questions, because the public needs to know. So if anybody's frustrated, I'm not gonna apologize for trying to make sure that the citizens are –

CHAIRPERSON BROOKS: But the Chair –

COUNCILPERSON THOMAS: -- getting the answers –

CHAIRPERSON BROOKS: Let me –

COUNCILPERSON THOMAS: -- that they need.

CHAIRPERSON BROOKS: Let me just say this, Mr. Thomas. The Chair can ask the Board if they wish to continue deliberation on this, and if two-thirds –

COUNCILPERSON THOMAS: You -- you can.

CHAIRPERSON BROOKS: -- says they don't want to continue, then we will honor that.

COUNCILPERSON THOMAS: We should, and I hope the citizens honor that, as well, because they have these questions, as well. So I'm -- I'm gonna be done, but the citizens have these questions, as well.

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Lowe?

COUNCILPERSON LOWE: Thank you. I want to first address this anonymous letter. This -- this has to stop. You know? It -- it -- it just doesn't work like this. If you're gonna -- if you have a -- a grievance or any problem, I -- I mean, there's enough -- there's six elected officials up here, the City Manager, and her assistants, and it's a -- a cadre of different people you can take this type of stuff here to.

Now, I wish we could strike this from the -- from the record, because it has no merit in -- in my mind. You know? If a person from the public comes up with an anonymous letter, that's fine. But when you work for us, it just doesn't work that way. You know? When I was in the military, it just doesn't work that way. Some -- you got to be accountable. You know, we should have every utility worker come before this Board right here, front and center, until we find out what's -- what's going on, because this is cancerous. This is usurping your -- your control as a director, and the City Manager's control as a person that we hire.

Now, we spent 20 minutes or more on an executive issue. And I don't know how we got this deep into this about hiring a -- putting a position on board. We all know how this works. If somebody gets promoted, the position is vacant. It stays on the books. You know? Use the money as effectively if you can -- as you can, but if not, then that's -- that's the Manager's business.

I can't run the Utility Department from up here, and I'm just -- you know, I'm tired

of just sitting through these sessions where, you know, people just go after employees when they feel like it. We're here to take care of business and to introduce something like this and waste people's time -- and I'm saying it because I'm fed up. I'm saying it because I'm fed up with sitting through here, you know, going through this kangaroo court session just so we can get the business of the City taken care of.

This has to -- it has to stop. This is -- I mean, we're all -- we've been up here for six years most of us, and this is like a cycle. It just keeps going over and over and over again, and it's just not -- it's not right for the people that have to sit through this. You know? And it's painful. You know? But I've had people say, Well, you look like you're bored up there and just distant. No, I'm tired of going through the same thing over and over and over again, and wasting people's time.

But this is -- I mean, this is -- this was out of line. This is -- this was no different from this guy, the last guy, bringing up his information at the last minute. You know? What makes this more valid than his stuff? You know? It's just -- it's -- it's two different ways around here and I'm just -- I'm just tired of it.

MAYOR MASTERS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Mayor.

MAYOR MASTERS: Thank you. Well, I guess my take is -- is different. First of all, I certainly understand the questioning and the length of the questions by Councilman Thomas. For those who are historians, you will remember that it was an anonymous letter, anonymous note that the whole Watergate thing came into play. Certainly this is America, and people have the right to -- to do this.

Now, I don't think that somebody sat there and made all this up, number one. Number two, a lot of it makes good sense to me. You know, the fact is that we're getting these complaints, and it's not being cut. That -- that bothers me and I -- I think there's some legitimacy to this. It doesn't matter whether it's anonymous or you sign it. Either -- either it's legitimate or not.

Management can be wrong sometimes. Management doesn't necessarily get it right all the time. We're human. Elected officials can be wrong. We make mistakes. But I am concerned about it, enough that I think that it would not be in the best interests of this Board to proceed to pass this. I think it ought to be rejected. I think we ought to take time and look at it and see if there's any merit. If there's no merit to it, what's the rush to judgment? Secondly, Mr. Regema -- is that how you pronounce your name?

LOU AURIGEMMA: Aurigemma.

MAYOR MASTERS: Aurigemma. I think it's very unprofessional and whatever other word I could use for you to call workers cowards. That's not acceptable to me, and at this time I am verbally telling you a verbal reprimand. I'm going to ask that it be placed in the record and it shouldn't happen again. That's in lieu of the fact that I will not give a written one or suspend. But I'm gonna ask you, please do not do that again. That upsets me, that you would have said that. And you said it publically. I'm finished.

CHAIRPERSON BROOKS: Okay. Let's -- let's –

COUNCILPERSON DAVIS: Madam Chair?

CHAIRPERSON BROOKS: -- let's just move on with this. Yes, yes.

COUNCILPERSON DAVIS: I -- I just have one comment.

CHAIRPERSON BROOKS: Uh, because this is –

COUNCILPERSON DAVIS: And you know, I agree with Mr. Aurigemma. I think anybody who sends information without signing their name is a coward. And I mean, it -- there is a grievance process in place. If somebody has a problem with any administrative function or issue, there is a grievance process. It is in -- in their handbook, whatever union they're in. It tells you step-by-step of what you need to do. And I mean, I certainly agree that this letter was slanderous towards a City employee and it is just known you do not -- or we should not talk about employee issues such as this publically.

CHAIRPERSON BROOKS: That's right.

COUNCILPERSON DAVIS: Particularly -- you know, and, uh -- I mean, even if somebody gave me an anonymous letter, I certainly wouldn't read it. I mean, and I'm not -- everybody has a choice, you know, what they want to do. But it -- we could put it in the record, but it didn't have to be read. You know? And -- and -- and put that out there and talk about an employee by name.

I -- I -- I -- I'm -- I just agree that, you know, when there are these types of questions, that -- and I did it when I was Chair and got, you know, people upset, and that's okay. But you know, do it on your own time. You know? I -- I shouldn't have to sit here and endure 20, 25 minutes of questions. You know? I mean, if you're -- if we're elected officials, and we're here to carry on the business, then we should take care of our business, read our information, and -- and -- and be prepared to cast our votes when we get here. So -- and I know probably, you know, somebody might get mad, but I'm not -- it's not personal. It's just -- it's how to do business. You know? So –

CHAIRPERSON BROOKS: Okay. I'll just add these comments, then we'll go for the vote. Um, my position is and always has been that I must support whatever the City Manager and the department head recommends, even if I might be in disagreement to it, because we hire you to do a job, and I have to respect that. If you make an error, or if you misjudged in this matter, then the City Manager is responsible for taking the corrective actions against you. We're -- we're policy makers.

Along the line of what Miss Davis said, I think it's embarrassing to an employee that we would permit this kind of information to go into the public records. That alone just tainted the whole matter for me. But anyway, the consensus is that we need to go ahead on it and take a vote on this. So let's just take a vote on it.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: No.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: That motion is approved with Councilperson Thomas dissenting.

CHAIRPERSON BROOKS: Okay. Next, 14A. Okay. We're on Community Benefits requests now, and the first one is mine. 14A. You want to read it?

DISCUSSION & DELIBERATION

14. COMMUNITY BENEFITS REQUEST

A. WAVERUNNERS TRAVEL BASKETBALL PROGRAM- $500 – BILLIE E. BROOKS -- Defray expenses in support of local young ladies in pursuing their dream to earn a scholarship to play basketball on a collegiate level.

DEPUTY CITY CLERK ANTHONY: Waverunners Travel Basketball program, $500, Councilperson Brooks.

CHAIRPERSON BROOKS: Yes, this is a basketball team of young ladies who are -- as it reads here, are -- this program teaches them athletic skills, teamwork and hard work, which builds their self esteem and self awareness. And I did commit to giving them $500 to help with their different tournaments that they will be attending this summer. Any questions?

MAYOR MASTERS: I have a question. I think I read -- Madam Chair?

CHAIRPERSON BROOKS: Yes.

MAYOR MASTERS: Okay. Sorry. I -- I think I read -- I don't know whether it was this one or the other one, but I'm still taken back by how we just handled that –

CHAIRPERSON BROOKS: Talk a bit louder, Mayor. We can hardly hear –

MAYOR MASTERS: -- previous situation. But is –

CHAIRPERSON BROOKS: -- you here, hon.

MAYOR MASTERS: -- is this the one that –

CITY MANAGER JONES: A little louder.

MAYOR MASTERS: It says that you are partnering -- you have partnered with this organization?

CHAIRPERSON BROOKS: What do you mean, partnering?

MAYOR MASTERS: With –

CHAIRPERSON BROOKS: No, I'm just giving them a donation.

MAYOR MASTERS: Well, this is the -- the basketball? I thought I read somewhere in the backup that Council -- Councilwoman –

CHAIRPERSON BROOKS: Well, show me what you read.

MAYOR MASTERS: Oh, here it is. Are we talking about the Waverunners Travel Basketball program?

CHAIRPERSON BROOKS: Well, when we say partner, then really giving them a contribution.

MAYOR MASTERS: What I read is -- what I read earlier says, "Councilperson Brooks has partnered with Waverunners Travel Basketball program to assist with some of the expenses." That's -- that's what I read and that's here.

CHAIRPERSON BROOKS: Okay.

MAYOR MASTERS: So my question is, that's perfectly -- we can legitimate -- we can partner with and still give money to that group that we partner with? What -- I mean, I'm just confused by the word "partner".

CHAIRPERSON BROOKS: I think the term -- and that's a good point that you're bringing up, Mayor. It probably shouldn't have been "partnered," but "sponsoring" rather than "partnered."

MAYOR MASTERS: Okay. Yeah, because –

CHAIRPERSON BROOKS: So we can just change that to make it fit legally.

MAYOR MASTERS: We can strike that, then.

CHAIRPERSON BROOKS: Okay. Thank you.

MAYOR MASTERS: Thank you.

CHAIR PRO TEM PARDO: I'd like to make a motion to accept Waverunners Travel Basketball program donation.

COUNCILPERSON DAVIS: Second.

CHAIRPERSON BROOKS: Thank you. So it's been moved and seconded. We go for the vote.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe.

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?
CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

B. JAY OUTREACH MINISTRIES- $1,000 – BILLIE E. BROOKS Pay attendance costs for low income students for the summer camp program.

CHAIRPERSON BROOKS: Okay. The next is mine again, and that's a request for $1,000 donation of Community Benefit Funds to be made payable to the JAY Outreach Ministry Summer Camp program to pay attendance costs for low income students. That -- that program serves a lot of children, especially in my district, but in the community at

large. And this summer they will have a 10-week program and I have committed to helping them with the children attending this program. Well, the families.

CHAIR PRO TEM PARDO: I'd like to make a motion to –

COUNCILPERSON DAVIS: Second.

CHAIRPERSON BROOKS: Vote, then. And the vote, let's go for the vote.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

C. YOUTH RECREATION ASSOCIATION - $1,200 – BILLIE E. BROOKS – Defray costs for a series of summer City events.

CHAIRPERSON BROOKS: Okay. Again, my request for a $1,200 donation in Community Benefit Funds to be made to the Youth Recreation Association to help defray cost for –

COUNCILPERSON DAVIS: So moved.

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON BROOKS: And the vote? All in favor?

COUNCILPERSON LOWE: No, hold on.

CHAIRPERSON BROOKS: Okay. This is –

COUNCILPERSON LOWE: Uh -- uh -- uh, C?

CHAIRPERSON BROOKS: Yes, 14C.

COUNCILPERSON LOWE: Yeah, I -- okay. I'll vote for C but it's missing paperwork.

CHAIRPERSON BROOKS: It is?

COUNCILPERSON LOWE: Yes, it is, and I didn't -- I didn't see any W-9 or a 501C3 and none of that.

CHAIRPERSON BROOKS: Well, we should have it on file, because we've given to them before.

COUNCILPERSON DAVIS: Uh-huh.

COUNCILPERSON LOWE: Well, I don't know whether it's on file or not.

CHAIRPERSON BROOKS: You sure don't.

COUNCILPERSON LOWE: It's not in here. And I -- I don't keep up with that.

COUNCILPERSON THOMAS: C is the Youth Recreation Association.

CHAIRPERSON BROOKS: It's the Youth Recreation Association.

COUNCILPERSON DAVIS: Uh-huh.

COUNCILPERSON LOWE: Well, part of the process is they have to turn in the paperwork. You know, I wanted to give to the Concerned Mothers and the Southside Coalition, and we couldn't give. It wouldn't even pass Legal because it didn't have the paperwork with it.

CHAIRPERSON BROOKS: Do we have the paperwork –

COUNCILPERSON LOWE: So how did this one pass?

CHAIRPERSON BROOKS: -- in the -- back in the office?

CITY ATTORNEY RYAN: It's not because it didn't have the paperwork.

CHAIRPERSON BROOKS: Well, we can move on to something else and then come back to this. Do we have it from the last one, the 501?

CITY ATTORNEY RYAN: Madam -- Madam Chair?

CHAIRPERSON BROOKS: Yes.

CITY ATTORNEY RYAN: The reason why I did not require it here is because I do have it in my files.

CHAIRPERSON BROOKS: Okay.

CITY ATTORNEY RYAN: So because you've given so many times, so I just –

CHAIRPERSON BROOKS: Correct.

CITY ATTORNEY RYAN: -- let it go. You are correct, Mr. Lowe. Otherwise, if it's not already in my file, I don't see it -- I try to keep track of all of these. We are sending them back. It's not just yours. We've sent back several of them.

COUNCILPERSON LOWE: Well, mine got sent back and I just wanted to know why this one didn't have any –

CITY ATTORNEY RYAN: And that's why.

COUNCILPERSON LOWE: -- in this packet.

CITY ATTORNEY RYAN: And that's why.

COUNCILPERSON LOWE: Okay.

CITY ATTORNEY RYAN: And my requirement is not that it come on the agenda. I just need to see it before it gets my signature. You all don't have to put -- I don't have a requirement that you put a person's, um -- an organization's tax identification information in the packet that comes to Council. They may not want you to do that.

COUNCILPERSON LOWE: So how do we know if they're certified?

CITY ATTORNEY RYAN: I'm not signing it unless it is -- unless I see it.

COUNCILPERSON LOWE: Okay. Fine.

COUNCILPERSON THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON THOMAS: We've given to this organization –

CHAIRPERSON BROOKS: Yes, I have.

COUNCILPERSON THOMAS: -- all the time, so I mean, I don't understand what the problem is with Youth Recreation Association, because everybody's given to it. So I don't see any reason to deviate from that tonight.

CHAIRPERSON BROOKS: Well, they –

COUNCILPERSON LOWE: Madam Chair?

CHAIRPERSON BROOKS: The -- the Legal has given an opinion on this.

COUNCILPERSON LOWE: There's no problem. I just want consistency, that's all.

CHAIRPERSON BROOKS: We can vote.

MAYOR MASTERS: Madam Chair, I have a question.

CHAIRPERSON BROOKS: Okay. All in favor -- I mean, vote.

COUNCILPERSON: He has a question.

MAYOR MASTERS: I have a question. Madam Chair? I have a question.

CHAIRPERSON BROOKS: Yes.

MAYOR MASTERS: On the Youth Recreation Association, I -- I, too, am going to give 1,200, too, but my question is, I think Mr. Calloway's having, what, about seven different events in the, uh, city parks, which is commendable. But in addition to what distinguished Chairperson Brooks is giving, is the City giving anything? Does anybody know that, Madam Manager? Any kind of funding to supplement, to support these programs that Mr. Calloway and the Youth Rec is having at the parks? Is the City giving anything in addition? Because I want to give 1,200, but I want the City to give something, too.

CITY MANAGER JONES: The -- come on up, Chief.

CHAIRPERSON BROOKS: I think they're giving in-kind.

CITY MANAGER JONES: Different departments, different areas –

MAYOR MASTERS: Well, I just want to know what -- I'm just asking a question.

CITY MANAGER JONES: -- are contributing and –

MAYOR MASTERS: Right.

CITY MANAGER JONES: -- supporting the Youth Recreation activities.

MAYOR MASTERS: Okay.

CITY MANAGER JONES: We're sponsoring, you know, tables for some of his events and –

MAYOR MASTERS: Right. But that's what I'm asking, for people –

CITY MANAGER JONES: Yes, we are.

MAYOR MASTERS: -- can see that the City is involved, as well –

CITY MANAGER JONES: Oh, yes, yes.

MAYOR MASTERS: -- as –

CHAIRPERSON BROOKS: And they're giving in-kind, because when they're using the parks and we're not assessing them a fee, that's an in-kind contribution.

MAYOR MASTERS: Well, it's just –

CHAIRPERSON BROOKS: And that's a big in-kind.

MAYOR MASTERS: -- knowledge is powerful.

CHAIRPERSON BROOKS: Exactly, but -- and it's good for the public to know.

MAYOR MASTERS: If you don't know, you don't know. Like Mr. Lowe was saying, we just wanna know.

CHAIRPERSON BROOKS: It's good for the public to know.

CITY MANAGER JONES: Yeah, the City is giving several (inaudible).

MAYOR MASTERS: The Chief is here.

CHAIRPERSON BROOKS: Okay. We don't need Chief. It's okay.

CHAIR PRO TEM PARDO: Okay. So we can vote on that. There was a motion?

CHAIRPERSON BROOKS: Yeah, we can vote on it. Uh-huh.

MAYOR MASTERS: Thank you.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

D. THE VALLEY OF LOVE MINISTRIES - $500– SHELBY L. LOWE – Defray costs associated with Haitian Flag Day to be held on Sunday, May 20, 2012.

CHAIRPERSON BROOKS: Okay. Next would be 14D, and Councilman Shelby Lowe requested a donation of 500 in Community Benefit Funds to be made payable to the Valley of Love Ministries to help –

COUNCILPERSON LOWE: Yes, ma'am. Yes, ma'am. This item is to defray the costs for the Second Annual -- we had one last year -- Haitian Flag Day.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: And hopefully it grows, but at least it's an effort to address a population in our community that -- that are -- they're very involved and we would like to –

CHAIRPERSON BROOKS: Well, she made a motion. Then we just need a second.

MAYOR MASTERS: And I'm gonna give 500, too, Mr. Lowe.

COUNCILPERSON LOWE: Oh, good. All right.

COUNCILPERSON DAVIS: Well, can't we just (inaudible)? So moved.

COUNCILPERSON LOWE: I got another 500 just –

COUNCILPERSON DAVIS: So moved.

MAYOR MASTERS: I mean, I've got to go through the process.

CHAIRPERSON BROOKS: Okay. It's been moved. Mr. Lowe, you want to second it?

COUNCILPERSON LOWE: Second. I'll second it.

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: All right.

CHAIRPERSON BROOKS: Ready for the vote.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yeah.

DEPUTY CITY CLERK ANTHONY: Chair Brooks.

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

E. TRIPLE H MINISTRIES - $500– SHELBY L. LOWE – Defray costs of an AIDS walk in the City to be held Saturday, June 23, 2012.

COUNCILPERSON LOWE: Okay.

CHAIRPERSON BROOKS: And the last one –

COUNCILPERSON LOWE: E is –

CHAIRPERSON BROOKS: No, we got -- oh, we have two more.

COUNCILPERSON LOWE: E is –

CHAIRPERSON BROOKS: That's right.

COUNCILPERSON LOWE: -- is another one of mine. It's Triple H Ministries, and that's to defray the costs for an AIDS Walk they have –

CHAIRPERSON BROOKS: Yeah, yeah, got it.

COUNCILPERSON LOWE: -- scheduled in the City to be held on June 23rd –

CHAIRPERSON BROOKS: Okay.

COUNCILPERSON LOWE: -- 2012.

COUNCILPERSON DAVIS: So moved.

COUNCILPERSON LOWE: Second.

MAYOR MASTERS: And I'm gonna give 500 on that, too.

COUNCILPERSON LOWE: All right.

CHAIRPERSON BROOKS: Okay. Ready for the vote?

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?
CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

F. BLACK EDUCATORS CAUCUS OF PALM BEACH COUNTY- $300– JUDY L. DAVIS Defray costs of the Annual Scholarship Breakfast.

COUNCILPERSON DAVIS: And Madam Chair?

CHAIRPERSON BROOKS: Yes.

COUNCILPERSON DAVIS: I'm withdrawing, uh, 14F, till the next meeting.

CHAIRPERSON BROOKS: Okay. All right. Fine.

COUNCILPERSON LOWE: Why?

CHAIRPERSON BROOKS: Now we're at Item 15, Appointments.

BOARD APPOINTMENT(S)

15. APPOINT ONE (1) REGULAR AND ONE (1) ALTERNATE MEMBER TO THE LIBRARY ADVISORY BOARD.

DEPUTY CITY CLERK ANTHONY: (Inaudible) these first. Appointment -- appoint one regular and one alternate member to the Library Advisory Board.

CHAIRPERSON BROOKS: Okay. And who -- so we need a motion.

COUNCILPERSON DAVIS: So moved.

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON BROOKS: Okay. Any comments, questions?

CHAIR PRO TEM PARDO: Uh-uh.

CHAIRPERSON BROOKS: Let's vote.

DEPUTY CITY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Davis?

COUNCILPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes. Oh, yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Okay. That's the end of Item 15. So now, Discussion by the City Manager. Miss Jones?

DISCUSSION BY THE CITY MANAGER

CITY MANAGER JONES: Just an announcement that Monday at 5:00 we will be having a budget workshop here in the Council chambers, and the topic will be the discussion of a fire assessment. We will have public comment, so we're asking the residents to come out for that budget work session.

Now very quickly, I would like to have Chief Peter LeDuc talk about how we are handling a situation where the telephone lines were cut over on the island, so that we can ensure that the 911 calls get through. So Chief, if you'll tell the residents what they need to do in the next couple of days.

COUNCILPERSON LOWE: Madam Chair? Before –

CHAIRPERSON BROOKS: Yes, Mr. Lowe.

COUNCILPERSON LOWE: I want -- you went kinda quick on me, Miss Jones. I want to -- the matter concerning -- what was the first issue you talked about?

CITY MANAGER JONES: The budget workshop.

COUNCILPERSON LOWE: Oh, yeah, yeah, yeah. Can we have some backup in that -- on that item? I'm particularly looking for an article that was in the -- in the Palm Beach Post regarding a local city that -- that -- was it Delray Beach?

CITY MANAGER JONES: Delray?

COUNCILPERSON DAVIS: Yep.

COUNCILPERSON LOWE: Yeah, I'd -- I'd like to see that, and they've already tried a fee assessment and there's some information behind that I want to be brought up.

CITY MANAGER JONES: Yeah, we have their report and study. We've got the article.

COUNCILPERSON LOWE: Okay.

CITY MANAGER JONES: We've got information from their council meetings.

COUNCILPERSON LOWE: It wasn't -- okay. It wasn't in the –

CITY MANAGER JONES: So we'll –

COUNCILPERSON LOWE: -- work -- workbook.

CITY MANAGER JONES: Yeah. So we'll make sure you get copies of –

COUNCILPERSON LOWE: Okay. Thanks.

CITY MANAGER JONES: -- all of that tomorrow.

COUNCILPERSON LOWE: Sorry about that, Chief. Don't arrest me.

FIRE CHIEF LEDUC: Certainly. Good evening. Chief LeDuc, Fire Department. It was an unfortunate circumstance during the construction an AT&T phone line was interrupted, severing service pretty much north of the fire station on Singer Island. We found out about it through the course of action when the fire alarm systems and sprinkler systems weren't being notified. Come to find out that also the 911 lines aren't working.

In speaking with AT&T, and through Public Works and Terrence Bailey, the City Engineer, is they're working diligently 24 hours, trying to get the phone lines up. There may be even a few condos south of the fire station is what we're learning, because I've sent our inspectors out, and our crews out, and we're testing. We've been there several times, many times over the last two days, trying to work this out.

If there is an emergency over on Singer Island, and your phone line doesn't work -- you should check now that your phone doesn't work, your land line. If it doesn't work, try to use your cell phone. We've tried to locate all the managers over there to let their residents know that if you have an emergency, is use your cell phone and make sure you give an accurate address, because that system doesn't identify yet. I don't believe that the cell phone gives that address where it's coming from. So you have to say you're from the City of Riviera Beach and you're at the address along North Ocean.

And as the service comes up over the next few days, we're asking residents to check their phones almost, you know, three or four times a day, because as they begin to splice these lines together they'll -- they'll get their service provided. And so it's hit or miss which ones will be connected first, because they're just connecting the lines back up again as -- as simply as I can explain. They're expected to take a week, but hopefully maybe sooner if things go well, and so we're just asking the residents to use their cell phones and give accurate information when they talk to the dispatcher.

COUNCILPERSON DAVIS: How did the lines get cut?

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss -- Miss Pardo?

FIRE CHIEF LEDUC: Yes, ma'am.

CHAIR PRO TEM PARDO: All right. So Chief, have you guys gone over to the condos and notified them personally?

FIRE CHIEF LEDUC: Absolutely.

CHAIR PRO TEM PARDO: Okay. All right. So –

FIRE CHIEF LEDUC: We've been there several times, three or four times during the last two days making sure we make re-contact.

CHAIR PRO TEM PARDO: Okay. But have you also started visiting the condos on the south -- on the -- you know, the south of the fire station?

FIRE CHIEF LEDUC: That's where we learned that there were –

CHAIR PRO TEM PARDO: Just to make sure.

FIRE CHIEF LEDUC: Right.

CHAIR PRO TEM PARDO: Okay.

FIRE CHIEF LEDUC: There were some that were affected; because we wanted to be sure that there wasn't any back feeds.

CHAIR PRO TEM PARDO: Okay.

FIRE CHIEF LEDUC: There's only a few.

CHAIR PRO TEM PARDO: Okay. But all the condos are aware of it.

FIRE CHIEF LEDUC: Have been notified.

CHAIR PRO TEM PARDO: Okay. Perfect. Thank you, sir.

FIRE CHIEF LEDUC: Yes, ma'am. And we're also going out tomorrow with some letters, uh, giving them to the residents so that they have that information, as well, that we put together, a letter for that.

CHAIR PRO TEM PARDO: Perfect. Thank you.

FIRE CHIEF LEDUC: Yes, ma'am.

CHAIRPERSON BROOKS: Any other? Miss Jones?

COUNCILPERSON DAVIS: I –

CHAIRPERSON BROOKS: I mean, I'm sorry. Miss Davis?

CITY MANAGER JONES: No, uh, what I was doing was answering a question from Miss Davis as to how did this happen. And the engineers have been out. Prior to working, the AT&T went out and marked their lines, like you do with cable lines. They failed to mark properly, and the engineer nicked the line.

COUNCILPERSON DAVIS: The engineer or –

CITY MANAGER JONES: Well, the contractor doing the work.

COUNCILPERSON DAVIS: Doing the –

CITY MANAGER JONES: Roadwork on –

COUNCILPERSON DAVIS: -- roadwork out there? Okay.

CITY MANAGER JONES: -- on U.S. 1 -- on A1A.

COUNCILPERSON DAVIS: Wow. Okay.

CHAIRPERSON BROOKS: My page is missing here. Okay.

CITY MANAGER JONES: It's in my report.

LEGAL DISCUSSION/REQUEST

CHAIRPERSON BROOKS: Any further? Okay. Legal?

CITY ATTORNEY RYAN: I have nothing.

CITY COUNCIL COMMITTEE REPORT(S)

CHAIRPERSON BROOKS: Okay. Now I see it. Committee reports? Committee reports?

COUNCILPERSON DAVIS: I already gave a report on MPO.

CHAIRPERSON BROOKS: Okay. Mr. Lowe, any committee reports or –

COUNCILPERSON LOWE: Nope.

CHAIRPERSON BROOKS: Mr. Thomas, from the school?

COUNCILPERSON THOMAS: None.

STATEMENTS BY THE MAYOR AND CITY COUNCIL

CHAIRPERSON BROOKS: All right. Now, statements by the Mayor and City Council. Mayor, I'll start with you.

MAYOR MASTERS: Thank you. You know, I wanted to say this. I think it's important that the public realizes that we're all individuals, and that our styles may be different, but all of us want to do what we feel is right. I really believe that. And you know, I -- I -- I just kind of feel a little bad that -- I just think that Councilman Thomas was just shot down tonight. I know that wasn't the intent, but I'm gonna say what I want to say, how I feel. And I -- I do. And I think that when any one of us stand up for what we feel is right, we may disagree with it, but you know, we all have feelings. And so I think we ought to think about how we handle it, how we would feel.

I think that I did what I felt was right, which was to give a verbal reprimand. I had the right to do it. It's one thing to call someone coward. It's another thing to say cowardly acts. Two different things. So I am who I am, and I'm going to continue to speak up and speak out.

Disappointed at times with the administration, too, because sometimes when you try to deal with situations behind closed doors diplomatically, before you can even get back to your office it's leaked. Even in the executive sessions meeting -- well, not the executive meetings, but even that, too, but even in the staff meetings, everybody ought to know by now, everything that is said in those meetings basically they're leaked, and they're leaked within hours. I don't like it, but you have leaks coming from the White House, and you'll never be able to stop leaks.

So for me and my house, I'd rather deal with the administration and with everyone else publically, because when you tell somebody one thing and the next day it's changed and goes to meeting and it's changes, changes, changes, and it's no confidentiality around here, and -- it's just hard to do business that way.

I also want to say that someone mentioned absentee ballots. For those voters who vote absentee, you need to know that your request expires after the Presidential -- well, the end of the year of the Presidential election, which is the last election, which means that you have to renew by either calling or sending an application in, which will then be good until 2014. The Clerk's office can always assist you in that. And if you call the Mayor's office, we can always give you information, which is about 70 percent or 75 percent of those people who have not already done it, you will not be able to vote absentee unless you renew that this year or next year, the beginning.

Last night we all heard about the incident at Marina Grand, and a lot of people were concerned and upset, and rightfully so. But I believe, Chief, it's been ruled a suicide. Is that correct?

FIRE CHIEF LEDUC: Yes.

MAYOR MASTERS: Okay. So that's been ruled a suicide, so we can calm our fears that there's no one in Marina Grand that's going around shooting or killing. Anyone -- we can't stop people from killing themselves, unfortunately, but we will pray for that family.

I also want people to -- there's -- there's no reason to keep calling the Mayor's office. I'm not in the dark. I don't need people to keep calling me, telling me, Have you heard that one of my colleagues is considering -- I've heard that. He's running against me for Mayor. That's -- that's okay. This is America and everybody, whether it's -- whoever it is, can consider to run against the mayor. It's not against the mayor. It's the office. So I know, I've had conversations, so -- and if you're concerned, call that person, please.

I mean, you know, there's no need. You know, thank you for educating me but, you know, I'm gonna continue to do what I do and to continue to serve the people to the best of my ability, whether it's a colleague that wants to run for office or anybody else. I'm just gonna continue to be the best mayor that I can be. Period. So there's no need to keep calling, telling me, Did you hear this, Did you hear that? Yes, I've heard it all. But I'm here to the end.

Friday at 10 a.m. the Mayor will have a press conference to lay out a plan of action as it relates to helping to stop the violence. And I really like what Delray says it better, to bury the violence, particularly among young people. And I will lay that out, which will involve our religious leaders and involve community leaders. I invite the Council and anyone else to come. It will be right here, but we're looking forward to that.

You know, may God bless Riviera Beach and let's continue to work together and do what we can to promote unity and respect the views of everybody. Thank you.

CHAIRPERSON BROOKS: Okay. Now we're down to the Council, and may I do my report quickly?

COUNCILPERSON DAVIS: Absolutely.

CHAIRPERSON BROOKS: I did attend the Division of Retirement 33rd Annual Police Officer & Firefighters Trustee School on May 14th, on day one, which is an orientation for new trustees, but a lot of information is given that plan sponsors, of which we are a plan sponsor, to be aware of. And before I'd been to those schools, but as a Trustee. So this time my hat was as a City, to see what we need to know as a City.

And I came back with some questions. And the attendees -- they were from the Fire and Police Pension Boards -- had asked if I would bring these questions back to this meeting, and there were five of them. And I did send an e-mail to -- to all of you on some of these questions. So Miss Jones said that you are prepared. Some of the questions we might not have the answers to, but they are very important as we are moving forward now for some changes to our pension program -- uh, pension plan.

My first question, since the City has an interlocal agreement with Palm Beach Shores for fire protection, has the City applied for premium tax dollars for this municipality? Thank you, Miss Hoskins.

KAREN HOSKINS: Good evening. Yes, we have applied for those premium tax

dollars from Palm Beach Shores.

CHAIRPERSON BROOKS: Okay. Very good. They're listening, so we need to know.

KAREN HOSKINS: Yes, and we are receiving those dollars.

CHAIRPERSON BROOKS: Okay. Great. Now, the other is, how current is our department in updating addresses in the Department of Revenue database? Because the Department of Records -- or the Department of Revenue shows that the last contact person to be Gwen Herbert.

KAREN HOSKINS: Right. Gwen -- we were recently contacted by the Department of Revenue about a month ago to update the information, but the -- as far as the addresses are concerned, Brad Stein in Community Development, he's responsible for updating the addresses when we have any annexations. And Finance is responsible for looking at the revenues that we receive, making sure the proper rate is applied to those cell phone revenues, telephone revenues, and –

CHAIRPERSON BROOKS: Communication service taxes?

KAREN HOSKINS: Right, the communication –

CHAIRPERSON BROOKS: So we're on top of that.

KAREN HOSKINS: -- services tax, correct.

CHAIRPERSON BROOKS: Okay. Well, about the addresses -- and again, the -- the Division of Retirement is available to us on questions

KAREN HOSKINS: Okay.

CHAIRPERSON BROOKS: My understanding is that any time there is a new address, not just an annexation, but that any address, because -- well, and I'm just saying this for the benefit of the public –

KAREN HOSKINS: Uh-huh.

CHAIRPERSON BROOKS: -- because you know -- that the premium tax dollars –

KAREN HOSKINS: Is tied to that?

CHAIRPERSON BROOKS: -- come from property and casualty.

KAREN HOSKINS: Correct.

CHAIRPERSON BROOKS: And it sounds like a lot of work to me, but any time there's,

I guess, a new address, then we've got to update our database –

KAREN HOSKINS: The database.

CHAIRPERSON BROOKS: -- because without that we're losing monies.

KAREN HOSKINS: Correct, correct. So as I say, Community Development, they're responsible for updating –

CHAIRPERSON BROOKS: Okay. The other ones.

KAREN HOSKINS: -- the informations.

CHAIRPERSON BROOKS: Okay.

KAREN HOSKINS: Right, right.

CHAIRPERSON BROOKS: Okay. All right. Now, what is the approximate dollar amount of community service tax dollars that the City receives annually?

KAREN HOSKINS: Right. That's the Communication Services Tax.

CHAIRPERSON BROOKS: Okay.

KAREN HOSKINS: For the current year we have budgeted approximately $1,543,000. In fiscal year 2010 we received $1,658,000, and fiscal year '11 we received $1,528,000.

CHAIRPERSON BROOKS: Okay. I'm curious. How do we use that money?

KAREN HOSKINS: It's in the General Fund.

CHAIRPERSON BROOKS: Okay. So it does go in General Funds.

KAREN HOSKINS: Yes.

CHAIRPERSON BROOKS: Good.

KAREN HOSKINS: Yes.

CHAIRPERSON BROOKS: Okay. Okay. All right. The other is, what is the fiscal impact of losing State dollars by changing to a defined contribution plan? The City will no longer be eligible for premium tax dollars under the D.C. That's the Direct Contribution Plan.

KAREN HOSKINS: Correct.

CHAIRPERSON BROOKS: There -- there are options that can be explored with the State that could result in those dollars being used for supplemental benefits to the officers. And maybe this is something that maybe you wanted to report to us later, but as we're –

KAREN HOSKINS: No, I have that now.

CHAIRPERSON BROOKS: Okay. Great. Okay.

KAREN HOSKINS: For –

CHAIRPERSON BROOKS: Great, great.

KAREN HOSKINS: -- Fire it's approximately $86,000 –

CHAIRPERSON BROOKS: Okay.

KAREN HOSKINS: -- that the City offsets with our contributions. And then for Police it's approximately $82,000.

CHAIRPERSON BROOKS: Okay. The other was, there's a form or letter of determination that we should be getting from the pension boards.

KAREN HOSKINS: Correct.

CHAIRPERSON BROOKS: So we're getting those.

KAREN HOSKINS: Yes, and those are the -- in the form of actuarial reports. We've received Police and General Employees. We -- the Fire we have not received to date. I understand they're having a special meeting on Monday –

CHAIRPERSON BROOKS: Okay.

KAREN HOSKINS: -- because they made some changes to their assumptions. So we should get that for Monday.

CHAIRPERSON BROOKS: And actually, this letter should be going to the actuary, according to what it reads in the book. So -- but you're saying that they would get –

KAREN HOSKINS: They –

CHAIRPERSON BROOKS: -- this information from the actuaries?

KAREN HOSKINS: Right, and they include it in the actuarial report that we receive from the three pension plans saying –

CHAIRPERSON BROOKS: Okay.

KAREN HOSKINS: -- what the investments are and what they're averaging or what they're making off their investments, and what the assumptions are.

CHAIRPERSON BROOKS: Very good. Okay. Those were the questions that I wanted everybody from the -- who attended to hear the answers. All right. Thank you very much. That's -- I'll yield now to anyone else. Miss Pardo?

CHAIR PRO TEM PARDO: I just have one thing, and this is for you, Chair Brooks. Have you heard anything about our conference call with Viking?

CHAIRPERSON BROOKS: They're supposed to be setting up -- setting it up.

CHAIR PRO TEM PARDO: Okay.

CHAIRPERSON BROOKS: That was last -- what was that? The CRA meeting that we discussed it.

CHAIR PRO TEM PARDO: Correct.

CHAIRPERSON BROOKS: And they told me that they're trying to get the video equipment or whatever –

CHAIR PRO TEM PARDO: Okay.

CHAIRPERSON BROOKS: -- so that we can -- we can do that.

CHAIR PRO TEM PARDO: All right. So is that still –

CHAIRPERSON BROOKS: But I'm on top of it.

CHAIR PRO TEM PARDO: Okay.

CHAIRPERSON BROOKS: Okay.

CHAIR PRO TEM PARDO: Okay. All right.

CHAIRPERSON BROOKS: Because we really need to move post haste on that.

CHAIR PRO TEM PARDO: Oh, absolutely. Okay. That's all I have. Thank you.

CHAIRPERSON BROOKS: Okay. Mr. Thomas?

COUNCILPERSON THOMAS: Yes. I have a couple of comments. The first thing that I would like to talk about, earlier -- well, let me get 7th Street -- 700 West 9th Street, um,

done. Miss Jones, there seems to be some type of inconsistencies. And let me just make sure that I preface this by saying any time I go to Miss Jackson, she always -- you know, whatever she's doing, she still try to help me with that. But it's -- we have far too many water clients for -- or accounts, excuse me, you know, for me just to, you know, single -- every day take one or two in, so some type of system needs to come up where we deal with these issues with that. So I need to know about 700 West 9th Street. I believe it's Apartment 2.

CITY MANAGER JONES: Apartment 2?

COUNCILPERSON THOMAS: Right. Mr. Davis came in earlier and he said that, you know, he feels that, you know, his district representative has forgotten about the elderly. Well, that's not true, you know. What happens so many times is -- we all get the same amount of Waste Management Benefit Funds. I chose to utilize mine early to put an event on honoring our seniors, so I can't throw around 500, or a thousand, or $1,200 every time somebody does it, because my funds are spent until October.

Miss Davis and Miss Brooks and the Mayor, there was a -- there was a project going on in our district that required some assistance, and they had the funds to do so, and I'm glad that they stepped up and done that, because we all serve, you know, the citizens. So I haven't forgotten about anybody, Mr. Davis. I just don't have those funds.

A lot of people ask me for those funds. I don't have them. I used them. And when I get them in in April -- I'm sorry -- in -- in October, whenever the next time we get them, I will definitely be putting them out there to the public. Whether it's turkey giveaways, whether it's, you know, Fifth Grade Fun Days, whatever it's going to be, believe me, they'll be used and they'll be used for the -- for the public. So I don't want anybody to think that I don't wanna help. You only get a certain amount, and once it's spent, it's spent until the -- the new amount comes in.

I spoke about this a couple of weeks ago, and Miss Brabham came in tonight and also spoke about it. I've asked this Board to let's come up with a strong position to send to the School Board in reference to our youth not being able to get into Suncoast, and also about a potential SAC District not being aligned where the -- the school is. Those are some -- some major issues that we need to -- to get in -- in front of the Board so that our residents know that we are fighting for them.

Lastly, I'm going to say this. We all are elected. They elect six of us. Five of us make decisions. If they wanted -- if the citizens wanted just one point of view, they're -- they're -- they would elect just one person. Miss Brooks, I'm only saying this as a point of clarification. You just gave us a good ten minutes of valuable information from a conference that you took your time and you went to. No one ever said anything about "call the question," do anything, because we needed to hear that.

And the same reason we need to hear that is the same reason why people who elect us to be here have these questions, and we just want to cut it off for some particular reason. I feel offended that that happened tonight, but I'm -- I'm invested with the same -- the -- vested with the same powers any other elected person up here, and I'm going to continue to be Cedric Thomas. I am Cedric Thomas. I'm going to ask those questions because the citizens deserve it.

So now if anybody has a problem with me answering -- asking questions, I'm

letting you know now, I'm going to continue to ask those. I will respect the Chair, as I did then. You said, "You have the power to call the question," and you do. But I'm telling you that I feel that we should spend as much time as it takes to clear up this issue, this water issue, this utility issue. It is the biggest complaint that we have, and I don't think we dedicate enough time to it. So whatever personal issues -- and I know Miss Brooks doesn't have any personal issue with me, so I'm not directing this to her. I'm directing this to anybody who does. I'm going to do my job how the citizens elect me to do my job.

Now, with this particular letter, letters have been read into the record before. I was not going to talk about a certain part of this letter and not put the entire letter on the record. If retaliation wouldn't come, if employees thought that they could really give you their point of view without somebody, you know, making them feel bad for it, then we -- we could probably do it differently. I asked. I said, "Whoever the employee was that went down to the I.G. to give that information, they should have given that information to us and let us deal with it." So if this is the only way that they know how to deal with it, because this is tough times they don't want their job -- or they don't want extra stress, you know, on them, or their jobs threatened, then I -- I -- you know, I can't be upset with them for that.

All I'm asking my colleagues to do is the same way I respect your point of view, even though I don't agree with it all the time, is to respect my point of view, because I am just as you are; no more, no less. We are all equal, and that is what the people of Riviera Beach voted for, a body, a body. It's not about can you count to three? It's about making sure all five members know what's going on and let them give their point of view so that we can come up with a -- a clear answer. That is all I'm asking. That is it.

CHAIRPERSON BROOKS: Thank you, Mr. Thomas. Miss Davis?

COUNCILPERSON DAVIS: Yes, ma'am. Just to remind everyone, on Monday we are going to be doing -- I'm -- me and some volunteers, we'll be doing the Black Planting starting at 8:30. And I just want to also say that, Mr. Davis, others may have given Community Benefit Dollars, but those dollars that I gave came from my pocket, also.

And also, the -- well, I -- the U-verse, AT&T U-verse has -- they show local government channels on, I think it's 99. They show the counties. They show Martin County and -- and I don't know if anybody has that particular cable service, but it might be something we want to look into.

And also, lastly, I will say to you, Mr. Thomas, maybe my words were harsh. I did not mean them that way. However, I also -- as a person who you tell me about Robert's Rules of Order -- any one of us up here has the right to call a question. Just last couple -- the last meeting or so there was an attempt, but it hadn't been said that way. And, you know, so I'm -- I'm -- there is an allotted period of time when people will listen, and then after that, you know, we have the right to call a question, just like you or anybody else on this board. And as I said before, it is never personal for me, you know, in dealing with the City's business. So I don't want you to think that I have a problem, you know, so to speak. I just, you know, exercise my rights just like everybody else. That's it for me.

CHAIRPERSON BROOKS: Mr. Lowe?

ADJOURNMENT

CHAIR PRO TEM PARDO: Motion to adjourn?

CHAIRPERSON BROOKS: Okay. So moved.

There being no further business, the meeting was duly adjourned at 10:30 p.m.

PLEASE NOTE: A COMPLETE AGENDA PACKAGE AND RECORDING IS ON FILE IN THE OFFICE OF THE CITY CLERK.

APPROVED:

THOMAS A. MASTERS
MAYOR

BILLIE E. BROOKS
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

DAWN S. PARDO
CHAIR PRO TEM

CEDRICK A. THOMAS
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

B. BROOKS _____

D. PARDO _____

C. THOMAS _____

J. DAVIS _____

S. LOWE _____

DATE APPROVED: 06/20/2012