

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
MINUTES OF THE CITY COUNCIL MEETING HELD  
MAY 3, 2017 6:00 P.M.  
MUNICIPAL COMPLEX CITY COUNCIL CHAMBERS**

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

[Before meeting chatter]

[Gavel]

**CALL TO ORDER**

**CHAIRPERSON MILLER-ANDERSON:** We're now calling to order, the meeting for our City Council meeting, May 3, 2017 at 6:00 pm. Madam, roll call.

**DEPUTY CITY CLERK BURGESS:** Mayor Thomas Masters.

**MAYOR MASTERS:** Present.

**DEPUTY CITY CLERK BURGESS:** Chairperson KaShamba Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Present.

**DEPUTY CITY CLERK BURGESS:** Chair Pro Tem Tonya Davis Johnson?  
[Pause]. Councilperson Lynne Hubbard?

**COUNCILPERSON HUBBARD:** Present.

**DEPUTY CITY CLERK BURGESS:** Councilperson Dawn Pardo? [Pause].  
Councilperson Terence Davis?

**COUNCILPERSON DAVIS:** Here.

**DEPUTY CITY CLERK BURGESS:** City Manager Jonathan Evans?

**CITY MANAGER EVANS:** Present.

**DEPUTY CITY CLERK BURGESS:** Deputy City Clerk Jacqueline Burgess is present. City Attorney Andrew Degraffenreidt?

**CITY ATTORNEY DEGRAFFENREIDT:** Here.

**DEPUTY CITY CLERK BURGESS:** You have a quorum.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Next, we'll go with our.., a moment of silence. And we have Ms. Tonya Davis Johnson now on the dais. We'll have a moment of silence followed by our Pledge with Mayor Masters.

**MAYOR MASTERS:** Shall we stand, please?

[Moment of silence]

**MAYOR MASTERS:** Shall we pledge?

**ALL:** I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

### **ADDITIONS, DELETIONS OR SUBSTITUTIONS**

**CHAIRPERSON MILLER-ANDERSON:** City Manager, do we have any additions, deletions or substitutions?

**CITY MANAGER EVANS:** Madam Chair, we would like to add an Item before the Consent Agenda for ceremonial purposes, as far as it relates to the transition of power as it relates to the Chairperson position and it will be a special presentation. And that is it.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON DAVIS:** Mr. Manager? Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON DAVIS:** I wanna look at reordering the Agenda, two Items to move 'em up.

**CHAIRPERSON MILLER-ANDERSON:** Which ones?

**COUNCILPERSON DAVIS:** Items 24 and 28.

**CHAIRPERSON MILLER-ANDERSON:** 24...

[Pause]

**COUNCILPERSON DAVIS:** I will ask that we move those Items under awards and presentations. No, not award and presentation'..., yes. Right after awards and presentations. Which is 18. [Inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** Those are..., now, those are the...

**COUNCILPERSON HUBBARD:** 24 and [inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** Coming up under old business.

**COUNCILPERSON DAVIS:** Correct.

**CHAIRPERSON MILLER-ANDERSON:** And, you're wanting to put them before the...

**COUNCILPERSON DAVIS:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** ...public hearings and...

**COUNCILPERSON DAVIS:** Correct.

**COUNCILPERSON HUBBARD:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** Ho'...

**COUNCILPERSON DAVIS:** They waited a long time to, um, the last few meetings.

**CHAIRPERSON MILLER-ANDERSON:** Let the record reflect Ms. Pardo is on the dais, at the time.

**COUNCILPERSON DAVIS:** Item 24 and Item 28.

**COUNCILPERSON HUBBARD:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON HUBBARD:** I would like to remo'.., reorder the Agenda as well. I'd like to move the No. 27 up to old business, as well as the discussion on C.A.P. and Cold storage.

**UNK.:** Cold storage.

**COUNCILPERSON HUBBARD:** Now which.., let's see which number...

**CHAIRPERSON MILLER-ANDERSON:** What number...

**COUNCILPERSON HUBBARD:** ...that was changed to.

**COUNCILPERSON DAVIS:** 18.

**COUNCILPERSON HUBBARD:** 18.

**COUNCILPERSON DAVIS:** [Inaudible] to move [inaudible].

**CHAIRPERSON MILLER-ANDERSON:** So, you're wanting to move 27 and 18 to where?

**COUNCILPERSON HUBBARD:** Under...

**COUNCILPERSON DAVIS:** Before public hearings.

**COUNCILPERSON HUBBARD:** Before public...

**CHAIRPERSON MILLER-ANDERSON:** Public hearing...

**COUNCILPERSON HUBBARD:** ...hearings under old business and.., yes. That'll be fine there.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So...

**COUNCILPERSON HUBBARD:** [Inaudible] everything that was left over.

**CHAIRPERSON MILLER-ANDERSON:** Mr. Davis, after the awards and presentations, you want 24 and 28?

**COUNCILPERSON DAVIS:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** And then 27 and 18 up there?

**COUNCILPERSON HUBBARD:** Yes, ma'am.

**COUNCILPERSON DAVIS:** So we, so we could...

**CHAIRPERSON MILLER-ANDERSON:** Or you wanted...

**COUNCILPERSON DAVIS:** ...18, 24, 27 and 28 in that order.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Right after awards and presentations?

**COUNCILPERSON DAVIS:** Correct.

**COUNCILPERSON HUBBARD:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** Madam Chair, actually, Item 18 is under awards and presentations so that Item would be heard immediately after the Consent Agenda.

**CHAIRPERSON DAVIS:** Okay.

**CITY MANAGER EVANS:** So, the Items that would be added would come, come right after that particular Item.

**CHAIRPERSON MILLER-ANDERSON:** Alright. So, we'll do that one last. We'll have 18, 24, 27 and then 28 and then we'll move to 19.

**COUNCILPERSON DAVIS:** Correct.

**CHAIRPERSON MILLER-ANDERSON:** Everybody's good with that?

**MAYOR MASTERS:** Madam Chair?

**COUNCILPERSON HUBBARD:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** Ms. Davis Johnson, Ms. Pardo? [Pause]. Yes? Okay. Thank you.

**COUNCILPERSON PARDO:** Not really...

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible]...

**COUNCILPERSON PARDO:** Madam Chair? I'm really not good with this because I think every Item is an important Item.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON PARDO:** Regardless of the fact if, you know, someone sat here. We have that ordinance on second reading that, for whatever reason, never made it to the Council meeting two meetings prior to this one and, you know...

[Inaudible dais comments]

**UNK.:** Which one are you referring...

**CHAIR PRO TEM DAVIS JOHNSON:** It was included.

**COUNCILPERSON PARDO:** Right I... Right.

**CITY MANAGER EVANS:** Conversion therapy.

**CHAIRPERSON MILLER-ANDERSON:** Oh, the conversion therapy. Yeah.

**COUNCILPERSON PARDO:** But, I'm just saying...

**CHAIRPERSON MILLER-ANDERSON:** That's on there.

**COUNCILPERSON DAVIS:** That's the one that...

**COUNCILPERSON PARDO:** You know, if we start moving everything around... I think everything on this Agenda is as important as everything else.

**CHAIRPERSON MILLER-ANDERSON:** Yes, it is and..., but there were some things that have been on the Agenda for several meetings and we haven't gotten to so I can certainly understand why some of these were trying to get up so that they can be taken care of and moved on and, hopefully, we move pretty swiftly through the meeting and, you know, no one wanting to be here late at night tonight.

**COUNCILPERSON PARDO:** Right. And then also, you know, when the Agenda was put together...

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON PARDO:** Maybe it could have... You know, instead of moving everything around...

**CHAIRPERSON MILLER-ANDERSON:** But we'll definitely...

**COUNCILPERSON PARDO:** Right. That's fine.

**CHAIRPERSON MILLER-ANDERSON:** ...make sure that we work on that going forward. For sure. Okay. So, we have the order?

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR MASTERS:** I would like to add a presentation to the Council and the public at the end of the Agenda just before the statements by the Mayor. The presentation probably shouldn't., wouldn't take more than five minutes.

**COUNCILPERSON DAVIS:** Huh?

**MAYOR MASTERS:** Just before the statement by the Mayor and the City Council.

**CHAIRPERSON MILLER-ANDERSON:** So you want to put what there?

**MAYOR MASTERS:** A presentation, at the end which we probably won't get there anyway but if., just in case if we do, I would like to put it just before the statements by the Mayor and City Council.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So, we'll just add it to your comments when you... Okay.

**MAYOR MASTERS:** It's gonna be about five minutes.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** But, I didn't want it to be a part of my statement but I can lead the presentation go into the statement after that.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

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

**CHAIRPERSON MILLER-ANDERSON:** Alright. Everybody got that?

**COUNCILPERSON DAVIS:** [Inaudible].

**CITY MANAGER EVANS:** Madam Chair, if we can have the Clerk recite the...

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CITY MANAGER EVANS:** ...the new order for the public.

**DEPUTY CITY CLERK BURGESS:** After Item 18, Items 24, 27 and 28 will be heard and the Mayor will have a presentation just before City Council comments.

**CITY MANAGER EVANS:** And then, prior to the Consent Agenda, we'll have the ceremonial presentation.

**COUNCILPERSON DAVIS:** Correct.

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CITY MANAGER EVANS:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Are there any...

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** I make a motion to approve the Agenda.

**DEPUTY CITY CLERK BURGESS:** Hold on. We need disclosures...

**CHAIRPERSON MILLER-ANDERSON:** Disclosures...

**DEPUTY CITY CLERK BURGESS:** ...by the Council.

**CHAIRPERSON MILLER-ANDERSON:** ...by the Council.

**DISCLOSURES BY THE COUNCIL**

**CHAIRPERSON MILLER-ANDERSON:** Any disclosures by the Council?

**COUNCILPERSON PARDO:** Yes.

**COUNCILPERSON DAVIS:** Madam Chair?

**COUNCILPERSON PARDO:** Madam Chair?

**COUNCILPERSON DAVIS:** Go ahead.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead. Mr. Davis.

**COUNCILPERSON DAVIS:** I spoke with a representative from the dollar [pause], I don't wanna say dollar store but..., you know [inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON DAVIS:** And, that will be all.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** As far as on the Agenda.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Ms. Pardo.

**COUNCILPERSON PARDO:** I spoke with a representative of Item 24. I had a [pause] person from Item 28 come into my office two weeks ago and I have had discussions, not since the last meeting with, um, Viking.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And for'..., anyone else?

**COUNCILPERSON HUBBARD:** I've spoken with persons from Item 28.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Ms. Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** No disclosures.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And I have not met with anyone since our last meeting on the Items that we discussed previously. Okay. 'Have a motion to adopt the Agenda?

**COUNCILPERSON DAVIS:** So moved.

**COUNCILPERSON HUBBARD:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Madam Clerk.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis? [Pause]. Davis.

**COUNCILPERSON DAVIS:** Oh, I'm sorry.

[Chuckles]

**COUNCILPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** It's gonna take us all a minute to figure out where we are. [Chuckle]. But, we really have to be alert to pay attention and listen.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** Alright. Comments from the public on the Consent Agenda.

**CITY MANAGER EVANS:** Madam Chair...

**CHAIRPERSON MILLER-ANDERSON:** You wanna...

**CITY MANAGER EVANS:** If we can...

**CHAIRPERSON MILLER-ANDERSON:** Oh, okay.



**CITY MANAGER EVANS:** If we may do the ceremonial...

**CHAIRPERSON MILLER-ANDERSON:** You wanna do that...

**CITY MANAGER EVANS:** ...presentation?

**CHAIRPERSON MILLER-ANDERSON:** ...first? Okay.

**CITY MANAGER EVANS:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** Not a problem.

**CITY MANAGER EVANS:** If I can have the Mayor and the new Chairperson down on the.., in front of the dais. One of the important aspects of government, is the smooth transition of power and that is one of the things that is quite remarkable with respect to our republic. So, as a token of our support and appreciation for our Chairperson, as they take the lead over this next year and help us get through some of the important City business. We thought it was appropriate to provide the presiding officer with the ceremonial gavel that will be the gavel that the Chair will utilize during their time as the Chairperson.

So, without further ado, I will turn the presentation over to the Mayor.

**MAYOR MASTERS:** I'll ask the Chair to come down to the podium and the.., any family members that may be here as well. Thank you.

[Inaudible dais comment]

[Pause]

**MAYOR MASTERS:** May I have the attention of the Council, please, at this time. May I have the attention of the public, at this time? Thank you.

It's a momentous moment to have as Chair, to present this gavel to a young lady who is, who has earned it and is well-deserving of it. It is to be used in our deliberations, from this moment forward and I know that she will not let us down but will make us proud. It will be used with dignity, pride and very professional. And professionally. I present this, Chair... You know, when I speak to an educator, I gotta make sure I have these words right. So, when...

THEREFORE, I present the gavel and the little thing that the gavel [tapping gavel], that you hit to Mrs. KaShamba Miller-Anderson.

[Applause]

**CHAIRPERSON MILLER-ANDERSON:** Oh, can we get a picture?

[Pause]

[Picture taking and inaudible comments]

**CHAIRPERSON MILLER-ANDERSON:** If you all don't mind, I, I do want to just make a brief...

[Inaudible audience]

**CHAIRPERSON MILLER-ANDERSON:** ...comment and thank you. I thought that this would be an okay time for me to just say my thanks to people for allowing me the opportunity to be able to be your Chairperson for this term. I certainly appreciate it. Not only do I appreciate you all that were willing to step up to the plate and allow the change to happen, I, I certainly want to thank my family and community..., the community members for their support. As the Chair for this term, I look forward to working with my colleagues on creating policies that are in the best interest of our residents and employees, first and foremost. Also, as Chair, I understand that each of us, on this dais, have an equal say in the decisions that are made because everyone of us has a responsibility to carry out the will of the people. Over the last few months, many residents have expressed their concerns regarding us not being able to get through our Agenda in a timely fashion. I do believe a proactive approach must occur in order to prioritize Agenda Items. We will all have to stand firm with Agenda Item submission deadlines, as well as making sure time-sensitive Items are brought before us well in advance so that we aren't in a position of having to make a forced decision on something that was known well in advance of the deadline. Also, I have received numerous complaints of harassment, workplace bullying and intimidation tactics that have occurred in many of our departments. No employee should have to work in those conditions.

During this time, I will be championing for those complaints to be handled in a swift, fair and professional manner. And as I'm standing here, I'm going by what my experiences have been and what I have heard and at this, you know, it's not up for debate or rebuttal but, at this time, I do feel that I want the public to know the things that I know and, and, as Chair, I would like to work with my colleagues to make sure that we can eradicate all of the stuff that is occurring. And I know that, you know, many may or may not be aware of it but I think many are aware of it. If our HR Department is unable to handle the issues brought before them in a non-bias manner, an outside agency..., you know, I would certainly not be opposed to bring in a outside agency to assist us with that. Unfortunately, this highly inappropriate work condition has become so commonplace here that many individuals feel embolden to behave in a manner in which they do. If I had to give a description, I would liken it to a mafia or a mob mentality. This type of behavior is unacceptable so, as Chair, I look forward to working with my colleagues to ensure that we have an atmosphere where employees are able to be productive and worry-free of retaliation should they report wrongdoings. There seriously needs to be a culture change here in our municipality, ensuring all of our employees are assessed with some form of evaluation instrument is critical to the City's success. I've never heard of any type of organization not evaluating the performance of its workers, from the executive staff on down.

This is certainly an Item I look forward to supporting our City..., our new City Manager on. Supporting our schools and businesses here, in the City, is important as well and I'm excited about the partnership that we have created with our schools and community

leaders to help them be successful however we can, in aiding them with their growth, I support it. We have many accomplishments to be proud of as a Board but we also have many areas of improvement to tackle. None of us are perfect but I believe as long as we stay focused on doing what is right for our constituents and stakeholders, we'll be able to accomplish much more.

The items I just spoke of, as I said before, my observations, these are my experiences, these are comments that I have heard from many community members, many employees and, as I said before, we may differ in opinion on it, and that's fine, but I'm just stating, you know, as Chair, what I would like to see our Board work together on. And, as I said at the very beginning, we all have an equal say when we make decisions and so, hopefully, we're all working together, collaboratively for our community and I don't think we will have any problems with getting to the goal that we're trying to get to.

So, thank you again everyone. I appreciate it for allowing me to have this opportunity to serve as your Chair for this term and I'm excited. Thank you.

[Applause]

**MAYOR MASTERS:** Madam Chair, let me just add as the Mayor of the City and the only office of, of the City that has the authority to suspend City employees, and with the City.., new City Manager and with the new Chair, I will not hesitate to use that authority to, once it is investigated and it appears to be that of misconduct or neg'.., negli'.., [stammer]...

**UNK.:** Neglect of duties.

**MAYOR MASTERS:** Neglect of duty, that's what I thought. Neglect of duty, Madam Chair, rest assure that I will certainly live up to the dictates of the position as Mayor. Also, let me give one disclaimer quickly, I didn't wear the Bishop hat tonight for the presentation, I wore it because I didn't get to the barbershop in time.

Thank you.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you.

[Pause]

**UNK.:** That's pretty sad.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

### **COMMENTS FROM THE PUBLIC**

**CHAIRPERSON MILLER-ANDERSON: SO, COMMENTS FROM THE PUBLIC ON THE CONSENT AGENDA, THERE'S A THREE MINUTE LIMITATION, ON THE CONSENT AGENDA. ALL MATTERS LISTED UNDER THE ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION.**

**THERE WILL BE NO SPEARATE DISUCSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS IN WHICH EVENT, THE ITEM WILL BE REMOVED SFROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.**

**CHAIRPERSON MILLER-ANDERSON:** No one wanted to pull anything, right?

**UNK.:** You didn't have any cards.

**CHAIR PRO TEM DAVIS JOHNSON:** No.

**CHAIRPERSON MILLER-ANDERSON:** No cards on it at all? Alright.

[Inaudible background comment]

**CHAIR PRO TEM DAVIS JOHNSON:** Motion to approve.

**CHAIRPERSON MILLER-ANDERSON:** Yeah.

**COUNCILPERSON DAVIS:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Madam Clerk.

**CITY MANAGER EVANS:** We've got a card.

[Pause]

**MAYOR MASTERS:** I'm gonna try to move these cards as swiftly as possible, Madam Chair, to see if they're on the Consent. Thank you.

**COUNCILPERSON DAVIS:** Whoever ma'..., we gotta [inaudible] the motion.

**CHAIR PRO TEM DAVIS JOHNSON:** Who made the motion?

**COUNCILPERSON DAVIS:** You already made the motion already.

**CHAIR PRO TEM DAVIS JOHNSON:** The mot'... But what is.., this Consent?

**CHAIRPERSON MILLER-ANDERSON:** No, no. For what? Okay. We do have one card for No. 4. The Item No. 4? Who is it? Mr. Willis Williams.

**MR. W. WILLIAMS:** Good evening. Willis Williams.

**MAYOR MASTERS:** Good evening.

**MR. W. WILLIAMS:** Riviera Beach. The reason I pulled No. 4 is because of the amount of monies that is being spent for.., it looks like it's a chassis and then it looks like it's a truck and then, theoretically, it comes to about almost \$400,000 worth of, uh, of.., buying a piece of equipment. My concerns is that this piece of equipment that we're purchasing, or trying to purchase, how much money was spent in the.., last year on the old equipment that we're utilizing now? If you remember, back when we went through the budget a few months ago, I talked about the different vehicles that were purchased

and the Chair, at that time, said that he would have that department do a study on bringing those things back to the Council as far as pro rating those funds 'cause we, we, we did vote to spend the money for those particular vehicles. As to, of this date, those vehicles are still being utilized by the City. They either have been moved from one department to the other, so that means that they were not needed to be bought, as far as I'm concerned. We're not.., we have not had an auction, we've not piggybacked off of anybody else to do an auction.

So, my concern, again, here is here we're spending almost a half a million dollars for a piece of equipment and the taxpayers of this community really needs a break. If we took this half a million dollars and kinda backed off of the, uh, some of the water bills or something of that nature, I think the people in the community will appreciate it a lot more than purchasing another piece of equipment that I really don't think we need. We have three of these trucks in the City, regardless to whether they are being used in this one department or not. We have three of 'em in the City. So, I would like to have an explanation on how much money that was spent on the truck that's there now, uh, and [pause], I, I know what was spent so I'm, I'm.., I just wanna find out if that's a true fact and why are we spending this money this late in the game when we're really, right now, getting ready to go into another budget for next year. We're already talking about putting things in for budget. So, this is a lot of money to spend for a piece of equipment that the one we are using now could probably get us through the rest of the year.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. What we'll do, Mr. Willis, is have them.., have someone do a quick presentation because it wasn't pulled but you do have a question, so, um...

**CITY MANAGER EVANS:** Madam Chair, if I may have the Public Works Director come and address the...

**UNK.:** [Inaudible].

**CITY MANAGER EVANS:** ...remarks that was provided by the public.

**CHAIRPERSON MILLER-ANDERSON:** And, I think for it to be clear, if we can just have it pulled. Someone want to have it pulled so that we're able to vote on it or do you want us to...

**COUNCILPERSON DAVIS:** We can still...

**CHAIRPERSON MILLER-ANDERSON:** ...just do a presentation...

**COUNCILPERSON DAVIS:** ...do the presentation and just...

**CHAIRPERSON MILLER-ANDERSON:** ...without...

**COUNCILPERSON DAVIS:** ...and just... 'Cause the, 'cause the second's still on the floor. We can just call a vote when...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** ...if there's any concerns.

**CHAIRPERSON MILLER-ANDERSON:** That's fine.

**COUNCILPERSON DAVIS:** And amend it if need be.

**CHAIRPERSON MILLER-ANDERSON:** Alrighty.

**PUBLIC WORKS DIRECTOR JOHNSON:** Good evening, Council. Brent Johnson, Director of Public Works.

As it relates to the current vehicle that we have in Public Works, I can't really state the purchase price of it because that vehicle's approximately 12 to 13 years old so I can't say what we spent on it. As it relates to what was spent last year, that.., those funds were spent on vehicles in various departments. All the pieces of equipment, our.., I'd like to remind Council that the City has approximately 350, 375 vehicles and pieces of equipment so that \$400,000 that was spent last year, was spent primarily on passenger vehicles and one or two pieces of equipment. I'd also like to remind Council that this particular vehicle, over the last two years, we've spent approximately \$65,000 in repairs. So, we feel like, because of age, hours of operations, money spent so far, it's time to replace that particular piece of equipment.

**CITY MANAGER EVANS:** Director Johnson, could you also provide the information with respect to if we defer the acquisition of this [stammer] particular piece of apparatus, what we would have to spend in order to acquire a vehicle, if we change our mind, two or three months from now.

**PUBLIC WORKS DIRECTOR JOHNSON:** Okay. This particular vehicle has two motors on it, one in the front that operates the truck and the vac, and one in the rear that operates the, the water pumps. The one in the back is called a pony motor. That pony motor currently is gonna be installed as a tier three motor. Tier three motors meet old emission standards, whereas, tier four motors are gonna meet current emission standards. This particular manufacturer still has three.., tier three motors that they have to get rid of or.., they are allowed to install on vehicles. So, if we miss that mark or they run out of those motors and we have to switch to a tier four motor, that automatically increases this exact same truck by \$40,000. And another reason.., and, and also I heard [stammer], Mr. Williams mention, you know, the cab, the chassis, and all of that. That's typically how you buy these vehicles. Most of the vehicles that you see that have a specialized piece of equipment on the back, you buy them as a cab and chassis that then get shipped to the manufacturer that's going to put on the back end of that unit. So, we buy the cab and chassis separate and then it gets shipped to the manufacturer of the vacuum unit and then they install the vacuum unit on the back and that's standard practice.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR MASTERS:** Also, Director Johnson, would you provide the documentation at a later date and.., to the Office of the Manager of the \$65,000 that was used?

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

**MAYOR MASTERS:** Okay. Thank you.

**PUBLIC WORKS DIRECTOR JOHNSON:** We have it documented.

**COUNCILPERSON DAVIS:** Community benefits [inaudible].

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Any other questions?

**MAYOR MASTERS:** And, how it was used. Not just the, the bill but how it was used.

**PUBLIC WORKS DIRECTOR JOHNSON:** Okay. Wha'.., what maintenance was done? What...

**MAYOR MASTERS:** Correct.

**PUBLIC WORKS DIRECTOR JOHNSON:** ...repairs? Absolutely.

**MAYOR MASTERS:** Correct. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** That's it? [Pause]. Alright.

**COUNCILPERSON HUBBARD:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Okay. Go ahead.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis?

**COUNCILPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**END OF CONSENT AGENDA**

**CHAIRPERSON MILLER-ANDERSON:** That's the end of our Consent Agenda.

**AWARDS AND PRESENTATIONS**

**CHAIRPERSON MILLER-ANDERSON:** We'll now move into our awards and presentations.

**15. ITEM NO. 15**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 15.

**CITY MANAGER EVANS:** The first proclamation is recognition of National Public Works Week, May 21, 2007 through May 27, 2017. And if the Mayor and the Public Works Director can accept the proclamation.

**MAYOR MASTERS:** Proclamation. The City of Riviera Beach, Palm Beach County, Florida,

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, maintaining sound Public Works infrastructure facilities and services are of vital importance to the health, safety and wellbeing of the citizens of Riviera Beach; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of Public Works' functions and services such as, fleet services, streets and en'.., engineering, public buildings, solid waste collection and canal maintenance; and

WHEREAS, the quality and effectiveness of these programs and facilities, as well as their planning, design and construction are vitally dependent upon the efforts and skill of our Public Works employees; and

WHEREAS, the efficiency of, of the qualified and dedicated personnel who compromise.., who comprise the Public Works Department, is materially influenced by the people's attitude and understanding of the importance of the work they perform;

WHEREAS, this year's theme, 'Public Works Connects Us,' is a testament to the integral role that Public Works plays in integrating citizens and services to improve the everyday quality of life for all residents.

NOW, THEREFORE, I, Thomas A. Masters, Mayor of the City of Riviera Beach, Florida, by virtue of authority invested in me, do hereby proclaim the week of May 21<sup>st</sup>, 2017 as National Public Works week in the City of Riviera Beach and I call upon our residents



and civic organizations to acquaint themselves with the issues involved in providing Public Works services and to acknowledge the contributions the Public Works employees make every single day in their effort to preserve the health, safety, comfort and quality of life of all citizens in the City of Riviera Beach, there'.., thereby, hereby PROCLAIMED and ORDERED the City Clerk, Claudene Anthony, signed by Thomas A. Masters, Mayor, I present this Proclamation to you on the very fine work that you do and your workers do. When we're not there, you all are around.., working around the clock many times.

Let's give them a hand of appreciation and gratitude.

[Applause]

**PUBLIC WORKS DIRECTOR JOHNSON:** Brent Johnson, Director of Public Works. I'll keep it really simple, I know we have a long Agenda. I just wanna say thank you all for supporting Public Works, thank you all for allowing us to do what we do. We appreciate you guys giving us the equipment that we need as you did previously, so that we can go out and do our jobs effectively and efficiently. Most of all, I wanna thank my Staff. You know, people approach me all the time and they say, you know, 'Brent, you're doing a great job. The City looks good,' but it's really my Staff that makes it happen. I'm quarterback but they're the ones out there catchin' the balls, they're the ones out there, you know, playing defense. So, you know, I wanna thank my Staff. [Stammer], I can't thank 'em enough. They, they come in, they work hard and I just wanna say thank you all and thanks to my Staff.

**MAYOR MASTERS:** Thank you...

**COUNCILPERSON DAVIS:** Madam Chair.

**MAYOR MASTERS:** ...Mr. Johnson.

**COUNCILPERSON PARDO:** Thank you.

[Applause]

**COUNCILPERSON DAVIS:** As Mr..., as Mr. Johnson reports back to his desk, I wanna say thank you, Mr. Johnson, for recognizing that Riviera Beach has talent in the community and encouraging to actually continue to hire people within the 33404 and then training them properly so they can [inaudible] jobs in this community. I just wanna make sure that' get acknowledged as well.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

[Applause]

**CHAIRPERSON MILLER-ANDERSON:** Alright.

## 16. ITEM NO. 16

**CHAIRPERSON MILLER-ANDERSON:** Item No. 16. [Inaudible]...

**CITY MANAGER EVANS:** Item No. 16 is Lupus Aware'.., Awareness Month and we have a proclamation.

**MAYOR MASTERS:** I'm going to ask Chair KaShamba Miller-Anderson to join me at the podium and since we got another couple presentations, or whatever, I'm gonna stay down there for a while.

[Inaudible dais comments]

[Pause]

**MAYOR MASTERS:** Madam Chair, I'm gonna ask you would join me in reading this Proclamation. This is something that I know that is very dear to you and to others. And, having said that, I ask you to read it all and to the part, until you get to the part that says, 'Now, therefore, be it resolved.'

**CHAIRPERSON MILLER-ANDERSON:** Okay. Glad I brought my glasses.

[Chuckle]

**CHAIRPERSON MILLER-ANDERSON:** Alright. As the Mayor stated, this is something that is very near and dear to me because I have Lupus myself and, um, I was diagnosed about 12 years ago. However, I would think that if we had to go back and see how far when it probably started, it was probably about 30 years ago but this a, a disorder that takes a very long time to get diagnosed and because of that, you know, many people are, are not aware of what the situation involves and many people think there are plenty of limitations on you because you do have this disease, however, there are many celebrities that live a very full life and it's, you know, Ms. Toni Braxton, Nick Cannon, a number of people, celebrities, businessmen that live very prosperous lives. However, there are occasions when you may have an issue but I can assure you, they are none that will stop me from doing what I need to do.

So, I want to start off by saying, this Proclamation is from the Office of the Mayor, City of Riviera Beach, Palm beach County, Florida;

WHEREAS, the first Lupus awareness observance occurred in 1977, followed by a month-long observance in 1986 and, ultimately, in 2009, with May being designated as Lupus Awareness Month by the Lupus Awareness Foundation of America; and

WHEREAS, each year since 2004, May 10<sup>th</sup> was designated as World Lupus Day as a call to action for governments around the world to increase their financial support for Lupus research, awareness and patient services, as well as for community members to show their support in raising awareness for the estimate 5,000,000 people today who have Lupus; and

WHEREAS, Lupus is a chronic autoimmune disease in which the immune system, inexplicab'.., inexplicably and randomly attacks the body's own tissue and vital organs, including the kidneys, brain, heart, lungs, blood, skin and joints. It is a leading cause of

premature cardiovascular disease, kidney disease and stroke among young women; and

WHEREAS, each year, thousands of people are newly diagnosed with Lupus, most of whom are young people in the prime of their lives and 90% are women. While Lupus strikes many women of childbearing age, no one is safe from it. Lupus disproportionately affects women of color and is more prevalent in African Americans, Hispanics, Native Americans and Asians. More than half of all people with lupus, take four or more years in three or more visits to a., to as many doctors before obtaining a correct diagnosis; and

WHEREAS, there are periods of time when your Lupus systems flare up and periods of time when the systems are under control and in remission. However, flares and remissions can occur abruptly, unexpectedly and without clear cause. There is no way to predict when a flare will happen, how bad it will be or how long it will last; and

WHEREAS, Lupus is one of the most difficult diseases to diagnose because symptoms come and go. They mimic those of other diseases and there is no definite test that can identify the illness. Yet, early diagnosis and treatment usually lessens the progression and severity of the disease and are vital to preserving health and preventing further complications, organ damage and death; and

WHEREAS, all citizens are urged to observe Lupus Awareness Day by educating themselves on the symptoms and impact of the disease and to join with the Florida Chapter of the Lupus Foundation of America and supporting programs of research, education and community service.

**MAYOR MASTERS:** Let me digress for a moment. This is also the month that we proclaim National Day of Prayer. So, for the victims who are suffering with Lupus, I have., my oldest daughter has lupus as well, Sabrina Masters. I'm going to ask for a moment of silent prayer, that we may honor the, the Day of Prayer, nationally, as well as remember the victims who are suffering from lupus and other diseases as well. May we have that moment at this time?

[Moment of silence]

**MAYOR MASTERS:** Thank you.

NOW THEREFORE, BE IT RESOLVED, that I, Bishop Thomas A. Masters, the Mayor of the City of Riviera Beach, Florida by the power vested in me by the residents of this great City, do hereby proclaim May 2017 as Lupus Awareness Month in the City of Riviera Beach, Florida and urge fellow citizens to join me in observing World Lupus Day on May 10<sup>th</sup> and to put on purple, um, put on purple on that day, May 19<sup>th</sup>. Let us also participate in the observances of this disease that so severely impacts our community.

IN WITNESS WHEREOF, I hereunto set my hand and caused the official seal of the City of Riviera Beach, Florida to be affixed on this 3<sup>rd</sup> day of May 2017. Signed by our City Clerk, Claudene Anthony, Mayor Thomas A. Masters, I present this Proclamation to our Chair.

The National Prayer Day [stammer], Mr. Manager, I'm trynna see the exact day but I know it's this month.

**UNK.:** It's tomorrow.

**MAYOR MASTERS:** Starts tomorrow.

**UNK.:** First Thursday in May.

**MAYOR MASTERS:** First Thursday in May. Okay. So, we're right in order. Thank you. Come on, let's, let's give the, the victims a hand and encourage them that they can move on and make it. Come on. Everybody, let's give them a hand.

[Applause]

**MAYOR MASTERS:** And as I go back to my seat, you may not have lupus but you keep livin', you're gonna get somethin'...

**CHAIRPERSON MILLER-ANDERSON:** [Chuckle].

**MAYOR MASTERS:** If it's nothing but old age...

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you so much.

#### 17. ITEM NO. 17

**CHAIRPERSON MILLER-ANDERSON:** Item No. 17.

**CITY MANAGER EVANS:** This particular Item is the discussion with respect to the proposed lease agreement with the Riviera Beach Maritime Academy. We have received a revised proposal that has been offered from the Maritime Academy since the discussion that I had with representatives early this week. At this time, I would like to call Mr. Carter up to the microphone to walk the Council through the new proposed, uh, agreement and then have the discussion from the Council as to how you would like to proceed with respect to this particular arrangement.

**MR. G. CARTER:** Good evening. George Carter.

**MAYOR MASTERS:** Good evening...

**CHAIRPERSON MILLER-ANDERSON:** Good evening.

**COUNCILPERSON DAVIS:** Good evening, sir.

**MAYOR MASTERS:** ...Mr. Carter.

**MR. G. CARTER:** I'm the proud President of the Riviera Beach Maritime Academy. I will assume that you've each read this so no use in me reading it to you. That is our offer, that is the amount we can put together from past discussions. I want to thank City Manager Evans for meeting with us a couple times over the last week and, and, hopefully, hopefully, you will look favorably over this Academy. We've been there 12

years, we've been an AB school. We've got a great nucleus and we've represented this City very well over the last many years. I may just take one minute and ask those of you who've been with us a while to think back about 30 years ago, today. We used to have a music festival here in the City, we had it for a couple years. [Inaudible] we would not support it, we did not stay with it. West Palm Beach has started their musical festival today. They've been very successful, it's brought millions into their community. About 28 years ago, we had a boat show here. West Palm Beach just finished the boat show. We had it here for three years at our Marina, it wasn't successful the first couple of years, we had a great turn out, we would not support it, now it's in West Palm Beach. I assure you, if this school doesn't continue here, in our.., on our property, as a City, couple years from now we'll be looking back and say'.., just like we said in those programs, 'Shoulda, woulda, coulda.' This is a great opportunity for our community. Please support it.

**UNK.:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**COUNCILPERSON DAVIS:** Madam chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** Mr. Evans, would you please tell the public what was the recent offer?

**CITY MANAGER EVANS:** The recent offer, as early as this week, was a 50-year lease agreement for \$600 a month. And then, we recently received these received this revised proposal today.

**COUNCILPERSON PARDO:** Mr. Chair?

**MAYOR MASTERS:** \$1,100 per month...

**CHAIRPERSON MILLER-ANDERSON:** We do have three comment cards.

**COUNCILPERSON DAVIS:** Yes. I wanna...

**CHAIRPERSON MILLER-ANDERSON:** So, we'll let...

**COUNCILPERSON DAVIS:** ...hear from...

**CHAIRPERSON MILLER-ANDERSON:** ...them go...

**COUNCILPERSON DAVIS:** ...the public first. Yes.

**CHAIRPERSON MILLER-ANDERSON:** ...ahead.., the public go ahead and speak and then we'll come back to us up here. Mr. Pas'.., Pastor Altidor.

**MRS. ALTIDOR:** This is just.., I'm Mrs. Altidor, I'm the First Lady of the First Baptist Church in Riviera Beach.

Our church, we have been there for 36 years and this is my husband, my pastor. The church is older than 36 years but we have been there for 36 years, we just celebrated this year. We are the neighbors to the Boys & Girls Club and the Maritime school. In 36 years, we have never been asked for our families, or children, to visit the school or to have anything to do with their locations. And my question is, why not?

[Pause]

**COUNCILPERSON DAVIS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay?

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Thank you. We have...

**MAYOR MASTERS:** I need to ask...

**CHAIRPERSON MILLER-ANDERSON:** ...another card.

**MAYOR MASTERS:** I need to ask Pastor Altidor...

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR MASTERS:** ...a question. Pastor Altidor?

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR MASTERS:** Would you come back to...

**COUNCILPERSON DAVIS:** [Stammer]...

**MAYOR MASTERS:** ...the mic?

**COUNCILPERSON DAVIS:** Can we go through all the public comment cards and then [inaudible]...

**MAYOR MASTERS:** But he's...

**COUNCILPERSON DAVIS:** ...call 'em back?

**COUNCILPERSON PARDO:** I have questions too.

**MAYOR MASTERS:** I have a question for the...

**CHAIRPERSON MILLER-ANDERSON:** For?

**MAYOR MASTERS:** ...the speakers. For either one.

**MRS. ALTIDOR:** Yes, sir.

**MAYOR MASTERS:** Did.., you knew about the school, right? You, you knew that it was close to you? You had...

**MRS. ALTIDOR:** Oh, yes, sir.

**MAYOR MASTERS:** ...knowledge of it?

**MRS. ALTIDOR:** Yes, sir.

**PASTOR H. ALTIDOR:** Yes, sir. They never ask people.

**MAYOR MASTERS:** Okay.

**MRS. ALTIDOR:** They never ask us for [inaudible] or visit, our children or families to get involved. We're right across. If you look at...

**MAYOR MASTERS:** I, I...

**MRS. ALTIDOR:** ...[inaudible] street...

**MAYOR MASTERS:** I know where you are.

**MRS. ALTIDOR:** You know where we are? Okay.

**MAYOR MASTERS:** I know where you are. No, my question is, have you had an opportunity to, to see the, the offer? Do you have any opposition to the offer that they're presenting? Do you have any opposition to the school?

**MRS. ALTIDOR:** Well, we've been there 36 years and the school is only 12 years. So, if you do the math, there's a huge difference between our properties and theirs.

**MAYOR MASTERS:** And, have you spoken to the City Manager about anything you would like to do...

**MRS. ALTIDOR:** No, sir.

**MAYOR MASTERS:** ...about the school? Pastor Altidor, you've had any conversation with..., well, I'll disclaim, I know you haven't had one with me but any elected officials?

**PASTOR H. ALTIDOR:** No.

**MRS. ALTIDOR:** No.

**MAYOR MASTERS:** Or the City Manager?

**MRS. ALTIDOR:** No.

**MAYOR MASTERS:** Okay. Please do.

**PASTOR H. ALTIDOR:** Thank you.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Next, we have Ms. Bonnie Larson.

**MAYOR MASTERS:** And we hope you'd support the school, Pastor. And the members of the church 'cause it's.., it'll be there for the community. [Pause]. Since it's so close. Thank you.

**MS. B. LARSON:** Was this the, um, is this the church that came one time and they said they wanted to take over that building? Is this...

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MS. B. LARSON:** ...the church, they said?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MS. B. LARSON:** Wow. What I didn't see in the backup, and maybe I missed it, was the original lease with Maritime Academy. And, it was for two years, which is what they've done all along, two years every time and it said it was a temporary location until they built their own property. Riviera Beach has been kind enough to keep extending that two years but it's time. We should not be giving anyone a 50-year lease. It's very close to the inlet, very close to the Marina. That's expensive property. They seem to have different appraisers when they do the Viking property then when they do our property? .13¢ a.., .13¢ a sq. ft., did I hear that right? Impossible, absolutely impossible. It's.., they're not making real estate anymore. We've got what we've got. Mr. Healey is very proud to say he owns more property in Riviera Beach than we do. That is true but his property, as he says himself, is too expensive to put the school on. So, when he flooded this, this room with students, I really didn't see any.., many that looked like they live in Riviera Beach. When we ask how many are Riviera Beach students, there's always a back and [stammer].., tell 'em 20%, tell 'em 30%. We don't see names and figures and addresses, we never see that. So, is this helping our students? Is this helping the kids in Riviera Beach? I don't know. They also say that they share amenities with the Boys & Girls Club. What amenities did they have that they share with the Boys & Girls Club? We never hear about that either.

Also.., and, Ms. Anderson-Miller will be more knowledgeable about this than I am but I thought about this today, was that, when they are building schools, they don't normally like to have the bigger kids together with the little kids and there's a lotta little kids at the Boys &, & Girls Club and that is for a reason. They don't wanna co-mingle them. Now, they're talking about adding more grades to the school. They get about \$6,500 per student from the state or from the federal government, whichever it is. So, of course, they wanna increase the, the number of students. But to come in here and say that it's Riviera Beach's fault if this doesn't go on that property. That is totally untrue. They own over 100 parcels, he tells us. In fact, Viking has given up on the school. They're not supporting it financially anymore, it's only Mr. Healey. Mr. Healey is an elderly gentleman, he now has a Foundation. This is probably the only thing in his Foundation.

So, Viking has given up on it so let's not blame Riviera Beach for anything. But, let's remember that, 50 years from now, we don't know what's gonna happen here tomorrow but it's a well-located properly', doesn't.., property, doesn't look like much today but in



50 years, it certainly will. So, you know, like we said, we have no [pause], we don't need to be giving them this for 50 years. So let's think about that, how much has this benefitted our students and, like, I said, even with the grades there, is that a good thing to have next to the Boys & Girls Club?

So, think about it. 50 years is a long time. We don't know what's gonna happen in two years from now. So, let's not give...

[Beep]

**MS. B. LARSON:** ...out any more of our property for 50 years. And they have enough..., plenty property to put their own school on that property. We're welcomed for them to do that.

**CHAIRPERSON MILLER-ANDERSON:** That you, Ms. Larson. Mr. Joseph Anderson.

**MR. J. ANDERSON:** Joseph Anderson, 331 West 16<sup>th</sup> Way, Riviera Beach, Florida. And I echo the same sentiments. I'm all for education, I, you know, um, you know, grew up around the water, born, raised and reared but, if we look at the fiduciary responsibilities that you are charged with is, a 50-year lease at \$1,100 per month is basically, uh, that's not acceptable. I would've liked the Council to see a land swap. As you currently know, they basically own a room in our house when it comes to the Marina. So, we need to look at either swapping out that land for this land, so we can rectify many issues that we have or have to look at other venues where they may be able to relocate this school. Currently, there are properties along Broadway that are currently asking for two to \$3,000,000. So, if you look at that and we're just a, you know, probably less than two or 300 feet away from Broadway and currently, with the renovations and modification going along the Broadway corridor, that is gonna be prime land. So, 50 years is out of the question, uh, in my opinion, when you're looking at what we could get. And, keep in mind, we lost a lot of houses along the MLK corridor. So, those are homes that have been gone and people have been relocated so I would like to see, probably, some workforce housing in that area.

And, just a tidbit that really rubbed me the wrong way, and I know the young man is very, very young but I found it very disheartening when he said we should be happy to receive \$300,000 for 50 years. I think that was a total disrespect from the Viking representation and there needed to be an apology because, at the end of the day, you're talking about \$6,000 per year and we're talking about land that we could actually put in for working families here in Riviera Beach.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**UNK. AUDIENCE:** [Clapping].

**CHAIRPERSON MILLER-ANDERSON:** That's the end of public comments for this item.

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**MAYOR MASTERS:** Madam Chair?

**COUNCILPERSON PARDO:** Okay. Thank you. My first question is for the City Manager. Were you able to find the special warranty deed, for that property?

**UNK.:** No.

**CITY MANAGER EVANS:** We did get the documentation that showed that there was, in fact, a deed restriction on that parcel. So, in order for us to, in fact, make some changes, we would have to go back to the entity, the School Board, which granted us the property and ask for a modification to that. So, we would have to take some additional steps, as well as replatting the property, rezoning the property, before we would be able to construct workforce housing or affordable housing.

**COUNCILPERSON PARDO:** Okay. So, you didn't have any conversations in the past two weeks with the school Board?

**CITY MANAGER EVANS:** No. We did not...

**COUNCILPERSON PARDO:** Okay.

**CITY MANAGER EVANS:** ...approach the School Board. No, ma'am.

**COUNCILPERSON PARDO:** Okay, fine. And like you said, the, um, the parcel right now is zoned community facility, it sits right next to the Boys & Girls Club and I am very happy that Viking listened to my suggestion, from the last meeting, to, you know, [pause]...

**CITY MANAGER EVANS:** Can you go back?

**COUNCILPERSON PARDO:** You know, to move forward with giving us some of their parcel so we could move forward with affordable housing because, at the last Council meeting, we had some Council people saying that they thought we should have affordable housing on the parcel and now they're suggesting, or offering, a couple..., three parcels to us, in addition to..., what was it, a \$10,000 per...

**CITY MANAGER EVANS:** Per parcel.

**MAYOR MASTERS:** Parcel.

**COUNCILPERSON PARDO:** Per parcel, to help someone get, you know, a mortgage to move forward with it. So, I have been supportive of this school all along, everyone has heard me, why I support it, why I support the marine industry, what it is doing..., what the marine industry is doing for this City and I feel very strongly. They came back to us with the parcels that we asked for, with additional money, \$1,100 a month. And, if for whatever reason, 20 years, 25 years down the road they decided that they Healey Foundation was no longer going to fund the school, they didn't have any

money, they were going to close up, the parcel comes back to us. We're not selling any'..., anything. We're leasing it.

So, I think it's a great offer and I am ready to move forward with it.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** The Mayor was next.

**MAYOR MASTERS:** Thank you. I'm ready too to move forward with it for a couple reasons. One, is in good faith, I believe that Riviera Beach Maritime Academy has moved up from what they said at first. They were able to go back to the powers of..., to be and, and they heard our cry, the..., some of the cries of the people that said that we wanted to do some land swapping or we wanted them to give some of the land for housing. And we are in need of housing in our, our City.

A couple things. The letter stops at the three vacant parcels but I'm going to read in the record..., I will start from there and I'll read the next three paragraphs and I'll make my concluding statement. I'll start from the... Okay, there we go. [Letter appears on screen]. That's the entire letter for the benefit of those that may, that are blind and may not can see, it says that the..., I'll go back to the three vacant parcels and the 30,000 will be returned to the current property owner if the City does not construct homes, deliver occupancy permits and a raise for homeowners within 12 months. The reason for this time [stammer], timeframe is that, when the Viking's Yacht Company built a service center in Riviera Beach in 1999, Vikings was made to contribute \$150,000 for the construction of a, um, something, in Bicen'..., Bicentennial Park. Ultimately, this was never built and the funds were used for other purposes. The above-mentioned terms are contingent upon our ability to secure funding for the new Riviera Beach Maritime Academy. If we cannot secure funding, then the deal is null and void. This decision by the City Council's non-negotiable. A motion must be made at tonight's City Council's meeting. Failure to approve the lease with the above-mentioned terms, conveys to us, and our funders, that the City does not desire a partnership. If a resolution is not approved tonight, then we will be forced to close the Riviera Beach Maritime Academy. Sincerely, George Carter.

I don't wanna see the school close, point, period. I don't wanna see any school close in our community. I support any school in our community and I'll tell you why. I'm holding a sign here and you're gonna see these signs all over Riviera Beach, you will see them in Lake Park, you will see them in West Palm Beach. For those individuals that would like to have one, it simply says, 'No violence on my block.' Now, I know we've heard the..., seen that statistics and facts that crime is down in Riviera Beach. It's down everywhere. It's down nationally. But the violent crime is shameful.

**COUNCILPERSON PARDO:** Shameful.

**MAYOR MASTERS:** It is shameful in the county.

**COUNCILPERSON PARDO:** [Inaudible].

**MAYOR MASTERS:** Period. Every week, or every other week, there's a shooting and a killing in our City.

**COUNCILPERSON DAVIS:** No, it's not.

**MAYOR MASTERS:** The two keys that are very important for me and others, education [pause], employment.., three, and housing. We need them. We know that when children stay in school and when they graduate from high school, the chances are, of them getting into crime, it's not as much as it would be if they drop out of school. We cannot afford to have kids drop'.., we need these schools. It may not.., some people may say the lease is too long or some may say do it on your own land, some may say this, that and the other but I'm thankful and I'm grateful and I support the school. I'm a little, um, disappointed that there hasn't been any communication with the school and with the church, uh, in the area, the Haitian, the ba'.., First Baptist Church and also there are other churches in the immediate area as well, three or four I can think of, Pastor Overstreet. So, Mr. Carter, I need to ask you one question, has there been any reason or has the school, in any way, reached out to any of the local churches for support or, uh, enrollment or anything, in that area?

**MR. G. CARTER:** Yes, sir.

**MAYOR MASTERS:** In the past? Can you tell me how?

**MR. G. CARTER:** I.., and again, I'm not going to get into a discussion back and forth.

**MAYOR MASTERS:** I just...

**MR. G. CARTER:** But myself...

**MAYOR MASTERS:** ...wanted to ask the question.

**MR. G. CARTER:** We have been to that specific church on several occasions. Mr. Healey, himself, has sat in their office three times, this year, and asked to meet with them.., personally, Mr. Healey has went there, met with different people and I believe, met with the pastor once but we have sent to every 33404 resident, who has a 7<sup>th</sup> or 8<sup>th</sup> grader letters of, um, to come and visit the school at an open house. Besides Palm Beach County, I'm talking Riviera Beach, our Principal, Mrs. Hicks, has sent a personal letter to every 8<sup>th</sup> grader in our community to come and visit the school.

**MAYOR MASTERS:** And, if this passes tonight, I need to know that you will find a way to connect with that church and other churches in the area.., even if, if it hadn't happened before for whatever reason but moving forward, it's important, to have the churches and the schools and the community connect. And I'm willing to make that happen. Pastor Altidor and I are very good friends, we've gone to Haiti together several times so if they're any need that the church may have, that the school can help, as far

as the education of some of the kids that go to the church or whatever, I'm willing to be a partner in making that happen.

**MR. G. CARTER:** Mayor Masters, I will assure you that would happen at your convenience and their convenience [pause] at your convenience in the immediate future.

**MAYOR MASTERS:** Thank you.

**COUNCILPERSON DAVIS:** Madam Chair?

**COUNCILPERSON HUBBARD:** Mr. Chair?

**COUNCILPERSON DAVIS:** Madam Chair, thank you.

**CHAIRPERSON MILLER-ANDERSON:** Mr. Davis and then Ms. Hubbard.

**COUNCILPERSON DAVIS:** Pastor Altidor, [inaudible] a minute?

**CHAIRPERSON MILLER-ANDERSON:** Ms. Pastor Altidor?

**MRS. ALTIDOR:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** You, you calling her?

**COUNCILPERSON DAVIS:** Yes, please. It was stated that, that Mr. Healey met with you guys? With M'...

**MRS. ALTIDOR:** I have never met him.

**COUNCILPERSON DAVIS:** Okay.

**MRS. ALTIDOR:** My husband say' he never stopped by. We didn't receive anything from him.

**COUNCILPERSON DAVIS:** Okay. Oh.., so, okay. Alright. Thank you so much.

In the last.., well, a couple meetings ago I asked the question, have you guys.., have Maritime school walked over and knocked on the door of the churches in the nearby area and, at that time, they stated, 'No.' That's a serious concern to me when someone comes to Riviera Beach, the City that we all so love so much, and the community I grew up in and love dearly, and will fight to death for and, yes, I do support education but how can you live next door to someone and not stop by, since in existence, and say, 'Hello. First Baptist Church, we're your neighbor. These are the programs we have for your children in your organization,' if that hasn't happened, what makes you think there's gonna be an effort for the rest of the City? And they're right next door. The first door that was knocked, on the efforts of gettin' that out, shoulda been First Baptist Church. And if that didn't happen, that's a real problem for me.

Two, let's get back to the economic portion, we're talking about 50 years. In 50 years, I'll be 90 years old.

[Inaudible audience comment]

**COUNCILPERSON DAVIS:** Hopefully, I'm still alive.

[Chuckles]

**COUNCILPERSON DAVIS:** I do not wanna see the City transform in a way that someone forget' what happened in this meeting tonight and something else happen on that property. Do we want this school in this community? Yes. Do we have property in this community? Viking? Yes. But they said no to the school. So, they said no to the school, why should we say yes? I'm not gonna do no more corporate welfare, we tried, we tried negotiate' carefully. I love the Maritime school, I love what Ms. Hicks has done. I supported the summer program, I've knocked on doors to get people to go to the summer program and m'..., actually, got the most results than Staff that was paid to do the job. But guess what happened? The students didn't feel like they had to come back to [stammer], there was nothing that kept them there.

All I'm stating, at this point, we've kicked this can down the road long enough. I hope that Viking continue' to invest in this school and keep this school in Riviera Beach, on their property because we say no on our land, don't mean that you can't say yes on yours. I'm prepared to make a motion but I will wait until all my colleagues share their opinion but I'm prepared to make a motion that we do not move forward with this lease, or any lease, and that we have Staff do a, a transition plan so we can look at what..., some of the ideas and some of the things we can do with workforce housing. Because, if the education and the School Board is involved, we can look at workforce housing for incoming teachers. We can find a way to keep teachers, good teachers in this community. We're losing 'em every day and this can be a [inaudible] that we can use to take advantage of that opportunity. But, at this time, I will hold my comments until my colleagues all say what they have to say but I'm prepared to make a motion once that's done.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Thank you. Next.

**COUNCILPERSON HUBBARD:** Yes. I want the public and my colleagues and Mr. Carter, whom I have great respect for, to understand that I do support education and I understand the importance of education in the City of Riviera Beach. But I do understand the economics of the limited amount of waterfront property that we still have here in the City of Riviera Beach. We can offer a maritime academy, which we need so dearly because the industry is growing by leaps and bounds but I have to agree that, that needs to happen on Viking's own property or we need to find somewhere, as Viking pointed out so clearly, on an'..., on a piece of land that is not so valuable where we can, in turn, put housing or something else that's more beneficial to draw economics. Now, understand me, education is important, it's beneficial to our community and we want to have it here but I just don't agree that we should be grateful for \$1,100 a month. I know people 'live in the heart of the community that are paying \$1,400 a month for a two bedroom place and it's not on waterfront property. So, for us to pay \$1,100..., accept \$1,100 a month for waterfront property in the City of Riviera Beach, is another shameful task on, on our part. We have done so many things was egregious to our residents as

far as being good stewards of the resources we have here, especially, especially, the property that we own in the City of Riviera Beach. Maritime Academy, I'm all for it, I'm all having it here but I'm not for having it there, on that piece of property, under the conditions and..., that are being proposed, at this time.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Ms. Davis Johnson.

**CHAIR PRO TEM DAVIS JOHNSON:** So, I've seen the Maritime Academy at work as it relates to a student, that my family and I adopted, that attended the Maritime Academy. I believe that it has great potential for success. You know, the question has..., has remained, the value that the, um, the property has been assigned and the amount of money that the Maritime Academy is willing to pay or able to pay based on their in'..., their individual finances. Mr. Healey had, at the last time that he was here, he indicated that he could no longer fund it. I fully support the, the Maritime Academy but we've got to figure out a way to make it beneficial to all parties involved. I appreciate the idea of returning the three parcels for affordable housing because that's something that we desperately need here, in this City. So, I, I understand that you all have been going back and forth, we've been going back and forth in the discussion but I certainly would like to see the Maritime Academy rem'..., remain but I, I do believe that we need to consider putting it in another space if we're intending to use that property for affordable housing. I don't want to sever the relationship with the Maritime Academy, we ha'..., I believe..., well, since I've known about it, I believe that there is a true commitment to educating the students that attend and providing information as it relates to the industry. And that is desperately needed because we are a waterfront community.

So therefore, [pause], I would be inclined to continue the relationship. We may not be able to continue it on that property, and I don't want to say..., I don't want it to be said that we don't desire a partnership because we do desire a partnership, we just may not agree on the, on the tenets of that partnership, at this time. But I, in my elected capacity, am in support of a partnership with the Maritime Academy, we just need to flesh it out.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Thank you. I have a question. How much are we paying for the, the land that we have our parking lot on in the Marina, the Yacht'..., the [inaudible] Yachtsman area?

**CITY MANAGER EVANS:** It is approximately \$11,500...

**COUNCILPERSON DAVIS:** Mhmm.

**CITY MANAGER EVANS:** ...a month and in my conversation with representatives from Viking concerning that particular parcel, it is..., that asset is, is owned by the Viking Corporation and the school is a venture that Mr. Healey and his Foundation are embarking upon. So, there is..., there was a clear delineation but that is one of the items that I did discuss in our, our meeting with respect to any type of deferment or any type of reduction in that particular rate but that is something that is controlled by Viking as

opposed to Mr. Healey and his Foundation that are working specifically towards the school.

**CHAIRPERSON MILLER-ANDERSON:** Right. So, with the Viking founda'.., the Viking Corporation, is there a relation'... Mr. Carter, is there a relationship with the Viking Corporation in, in terms of trying to help the school or the Foundation to succeed and if this would be one of the ways that the corporation could assist the school? I understand they're separate entities but we're, we're talking about some of the same individuals on both sides. If this is something that Mr. Healey truly and passionately champions, Viking corpor'.., he has, has he tried to plead with Viking Corporation in order for them to consider doing a land swap with that particular property for the one that the school is currently on?

**MR. G. CARTER:** Yes, ma'am. He has. Viking Corporation [stammer] started this school.., supported this school from day one. We all remember the Riviera Beach elementary school that was there, it had, um, it was rat infested, it had leaks, it, it was.., had asbestos in it, it cost the Viking Corporation about \$2,000,000 to clean that property.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MR. G. CARTER:** They cleaned it, put it an infrastructure to our building department, infrastructure of plumbing in the underground utilities and offer that facility, in the beginning and they supported it for 10 years, going on 11. Since then, Mr. Healey has solely taken it over himself. These parcels here, that was mentioned, and, and I know I'm splitting hairs a little but I wanna make sure we all understand, Mr. Healey would acquire these parcels himself and donate them to the City. It would not be the Viking Yacht Corporation.

**CHAIRPERSON MILLER-ANDERSON:** Right. I understand. And so, with the [pause].., considering that Viking Corporation put all of the investment in on the front end, um, and I'm sure you all certainly appreciate that but, at this time, are they feeling that it would be too much of a, a risk or a burden to now assist in terms of providing that land as a swap? What, what is the hesitancy to do it?

**MR. G. CARTER:** Well, I...

**CHAIRPERSON MILLER-ANDERSON:** I mean, it...

**MR. G. CARTER:** ...I bel'.., it is the sheer idea that there would be., that would be no longer a private public partnership.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**MR. G. CARTER:** That would be Viking do it themselves and they believe they have showed good faith for 10, 11, 12 years now in supporting the school and calling it the Riviera Beach Maritime Academy and the efforts of building a new school there, I can assure you, if this is approved, Viking Yachts will come back on board in some way or another, as each of you will. I, I, I just know that, whatever the number is there, in a



monthly fee, you will be out supporting it as you do now. You, you help us with ballfields, you help us at Newcomb Hall, you help us at the Marina when we're there. So, as a community and as a City, that does not go to blind eyes. You support our school in many, many ways, hopefully, more so in recruiting locally. We've made a commitment to make a better effort locally. We will put a bus route in, we've already set up with our bus company, that we won't look at the three-mile limit, we will go down each and every street in Riviera Beach next year to bus students to school. That should be a, a caveat for our local students but, yes, ma'am, I believe Viking would and will.., I, I can assure you they will be on board. It just will not be for the whole nut. They want a priv'.., public private partnership and they don't believe by giving the land up to build the school on, we show good faith as a community as a City of Riviera Beach.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And so, we pay \$11,500 per month for having our.., one of.., a portion of our parking lot at the Marina sits on Viking's property, and so, we're paying \$11,5000. How long have we paying that?

**COUNCILPERSON DAVIS:** About three years. Two, three years.

**MR. G. CARTER:** I'm sorry. I must bring up though, there's also acres there that you.., we've parked on as a community for 10 years, at no charge. Acres and acres. You're signs are there, your construction we'.., our construction went there as a community and, and that land has been open to you, us, the public, for over 10 years at zero charge. Three, four, five times the size of the piece that's within the Marina limits that you're speaking of.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Thank you. Like I said before, I, you know, I certainly.., I'm for having the partnership with the school, I support the school. I've always shared that I, I thought that we should have more Riviera Beach students attending and I understand you can't make people go where they don't wanna go but I do.., I, I, I certainly am not in support of, of the proposals that we have before us. I, I certainly think that we should be able to either work out a land swap or Viking put it on their own property. I, I jus'.., like I said before, I just.., I, I can't get over the Ocean Mall situation so.., and, and to me, we have to stop giving away stuff for, for pennies. And I, I do understand there are some leased spaces that are given the 50 years for the one dollar but, I mean, this is a little unique situation and I, I'm not in support of any of that at this... Say it again.

**COUNCILPERSON DAVIS:** Madam Chair. As, as we close out, one of the things that we can do with the, with the Maritime school as we continue to try to help them find another location in the community. We got site plan fees, impact fees, all the different fees that we deal with community development that we maybe can find a way to make a contribution, on their parcel, so we can help them out there. But, outside of that, we tried the land swap, we've had those discussions and the deals keep changing at the moment. Just as today, we received the letter at the last minute. It's.., you know, it would continue to, to change as we kicked it down the road but I'm prepared right now, and I'm ready to make a motion that we discontinue a lease with Maritime school and allow Staff to come up with a transition plan over the next 12 months and allow them to stay on the property so they can transition to another location.

**CITY MANAGER EVANS:** Madam Chair, if I may? Just as a, a point of clarification, I would have to ask for the, the building official or someone in community development to opine on that particular matter. I think there's some statutory limitations or prohibitions with respect to paying any permit fees or building fees for another entity. I don't know if you guys are aware, aware of the...

**COUNCILPERSON DAVIS:** They can do it.

**CITY MANAGER EVANS:** ...the actual language...

**COUNCILPERSON DAVIS:** They can do it.

[Inaudible davis comment]

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Terrence Bailey, Director of Community Development.

Mr. Evans is correct, there are some Florida statutes as it relates to the collection of building fees as part of construction. There are..., it sounds like what you're describing is some grant and a reimbursement that is outside of the standard building process...

**COUNCILPERSON DAVIS:** Correct.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...that may or may not be relatively equal to what they paid...

**COUNCILPERSON DAVIS:** Mhmm.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...in the way of a reimbursement through some other set agreement.

**COUNCILPERSON DAVIS:** Well, basically, something like that, Staff be creative. Let's be great community partners but, as far as the lease as it moves forward, I'm..., this is not saying we do not want the Maritime into our community. We're gonna be very clear when this meeting is over, that we welcome them in the City and thank you for being here but it's time that we start creating opportunities for, for local residents who are looking for housing. We're at about 33,000 residents in this community. We need to find a way to get to that 50,000 threshold so we can start getting our money from the state, directly to Riviera Beach and not passing through, through the county. Nothing wrong with the county but it's time that we continue to create space, a great wealth of living for our teachers and our police officers. And I'm sure that if we wanna retain good teachers, give 'em a nice place to stay. As we get ready to [stammer] bark upon, sparking on..., sparking private development at the Marina, everyone's asking for where's your traffic count, where're your people coming from? So, it's time that we create another community in that area and expand so we can create synergy in Riviera Beach.

But, like I said, my motion still stands as to discontinue the lease with the Maritime school and there is a plan made by Staff over the next 12 months to help them transition off that property and that's where I am and..., I mean, if there's anything else...

**COUNCILPERSON PARDO:** Madam Chair?

**COUNCILPERSON DAVIS:** ...that's where my motion stands.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Is there a second?

**COUNCILPERSON HUBBARD:** Second.

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** Okay. So we heard from, you know, I heard from some of my colleagues, 'Let Viking put the property on their land.' The largest properties that Viking owns are along the Broadway corridor and I thought we were going to use the Broadway corridor as an economic generator. By putting a school on Broadway, it, it just doesn't make any sense. And, you know, you talk about, 'Let's build homes over there.' You all need to remember that, that property over there is right next to the Port of Palm Beach. So, do people really wanna live there, in brand new houses, next to the Port of Palm Beach?

**MAYOR MASTERS:** Mm.

**COUNCILPERSON PARDO:** You know, I still think, the best place for this school is on property that the City owns, that's already zoned community facility and there's a special warranty deed on it. And you're gonna have a hard time getting the School Board to lift that, you're gonna have a very hard time. So, I still.., I feel very strongly, if you want Broadway to be the economic generator, you need to allow these businesses [stammer] or the developers that own the properties along Broadway to build businesses. Let's expand the marine industry there and just have the school across the street where it belongs.

**CHAIRPERSON MILLER-ANDERSON:** Alright. [Inaudible]...

**COUNCILPERSON DAVIS:** Madam Chair.

**COUNCILPERSON PARDO:** That's it.

**MAYOR MASTERS:** Manda Chair.

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**COUNCILPERSON PARDO:** That's it.

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**CHAIR PRO TEM DAVIS JOHNSON:** So, I, I came in, I ran on making Broadway an economic generator. I still stand by that. I don't have a problem with Maritime staying on the property, I am just looking for a more comparable rate. And I don't think that that

is something that is difficult or unheard of. You know, you want us to be a partner but you're giving us this minimal cost per month.

**UNK. AUDIENCE:** [Inaudible]...

**CHAIR PRO TEM DAVIS JOHNSON:** And you're talking about expanding and building this beautiful building which our children deserve. It., I don't have the issue with the school being on the property where it is, I have an issue with the dollar value that is being offered per month. That's my concern. We want to make sure that, if we are entering into an agreement, even if it's not 50 years, if it's 25 years, if it's 20 years, it., the cost of it. There is a value associated with that property and it just appears to me that it is such a nominal fee that is being offered and that is where I have the concern.

**MAYOR MASTERS:** Madam Chair?

**UNK.:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** [Stammer] go ahead. We're gonna call the vote but go ahead.

**MAYOR MASTERS:** Yeah. I just wanted to ask a couple things. One to Councilwoman Tonya Davis Johnson, the nominal fee, the \$1,100 per month, do you have any suggestion as to where that fee ought to be? If they would give us a better offer, like, double that or...

[Inaudible background comment]

**MAYOR MASTERS:** ...\$3,000, triple that or quadruple that, can you...

**CHAIR PRO TEM DAVIS JOHNSON:** So...

**MAYOR MASTERS:** Do you have any suggestions?

**COUNCILPERSON DAVIS:** [Inaudible comment].

**CHAIR PRO TEM DAVIS JOHNSON:** So, Mr. Mayor, I am not a property negotiator. I would think that our Staff would have an ability to look at the value of the property and...

**MAYOR MASTERS:** Right.

**CHAIR PRO TEM DAVIS JOHNSON:** ...be able to come back or to tell us now what would be a comparable and reasonable rate of rent to be assigned to that piece of property because in the end, it will benefit our students but we have to., we, we are fiscal agents and we gotta make sure that we are getting a comparable fee. So that would be the assignment of staff, I'm policy. I, I would have Staff, you know, take...

**MAYOR MASTERS:** Yeah.

**CHAIR PRO TEM DAVIS JOHNSON:** ...a look at that.

**MAYOR MASTERS:** Okay. Also, I take it, Mr. Carter, that there's no other, other land that you [stammer]. Is there any other land other... Mr. Carter? Is there any other land, other than Broadway, that you would look at?

**MR. G. CARTER:** [Stammer].

**MAYOR MASTERS:** If this motion fails?

**MR. G. CARTER:** We will reassess. We've spoke..., like I said, Mr. Evans [stammer] met with us before. We will get back with him and look at [stammer]..., and again, someone has brought up the problem of putting it on, on land that we would have to acquire. We are taking ad valorem taxes away. And as far as \$1,100 a month, we're putting \$6,000,000 into the new building and, part of that \$6,000,000 is a sign that says Riviera Beach Maritime Academy as a prominent entrance to our working waterfront. I mean, \$6,000,000 builds the building. We still have the upkeep and those things on the building.

So, to answer your question, I, I, obviously, will believe we, we will meet, we will appreciate Mr. Davis' offer to, to negotiate and help [stammer] use Mr. Evans' expertise to work on down the road, but I can't answer that question specifically, Mayor Masters.

**MAYOR MASTERS:** Okay. Thank you. Maybe someday somebody will build a nice big school next to Stonybrook over there.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you.

**MAYOR MASTERS:** I'm done...

**CHAIRPERSON MILLER-ANDERSON:** Can you read...

**MAYOR MASTERS:** ...Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** ...read it back for me?

**MAYOR MASTERS:** [Inaudible].

**DEPUTY CITY CLERK BURGESS:** The motion by Mr. Davis, second by Ms. Hubbard to discontinue the lease with Maritime school and have Staff prepare a transitioning plan with'..., within the next 12 months and direct Staff to come back with a plan for workforce housing in that area.

**COUNCILPERSON DAVIS:** Madam chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** Mr. Evans, how long would it approximately take for you to come up with a transition plan for Viking?

**CITY MANAGER EVANS:** I spoke with..., when I spoke with the representatives from the Maritime Academy, they said that they would be able to cease operations at the conclusion of the school year and take a couple of months. So, I would envision within,

probably, about a four to five-month period they would be able to vacate the property. After that, then the City would have to take some actions to reach out to the School Board and probably have to adopt a resolution encouraging the School Board to lift that deed restriction and probably they will look for some type of concession or language that stipulates it would be for affording house.., affordable housing for educators but Councilwoman Pardo is right, that is a, a difficult process to go through but we certainly can, can give it a try.

**COUNCILPERSON DAVIS:** And, and, and to that, you know, years ago, that area was designated for Riviera Beach new high school that we all was waitin' on. There was a big fight in the community whether or not that school should go near the Port. And folks fought one way or the other at that time. So, at some point, we're gonna have to continue, whether it's hard or not, we're gonna have to fight for our people. And that's where I stand. And to the Port, the Port has already agreed to start beautifying that area so the people that live in that area, can have some nice buffers to look at instead of looking at what they're seeing. So, it's time that we change the direction of our community.

But, I will amend my motion from 12 months to six months, if need be...

**CHAIR PRO TEM DAVIS JOHNSON:** Can I ask a question?

**COUNCILPERSON DAVIS:** ...for the transition plan.

[Inaudible dais comment]

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM DAVIS JOHNSON:** I have a question. So, if [pause], if we don't go with a 50-year lease, we cannot continue any ty'... [Stammer] because my concern is, you have students that are currently in the school. We would have to then look and work over the summer, which I know is a parent's responsibility but education is something that's important to us here on this dais, how does that affect the kids that are currently in there that would be continuing on.

**MR. G. CARTER:** That is obviously our biggest concern and their biggest concern, with students. Obviously, with staff also but our primary, and largest, concern is the students we have that are committed to the City school and committed to that facility at this time. We.., obviously, we'd have to work with them and, and quite honestly, Mr. Davis, the.., it would take a couple of months to do...

**COUNCILPERSON DAVIS:** Mhmm.

**MR. G. CARTER:** ...and hopefully, we would start that [pause] right way.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** Got a question. You remember when the Boys & Girls Club came to us with that charter school?

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON DAVIS:** I think you was on the Board at that time and it lasted maybe...

**MR. G. CARTER:** One day.

**COUNCILPERSON DAVIS:** One day. Remember?

**MR. G. CARTER:** Yes, sir.

**COUNCILPERSON DAVIS:** So, the Boys & Girls Club previously have been open to bringing charter schools into the location during the day?

**MR. G. CARTER:** Yes.

**COUNCILPERSON DAVIS:** So that might be a good conversation to start.

**COUNCILPERSON PARDO:** It's not big enough.

**COUNCILPERSON DAVIS:** Because, once the kids come in the evening time, they had their plan to transition one way or the other and I remember.., you remember that meeting, um, I fought because the school had some issues with their bylaws and...

**MR. G. CARTER:** Yes, sir. Very well.

**COUNCILPERSON DAVIS:** ...their handbook? That may be a good transitional plan and see if they're still open to it and to transition and do a partnership with the Boys & Girls location? Let's see what we can do to assist, you know...

**MR. G. CARTER:** We plan to do...

**COUNCILPERSON DAVIS:** ...with, with that.

**MR. G. CARTER:** ...what's best for our students. We have a great student body, we have great students, our staff is, is, is ready, willing and able to work through this obvious program, uh, problem for our, our staff and students.

**COUNCILPERSON DAVIS:** Yes. Let's.., I mean, that, that's something to think about because they was open at that time. Unfortunately, the charter school, at that time, failed within, like, a few days and those kids were displaced. So, if we have a charter school that's in the community that's doing well, whether those kids 'coming from out the community or not, that will be a good proposal to go and support with the Boys & Girls Club and see what we can do to assist with that transition [pause] as a community.

**CHAIRPERSON MILLER-ANDERSON:** You're asking to change it from 12 months transition to a six month...

**COUNCILPERSON DAVIS:** Six months, yes.

**CHAIRPERSON MILLER-ANDERSON:** ...transition?

**COUNCILPERSON DAVIS:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Does the second stand?

**COUNCILPERSON HUBBARD:** Sec'..., yes. Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** And we ca'..., and if it needs to be amended, we can address it at that time. [Stammer]...

**CITY MANAGER EVANS:** And what I can do if there [stammer], if, if the vote does pass and there's a desire for additional extension, I can bring that back to the Council and say there's some more time that's needed.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** Roll call.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis? [Pause]. Davis?

**COUNCILPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** I'm sorry.

**CHAIRPERSON MILLER-ANDERSON:** I'm sorry.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

[Chuckles]

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** We'll..., we'll get through...



**CHAIR PRO TEM DAVIS JOHNSON:** We're get'...

**CHAIRPERSON MILLER-ANDERSON:** ...the meeting.

**CHAIR PRO TEM DAVIS JOHNSON:** No.

**CHAIRPERSON MILLER-ANDERSON:** We'll get it together.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** That motion passed with Councilperson Pardo and Pro Tem Davis Johnson dissenting.

### **COMMENTS FROM THE PUBLIC**

**CHAIRPERSON MILLER-ANDERSON:** Alright. It's 7:30 so we're gonna go to our public comment cards and then we'll follow up with our Item 18. First, we have Ms. Bonnie Larson and then after that, Mr. Willis Williams.

**MAYOR MASTERS:** And Madam Chair, while Ms. Larson is coming, I wanted to announce to the Haitian Americans who are here tonight and others, that the City will celebrate Haitian Flag Day, which is May the 18<sup>th</sup>, here in the amphitheater. There will be a Haitian.., a, a band and a lot of celebrations celebrating the freedom of Haiti.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Ms. Larson and then after that, Mr. Willis Williams.

**MS. B. LARSON:** I've seen the Agenda transforming and there's some good changes on here. Some more information and how to contact the person in charge of things, their phone number, everything. It's, it's, it's coming, it's coming around here. There are a couple things though which we still could work on and that's, as an example, um, No. 1 says, 'Motion to direct the City Attorney to dismiss the appeal in Case No. 50...

**CHAIRPERSON MILLER-ANDERSON:** Wait. Hold on, hold on. Stop the clock for a second. Can we please.., we're still running the meeting so we.., you can go ahead and go but we...

**MS. B. LARSON:** It's still going.

**CHAIRPERSON MILLER-ANDERSON:** ...just wanna be quiet... Stop, stop the clock.

**MS. B. LARSON:** It's still going. [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** We'll give you 10, 15 seconds back.

**MS. B. LARSON:** I may not need it.

**CHAIRPERSON MILLER-ANDERSON:** So, so that we can hear the speaker speaking.

[Pause]

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MS. B. LARSON:** Alright. Back to No. 1 again. My suggestion is that we make all the Items on the Agenda, easily understandable without us having to go to the backup to look and see what it is because No. 1 says [stammer] dismiss the appeal in Case No. 5-0-2-0-1-6, blah, blah, blah. Well, we don't know what that is. So, you know, it's nondescript. We need to have more information as to what it is.

I heard there was a meeting last night, Ms. Miller-Anderson. Thank you for inviting me. I wasn't able to come, I had a prior commitment but I did hear from people today and they were very impressed. They said you held the Agenda, they said there were good question and they were very impressed with your handling of that meeting last night. So, thank you for having that. Next time, I hope I will be able to attend. [Pause]. [Inaudible].

Oh, looking at..., you talked tonight about looking into disputes within the, um, within the different departments and I remember when Ms. Jones was here, there was a big confrontation over in the Utility Department, the police were called at one point and Ms. Jones said..., there was a, a police report and they said to Ms. Jones, 'Did you read the report?' And she said, 'No.' So, I'm real happy we have a new City Manager, he's looking into things and Ms. KaShamba Miller-Anderson, you're looking into things and the rest of the Council too. Let's look into things, let's not have disruption in our, in our workforce 'cause that's gonna be hurtful to all of us.

We, we heard from Public Works, it's their month. They came over to the property across from us, across from me several weeks ago and they said that the owner needed to dig out, pump out and dig out some septic tanks. They said, 'Okay. The, the owner needs to be contacted.' There's a disconnect between what our City employees do and the people who actually make those things happen, that should be Code. And I know that two years ago, Clean and Safe were over there and they said the same thing about those septic tanks, they need to go. They need to be pumped out, filled in whatever and I, I personally saw them send the pictures to Code. So, there's a disconnect between the people who are noticing things, our departments who are noticing things and the departments which actually make them happen, because it's still in the same con'..., condition.

I was a little concerned about the deed restriction we talked about at that Maritime Academy. Why is it that one Council Member knew about it and nobody else did? That's disconcerting too. Why did, why did Viking know there was a deed restriction on that property and the City Staff didn't know and didn't tell you. One Councilperson knew but they didn't tell the rest of the Council either so we, we really need good communication. [Pause]. He talked about a bus. Mr. Cedrick Thomas operated the bus over there [chuckle]. He was making over \$100,000 a year while he was on the

Council. So they always had bus transportation at the, um, at the Maritime. [Pause]. Ms. Miller, you..., Anderson...

[Beep]

**MS. B. LARSON:** ...you brought up that we're paying elev'..., it's \$11,800 a month, we're paying for rent at the Yachtsman for that little space they have there. It used to be an old hotel, two story hotel, a lot of code violations on it. We, the CRA, paid for that demolition. We paid to pave it, we paid for the infrastructure. They're charging us \$11,800 a month, that's \$23,600 a year, that is \$1,180,000 and, at the end of which, we will not own that. So, for them to come and make a little measly offer, that's, that's disrespectful, I think, to Riviera Beach, since we're paying them that much.

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**MS. B. LARSON:** That's all I got. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you so much. Mr. Willis Williams and then Mr. Ricky Dukes.

**MR. W. WILLIAMS:** Good, good evening again. Willis Williams.

I'm going on..., to speak my [stammer] public comments on Item 30 where it says discussion and deliberation by City Manager, evaluation. And the reason I'm gonna do that is because [stammer] the Chair mentioned something about evaluations and Manager, you will probably hear me talk a lot about stuff that has been happening in the past and stuff that we're here and, and, and it's only because it's just knowledge that things were..., that, that had happened in the past and that was around and there was a program that Mrs. Perry introduced to this City sometime before she retired, an evaluation tool that was used to evaluate all employees. Ms. Jones came on board, the furloughs came onboard, the evaluations went away. People got raises in the, uh, higher echelon part of the Staff and the borderline employees didn't receive any at all. So, when we talk about evaluations for the City Manager, I'm more concerned about evaluations for employees as well. I, I think all employees should be given a cost of living increase every year but I also think that they should be awarded raises based on their evaluations and not because they just show up for work. So, I would like to see that evaluation system that we had in place that this City spent thousands of dollars for. Bring it back on board and if not, ask someone what had happened to it and make sure that we get back in tune to making sure all department heads do evaluations on all the employees for the length of their time here with the City because it was a practice that we had done. It's not reinventing the wheel, it has been done, so you will hear me from time to time saying that we've had this stuff in place. For some reason, or whatever, it just got displaced. So, thank you for bringing this up. For you, for the Manager's side, but I think all employees should be evaluated.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Mr. Ricky Dukes and then Dr. Phillip Dukes.

**MR. R. DUKES:** Good evening. I'm here today, um, I'm concerned about the wall that's being built on Martin Luther King Boulevard and I just wanna ask a question, why would you wanna build a wall there? Why would you wanna build a wall that close to everybody, to their house. They're switching this wall over to the service road...

[Inaudible dais whisper]

**MR. R. DUKES:** ...and it's so close to where we gotta come out and look at this wall as long as we live there. And you don't know the problem it's gonna bring because we have hi'..., had stolen cars, cop' chasin' people with, with stolen cars and..., right there on J Avenue where we live. Now, with that wall being built there, it gonna 'cumulate more crime, where you're gonna have to clean that wall when them kids started paintin' it, puttin' every'..., it gonna be lookin' like s'..., the southside of LA or whatever, when they get through paintin' that wall because when you close down that service road, it's a playground for the kids. We're having problem' now, they're comin' in and gettin' on J, going to 7<sup>th</sup> Street, you can imagine how many kids runnin' across that street, cars are honkin' their horns, hittin' they' brakes 'cause they can't see them. And you're gonna put up a wall that tall, where the kids can't see or distance from the traffic. You got people with wheelchair' comin' across there. You oughta imagi'..., if you come..., they don't even know how fast the tractor trailers come out of the Port...

[Inaudible dais comment]

**MR. R. DUKES:** ...comin' down Mar'..., Martin Luther King Boulevard. I sit there..., we sit there and see them trucks flying up and down the road and you don't have nobody out there to control that. Now, you're gonna build a wall...

[Inaudible comment]

**MR. R. DUKES:** ...right next door to us, our service road, road and the main road and you got kids comin' there. You can't see the traffic or the distant', you're gonna come up with a lotta people killed, a lotta people hurt. So, we, we are very concerned. I walk that sidewalk 'cause I work for J.W. Cheatham. I did this..., I did the, the road on..., the main road, the [inaudible], I did all of that.

**UNK.:** Mhmm.

**MR. R. DUKES:** We're gonna do this side. And I told..., I, I walk the street and tell the people...

**CHAIR PRO TEM DAVIS JOHNSON:** We're a'..., we're asking not to.

**MR. R. DUKES:** Show them the distance where that wall gonna bein' built.

**MAYOR MASTERS:** Mhmm.

**MR. R. DUKES:** Why can't you build a wall where we can look over and look around? Save lives, save people gettin' hurt. People that don't live there don't..., is not concerned about the people that live there. Only thing they' lookin' at is dollar sign'.

**MAYOR MASTERS:** Mm.

**MR. R. DUKES:** Build a wall where we can look over and look around and prevent these people getting hurt. [Stammer] already been accidents, tractor trailer already hit people on, on that new road already. And, and nobody concerned about the, the people that live there. That's why I'm here tonight. I just walked up here., I said, 'I'll be here tonight to speak up on this.' No, don't build a wall...

[Beep]

**MR. R. DUKES:** ...that tall. The wall you built behind those houses, it's privacy for them. That's nice. But you're gonna build a wall like that in front of us?

**CHAIRPERSON MILLER-ANDERSON:** Okay. Thank you...

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** ...Mr. Dukes. Mr. Evans and then I'll let you...

**CITY MANAGER EVANS:** Madam, Madam Chair, Mr. Dukes, if you can communicate with our Public Works Director, he can tell you some things that we have discussed about that particular item and trying to address those concerns that you have offered up to the Council. So, we're, we're already aware of that but Mr. Johnson can provide you what the Staff's taking step to, to correct.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Ms. Davis Johnson. Right after Mr., Dr. Dukes, we'll have Ms. Shalonda Warren.

**MAYOR MASTERS:** Mr. Dukes, don't leave.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead, Ms....

**CHAIR PRO TEM DAVIS JOHNSON:** Okay. So, where's the gentleman? Mr....

**CHAIRPERSON MILLER-ANDERSON:** Mr. Du'...

**MAYOR MASTERS:** He si'...

**CHAIRPERSON MILLER-ANDERSON:** Ricky Dukes?

**CHAIR PRO TEM DAVIS JOHNSON:** Mr. Dukes. [Pause].

**MAYOR MASTERS:** Come back.

**CHAIR PRO TEM DAVIS JOHNSON:** So, as the District 3 representative, and I live at 10<sup>th</sup> & J, we've already began conversations with the con'.., with the contractor with regards to not having that wall on the north side of the street. We are asking, Mr. Johnson and I, we are asking for palm trees and, and just ch'.., changing that structure because we understand. We don't want the wall in front of the houses, it.., for me, it's a safety issue and I just don't believe that we need to put it where the service road is. So, please know that we are already.., we talked to Pete McCray and we continue to work

with J.W. Cheatham and Stantec, with regards to that. So, I want the citizens to know that...

**MAYOR MASTERS:** Good.

**CHAIR PRO TEM DAVIS JOHNSON:** ...there was a concern brought.., citizens have started to call on that north side of the road asking that that wall not be constructed. On the southside, that was, that was done because the residents requested it.

[Inaudible dais comment]

**CHAIR PRO TEM DAVIS JOHNSON:** So, we are, we are working diligently now to get that process revised. So we hear you.

**MR. R. DUKES:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**MAYOR MASTERS:** And Mr. Dukes...

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**MAYOR MASTERS:** ...I wanna walk with you one morning.

**CHAIRPERSON MILLER-ANDERSON:** Dr. Dukes.

**MAYOR MASTERS:** I'm gonna walk with you with the wall. I'm gonna walk with you one morning. And I'm against the Trump wall too.

**CHAIRPERSON MILLER-ANDERSON:** Come on up, Dr. Dukes. And Ms. Shalonda Warren, you'll be next. We have, we have several more cards so...

**DR. P. DUKES:** Dr. Phillip Dukes, 1217 Avenue U, Riviera Beach, Florida.

First, I wanna thank the Council for all of you who supported our program and I hope you continue to [stammer] support our program. I also wanna thank this anonymous donor from Singer Island who sent us, um, supported our program financially. And I also wanna thank Mr. & Mrs. John Miller, Sharon and John Miller for their support, of Singer Island. You know, my number one concern in our City is the drug retail market in our communities. I think you guys are doing a great job in everything that you're doing, seeing what you have inherited. But there's something else that you've inherited when we talk about our communities. There's this drug retail market that's allowed to flourish all over the black community in America. Drugs coming into the country has never been a problem. The problem has always been the drug retail market that breeds gang violence, uh, crime and murder. So, I think we should lead, instead of going looking and seeing what other people are doing, and they're not really doing anything. I followed the Rice project in Philadelphia, they didn't change anything in Philadelphia. Bush went there but he didn't bring any finances into that city in, back in the 19', uh, late 80's, early 90's and I'm neither Republican or Democrat.

When we look at the drug retail market that breeds these negative things to our children, we've got to dig that up in the City. We're building all these things around the City, which are great but you guys also inherited something because you've never seen a pattern of, of no., of zero tolerance for drugs in our communities. And there are people that do not believe our communities can change, I am not one of them. Every.., well, only one drug retail market that I was into back in the 70's and 80's is not here and that's The Blue Heron because they tore it down but you can buy drugs still at [stammer], well, you can't buy drugs at Jiffy because our program is on Jiffy corner and you, you still buy drugs at Imperial, 28<sup>th</sup> Street, 31<sup>st</sup> Street, all these other markets still exist. I want you guys to get behind us and let's change this. Don't say.., don't take the mindset that many, many are saying, 'Well, we don't really know what to do.' Yes, we do. We do know what the problem is. Gang violence are fueled by thug life. Thug life is fueled by the drug retail market. If we come in our communities and start changing over there and pull people together, things can change. Now, every week, I'm gonna come over here and talk about this issue. Alright? I'm gonna debunk some of these studies that they've done about poverty and crime and I'm not spewing any acrimony at you guys, okay? What I wanna do is, let's do things different. We can change our City, we can get rid of this negative attitude but we all gotta work together to do it. It can be done. Look at these killings, all these killings are tied to thug life. We can have all these things that we're doing, one good thing I like is what Councilman Hubbard is doing with these 500 jobs, that's good but this mindset in our communities of thug life, we can get rid of that. But we gotta come out and...

[Beep]

**DR. P. DUKES:** ...work together. So, every week, I'm gonna come here and talk about a different aspect of it.

Thank you very much.

**CHAIRPERSON MILLER-ANDERSON:** Thank you so much. Ms. Shalonda Warren and then Mr. Horace Towns.

**MS. S. WARREN:** Good evening.

**CHAIRPERSON MILLER-ANDERSON:** Good evening.

**MS. S. WARREN:** My name is Shalonda Warren. I am the CEO of the Sickle Cell Foundation of Palm Beach County and Treasure Coast. Sickle Cell Foundation has been serving the community for approximately 40 years. Riviera Beach has been deep in that service and we've had a wonderful relationship. One of our offices is located in Riviera Beach. We were formally on Garden Road and Blue Heron and now we are on Broadway, near Blue Heron and we've been there for.., we've been in Riviera Beach for about eight years. We have a.., even though Sickle Cell Foundation has served the community for about 40 years, we have a program called 'Community Voice' that we administer through funds by Children Services Council. The Community Voice program focuses on reducing black infant mortality and closing the disparity gap that exists between black infant mortality and that of other nationalities, black babies die at three

times the rate of white infants or, or Hispanic infants. So, through educating the community about how to re'.., how to reduce that disparity, we also have a program that is geared toward men. It is taught by men and to men and a third of our graduates are men. So, with the feedback and access to the information, the access to those men to tell us things directly, we found that there's a lot of opportunity with men in our community and, most often, men are simply just not included in the conversation. Although we love mothers, we think that they're fantastic, all statistics.., most statistics show that the father involvement has a direct impact on a better outcome, healthier birth outcomes, better outcomes as it relates to academic functioning, as it relates to social and emotional functioning. There are so many but I'm just gonna focus on those, those few, just to start.

Recognizing that, we saw the need for a fatherhood conference. So, last year, we hosted the first fatherhood conference in the City of West Palm Beach and we decided that we would bring that conference to the beautiful City of Riviera Beach this year. We are looking forward to some amazing things happening. We have great people that are on board and participating in the conference, Dr. Deborah Robinson, Dr. Anthony Hamlet, who's the Superintendent of Schools in Pittsburgh, Dr. Donald Fennoy, who's the Chief Operating Officer for the school system for Pa'.., the School Board of Palm Beach County, edu'.., Dr. Roland Thorpe, who is a [stammer] gerontologist who studies the health of black men, generational health of black men. Tremendous amount of opportunities that are available and we're bringing that here, we're, we're also hosting a 'Men of Distinction' dinner that will be taking place in the great City of Riviera Beach. I'm looking forward to Riviera Beach supporting us and helping us to bring fathers to the table and provide them with the information that they need. This conference is not cheap but it is necessary and we do believe that we can be great partners with you and bringing men together with the information that they need to be the best father that they can be so we can have...

[Beep]

**MS. S. WARREN:** ...the best community that we can possibly have.

I would love the opportunity to speak with you further. I know that my three minutes are up. Um...

**CHAIRPERSON MILLER-ANDERSON:** Ms. Warren, you had some information regarding sponsorships?

**MS. S. WARREN:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** That the City may want to take a look at. Had you provided that to everyone? And, if so, that may be a good.., the Council would like to, we can have that added to Agenda to discuss some form of partnership or sponsorship for the conference that they'll be having here in the City [inaudible]...

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** ...to support Sickle Cell.



**CHAIR PRO TEM DAVIS JOHNSON:** I shared that information with the City Manager...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM DAVIS JOHNSON:** ...so he is aware and we ta'.., we haven't talked in detailed, just some cursory conversation...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM DAVIS JOHNSON:** ...but I would certainly like to have that added to the Agenda...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM DAVIS JOHNSON:** ...to discuss sponsorship and partnership.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MS. S. WARREN:** Thank you.

**COUNCILPERSON DAVIS:** And we also would [stammer] let's do the.., find a way we can get on the CRA side.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** As well.

**MS. S. WARREN:** And health screenings are a part of the conference. June happens to be Men's [stammer] Health Awareness Month. We're having health screenings that include digital prostate exams, depression screening and all kinds of... Yes, I see you Commissioner Davis.

**COUNCILPERSON DAVIS:** You said digital?

**MS. S. WARREN:** Digital.

[Chuckles]

**MS. S. WARREN:** Yes. [Chuckle]. Digital. So...

**COUNCILPERSON DAVIS:** Let's talk about that off [inaudible].

**MS. S. WARREN:** We're, we're looking at the whole picture...

[Inaudible background comment]

**MS. S. WARREN:** .....and what it takes to have a healthy household.

**COUNCILPERSON PARDO:** Alright.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Yes.

**COUNCILPERSON PARDO:** Okay. Ms. Warren, have you spoken...

[Inaudible background comment]

**COUNCILPERSON PARDO:** ...with Sancilio?

**MS. S. WARREN:** I have spoken with Sancilio.

**COUNCILPERSON PARDO:** Okay. So, perhaps you can, you know, try to get them as a sponsor also. I know that, um...

[Inaudible dais comment]

**COUNCILPERSON PARDO:** ...you know, they're trying to find the...

**MS. S. WARREN:** Mhmm.

**COUNCILPERSON PARDO:** ...cure.

**MS. S. WARREN:** Yeah.

**COUNCILPERSON PARDO:** And, they've been very active in other sickle cell programs.

**MS. S. WARREN:** They, they are participating in World Sickle Cell Day, which is the following week but this is...

**COUNCILPERSON PARDO:** Okay.

**MS. S. WARREN:** ...focusing on fathers.

**COUNCILPERSON PARDO:** Sure.

**MS. S. WARREN:** For all fathers, whether Sickle Cell is a factor or not...

**COUNCILPERSON PARDO:** Correct.

**MS. S. WARREN:** ...we're looking to have healthy households, healthy families and...

**COUNCILPERSON PARDO:** I heard you.

**MS. S. WARREN:** ...and providing them with the tools.

**COUNCILPERSON PARDO:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MS. S. WARREN:** Okay?

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**MS. S. WARREN:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Mr. Horace Towns and then Dr. J.R. Thicklin.

**MR. H. TOWNS:** Hey, good evening. Before...

**MAYOR MASTERS:** Good evening.

**MR. H. TOWNS:** ...we start the three minutes, I received a couple texts messages from people at home saying that on Channel 18, the meeting wasn't being transmitted.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Alright

**MR. H. TOWNS:** Okay. Well, first off, good afternoon. Horace Towns, Riviera Beach.

I don't see the police union here so I'll save those comments.

For many years, you know, due to my background, I've come and I've spoken on a couple issues, tried to enlighten and tried to add some substance to a lot of topics. There are a lot of things that Public Work' or government administration wise, it's always good, you know, to hear added words from people in the community. My issue is, is 30 and I wish I could be here all night with you guys tonight but I think I've earned it. Thank you, Ms. Miller and Lord God for allowing my card to be called early. But, the City Manager issue was something that we went through tooth and nail and we hired the young man and just in a couple weeks, I have seen him speak on Items and I was.., been really impressed and anyone with government experience and background can agree that he is very knowledgeable on the task of that position. My issue is not the evaluation but trying to grasp how, if we had made a commitment to move forward with honest hands, why is the contract so vague, why is there no one year or two year or three-year contract for the City Manager. We've given jobs to people all over the world in this City for.., and I wouldn't speak on their criteria but I think it's only respectful that, if we've given this man the opportunity that we, at some point discuss a term, whether it's one year, two year, three year, I don't think it's fair for anyone to show up every day performing without, um, support or a guarantee that they have employment the following week. So, that is something that I'm asking the Board nicely to address and discuss, at this time and, you know, hopefully, we can move forward.

One of the other issues is, I spoke last night at Ms. Miller-Anderson's thing and there was a lot of topics. I talked about social media increase, whether we borrow the database from the Water Department. I don't think people'll mind if we got text messages to our phones or emails saying, 'Hey, we have a meeting.' Hey, we' having a workshop.' I mean, we, we get scared half to death with Amber Alerts so, you know, one more text...

**COUNCILPERSON HUBBARD:** Madam Chair?

**MR. H. TOWNS:** ...is [chuckle]. And I think that will increase public participation in our, in our community. But, it's been good the last couple days so I thank the Council, I thank you...

[Beep]

**MR. H. TOWNS:** ...for not moving forward with the issue with Maritime. We've given away more property than the Louisiana Purchase this month.

[Chuckles]

**MR. H. TOWNS:** So, thank you guys.

**CHAIRPERSON MILLER-ANDERSON:** [Chuckle]. Alright. Thank you. Pastor..., Dr. J.R. Thicklin and followed by Ms. Mary Brabham.

**DR. J.R. THICKLIN:** Good afternoon, Council. Dr....

**UNK.:** [Inaudible].

**DR. J.R. THICKLIN:** ...J.R. Thicklin, represented tonight of one of the employees of the Sickle Cell Foundation.

I'm excited about things that are happening in the City of Riviera Beach. We are really moving very close to living up to our motto, the best waterfront City to live, work and play. We're very honored in sight of..., you heard Ms. Warren speak earlier about the opportunity to bring the Father's Heart Conference here to Riviera Beach. And I want you to understand the magnitude of that. I travel this country, oftentimes speaking at many events, such as this, sharing the dais and the stage with many renowned different individuals and we're gonna have an opportunity to come here, to Riviera Beach June 14<sup>th</sup> through 16<sup>th</sup>. And what's important about this opportunity, is this, I think it plays right into the major plan. Riviera Beach, just like West Palm Beach and surrounding areas, we have seen our share of homicides and our share of troubles happen quite a bit and what we understand, some of the common themes inside of, of each of these, is oftentimes, individuals who have not had the guidance of strong fathers. It was Frederick Douglas who said that it is easier to raise strong children than it is to repair broken men. This conference here, I believe, has such a major impact, has the ability to really change the tides. At the end of this conference is the Men of Distinction's Award and Recognition dinner. Here's an opportunity for people to simply nominate well-deserving men in the community. They don't have to be superstars but they have to be men that are making a difference, whether they're mentoring, whether they're making a difference in other areas.

And what I want to do tonight, is to really encourage us, inside of the City, let's find men that work or live in our City, let's nominate those men, let's get these individuals out to [stammer] this event because the encouragement and affirmation go a long way inside of this process. You heard Ms. Warren talk earlier about some of the people that will be

a part of this conference. Well, they're coming from far and near to be a part of it. And they're gonna be coming to this City and I'm glad for them to be able to see not only the Riviera Beach Marina and, and see the center there but to see the City at large. We have people that are coming all the way from Washington, D.C., we have people that are coming from everywhere to be a part of this. I want this to be a shining moment, not just for us but for the citizens of Riviera Beach. So, I'm asking that you would consider what can we do to reach out to others and make sure that we nominate people. There are five different categories that people can be nominated. That's the area of public service, the area of youth leadership, the area of education, the area of spiritual leadership and non-profit service. Last year, our dear Chief Williams was a winner of the award in public service. And so, in saying this, we also have the opportunity to have, as a special guest, the former Chief and the head of President Obama's...

[Beep]

**DR. J.R. THICKLIN:** ...Fatherhood Initiative, Mr. Thabiti Boone will be here. Folks, we're not playing with low hitters here. We're bringing something that I think is reflective of where the City's going. Please entertain that.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Ms. Mary Brabham...

[Applause]

**CHAIRPERSON MILLER-ANDERSON:** ...followed by Mr. Joseph Anderson.

**MS. M. BRABHAM:** Ms. Mary Brabham, Riviera Beach.

To the Chair and the rest of the Board, congratulation', job well done. I missed the presentation but I, I'm sure I will pick it up later. Congratulation' to the Chairperson also and, and great sympathy goes out to Ms. Tonya Johnson for the loss of her grandmother as well as over in the Fire Department, Chappell lost her grandmother and she was eulogized on last Saturday also. So, congratulations and deepest sympathy goes out to the whole entire Staff that are, that are under the auspice' of sympathy. So, thank you.

The meeting last night was well informed, well attended. Thank you for that open forum, that was so much needed, so, when you re'..., review this, you will see that the, that the residents really engage on division and what they see, the things that are lacking, the things that are needed and the things that we can do. The drug houses...

[Inaudible background comment]

**MS. M. BRABHAM:** Bishop Dukes speaks about the drugs all the time. You must go to the source of the problem. The source of the problem is not the man that walks the street, it is the drug houses in every neighborhood and, and on every corner. That's where you get to the feeding post of what's the element in our City here. So, you cannot eradicate it unlessin' you go to the source. And the source is the..., are the drug

houses. So, I'm not contradicting anything of what Bishop Duke says but you have to go to the root of the problem and, and we all know the root is the drug houses, it is not the one that walks the streets because the ones that walk the street, goes to those houses. So, those are the derelict things there that we see that, that we can work on and perhaps do, do, do a better job.

The concert on, on last Saturday down at SunFest, Ms. Brabham was invited in the VIP and she had an opportunity to meet Ms. Chantè Moore and all the [stammer], her backup crew that were wonderful and as always, Ms. Brabham also say, she loves some children. So, Ms. Chantè says to all the kids, continue your dream. So I made some for..., the programs that are in the City here too. And, uh, thank you, sweeper for sweeping our streets. The labor attorney is much needed. We do not have to dictate to the City Manager how to, how to formulate an evaluation process. That's..., that should be entirely left up to the Ci'..., City Manager. I know Ms. Doretha Perry perhaps had it in place but these are the critical thinking elements where we think outside of that boundary. How do we want to construct it, what else do we need to integrate into it? So...

[Beep]

**MS. M. BRABHAM:**...so, at this particular point, I think that some of you Board Members are doing a magni'..., [stammer], magnificent job and continue. And one last thing, shout out to Suncoast again. So, hopefully, we can get them into this Chamber here to, to bid them our, our great joy and our great aspiration, along with every month, perhaps, so we can bring our local schools in just to engage them and say thank you and continue the... a good job. So, think about that, every month, engaging our schools just to visit us in the Chambers.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Ms. Brabham. Mr. Joseph Anderson and then Ms. Wilder.

**MR. J. ANDERSON:** Joseph Anderson again, 331 West 16<sup>th</sup> Way, Riviera Beach. Longtime resident. I also echo those same, um, sentiments about..., Horace Towns, for our City Manager. I believe we really need to buckle down. He's brought some innovative ideas and we're moving in the right direction so I definitely think we should address that contract situation.

Secondly, I was sadly here, there was a individual that was let go, Deandre Spradley who I felt, was a fine young man and anything that, I believe, within, you know, your powers or I'm not sure, I'm not all up to speed of the circumstances but I just felt, and just have to say, I think he was a good guy put in a bad situation. And sometimes or another, we have to protect our own. So, he is a individual that, uh, has purchased a home here and I was sad to see him dismissed. So, I would like for you guys to kinda look into that, to the circumstances around that and act accordingly.

Lastly, I would like to thank the following Council Members for their good stewards of the financial services and good stewards of the City resources, Hubbard, Davis and

KaShamba on the last vote. At some point, we have to stop giving away the whole cow. With that being said, you know, it was us that had to take a cut from certain contract opportunities when the City was in a shortfall, it was us, the City employees, that had to take furlough days because of the shortfall of the City budgets but I see we can pick and choose which things that we fight for. You know, we fought to have a man displaced from his boat, we then used City resources to buy that boat back and destroy it, and then we fought a man to the Supreme Court and we continue to fight a man for his address and, Mrs. Pardo, it was ya'll that did it.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Mr...

**COUNCILPERSON PARDO:** Yes. And that's true. I take full...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON PARDO:** ...blame.

**CHAIRPERSON MILLER-ANDERSON:** Tha'... We're not gonna go back and forth.

**COUNCILPERSON PARDO:** [Chuckle]. I'm good, thanks.

**CHAIRPERSON MILLER-ANDERSON:** Ms. Wilder and then next...

**COUNCILPERSON PARDO:** And I'd do it again.

**CHAIRPERSON MILLER-ANDERSON:** ...we have Tradrick McCoy. Thank you.

**MS. F. WILDER:** Good afternoon.

**COUNCILPERSON DAVIS:** Good afternoon.

**MS. F. WILDER:** Good...

**CHAIRPERSON MILLER-ANDERSON:** Hi.

**MS. F. WILDER:** ...afternoon...

**CHAIRPERSON MILLER-ANDERSON:** How ya doin'?

**MS. F. WILDER:** ...everybody.

**CHAIR PRO TEM DAVIS JOHNSON:** Good afternoon.

**CHAIRPERSON MILLER-ANDERSON:** Hello.

**MS. F. WILDER:** I'm so happy tonight.

**CHAIRPERSON MILLER-ANDERSON:** Very...

**MS. F. WILDER:** But I got some bad news for you.

**CHAIRPERSON MILLER-ANDERSON:** Oh.

[Chuckles]

**MS. F. WILDER:** But then, at the end, I'm gonna give you the good news. They're eminent domain, Silver Beach Road. They're not giving us a service street, they're taking these people's property. I don't know about you but when they were selling the property, European American got the whole property but when they sold us property, your house is on one half and you just got two houses on one property but they had one house on a big property. Now, they're coming, they don't have sidewalks. Your, your, your door is just about in the street. [Chuckle]. Taking the people's property. Lake Park, nothing but some woods out there. Snakes, eh, they can move on but you're taking these people's property. Government already come in. I mentioned this over two years ago, to one of the young men here, that's..., that knows. I was walking my dog and God had this lady bring me the papers. I didn't know anything about it, then they' tryna find out where I got the papers from so now they mailing them out. See, you're not keeping up with what's happening in Riviera, what the county and the government is doing. So, I just wanna let you know, they're comin' and taking those people's property. It's already..., I have it in writing, if you want a copy of it, I can give you one. It's terrible. Eminent domain, 8<sup>th</sup> Street, took all those folks property and give 'em half the money the property was worth. But you got your little [inaudible] Port over there but those people lost their homes. People have worked for their homes, paid for them and lost them. Then they had to find the other place they had to pay a mortgage. We need to revamp.

Now, for the good news. I just wanna thank everybody, even if you didn't do nothin', I wanna thank you too for not doing nothin' 'cause you probably woulda messed somethin' up.

[Chuckles]

**MS. F. WILDER:** Don't get me started. Thank you, Ms. Miller, you, Mr. I don't know your name...

**CHAIRPERSON MILLER-ANDERSON:** [Chuckle]. Mr....

**MS. F. WILDER:** Everybody...

**CHAIRPERSON MILLER-ANDERSON:** ...Evans.

**MS. F. WILDER:** ...[inaudible]. I thank God for Jesus.

[Chuckle]

**MS. F. WILDER:** They done lied on me but guess what, Jesus sent out ten [inaudible] one come back with the truth and I'm gonna still stand but Verdenia Baker can do whatever she want. But, [inaudible] house is coming down. They've done so from the top to the bottom. I don't care how high you get, be mindful who's higher than you [pause] 'cause he will..., you can [knocking sound], tell lies on the papers. Just keep writin' 'em on me, just keep tellin' lies. But guess what, you tell one, here's another, here'... Can't never tell the first lie the same, all the way. I'm gonna keep standing for



the truth until the day I die. So, I'm gonna be coming to your meetings and Verdenia Baker, I'm gonna be like a thorn in her side. I'mma help her to walk right. Me and Jesus.

[Chuckles]

**MS. F. WILDER:** 'Cause it don't make no sense what they've taken me through the last three years. A rat can't live in my house. [Inaudible] bad. And then they tellin' me they gonna put me out the hotel. What? What? You done tore up my house, had me thinkin' they was storm windows. Come to find out, they ain't storm windows. I didn't...

[Beep]

**MS. F. WILDER:** ...know no different. But I thank you for your help and I still thank those who didn't help, didn't come out but I still thank you 'cause if you did, maybe you'd'a messed something up but those who came out, I just wanna thank you.

Praise God.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Ms. Wilder.

**MS. F. WILDER:** Oo, Jesus.

**CHAIRPERSON MILLER-ANDERSON:** Next, we have Mr. Tradrick McCoy.

[Inaudible dais comments]

**MR. T. MCCOY:** Good evening, Members.

**CHAIRPERSON MILLER-ANDERSON:** Good evening.

**MR. T. MCCOY:** Of the Council, City Manager. Tradrick McCoy, Riviera Beach.

A few things I wanted to discuss. First [pause], I am a member of the Planning & Zoning Board and I appreciate the opportunity to serve. Last week, we took up Land Development Regulations to control, or, I should say to regulate where fueling stations are located in our City. And I was quite shocked, and I even offered up an amendment that I think will kinda help control where they're located and where they're placed. What's astonishing is that we have eight fueling locations from... on Blue Heron from Military Trail just to Gardens Road. And that's a problem because when we compare it to the other cities, in and around Palm Beach County, they had some very tight restrictions and I think, you know, where we are now and what we've done, we've gotten to a point where we can kinda control the oversaturations of fueling stations in our City because eight just in a, probably, a quarter mile radius is way too much. And that's the first problem.

The second problem, and I'll, and I've spoken to our Planning Department, is we need to next tackle convenient stores. We have way too many convenient stores in the City. Now, I know at the last special meeting, you guys appointed members to the Board and I greatly appreciate it because it's great to have different input and a variety of

perspectives but when I looked at the Agenda, when you guys appointed, there was 12 applicants and there was maybe three or four spaces that was filled. But when we had our Planning & Zoning meeting, do you know how many people from the public attended? Two. And that's sad. Simply because we can rush to be on a Board or try to serve but I don't even see the people in the community.

**UNK.:** Ms. Brabham was there.

**MR. T. MCCOY:** Thank you, Ms. Brabham, for coming and being a regular participant in the process but I would hope that we take more [pause] efforts to involve public participation because I know there's gonna be a pretty interesting project, that I supported, called the Family Dollar Project. And only because they had a legal permitted right, despite that we tried to place a moratorium, after the fact, I can only do what I believe is fair and what is right. And I don't want us to rush to throw in language, after the fact, to try to regulate something. Let's be a little more proactive when it comes to our Comprehensive Plan and involving people, as well as our Land Development Plan because, what needs to be stated when that Item comes up, we can't legally deny someone who has a right to be there because the rules did allow him.

[Beep]

**MR. T. MCCOY:** And for you to [pause]... And for you to systematically deny somebody just based on, 'We don't like it,' I think that's unfair and it certainly, um, is illegal.

So, those are my comments.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Mr. McCoy. That ends public comments.

## 18 ITEM NO., 18

**CHAIRPERSON MILLER-ANDERSON:** We now have Item 18.

### **DEPUTY CITY CLERK BURGESS: THE DISCUSSION AND DELIBERATION BY COUNCIL, CAP GOVERNMENT, INC. AND THE COLD STORAGE**

**COUNCILPERSON DAVIS:** Mr..., Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** Mr. Manager, on this Item, are there anticipate' any action to be taken by this Board tonight or this just gonna be more of a presentation?

**CITY MANAGER EVANS:** This is more of a presentation for informational purposes and any questions that the Council Member may..., Council Members may have of Staff.

**COUNCILPERSON DAVIS:** [Stammer] so, we will not be taking any action on this or wha'..., what...

**CITY MANAGER EVANS:** I don't an'.., if, if it's the pleasure of the Board to take official action, we would have to open it up for the public but...

**COUNCILPERSON DAVIS:** That...

**CITY MANAGER EVANS:** ...if it is...

**COUNCILPERSON DAVIS:** That's why I was asking that question because if we're not, there, there will be no public comment card' but if we anticipate an action, then we would need to offer a comment...

**CHAIRPERSON MILLER-ANDERSON:** We have public comment cards for.., it's No. 18 and we have some here already. So...

**COUNCILPERSON DAVIS:** That's why, that's why I asked the question...

**CHAIRPERSON MILLER-ANDERSON:** What?

**COUNCILPERSON DAVIS:** [Stammer] do Staff anticipate an action...

**CHAIRPERSON MILLER-ANDERSON:** We...

**COUNCILPERSON DAVIS:** ...tonight?

**CHAIRPERSON MILLER-ANDERSON:** Well, it's a discussion and deliberation. So, if someone make' a motion, yeah.

**COUNCILPERSON DAVIS:** Okay. And then we'll go to public comment card at that time.

**CHAIRPERSON MILLER-ANDERSON:** We'll let them do the presentation, we'll do public comment cards and then we can talk.

**COUNCILPERSON DAVIS:** Okay.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Alright. Terrence Bailey, Director of Community Development.

I will begin with Cold Storage. June 17<sup>th</sup> of 2015, a Site Plan was approved for Cold Storage. It is located roughly at Congress and MLK in the northeast corner. Construction commenced in December of 2015. Below, you can see a, a general rendering of the project, when it began and went through the Site Plan process. From the beginning, after the Site Plan was approved, there were issues with the construction plans, in their quality and completeness. Initially, they had requested a foundation permit so they could begin underground construction and foundation work. It is a manufactured metal building. It is typical to.., the type for these storage facilities. During the period between December of '15 and November 14<sup>th</sup>, approximately there was.., there were notifications to Staff that there was work being done above and beyond those permitted and approved by the building department, at the time that necess'.., necessitated an intervention and the project was shutdown to bring the.., bringing it into compliance with the approved permits for the site. And, and I believe, at

that time, the only permits that they had were a foundation permit and underground civil work that was allowed. It came to the Staff's attention that the work had recontinued in areas that they did not have permits for and the site was shut down again for a second time on March 10<sup>th</sup> of this year. And there's documentation between the departments. Please..., a lot of City assets were mobilized in order to conduct the shutdowns. And I'll, I'll go back for one moment. The, the question has ari'..., been asked, 'Why did work progress after the November 14<sup>th</sup> initial shutdown?' And, at the time of November 14<sup>th</sup>, there was no security measures on the site. The perimeter fence had not been constructed and it was still an open construction site. So, there was no means to physically stop, short of putting police presence there 24/7 to physically stop them. There are a number of perimeters in the Florida building code and other laws that, if obeyed, people should've not gone back but that is not what occurred.

March 10<sup>th</sup>, after notification, the site did have a fence, it was secured, chains were put on the exterior fence to where the site was completely secured and access was denied to the contractor and this Item began..., came up for discussion on the City Council soon thereafter.

**CITY MANAGER EVANS:** Mr. Bailey, if you can...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Yes.

**CITY MANAGER EVANS:** ...just go back to the, the previous slide. So, with respect to the shutdown that occurred November 14, 2016, what was the process that the City embarked upon with regards to informing the property owner that this site was shut down? And, is it safe to assume that then they accessed the site after the City communicated and say, 'We are shutting down this particular property because of x, y and z?'

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** So, [stammer] in the shutdown process, these very large, neon orange placards are put at every access point. So, it is impossible to get into the physical building without going through one of these placards and knowing that you are officially trespassing and that the project had been shut down. It's commonly referred to as a red tag but it's not..., some of them are red but they're generally large, neon placards. So, there would've been no mistaking. And again, the project was under review under..., for a number of different elements of its construction so there was communication consistently with the development team and they knew exactly what the situation was. It was certainly a conscious decision to continue to progress after the multiple communications from City Staff on where this project stood.

**CITY MANAGER EVANS:** And the development team you're talking about, the representatives from Cold Storage?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Yes. The development team being the contractor and the owner of the project. Again, [pause], March 10<sup>th</sup>, the project was shut down the second time. There were fences to secure the property at that time. Public Works was engaged and fenc'..., and chained and locked the property

to where physical access for vehicles was completely restricted and again, as I said, that is when this Item was requested to come forward for discussion by the Board.

**COUNCILPERSON HUBBARD:** Question.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Yes.

**COUNCILPERSON HUBBARD:** From March.., from November to March, no Staff had gone out to see that this construction was still.., or had noticed that this construction was still taking place, to alert the Police Department or anybody with a level of jurisdiction to make them stop?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Well, understand that in between November and March, there were a number of small elemental permits that were issued, i.e., the fence permit. So, in.., on November 14<sup>th</sup>, there wasn't a fence but in between that time, they had gotten a permit for the fence, they had gotten permits for, I think, some landscaping and other elements. So, seeing activity on the site, would not necessarily, for Staff as they drove by or saw it, wouldn't indicate that they were doing work above and beyond the permits that they didn't have. And, the permits that they didn't have, were all interior to the building. So, short of driving onto the property, going interior, you would not know by just driving by, seeing work trucks out there, that they were working...

**COUNCILPERSON HUBBARD:** Mr....

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...interior to the building.

**COUNCILPERSON HUBBARD:** Mr..., Mr. Bailey, if you shut down on November the 16<sup>th</sup>, they.., there are.., they are still per'.., permitted to do work after they're shut down? Is that what you're saying? There's a certain level of work that they can continue to do after they're shut down?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Understand that, on a project of that scale, there are anywhere from 10 to 20 sub-permits.

**COUNCILPERSON HUBBARD:** Sure.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** The water, sewage, drainage...

**COUNCILPERSON HUBBARD:** Sure. I got....

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...landscaping and the fence so they had a number of the smaller permits for...

**COUNCILPERSON HUBBARD:** Got you.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...exterior elements. The shutdown was for the work that was not permitted. So, any work that they had a permit for, they could legally continue to do.

**COUNCILPERSON HUBBARD:** That ma'...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** And so, seeing activity on those scopes of work, would not automatically trigger Staff to invade the building again for the other, the...

**COUNCILPERSON HUBBARD:** [Inaudible].

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...other elements.

**COUNCILPERSON HUBBARD:** Excuse me, sir. I really don't wanna cut you off. That's just not making [pause] any sense to me. So, let me say..., try to ask this again, if you shut down a building, either it's gonna be..., is there such thing as a limited shut down? Is there a shutdown with certain, um, criteria or... If you shut down, you shut it down and you can't do anything else on it until you finish what you're supposed to. Wouldn't that be the case?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** No, ma'am. The.., because of the nature of this type of project and its scale, the intent of the shutdown was to stop them from doing work that was unpermitted. The shutdown is, basically, stopping construction for unpermitted activities. They had permits for certain activities and elements of their scope. They were allowed to continue on those elements but the elements they did not have a permit for, they were barred from doing that work.

**COUNCILPERSON HUBBARD:** Okay. So, so just for example sake, between November and March, what permits did they execute that they used that they actually go ahead and do the work that they had?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Unfortunately, I don't have that level of detail in front of me on the permits that were issued, the sub-permits between November and March.

**COUNCILPERSON HUBBARD:** So, you contend though that the work that they were observed doing was permits outside of the civil permit that you mentioned that they only had, they only had a permit for the [pause]...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** They had..., from my...

**COUNCILPERSON HUBBARD:** ...the flat surface for the, for the..., the civil permit that they had for the...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...Civil...

**COUNCILPERSON HUBBARD:** ...foundation permit.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Yes. Civil...

**COUNCILPERSON HUBBARD:** That's the word.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...underground foundation and they had a shell permit. And from my understanding, the.., what should have happened, under that shell permit, are the structural elements and the beams. You

probably saw the red eye beams, which are sort of the skeleton of the building. The skin of the building, never should've been installed, no windows installed, it was just the shell, which is considered those beams. Under the permits they had, at the time, up un- to November and they had gone past that. Once they put the skin, the metal framing around the outside, it became very difficult to, from the road, identify what activity was going on, on the inside. But there were numerous communications, meetings, the Staff's effort to get this project into compliance. Because again, we, we're looking for them to simply follow and abide by the Florida building code.

**COUNCILPERSON HUBBARD:** I'm looking now for the letter that, um, the building official, um, that was...

**COUNCILPERSON DAVIS:** Madam Chair?

**UNK.:** [Inaudible].

**COUNCILPERSON HUBBARD:** ...that, that was up here a minute ago that she handed out, that Staff gave us. So, I have a question for her or Staff, based on the letter that, um, I don't see mine.

**COUNCILPERSON PARDO:** Yeah. I didn't get one.

**CHAIRPERSON MILLER-ANDERSON:** It was on the table.

**COUNCILPERSON HUBBARD:** Yeah. Yours was faced down, I saw yours.

**COUNCILPERSON DAVIS:** [Inaudible].

**COUNCILPERSON HUBBARD:** Look [inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** Alright. And so, you had a...

**COUNCILPERSON HUBBARD:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** ...question for him? Or Ms. March?

**COUNCILPERSON HUBBARD:** Yes. Okay. So, if the [pause]. If a person is given a, a foundation permit...

**BLDG. DEPARTMENT:** Yes, ma'am.

**COUNCILPERSON HUBBARD:** If they're given a foundation permit...

**CHAIRPERSON MILLER-ANDERSON:** Move over to the mic.

**COUNCILPERSON HUBBARD:** The [pause], they can still go ahead and do structural work?

**BUILDING OFFICIAL L. MARCH:** Under traditional circumstances, no. In this particular instance, a foundation permit was issued in part.

**COUNCILPERSON HUBBARD:** Uhuh.

**BUILDING OFFICIAL L. MARCH:** There was some restrictions as to what could be done under the guise of that permit issuance...

**COUNCILPERSON HUBBARD:** Mhmm.

**BUILDING OFFICIAL L. MARCH:** ...and the contractor and property owner chose to move beyond that point.

**COUNCILPERSON HUBBARD:** So they went beyond the permit that they were issued, that they were issued?

**BUILDING OFFICIAL L. MARCH:** They had some initial construction permits that included sign permits, trailer permits, underground utility permits and a foundation permit. They had required, or requested a shell permit that was issued, in part, for, um, just the bones, as Mr. Bailey has indicated to you guys.

**CHAIRPERSON MILLER-ANDERSON:** Excuse me, Ms. March, please state your name for the record.

**BUILDING OFFICIAL L. MARCH:** I'm sorry. My name's Ladi March. I'm the building official for the City.

**COUNCILPERSON HUBBARD:** Okay. What I, what I was asking earlier was, can the..., if there's a shutdown, is there a [stammer], does that not shut down everything, even if you have a per'..., if you have those permits? You..., when I shut you down, you can still work beyond putting up your fence, beyond your landscape, beyond your, um, [pause], trailer, that you, that you have?

**BUILDING OFFICIAL L. MARCH:** Under traditional circumstances, no. What I will say is, um, I like to be able to draw a line in the sand between the November shutdown and the March 10<sup>th</sup> shutdown. November, I believe, C.A.P. was the provider, with regards to the building official services...

**COUNCILPERSON HUBBARD:** Mhmm.

**BUILDING OFFICIAL L. MARCH:** ...and they may have taken a different approach to how the shutdown went. So, I can't necessarily speak to what their intention was. It appears, in looking at the documentation that I got coming into the position in January, that the shutdown was intended to be in totality but I cannot speak to that because, again, I didn't get here 'til January.

When we shut the building down in March, based on the information that was provided to me, looking at a manifest of the inspections that were available and the permits that had actually been issued, they were not permitted to do any work. There were fences, chains, they were not allowed back onto their property.

**COUNCILPERSON HUBBARD:** Right. Because ya'll..., the fence was up and you were able to secure the property, as Mr. Bailey was stating, because the fence, the fence was now...



**BUILDING OFFICIAL L. MARCH:** And we were...

**COUNCILPERSON HUBBARD:** ...up?

**BUILDING OFFICIAL L. MARCH:** ...able to place stickers on the property.

**COUNCILPERSON HUBBARD:** Right. So..., but, I guess the only thing to that is, you..., even from what you were able to discern C.A.P.'s intent was for it to be shut down in totality and the team, the construction team understood that but they just proceeded without, um...

**BUILDING OFFICIAL L. MARCH:** [Stammer]...

**COUNCILPERSON HUBBARD:** ...any regard for the, the initial shutdown?

**CHAIRPERSON MILLER-ANDERSON:** Excuse me, Ms. Hubbard, if you want the question answered regarding the November shutdown, Mr. Carlos is right there with C.A.P. and maybe he can answer the part that she can't answer and then maybe go back to her to finish up your questioning? Would you like to hear from him as to what happened with the...

**COUNCILPERSON HUBBARD:** Okay. I...

**CHAIRPERSON MILLER-ANDERSON:** ...November...

**COUNCILPERSON HUBBARD:** ...did not..., I didn't know he was present. Okay. I didn't..., I don't know him.

**CHAIRPERSON MILLER-ANDERSON:** Mr. Evans just...

**COUNCILPERSON HUBBARD:** Oh, okay. Mr. Carlos, I'm sure he [inaudible]...

**COUNCILPERSON DAVIS:** [Inaudible].

**MR. C. PENIN:** Yes. Good evening, Mayor and, and Council. My name is Carlos Penin. I'm the President of CP Government. We have offices in 1910 North Florida Mango Road.

Regarding your, your question, I also have with me Joe Kajak [sp] from my office who's more technical, obviously, than I am but he's available in case there's some technical questions. What I can tell you is that the intent on the, on the shutdown, the first shutdown, was to prevent the contractor to..., from continuing to work until such time as a set of plans were approved and permitted the proper way and those..., and that set of plans was not received and, therefore, that's what's caused, caused the shutdown. I, I believe that, that what happened is that the contractor simply had a complete disrespect for the due process of, of plans being submitted, reviewed, approved based on the Florida Building Code, a permit issued and then for the work to be able to continue that way. In fact, there were instances when they were calling for inspections on plans that had never been submitted, we cannot have Staff going out to inspect something where there are no plans that have been approved. So, it was a complete disregard.

**COUNCILPERSON HUBBARD:** Okay. Thank you.

**MR. C. PENIN:** Thank you, ma'am.

**COUNCILPERSON HUBBARD:** That's...

**CHAIRPERSON MILLER-ANDERSON:** Do you want...

**COUNCILPERSON HUBBARD:** That's [inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** Did you want her back or you finished?

**COUNCILPERSON HUBBARD:** The.., well...

**CHAIRPERSON MILLER-ANDERSON:** Well...

**COUNCILPERSON HUBBARD:** We.., if I'm understanding him correctly, after March when it was shutdown, it's still shutdown. From March 17<sup>th</sup>, it wasn't reopened?

**COUNCILPERSON DAVIS:** [Inaudible].

**BUILDING OFFICIAL L. MARCH:** That is not the case. What has ultimately been, or what was proffered as an option to the contractor, was their... I initially assessed...

**COUNCILPERSON HUBBARD:** [Inaudible].

**BUILDING OFFICIAL L. MARCH:** I'm sorry?

**COUNCILPERSON HUBBARD:** I was wondering if they could take the screen back one, please?

[Pause]

**BUILDING OFFICIAL L. MARCH:** Oh.

**COUNCILPERSON HUBBARD:** Okay. Go ahead, I'm sorry.

**BUILDING OFFICIAL L. MARCH:** At the point...

**COUNCILPERSON HUBBARD:** ...March 10<sup>th</sup>.

**BUILDING OFFICIAL L. MARCH:** ...in which we implemented the shutdown on March 10<sup>th</sup>, I assessed some penalties associated with some adjusted values that had been understated. I applied the penalty of four times the fee, that put the contractor in a position where, prior to being able to move forward, there was [stammer] substantial amount of money that we needed to collect from them. They contacted our Legal Department with their legal department and I'm pretty sure what happened at that point was we negotiated with them to, at least, collect the difference in the monies that were due to us based on them understating the value of the building and what we determined, collectively, was that we were pretty sure, based on the plans that have been offered to our facility, or offered to the building department, that what they

currently have on site versus what we have approved or C.A.P. has approved, is building plans are substantially different, the disparity is large. And so, the thinking was it would probably be in the best interest of the construction community, the residents like to have them correct the issue and bring it where it needs to be so that it meets code and that would probably exceed the amount in comparison to the fees that we'd assessed.

So, with that being said, what has happened is, we collected the monies due on the valuation, we've allowed them to go out and try to get it right. As of meeting today, we've not made any progress. They've submitted some engineering letters that would've substantially taken us out of the space of being culpable for what they have done. Those engineering letters are insufficient based on my inspection and, um, at this point, they are working at their own risk. We have made the accommodations to render inspections at their request, they have failed all of them.

**COUNCILPERSON HUBBARD:** Question for you. They are working at their own risk. So, they have been allowed to go back to work after the engineering inspection letters did not meet satisfaction?

**BUILDING OFFICIAL L. MARCH:** Here's what has happened. Because the plans have come into the department, initially, the situation was, we did not have a full set of plans that had been reviewed and...

**UNK.:** Okay.

**BUILDING OFFICIAL L. MARCH:** ...deemed appropriate for, or by, the Building Department or its representative. Once..., while those..., while we were in that space of trying to get them where we needed to be, the shutdown had been implemented and we needed to get them back into the office to have a conversation. We had the conversation with them and collected or, at least, were able to get them to admit that they had understated the values on the project. We collected those monies. As a result, we released the plans that were ultimately approved in March, or on March 30<sup>th</sup>. Because at that point, they had the right to work according to those plans. The issue now is, that the project has moved passed or been built out passed the plans or don't necessarily meet the specifications on the plans and so they're caught in the, the, the, the grey area of do we tear it away and start over or do we try to work with what's there to get it where it needs to be with the plans.

**COUNCILPERSON HUBBARD:** Okay. So, they're working now to get it to where it needs to be with the plans but...

**BUILDING OFFICIAL L. MARCH:** So far...

**COUNCILPERSON DAVIS:** [Inaudible background comment].

**BUILDING OFFICIAL L. MARCH:** ...the... Their approach, unfortunately, is to build the building and then make the plans work. And in [stammer], in the construction community, you make the plans, the Building Department gives you permission to proceed with those plans and then you build the building.

**COUNCILPERSON HUBBARD:** Ah.

**BUILDING OFFICIAL L. MARCH:** So their approach is...

**COUNCILPERSON HUBBARD:** Again, as...

**MR. C. PENIN:** Yeah.

**COUNCILPERSON HUBBARD:** ...Mr. Carlos stated...

**BUILDING OFFICIAL L. MARCH:** Against the grain.

**COUNCILPERSON HUBBARD:** So, as Mr. Carlos stated, they're gonna kinda do it the way they wanna do it, they're gonna back into it. They'll draw some plans to fit the building that's there?

**BUILDING OFFICIAL L. MARCH:** That's what they have done.

**CITY MANAGER EVANS:** Madam..., Madam Chair, if I may and, and if I can have the representative from C.A.P. up as well?

There, there's a similar project that I think is a, a testament to the process that one should embark upon when you're talking about a facility of this magnitude and, and so, if you can kinda give the Council the facility that, that you have helped us get up and operational and how smooth that process is but realistically, this point really goes back to, there needs to be a sit down conversation with representatives from C.A.P., the City and the contractor to say, 'This is what needs to happen in order for this facility to be open and operational because they've gone through the process, backwards.

Sir.

**MR. C. PENIN:** Oh. Yes. Good evening. Carlos Penin again from C.A.P. Government. The project that the Manager's referring to is Cheney Brothers. It is a similar facility, it's a Cold Storage as well and that project came in, plans were, were submitted, plans were approved, revised..., I mean, revised and approved and the construction started, the inspections were called in the proper timeframe and that project is a complete success because, again, the owner and the contractor realized that they have to do things the proper way.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** Mr. Evans, just for, for the folks at home, please help us understand, what is the... First question, when..., before Mr. March came on, how long we were out a building official, the City of Riviera Beach?

**CITY MANAGER EVANS:** Uh...

**CHAIRPERSON MILLER-ANDERSON:** How about Mr. Danny Jones come up. He was the...

**CITY MANAGER EVANS:** Yeah.

**CHAIRPERSON MILLER-ANDERSON:** ...uh, City Manager at the time.

**DEPUTY CITY MANAGER JONES:** Danny Jones, Deputy City Manager.

I think Mr. Ringle left, Peter Ringle left September 12, 2016.

**COUNCILPERSON DAVIS:** And this...

**DEPUTY CITY MANAGER JONES:** And this was one of the pro'.., this was, this project was one of the projects that he and I went over before he left and when we brought C.A.P. on, one of the first things I had Mr. Russo do, along with Warren DeLoach was go over and inspect to find out where we were with this project.

**COUNCILPERSON DAVIS:** So, when did the new building official come on? From September to...

**DEPUTY CITY MANAGER JONES:** January the 10<sup>th</sup>.

**COUNCILPERSON DAVIS:** What is the responsibilities and who governs.., what is the building official governed by?

**CITY MANAGER EVANS:** The, the building official is governed by state statutes. Their authority, in some cases, supersedes the Manager's authority to be able to operate in a space where they are protecting the life, safety and the health and wellbeing of the public so, in the event that the building official takes action to, in fact, close a facility or what have you, no City Manager, no Councilperson has the ability to [pause] allow for the building [stammer] official to vacate their authority when it comes they have made a specific ruling on an issue.

**COUNCILPERSON DAVIS:** Thank you. So, at this point.., thank you, Mr. Jones. At this point, Ms. March, who's our building official, based upon her presentation, she has her hands wrapped around the situation. Does that stand correct, Ms. March?

**UNK.:** Yes.

**COUNCILPERSON DAVIS:** [Pause]. So, at this point, if she has a plan to execute and move forward, I.., hey, thank you for the update.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** Ms. March, she said she wants to say something...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** ...Ms. March.

**BUILDING OFFICIAL L. MARCH:** What...

**COUNCILPERSON DAVIS:** Do you need anything from us? I mean...

**BUILDING OFFICIAL L. MARCH:** No, no. The only thing that I need direction on, at this point is, the implementation, um, the City Manager, I'm probably sure has brought it to your attention, the implementation in being able to move forward with the penalties that were assessed, we've been able..., the City Manager wanted to give them the opportunity to work in a space of grace.

**COUNCILPERSON DAVIS:** Mhmm.

**BUILDING OFFICIAL L. MARCH:** And, see if they would A) remit the fees. Initially, they stated the value of their building at four..., or, \$2.1M.

**COUNCILPERSON DAVIS:** [Inaudible].

**BUILDING OFFICIAL L. MARCH:** Cold Storage, across the street, similar building, same size was at \$4.8.

**COUNCILPERSON DAVIS:** Okay.

**BUILDING OFFICIAL L. MARCH:** I needed to collect the difference on that.

**COUNCILPERSON DAVIS:** Okay.

**BUILDING OFFICIAL L. MARCH:** We were able to do that.

**COUNCILPERSON DAVIS:** Mhmm.

**BUILDING OFFICIAL L. MARCH:** The owner was a little bit adamant about not being able or in a position to want us to do that, that also led to some of the aggression that transitioned out into the field.

**COUNCILPERSON DAVIS:** Understood.

**BUILDING OFFICIAL L. MARCH:** At this point, as a result of the blatant disregard for the Florida Building Code, at this point, because we have sixty thou'..., 3,000 square feet of building that's been built without a substantial amount of supporting...

**COUNCILPERSON DAVIS:** Mhmm.

**BUILDING OFFICIAL L. MARCH:** ...permits, I would like to get some direction as to whether to move in the space of continuing to place the four times the penalty on the individual or allowing them to try and make this right. What I have found is, and I think we, the City Manager and I, probably had the same thought. We give them an opportunity to try to fix it and avoid it, they have not been able to do that to date. And so, short of a third shutdown...

**COUNCILPERSON DAVIS:** Said they refused to or they just..., something's going on?

**BUILDING OFFICIAL L. MARCH:** I don't necessarily believe they have the ability to but I, you know, it's not my call to say. What I can say is, based on...

**COUNCILPERSON DAVIS:** Okay.

**BUILDING OFFICIAL L. MARCH:** ...the inspections that have been called, they have not been able to comply.

**COUNCILPERSON DAVIS:** Do you need..., I mean, based upon the responsibility of a building official, I'm saying is...

**CITY MANAGER EVANS:** [Inaudible].

**COUNCILPERSON DAVIS:** ...if it's in her discretion, Ms. March's discretion to lead this ship and do what she wants to do, I don't wanna get involved with that, on that level. If you're prepared to do what you need to do, Ms. March, I'm out of it. I'm gonna follow your leadership, you're our building official, we support you.

**BUILDING OFFICIAL L. MARCH:** Well, with that being said, I've done what I needed to do. I shut it down.

**COUNCILPERSON DAVIS:** Yeah, I...

**BUILDING OFFICIAL L. MARCH:** So, it's a done deal.

**CITY MANAGER EVANS:** Yeah. Well...

**COUNCILPERSON DAVIS:** I mean...

**CITY MANAGER EVANS:** And, and one of the things that...

**COUNCILPERSON HUBBARD:** What about moving...

**CITY MANAGER EVANS:** ...the, the building official has, has provided, is that the penalties that have been assessed for Cold Storage not going through the appropriate protocols with regards to grav'..., to, to going through the submission process for a permit. We said okay, we, we can charge 300 or 400%, the permit fee but we were utilizing that to say, okay, this is a mechanism to get you into compliance...

**COUNCILPERSON DAVIS:** Compliance. Right.

**CITY MANAGER EVANS:** ...and if you get into compliance...

**COUNCILPERSON DAVIS:** We'll help ya out.

**CITY MANAGER EVANS:** ...we will then look at waiving those fees or, if there's any hard costs associated with that. So, our intent is to still try to work with the property owner and the contractor but I think that this is probably the proverbial line in the sand. At this point, if they cannot take the corrective measures, we have sat and had conversations prior to my arrival, as well as after, and I have a conversation that we'll..., we will have with representatives [stammer] from C.A.P., with representatives from Cold Storage to say, 'This needs to be resolved and this is your last opportunity to get this project in order.

**COUNCILPERSON DAVIS:** And, and, and based upon, from, from what I'm hearing, I don't think it would be fair to none of my colleagues up here to put in the position to overstep our boundaries. If you all are hired to do a job [pause], you have a job to do. I don't wanna take a vote on something that may put us in a legal disadvantage on another potential situation prior to this one, or any one in the future. That we do a different practice. So, if it's been going to the building official all these years, it need to stay with the building official. If it becomes a legal issue, it comes back to our Legal Department and we can address it as such.

**CHAIRPERSON MILLER-ANDERSON:** Were you finished, Ms. Hubbard?

**COUNCILPERSON HUBBARD:** Well, I guess, [stammer], only thing, from what.., I was just trying to see exactly what level of direction that the Manager and the building official wanted from us. I, you know, one thing that, that I will say to that is, in the.., in the vein that you're going, trying to get them to comply and leaving them space to comply while we're not really sure or we don't really think that they [pause]...

**BUILDING OFFICIAL L. MARCH:** Here's...

**COUNCILPERSON HUBBARD:** ...can.

**BUILDING OFFICIAL L. MARCH:** ...the bigger issue. You know, structurally, we'd be fine but there are some major life safety issues. They have not passed fire. They have some life safety racks that don't meet code, sprinkler systems don't meet code, the building is massive. At this point...

**COUNCILPERSON DAVIS:** [Inaudible].

**BUILDING OFFICIAL L. MARCH:** I was pretty firm on where I wanted to be with it.

**COUNCILPERSON HUBBARD:** Okay.

**BUILDING OFFICIAL L. MARCH:** But th'.., we.., I guess there needed to be some clarity as to whether or not everybody was on the same page. But...

**COUNCILPERSON HUBBARD:** Well, we're on the pa'.., I'm on the page that you're and the Manager are on and we, you know, we look forward for you and our other public safety experts to keep us safe...

**CITY MANAGER EVANS:** And...

**COUNCILPERSON HUBBARD:** ...in the City.

**CITY MANAGER EVANS:** And, and another point, I think, is germane and it shows the professionalism from the building official, she's actually reached out to her peers in other communities to explain the situation and they have provided the same type of insight and perspective that we're sharing with the Council as to how they would handle in their respective communities. So, we're, we're in good.., a good position and I think we'll get it to a point where they're either gonna come into compliance or we're gonna



levy those fees and then that will be something that.., we'll see where that process ends up.

**COUNCILPERSON HUBBARD:** Mr. Evans, years ago, we were trying to build a school over near the Port, kind of where we were talking about earlier in the Maritime, and because.., it was pointed out then that the danger of Port of Palm Beach Cold Storage, we should not be trying to build a school, you know, over there but look at the number of schools that sit around where this Cold Storage is now. We.., I mean, all kind of cases was made to keep...

**COUNCILPERSON DAVIS:** [Inaudible background comment].

**COUNCILPERSON HUBBARD:** ...us from building a high school...

**COUNCILPERSON DAVIS:** Mhmm.

**COUNCILPERSON HUBBARD:** ...east of Broadway [stammer] or on Broad'.., off of Broadway because of the Port of Palm Beach Cold Storage, that very same company but now we have plopped it down in the middle of several schools in the, in the community. At what point did this business become so much safer?

**CHAIRPERSON MILLER-ANDERSON:** Okay. Anyone else?

**MAYOR MASTERS:** Yes.

**COUNCILPERSON DAVIS:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Anyone else? Yes, go ahead.

**MAYOR MASTERS:** Madam Chair. Mr. Bailey, I may have missed a little something but this is [stammer] what has happened with this Cold Storage, is this unusual?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Extremely.

**MAYOR MASTERS:** Okay. Never had anything like that before, right?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Uh, we, we had the occasion to red tag or shut down construction. Typically though, it's.., you catch someone swapping out a door at their house or doing a kitchen renovation and they're homeowners, they're.., they don't know that...

**UNK.:** They know.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...there are certain things that need permits. These are very nominal. A professional at a \$5,000,000 level of building a building at 60,000 square feet with a building contractor's license, doing these activities, is very unusual.

**MAYOR MASTERS:** And I heard someone mention blatant disrespectful. Period. My, my question is, did they give you anything on the record as why they would just

completely, in my opinion, disregard the way of doing business? In the City? Did they say they had a reason? Did they say that they went to sleep and woke up and forgot something? I don't know. What did they say? Did they have anything to say about it?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** I believe in, in communication with Ms. March, their.., this appears to be more of their business model than willful ignorance.

**MAYOR MASTERS:** Okay. Well, hopefully, other businesses will learn, they'll see, that we're not playing and that's not acceptable and it shouldn't happen again.

Now, my other follow up question is, have we put something in place or, or have you thought about putting something in place to make sure that businesses will not disrespect us like this again. Point, blank, period.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** We have the Florida Building Code and we administer it equally, and without bias, across the board and.., I believe when we get to the conversation about the Amrit project later on in the Agenda and not.., and, and I wanna go ahead and say, the Amrit is nothing like this but there has been a request from the Amrit's team to get a foundation permit and to get started before all the plans are fully approved. Again, different development team, different level of skill, a completely different [inaudible] to the project but to your point of, how do we make sure we don't end up here again, is some of the conversation we're about to have with the Amrit.

**MAYOR MASTERS:** Okay.

**CITY MANAGER EVANS:** And, and, I think through the...

**MAYOR MASTERS:** [Inaudible] Manager.

**CITY MANAGER EVANS:** And I think through the entire process, Staff has learned multiple valuable [stammer] lessons and I think that we are taking corrective measures and working with our partners in, in the private sector to ensure that. All we're asking for you to is, to come in and file a permit and work with us and communicate with us, as opposed to going through it the, the back way. And so, I think we're at a better point and I think, hopefully, we'll be able to get this situation resolved to where we're at a ribbon cutting as opposed to discussing this Item in a public forum. So, we will continue to keep the City Council abreast of this particular issue and inform you with regards to the progress that's made on this Item once we have the meeting of the minds to get this Item back in order.

**CHAIRPERSON MILLER-ANDERSON:** Okay. I'm.., I wasn't finished yet. I'm still on this Item. Could you finish your presentation on the Cold Storage, please? 'Cause I know we kinda started jumping in and asking you questions midstream? But I, I would like for him to finish his presentation. There.., I know that we're quick to move on passed this particular Item but there are issues that we are trying to skate over and act as if we don't know that they occurred. So, I want you to finish the Cold Storage presentation and then we'll go to public comments and then I will come back.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** There's not much more. As you can see, we ju'..., we simply sort of annotated the different meetings that we've had with the team and sort of benchmarks during the development process. So, we really don't have anything more in the presentation.

**CHAIRPERSON MILLER-ANDERSON:** Okay. That's it?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** That's it.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Okay. We're going to public comments for this Item. Ms. Mary Brabham. And then, Mr. Joseph Anderson. [Pause]. Ms. Mary Brabham? Oh, okay.

**MS. M. BRABHAM:** Kinda got stuck back there.

[Chuckle]

**MS. M. BRABHAM:** Ms. Mary Brabham, Riviera Beach. This is a totally disregard. We watched this building going up last year, we took notations. It is six..., one, two, three, four, five, six, maybe six, or eight..., six, six white garage doors that are there. We took notes of this building here. They knew what was going on. Also, City Staff, they disregarded our own rules and regulations. If we go to the Building Department and we decide to do anything to our homes, if we did this, we would have to tear it down and start all over again. This is not right. We cannot disregard this. This was a wrong that was done here and the people' hands that were in it, they knew that it was wrong. 2015 to, to, to 2017 here, yes, they knew about it. See, Ms. Brabham governs the same way I teach my kids and teach others. When you' done wrong, it doesn't justify any right. We can't get any right out of this. What about the whole City? What about the homeowners? I have some peoples that are, that are doing some work right here to..., in their home, in this City right here now, and they are, and they are going through a difficult process in order to..., for the inspection and this have to be done and this have to be done. And then you're gonna waltz by this and do this? This is wrong here. Bishop, don't sit up there and try to justify this.

**MAYOR MASTERS:** I'm shaking my head. I'm saying it's very wrong and dis'...

**MS. M. BRABHAM:** Don't sit here..., none of these Council people...

**MAYOR MASTERS:** And disrespectful.

**MS. M. BRABHAM:** Do not sit here and try to justify this because all over in that area there, we knew what was going on with this building here. They knew it too. Ever since 2015, I was in the Chambers when Bruce Guyton and that other Board sat up there and voted for that over in that area there. Yes, they knew what was going on. The leadership in this City, they were responsible for this. This is why we're so throttled with all of this here blatant [pause] work that has been done that was not done and it's a carry over. This was wrong. And we, as residents, we said all of 'em shoulda been fired for this. This is no justification. What ya gonna tell us, we, as residents to come in here and apply, and apply for a permit? Can we get this special treatment? No. No.

This is wrong. This is wrong and this wrong must be corrected here. We, as the residents, demand that this be corrected. You come through...

[Beep]

**MS. M. BRABHAM:**...the washer, you'll get caught through the ringer.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Ms. Brabham. Joseph Anderson.

**MR. J. ANDERSON:** Everything that she said was absolutely right. This is a cover up. This is a 63,000 square foot building. You can't tell me, I'm a contractor. Where was the master permit? You allowed a person to build a foundation permit and go all the way up and you're trynna tell me it wasn't no shenanigans? And you can't say that, 'Oh, it wasn't the building [stammer]...' Thank God for Mrs. March 'cause she's done her job. You cannot tell me because, number one, was there a succession plan? Who was driving the bus when you knew [pause] inspectors were leaving. They had a..., some of 'em was in a DROP program, there was no succession program and we're spending close to a half a million dollars on inspections. And our whole Building Department has been just totally deba'.., just, just torn down. So, when you start looking at who allowed this to go forward, there are some people that should be held accountable. You cannot go anywhere and build a 63,000 square foot building and get away with it. And you're trynna disrespect the City of Riviera Beach? And not only one shut down, two shutdowns and a third and now you're saying we're working with you? I've done work in many muc'.., many municipalities and you cannot get away with this. I do renovations, to remodels to commercial build out. I have to have a full set of plans before I proceed. And you're trynna tell me, 'Oh, they just had a foundation.' Did they have an electrical permit? [Pause]. What other permits that they had? And you red tag a building and they continue? This is crazy. Who allowed the building to go forth in, in the beginning? Who' hands? Did anybody.., where's the emails? This needs to be investigated and if you allow this to happen, this is a de'.., this is a derelict of duty, they're egregious act and you know.., you're trynna cover up for certain individuals. Now, if you want me to start naming names, I will but you need to look into this. It has to stop. Enough is enough. And you're trying to put certain positions.., people in positions to lead this City? You got to be kidding me. It's no way you can get away with this here and you wanna sweep it up under the rug, 'Oh, no harm, no foul, let's move forward.' No. You need to start cleaning house.

And there's no way in the world, anybody whose hands was on it, who was involved in it, who was a Assistant City Manager, whoever that was, they need to go.

**CHAIRPERSON MILLER-ANDERSON:** Thank...

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** ...you, Mr. Anderson. Yes, go ahead.

**MAYOR MASTERS:** I would direct the City Manager to conduct, to call in... I agree. If there's been anything that was swept under the rug, any, anything that was improper, I wanna know about it. And I want the evidence. I would think there oughta

be some type of independent investigation because this is bad. It's a bad look for the whole City. And I don't think it's something that we ought to just turn the head and just correct from here on, it goes back to the bottom line. So for me, I'm asking that, Mr. Manager, if it's within your [pause], however, jurisdiction, could you..., would it be possible to call for some type of investigation of this? A third party investigation?

**CITY MANAGER EVANS:** Currently, for the, the edification of the public, as well as the Council, we are looking at this particular matter with our internal auditor, as well as the OIG has been informed on both Items. So, Staff is working with the OIG's office with respect to the C.A.P. arrangement, as well as Cold Storage. So, you are having a inhouse analysis that is gonna be conducted, as well as the relationship with the OIG looking at these, these two particular items. So, that report will be furnished and published once it is completed.

**MAYOR MASTERS:** So, they're looking at everything, basically? From A to Z?

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

**MAYOR MASTERS:** How we got to this shameful spot. Okay. I'm, I'm okay with that as long as there's..., and we, we get it and it's made public. Um, shameful.

Thank you.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON DAVIS:** Just for the reputation of the City and our image to the public. It's good to see that we have a building official that's from Riviera Beach, that's prepared to address the situation. And that's what we should be proud of at this time. I will no longer continue to worry about playing defense when it comes to our City seal and logo. We're doing great now. The situation's handled, we're gonna stay focused and support our Staff. I'm not gonna focus on negativity. It does not dishearten what happened. Yes, there's some things that need to be addressed but moving forward, we're making money right now. We're gonna continue to cut checks until they get it right. If not, they'll be no licenses being issued. We cannot get in the role of address'..., being a building official. There are certain guidelines that, Mr. Evans has already been very clear to the public, about how they're governing with the building official. There's certain responsibilities. Even Mr. Evans can't oversee a building official. So, let's be very careful on what role we play as policymakers. Allow Staff to do their job. Yes, we had a gap in place. They had that gap. When Peter Ringle left, he just up and left. He didn't give us..., okay, in three, four or five months we're gonna leave. It just [snap fingers], it just happened. I'll never forget the day that I was walking in, I'm like, 'Well where you goin'?' He's like, 'I'm going to North Palm Beach.' Then, all of a sudden, we was left in a situation that we had to hire somebody. Okay? That's what happened. I remember it like it was yesterday. Okay? Just for the clarity of the public, that's how we lost our building official. He just up and said, I'm outta here. It wasn't a retirement thing, he just, 'I'm up and I'm gone.' Boom, he was gone.

**COUNCILPERSON HUBBARD:** Madam Chair...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** ...to that end, I wanna just say, you know, we have to...

**COUNCILPERSON DAVIS:** [Inaudible]...

**COUNCILPERSON HUBBARD:** We went out, we, we hired a company, C.A.P. and they did right by us. They looked out for us, they tried to take..., make sure that we were in a safe and a, and a, and a healthy place. They did what they were supposed to do, they took care of the City until we brought someone on, they closed them down. They did what we brought them in to do so we wanna acknowledge and thank them that they, um, that..., as, as, as one of our..., as, a a vendor, as a person that was hired to come in, they came in and they did what they were supposed to do in the role in which they, they played.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Now, I do want to make a comment of..., in regards to the investigation that is being, um, that's underway. I, I have a question and I don't know if police..., is there some form of a criminal law that would've been broken by them continuing to work when there was a red tag on there?

**CITY MANAGER EVANS:** One of the things I know, that we can go after the general contractor's license...

**UNK.:** Oh.

**CITY MANAGER EVANS:** And, and that would be something that I would recommend that we seriously consider based on the actions that this particular contract..., contractor did as it relates to this project because I think you have to send a clear and distinct message that this is not gonna be something that is tolerated but the process in which to do that, that is something, I think, that once the investigation is done, both from Staff and the OIG, the OIG may turn it over to the State Attorney's office if there's any malfeasance or misfeasance or criminal things like that and then the state Attorney's office will decide whether they prosecute.

**CHAIRPERSON MILLER-ANDERSON:** Right. Okay. And then any, um, I would like to make sure that those individuals who were aware of the situation... I know when it was on the news some time ago, that Ms. Roseanne Brown stated that it was, you know, difficult to know if a building is [stammer] being built and it's hard to keep track of things like that. So, you know, when that was stated on the news, I, I don't know if that sent a, a good message out there to the community basically saying we don't track, you know, our buildings that are being built out there and whether or not they're following proper proto'..., protocol. So, when we get ready to do that particular investigation, I will add some things to there to make sure that those individuals that were aware of it, that were a part of it, within the City, are..., that that is well known as well.

Now, I do want to say, I appreciate Ms. March stepping up to the plate when she did ask for that March shut down. However, I do believe that there has been some difficulties in her being able to perform her job and I., Mr. Davis is stating that we need to support her and follow behind her expertise and if she is an expert in that field and she is a building official, she should not be held with handcuffs on being able to make decisions that need to be made. And that is one of the areas in which I know that there's been some hostile work environment situations and that needs to stop. And, and so, if she's gonna do what she needs to do to save the lives of everyone around here, we need to be able to let her do that and, um, I'll just make sure that we have a further investigation as to what's going on so that she's able to get her job done in a proper manner and follow the codes that she needs to follow.

**CITY MANAGER EVANS:** Well, what I would do is, I would work directly with Ms. March on this particular Item since it's sensitive and it has come to the Council level and it is something that the Council is atunely aware of. So I will work with her specifically on this Item and representatives from C.A.P. senior Staff. So.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** There shouldn't be an issue. Okay. Again, anyone else? That's it?

**MAYOR MASTERS:** I agree with the Chair.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Item No. 24.

**COUNCILPERSON PARDO:** Wait. Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON PARDO:** Okay. So, are we going to the other part of this C.A.P.? The...

**CHAIRPERSON MILLER-ANDERSON:** I'm sorry. Yeah.

**COUNCILPERSON PARDO:** ...invoices?

**CHAIRPERSON MILLER-ANDERSON:** The C.A.P.s. I'm sorry, yes. You're right.

[Chuckle]

**CHAIRPERSON MILLER-ANDERSON:** We were on that one so long, we...

**CITY MANAGER EVANS:** Yeah.

**CHAIRPERSON MILLER-ANDERSON:** ...thought we had wrapped it all up.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** We can go on to 21.

**CHAIRPERSON MILLER-ANDERSON:** The C.A.P.S, I'm sorry. 18, yes.

**CITY MANAGER EVANS:** And, and if I., if I can try to, just as it relates to C.A.P., we can discuss, kind of, two components of it. The, the payment that is owed to C.A.P. as one and then the transition. So, we can talk about the payment aspect and then we can talk about how a transition would...

[Inaudible dais comment]

**CITY MANAGER EVANS:** ...look like. So, Mr. Bailey, if you could get us to the point where we can separate those two items and...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Right.

**CITY MANAGER EVANS:** ...be able to move forward.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** We had discussed the majority of this item in a previous Council meeting. You can see here some data on the workload that currently exists in the Building Department and we're currently in a, a wonderful and fortunate opportunity in a construction, sort of, boom. This data is about month old. With the amount of monies that we've collected through the front door of the Building Department in the way of anticipated revenue. In the previous meeting, I made the point that, at the time that C.A.P.'s contract was executed and came to Council, the intended and anticipated budget of approximately \$140,000 had a number of existing Staff still in place. Again, at the time, Mr. Peter Ringle was still here. We had our structural inspector, Dennis, who, come to find out, was a workhorse, conducting anywhere from 12 to 20 structural inspections per day.

**COUNCILPERSON DAVIS:** Wow.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** So, with the exodus of those two Staff Members, we've had a significant increase in the cost for opera'.., on the operational side to administer the Building Department and the prolonged gap without filling those positions.

So again, a little bit of history. At the time that Mr. Ringle left, P0112651 was executed with C.A.P., specifically and intended for building official services, to have a person with the appropriate credentials to be the City's building official. It, it is not an option for the City to not have a building official for the functioning of the Building Department, issuing of permits, in the event there's such a situation as a shutdown or a determination of the Florida Building Code, that functionality is absolutely critical for the City, at all times. The RFP that was issued and.., issued by the, the Board fo'.., allowed for P0114532, that purchase order was issued for \$100,000 knowing that it was anticipated ten to \$15,000 per month, previous, you know, before the leaving to use for Staff augmentation. Currently, \$46,000 of that purchase order had been paid for a total of \$69,000. As of April 4<sup>th</sup>, you can see the invoices that have been received by the City for C.A.P.'s services, as we just discussed at length. Administering the Building Department is complicated and time consuming and we have a large City, many Staff and individuals going to make sure that we protect the health, safety and welfare of the public and the costs that you see for those services, are reflective of the development



boom and the level of the responsibility and care that's necessary to keep construction moving in the City.

As I stated before, there is a Prompt Payment Act, Florida Statute 218-70 and we anticipate, at the next Council meeting, bringing you a budget adjusted.., adjustment request to that initial \$140,000 that was allocated in the FY17 budget to pay C.A.P. for services rendered. We had been discussing a 90-day plan that will be developed, that'll have many elements and I'll turn it over to Mr. Evans to, to discuss further the plan.

**CITY MANAGER EVANS:** I kinda wanted to break out the, the components as it relates to the balance that is owed to C.A.P.. They have invoked the Prompt Payment Act, Florida State Statutes 218.70, which requires, in a reasonable time, I believe it's about 10 days, for us to dispute any invoices for services that are rendered and, in the event that we do not dispute those in a timely fashion, we are to then render payment. So obviously from the previous slide, we have not provided payment to the vendor. So, we want to bring forward a resolution that brings us current with respect to the monies that are owed to C.A.P.. If it is the, the desires of the Council to kind of find out how we got to this particular point, Staff is prepared to answer and address those questions. In the actual contractual agreement between C.A.P. and the City of Riviera Beach, it was memorialized that a \$65.00 an hour rate would be levied for services provided, that it would be a term for about four years and that the funding that was allocated and proposed to be allocated in subsequent budgets, was \$140,000 a year. So clearly, we have exceeded what the budget amount is for this fiscal year and so Staff is trying to look at what options we have moving forward. But, I just did.., I wanted to separate that Item and we can speak specifically on that Item, then we can talk about some options as it relates to the, the transition. But Staff is prepared to discuss the invoices and, and the process as to how we...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** ...accumulated such a large balance.

**CHAIRPERSON MILLER-ANDERSON:** So, they can go ahead and do that.

**CITY MANAGER EVANS:** Yeah. If we want to kind of provide the Council some information as it relates to the invoice process and, and how we got to this particular moment in, probably, Finance and Procurement need to be prepared to address any questions or, or inquiries associated with this. If, if you can provide kind of a general overview and then...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** As a general overview, typically each purchase order or project has a project manager or an individual who receives invoice payment requests. Those payment requests are evaluated against the contract for scope, fee, appropriateness and, and other elements in relation to fitness for payment. Once it is determined that the invoices may be paid, they are sent over to accounts payable for processing on a weekly basis. Check runs are every Friday. So, that is the general process for how payment is executed, at the Staff level for projects of this nature.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** And, and when this project was competitively bid, it was intended to be a stop gap measure. I don't think Staff envisioned utilizing this service longer than probably a, a 120 days or what have you but, obviously, we've gotten to a point where it's become a, a way to augment the shortage that we're experiencing and we're having some, some difficulties with the respect to [pause] acquiring talent to be able to fill those capacities. So, I, I will have the Procurement Director kinda talk about the process and then where, with respect to Finance and Procurement and the department, where the hang up was with regards to the payment of the invoices. Now, I know one thing that having conversations with the Deputy City Manager today and Staff, that there are some items that we would like to speak with representatives from C.A.P., just for clarification purposes to.., there may be some charges that we would like to still, if, if we're able to, is ask for clarification or potentially dispute but that has to be something that the firm that we have a contract with is amenable to because, again, we missed that window that the statute allows for us to. So. Mr. Mealy and then Mr. Sherman.

**PURCHASING DIRECTOR MEALY:** Good evening, Council. Dean Mealy, Purchasing Director.

When we, as I mentioned last time we were here, last.., when we put the solicitation out, we had requested from Community Development to actually give us an estimated dollar value for the annual expenditure. The acting director, at that time, gave us a estimated dollar amount of \$140,000 a year. We issued a PO for \$100,000. At no time did the, the invoices come in to our department, they would actually.., had to go to Finance Department. What we have done, as I explained when I was here last time, was that we would note, on all future purchase orders, that the original invoices had to be sent to accounts payable within the Finance Department so this way, the clock would start ticking. So, we have implemented that process for all new PO's that had been issued out to all vendors, including, uh, any.., anything becoming forth with, with C.A.P..

**CITY MANAGER EVANS:** Mr. Sherman.

**FINANCE DIRECTOR SHERMAN:** Yes. Good evening. Randy Sherman, Director of Finance and Administrative Services.

The problem that we've had, actually, with C.A.P., the invoices are coming in and going to Community Development. That's not unusual, we get a lot of invoices that come directly to finance but, in this case, the, the invoices were going to Community Development, I believe, 'cause, I can tell you, they did not come to the Finance Department. At that point, I believe that, you know, Staff was possibly disputing some of those invoices, the hours, the contents of those invoices and while those invoices were being disputed, again, they were not being delivered to the Finance Department. We would only get those invoices once they were ready to be paid. I will tell you that the first time I actually saw the invoices was on April 5<sup>th</sup>. I was informed on March 27<sup>th</sup> the amount of the outstanding invoices and how much it actually exceeded the purchase order that we had but it wasn't until that time that the invoices were actually

delivered to the Finance Department. At that point, obviously, the.., as Mr. Evans said, the invoices exceeded, not only the purchase order but the available budget. So, we have been working with Community Development and the City Manager's office to come up with an approach to fund the old invoices and then address the, uh, any future invoices that may be coming for the months following. 'Cause I believe the invoices, at this point, are about \$398,000 and that goes through the month of March. I don't even know if the April invoice is in, we haven't seen April yet. So again, C.A.P. is continuing to work so we've gotta pay the old invoices and then address the, the invoices going forward.

**CHAIRPERSON MILLER-ANDERSON:** Do we have a contract manager that monitors whether or not we're exceeding the amount of money that we're supposed to be paying, based on the contract?

**FINANCE DIRECTOR SHERMAN:** We do and he works for Purchasing. And again, I don't know...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**FINANCE DIRECTOR SHERMAN:** ...if he ever...

**CHAIRPERSON MILLER-ANDERSON:** Mr. Mealy.

**FINANCE DIRECTOR SHERMAN:** ...saw the invoices. Right.

**PURCHASING DIRECTOR MEALY:** Ms..., Councilwoman Miller-Anderson, if Purchasing does not receive notification invoices have been received...

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**PURCHASING DIRECTOR MEALY:** ...there's nothing to monitor. This poi'... If we issued a purchase order, 'x' amount of invoices which total, I believe, \$46,000, came in.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**PURCHASING DIRECTOR MEALY:** That's where the benchmark would have been.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**PURCHASING DIRECTOR MEALY:** If invoices are not turned into Finance, there's nothing for us to do a check.., a review against the check run. What happens is, the contract administrator looks at the weekly check run. At that point, we match up the checks to the vendor or the contract and then find out what was done, what services were provided. In this particular case, C.A.P. is probably the best example of it, no invoices were paid so there's nothing for us to benchmark, there's no checks to have been flagged, [stammer], during the weekly [stammer]... We get check'.., a weekly check run from, from...

**CHAIRPERSON MILLER-ANDERSON:** So, wait a minute.

**PURCHASING DIRECTOR MEALY:** ...[inaudible].

**CHAIRPERSON MILLER-ANDERSON:** You said the invoices were paid. Who would've known that they were paid?

**PURCHASING DIRECTOR MEALY:** The original \$46,000 or, I think that was the dollar amount, that was the amount that was originally paid. That was...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**PURCHASING DIRECTOR MEALY:** ...from last November.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**PURCHASING DIRECTOR MEALY:** After that, no invoices were, were paid so there's nothing, no check runs were made to C.A.P.. If no check runs were made to C.A.P., there's nothing for me to do a benchmark test against.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So, we haven't paid them since what date? We're saying? Mr....

**UNK.:** Mr. Sherman?

**CHAIRPERSON MILLER-ANDERSON:** Come back up Mr. Sherman. You might need to jump in and out.

**FINANCE DIRECTOR SHERMAN:** [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** So, we haven't paid them since when?

**FINANCE DIRECTOR SHERMAN:** Yeah. It was either late October, early November. That was the last time we processed a payment.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And...

**FINANCE DIRECTOR SHERMAN:** And that went against that \$100,000...

**UNK.:** Purch'...

**FINANCE DIRECTOR SHERMAN:** ...as Mr. Mealy said, it was about \$46,000.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**FINANCE DIRECTOR SHERMAN:** And that was applied against the \$100,000 invoice. October?

**UNK.:** Yeah.

**FINANCE DIRECTOR SHERMAN:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**FINANCE DIRECTOR SHERMAN:** October.

**CHAIRPERSON MILLER-ANDERSON:** So, who are we... I know we keep saying that the invoices were sent to Community Development and they were held up there. Who in.., who are we saying in Community Development had the invoices and did not pass them along?

**FINANCE DIRECTOR SHERMAN:** [Inaudible].

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Please understand, at the time that this occurred, there was no Community Development Director and, therefore, it was sort of.., and no building official, to oversee this contract. So, it was an effort by committee. In Community Development...

**CHAIRPERSON MILLER-ANDERSON:** Including who? Who did that consist of?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Between the Assistant Director, Mr. Gagnon and Mr. Spradley, who was more involved intimately at the time.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Those two individuals, I would say were specifically working on the project until January, when Ms. March and I arrived into the department.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And so, with that being the case, at no point, Mr. Jones, would we have just left it with Mr. Gagnon and Mr. Spradley to oversee it or making sure that the invoices were being paid and, and making sure that we don't go beyond the amount that was allotted?

**DEPUTY CITY MANAGER JONES:** What we had was a, I think, three or four different elements flowing at the same time.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**DEPUTY CITY MANAGER JONES:** The initial invoices for C.A.P. came in to, um, Purchasing in October, early October...

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**DEPUTY CITY MANAGER JONES:** ...of 2016 and the amount of the invoices were quite shocking. And the level of backup that came with the invoices was missing. I notified Mr. Penin by email on.., actually, we met, I think, October the 10<sup>th</sup> and I desired additional information for the invoices, which would include a permit number, a location, the type of service delivered and the number of hours or time spent on that particular project. The initial invoices did not have that kind of detail.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**DEPUTY CITY MANAGER JONES:** So, with the amount of billing [stammer] that was associated with the invoices, I required additional detail. So, we met on October 10<sup>th</sup>, we had a mee'.., he se'.., I sent him a detailed email on October the 11<sup>th</sup>.

Sometime, I believe around [pause] November the 3<sup>rd</sup>, we received detailed billing, the contract manager, Mr. Wood, received detailed billing and forward tho'..., that information to Mr. Gagnon and Mr. Spradley for review. And we're still working on the first set of invoices so we did not receive any invoices at this point for additional work. We were just trying to clear up [stammer] those initial invoices. On November the 17<sup>th</sup>, I received an email from Mr. Gagnon stating that the documentation was sufficient and that that information has been justified, the number of hours put into the project was supported by the documentation received. At that point, I signed off on the invoices, authorizing payment for those initial invoices that was submitted initially back in October and I think it was around No'..., the middle part, near the holidays, for November. I did not see any more invoices until the beginning of the new year and one of the first assignments I discussed with the new building official was to get C.A.P. Government under control with the level of billing and to go through with a detailed eye on the services that we were being billed for because I think we were pushing back on, particularly the building official role, the number of hours the building official actually spent onsite versus the number of hours that the building official was billing to the City.

One of the primary reasons, I think the increased billing took place was the loss of Staff. Initially, when we went into the RFP process, we used previous data, that we had. Prior to C.A.P. Government coming onboard, we had a, another inspection company, HyBrit, working with Peter Ringle, our then building official and we had them on board for four or five months with the level of Staff we had and we did not exceed the \$25,000 range. After we went out on the..., during the RFP process, Mr. Ringle left around September the 12<sup>th</sup>. About a month later, then Dennis left and Dennis was a structural inspector performing about 20 inspections a day. Working an eight-hour day, having to replace that level of service with an outside vendor, will probably add roughly \$16,000 a month to whatever billings we had. That, along with the increase level of inspections due to the increase level of construction, probably put us outside of our budget but we..., or I did not receive any additional invoices directly until March 27<sup>th</sup> of this year.

So, I think it was a, a few things that took place...

[Inaudible dais comment]

**DEPUTY CITY MANAGER JONES:** ...that got us into this position but it started primarily with the lack of supporting documents from the initial invoices submitted by C.A.P.

**COUNCILPERSON DAVIS:** Ma'..., Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON DAVIS:** With all due respect, we still have a great deal of Items to get to. We actually have Items that we had moved up 'cause folks travelled to come and address. We're at 9:24, roughly. And we are not even halfway through the Agenda. These Items are very important and we wanna continue to do our due diligence but a lot of these things that we're discussing, they are not taking action, we

can do a more of a one on one session but we have a lot of action Items that I would hate to see get pushed off to another meeting.

**CHAIRPERSON MILLER-ANDERSON:** And I, I, I am right on board with you except for the fact that this is the same Item that we have been purposefully keeping off of the Agenda and pushing to the end of the Agenda so that we do not have the time that is needed to discuss this Item. So, I understand that and I'm fine with moving on but we are going to address this just as I said with that Cold Storage information as well. This is not over, we're not done with this. We have a lot of Items on here that need to be talked about but one of the things we're gonna have to do is make sure we don't put 30 things on the Agenda that are controversial. We knew Viking was gonna take time.

**UNK.:** [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** We knew that it was going to be an issue. Many of these Items...

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** ...they came up, at some point...

**CHAIR PRO TEM DAVIS JOHNSON:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** ...I suppose but we know that there are certain things that we don't need to put on here that are going to take several hours at a time.

**COUNCILPERSON DAVIS:** [Stammer].

**CHAIRPERSON MILLER-ANDERSON:** So, that is something that will be addressed for..., going forward and hopefully we're all on the same page with that.

**COUNCILPERSON HUBBARD:** Before you move...

**CITY MANAGER EVANS:** Ma'...

**COUNCILPERSON HUBBARD:** ...forward, Ms. Madam Chair...

**CHAIRPERSON MILLER-ANDERSON:** Yes. Go ahead...

**COUNCILPERSON HUBBARD:** I would like to make...

**CHAIRPERSON MILLER-ANDERSON:** ...Ms. Hubbard.

**COUNCILPERSON HUBBARD:** ...a point. I, I want to have for, for the sake of clarity, Mr..., Mr. Jones stated that the invoice went to, went to Purchasing and that..., before they were, before they were scrutinized, sent to him and then he asked..., then he asked Jeff and Deandre Spradley to, to go over them and give him their, their oaky. So, we don't wa' [pause]. We don't, we don't... And Mr..., Mr. Bailey stated, you know, and I wanna do this for the point of clarification that they started with [pause] Mr. Spradley and Mr. Gagnon. They only got back to Mr. Gagnon after, after the fact because they aren't here to defend themselves, I don't want it to seem like they were the hold up and

they were the reason why Mr. Carlos' firm has.., had not been compensated. Maybe Mr., Mr. Bailey went straight to the end but Mr. Jones walked us to how they got on the desk of Mr. Gagnon and Mr. Spradley. More so Mr. Gagnon. As, as they gave you the nod that these are okay for payment and you did such.

**DEPUTY CITY MANAGER JONES:** Yeah. We didn't receive what I thought was the justifiable backup...

**COUNCILPERSON HUBBARD:** Right.

**DEPUTY CITY MANAGER JONES:** ...to support the documents to, I think, around November...

**COUNCILPERSON HUBBARD:** Mhmm.

**DEPUTY CITY MANAGER JONES:** ...the 10<sup>th</sup> or November the 3<sup>rd</sup>, I can't remember, and I got 'em back from Mr. Gagnon around November the 17<sup>th</sup>. And this was the.., those were the initial invoices. And there.., there's one other factor that took place that I think is worth mentioning, that Novem'.., October the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>, we had a hurricane come through, required additional inspections and I think we.., they delineated some specific bills as it related to the hurricane in, in those particular billings.

**COUNCILPERSON DAVIS:** [Stammer].

**COUNCILPERSON HUBBARD:** Okay. I just wanted to make sure that nobody left thinking that...

**DEPUTY CITY MANAGER JONES:** At no point in time did I wanna blame Mr. Spradley or Mr. Gagnon for the delay in the process of those bills.

**COUNCILPERSON HUBBARD:** Absolutely.

**DEPUTY CITY MANAGER JONES:** They were just a part of the process.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** Madam Chair?

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Alright. Did we have anything we wanted to add to that since you said this was just a discussion and we weren't taking any action.

**COUNCILPERSON DAVIS:** And I'll yield because of Ms. Pardo.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON PARDO:** I have...

**CHAIRPERSON MILLER-ANDERSON:** Ms. Pardo.



**COUNCILPERSON PARDO:** Yeah. So, I have a question. The bills are substantial. So, what are the, you know, top three projects they've been working on?

**DEPUTY CITY MANAGER JONES:** They probably spent a lot of time at Cold Storage. You know, the owner of Cold Storage, like most of you said, was very hardheaded and did not want to comply with the City. If you notice in some of the backup that you received, at some point in time, we stopped dealing with the owner who was the principal coming in to discuss this information with the City and I sent a letter to the contractor because it's the contractor's license who's on the line, who was continuing to work and when we de'.., decided to shut them down, we wanted to definitely put the contractor on notice and stop dealing with Mr. [inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON PARDO:** Okay. So...

**CHAIRPERSON MILLER-ANDERSON:** Oh, go ahead.

**COUNCILPERSON PARDO:** ...in addition... I'm sorry. Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** No. Go ahead.

**DEPUTY CITY MANAGER JONES:** You have the Blue and, again, I think the majority of, of the inspections were structural inspections and that's what took up a lot of time. Stru'.., and plans review. Oh, and the Cheney Brothers Cold Storage, as well, was one of them.

**COUNCILPERSON PARDO:** Okay. And have they been doing anything on the Amrit?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** [Inaudible].

**DEPUTY CITY MANAGER JONES:** They've been working on the Amrit as well.

**COUNCILPERSON PARDO:** Okay. So, do you think you can go through all of the invoices and then breakdown, you know, what percentage of the invoices were the Vista Blue...

**DEPUTY CITY MANAGER JONES:** Initially...

**COUNCILPERSON DAVIS:** Yeah. They should...

**DEPUTY CITY MANAGER JONES:** ...they did not include the permit number. So, one of the things I pushed back on was, every inspection has to be tied to a, a permit and a location so that's.., that'll be pretty easy to do. They ultimately supplied us this information in a spreadsheet, an Excel spreadsheet so it will be pretty easy to sort and get that information.

**COUNCILPERSON PARDO:** Okay. Thank you. I'd like to see that, please.

**DEPUTY CITY MANAGER JONES:** Okay.

**COUNCILPERSON DAVIS:** Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON DAVIS:** As we move forward, I wanna be very clear to the public, this Item was never.., at least as.., and I was the Chair previously, was never kept off the Agenda. If someone had submitted it, it never made it to the City Manager's office. And be clear, this is an Item that Staff deal on, on, on a Staff level. At no point, should we be dealing with this at this level unless it got to a legislative decision. Or a legal decision. We.., if we wanna get through these meetings, Items like this shouldn't be on the Agenda. Now, if you wanna ask for an update at the end where it says Staff update from Mr. Evans, or legal or whoever it is, then get the update at that time. But we just [stammer] now we just took an almost an hour just...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** ...[stammer]

**COUNCILPERSON HUBBARD:** I agree...

**COUNCILPERSON DAVIS:** My, my point. You get where, where I'm...

**CHAIRPERSON MILLER-ANDERSON:** I got...

**COUNCILPERSON DAVIS:** ...going with this?

**CHAIRPERSON MILLER-ANDERSON:** I got your point. Yeah.

**COUNCILPERSON HUBBARD:** I agree with Madam Chair but this...

**COUNCILPERSON DAVIS:** [Inaudible] process.

**COUNCILPERSON HUBBARD:** ...had to be flushed out at some point.

**CHAIRPERSON MILLER-ANDERSON:** Right.

**COUNCILPERSON HUBBARD:** And, and sometimes...

**COUNCILPERSON DAVIS:** [Inaudible background].

**COUNCILPERSON HUBBARD:** ...things take a long time and I agree with Madam Chair that this is...

**COUNCILPERSON DAVIS:** [Inaudible background].

**UNK.:** [Sh sh sound]

**COUNCILPERSON HUBBARD:** It had to be done.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Alright. So, [stammer] one of the things that Ms. March is saying, we need to.., we need a decision on paying this.., these invoices, right? We have to go ahead and pay 'em...

**CITY MANAGER EVANS:** We'...

**CHAIRPERSON MILLER-ANDERSON:** But we're...

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** ...now... \$140,000 is what was allotted so they're putting in a, a budget adjustment request for us to now pay up to three hundred and something thousand dol'., two hundred and some thousand dollars more.

**CITY MANAGER EVANS:** We're, we're bringing that forward to the Council at the next regular meeting of the City Council because we're finding which...

[Inaudible dais comment]

**CITY MANAGER EVANS:** ...revenue or which funding streams that we have to pull from...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

[Inaudible dais comments]

**CITY MANAGER EVANS:** ...for the purpose of that. So, that will be coming before the Council at the next meeting.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And so, when we do that, then we can add on the additional questions that may came out because of all of that. So...

**CITY MANAGER EVANS:** Yeah. You could certainly...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** ...do that.

**DEPUTY CITY MANAGER JONES:** And Madam Chair, just so you know that the, the, the amount of inspections and the amount of fees will continue because the level of work being done in the community and the lack of Staff. I think Mr. Bailey will discuss his transition plan but...

**CHAIRPERSON MILLER-ANDERSON:** Right

**DEPUTY CITY MANAGER JONES:** ...to the immediate future, those numbers will continue.

**CHAIRPERSON MILLER-ANDERSON:** You wanna hold that part...

**CITY MANAGER EVANS:** Yeah. One.

**CHAIRPERSON MILLER-ANDERSON:** ...until the next...

**CITY MANAGER EVANS:** ...one of the.., for the sake of the discussion on the transition plan, I had a conversation with [stammer], the representatives from C.A.P., as well as

finance today and, and some of the other subject matter experts and we would like to bring forward a transition plan that looks at contracting out for services as well as providing the services inhouse and what are those costs going to be so the Council can get an apples to apples comparison, so you can determine which level of service because one of the challenging things that we've experienced is that the market is so competitive and so hot right now...

**COUNCILPERSON DAVIS:** Mhmm.

**CITY MANAGER EVANS:** ...that, for us to be able to attract people with that skillset, we're looking at bringing them in.., you would look to have to bring them in almost 25 to 30 to 40% over the starting and then you have issues with regards to internal equity in the organization. So, if the Council would give us an opportunity at the next regular Council meeting to bring forward the resolution to pay C.A.P. Government for the services rendered previously and then the subsequent meeting follow that to bring forward a transition plan so the Council can give Staff direction as to which plan that you prefer, as well as the opportunity for a contract modification. I think there're some opportunities to allow for a modification in the agreement that will eliminate a lot of risk for the City moving forward. But, it's gonna take probably about 30 days to get us to that point. But I can have that.., all that wrapped up in about a 30 days period. And then I have a meeting scheduled on May 8<sup>th</sup> with the principal from C.A.P. Government to talk about our specific arrangement.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Is there anything else?

**CHAIR PRO TEM DAVIS JOHNSON:** Madam...

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM DAVIS JOHNSON:** ...Chair. So, we need a resolution for you to pay them for services rendered?

**CITY MANAGER EVANS:** Yes, ma'am. Because we're gonna be doing a budget transfer and it's over the, the threshold that, that's provided for the city Manager and this was an, an unbudgeted expenditure.

**CHAIRPERSON MILLER-ANDERSON:** Okay? Alright.

#### **24. ITEM NO. 24**

**CHAIRPERSON MILLER-ANDERSON:** We're going to Item No. 24.

**DEPUTY CITY CLERK BURGESS:** **ORDINANCE NO. 4095. AN ORDINANCE OF THE CITY OF.., COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA PROHIBITING THE PRACTICE OF CONVERSION THERAPY ON PATIENTS WHO ARE MINORS, PROVIDING FOR CODIFICATION PURSUANT TO §1-8 OF THE CITY'S CODES OF ORDINANCES, PROVIDING FOR CONFLICT, SEVERABILITY, FOR OTHER PURPOSES AND PROVIDNG AN EFFECTIVE DATE.**

**COUNCILPERSON DAVIS:** So moved.

**COUNCILPERSON HUBBARD:** Second.

**COUNCILPERSON PARDO:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Who's doing...

**DEPUTY CITY MANAGER JONES:** Madam Chair, this I'., this Item was brought before you on March 1<sup>st</sup> for the first reading. Since that time, Staff has not received any additional comments. We're asking that you approve this Item as originally read.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** Call the question.

**CHAIRPERSON MILLER-ANDERSON:** We have one comment card. Ms. Mary Brabham.

**MAYOR MASTERS:** Madam Chair, while Ms. Brabham is coming quickly. Ms. Flo [sp] from Hilltop Church would like for me to make a quick announcement while she's coming. That anyone that would like to ride the community bus that will be going to Charlie Wilson's concert, to contact her. They still have seats available. 203...

**UNK.:** [Chuckle].

**MAYOR MASTERS:** ...218-3085. I don't think that's funny.

**UNK.:** [Inaudible].

**MAYOR MASTERS:** I'm just making an announcement. I got a...

**CHAIR PRO TEM DAVIS JOHNSON:** That's Charlie Wilson. I...

**MAYOR MASTERS:** Charlie Wilson.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead, Ms....

**CHAIR PRO TEM DAVIS JOHNSON:** That's what...

**CHAIRPERSON MILLER-ANDERSON:** ...Brabham.

**CHAIR PRO TEM DAVIS JOHNSON:** ...my chuckle was for [inaudible]...

**MS. M. BRABHAM:** Ms. Mary Brabham, Riviera Beach.

**MAYOR MASTERS:** [Inaudible].

**MS. M. BRABHAM:** This was on the Agenda last week and I had put in a card for it on last week. The children under 18 years old. You see, I have on all of my bright colors today because we are all human beings.

**COUNCILPERSON PARDO:** Amen.

**MS. M. BRABHAM:** Regardless. We all have our goals, our visions and we all should be respected. No matter who we are. This type of therapy and stuff, it does more harm than it does good. Children become stressful, dehumanized, not feeling like they're worthy, let down, put down, ostracized by society.

**COUNCILPERSON PARDO:** Mhmm.

**MS. M. BRABHAM:** These are our babies.

**COUNCILPERSON PARDO:** Yep.

**MS. M. BRABHAM:** And, and I'm glad that, perhaps that, in this City here, that we say that we stand by for what is right. We know that our president, previous president coulda had the stroke of a, of a pen and he coulda done anything that he wanted to do. It went to the Supreme Court but I, I, I believe that they all thought about what the Heavenly says, 'Let the wheat and the tare go together and in the day of the harvest, I will do the separation.' And he gave us another commandment too. That was a new one that was included within the 10 that he gave us. 'Love thy neighbor as ourselves.' So, these are our children, these are our adults and who are we, the justification will come from above. Within a twinkling of an eye, the heart does not belongs..., we, we walk around with our heart but it belongs to a greater power. We are only like the creatures that crawl and walk the earth. So, I say too, that Ms. Brabham say that, you know, this is hu'..., inhumane and I'm totally, totally, totally..., I speak from the heart.

Thank you.

**CHAIR PRO TEM DAVIS JOHNSON:** Thank you, Ms. Brabham.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Ms. Brabham. Alright. Do we have any...

**COUNCILPERSON DAVIS:** I'm ready to support it.

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

**COUNCILPERSON PARDO:** Absolutely. It's [inaudible].

**MAYOR MASTERS:** Brabham, you sound like a reverend tonight, almost.

**UNK. AUDIENCE:** Yeah.

**COUNCILPERSON DAVIS:** Alright. Let's go.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis?

[Pause]

**COUNCILPERSON DAVIS:** Oh. Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

**COUNCILPERSON PARDO:** That's great.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**27. ITEM NO. 27**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 27.

**DEPUTY CITY CLERK BURGESS:** Solicitation of professional services for labor to...

**CHAIRPERSON MILLER-ANDERSON:** No. I thought it was...

**DEPUTY CITY CLERK BURGESS:** Oh, sorry. 27.

**CHAIRPERSON MILLER-ANDERSON:** ...discussion and deliberations.

**DEPUTY CITY CLERK BURGESS: DISCUSSIONS AND DELIBERATIONS BY COUNCIL FOR THE CITY OF RIVIERA BEACH TO IMPLEMENT A SUMMER YOUTH EMPLOYMENT, SYEP, AND JOB TRAINING PROGRAM FOR QUALIFYING RIVIERA BEACH YOUTH.**

**CITY MANAGER EVANS:** If, if I can have the Chief of Police, as well as Ms. Valerie Grimsley come up to the podium. This particular Item is to seek direction from the Council as to how you would like to proceed as it relates to this topic. We have had a conversation with a potential service provider and I did provide that to the Council in an email and, unfortunately, the information that was proffered from that particular entity would not be able to get to the point where we believe the Council wants to go on this particular topic. So, this Item is to really seek direction from the Council as to how you would like for Staff to proceed. Obviously, time is of the essence so we are here, prepared to answer any questions that the Council may have and to get some clarification as to what the employment program would look like for the summer months for our youth.

**COUNCILPERSON DAVIS:** Ma'... [stammer]...

**COUNCILPERSON HUBBARD:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Alright. We're..., got a presentation? Or you..., are you [inaudible].

**COUNCILPERSON HUBBARD:** No. A comment, question. I mean...

**CHAIRPERSON MILLER-ANDERSON:** Do we want them to go do the presentation first or you wanted to add something to it first?

**COUNCILPERSON HUBBARD:** I just wanted to add this before, before they come forward to make...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** ...to make their presentation. In the workshop that we, that we had, we did discuss the [pause] trying to see if Urban League would be a, a good third party for us. While we saw that they..., we found, as the email indicated that Mr. Evans sent to us, that they, that they were not..., it wouldn't be feasible for the..., for us, for us to use them. However, as it was also stated, time is winding down. With the, with the Urban League not being able to do that, we..., I would like, and hope that tonight we can get..., retain the support that you've given us to, to just..., to go ahead and to move forward to get the jobs secured. One of the, you know, one of the different, the different ways... If we, if we did it, if we did it inhouse and expand the program that [pause] the YEP, the Youth Empowerment Program is doing this year the..., and use them for this year until we can get our sea legs for next year. Also, the representative..., the Senator Bobby Powell has informed us that we are still alive and well as far as, as far as receiving some funding for, for, for this program. Also, the Mayor has committed to bringing on board at least 40, 40 positions. But what I will say is this. We are, with a short, um, with a short window of time, we..., my, you know, my office can help to do some outreach and to get people in place but we are gonna need a body out there, knocking on doors because we've..., we've eaten up four weeks now since we started this conversation as to getting, as to getting the jobs secured. The other thing is that we, we have all the lists of the businesses, so we're gonna send them a mailing and, with the Police Department, the Chief is gonna tell you how they can help us as well, with, with some of this.

But I, you know, I just want us to not to have to come back every time that [pause]. One of the ideas we have don't go well, then we, then we come..., then we come back and forth. I would just like us..., if we're gonna do it, to, you know, move, to move forward with it, get these children these jobs. [Stammer]. Unfortunately, they have already started to, to call because they're looking, you know, forward to..., forward to, to working.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.



**COUNCILPERSON DAVIS:** Has Staff had a conversation with Councilperson Hubbard to, to identify... As we..., she started with a goal of a number which we know, at this time, something [inaudible], it's, it's a long term goal, there's a way we can get it done but have we identified a number we can address this year on an expansion?

**CITY MANAGER EVANS:** We have and, and, and I would let Ms. Grimsley, she put together a proposal...

**COUNCILPERSON DAVIS:** Okay.

**CITY MANAGER EVANS:** ...with respect to what we can conceivably do for this summer and so, we can share that...

**COUNCILPERSON DAVIS:** That's what I wanna hear, yeah.

**CITY MANAGER EVANS:** ...with the Council, if you'd...

**COUNCILPERSON DAVIS:** Yeah. [Inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM DAVIS JOHNSON:** Prior to Ms. Grim'.., Ms. Grimsley coming, recognizing that the Urban League cannot fill the need that we have, I gave it some thought after our workshop and actually penned some thoughts, uh, because I, I really wanted us to understand that the children that we send out, will be the face of the City of Rivera Beach. And so, it was my sug'.., it is my suggestion, as we are thinking of other avenues to travel in order to get the Summer Youth Employment Program off the ground, I think that we should consider allowing the City of Rivie'.., Riviera Beach within our various departments where we can house to be a training ground or for us to think about an employment readiness, employability's, employability skills training element of the Summer Youth [stammer], Summer Youth Employment Program.

With that being said, what I'm suggesting is that a, a portion of the funds that were allocated in this \$300,000 is that we consider an eight-week summer intensive and concentrated training program, certainly to be utilized because Ms..., Ms. Grimsley currently has something in place, maybe we can just piggyback or somehow formulate an intensive program that will give them the necessary skills so that when we move forward next year, they have al'.., they have been prepared over this summer...

**COUNCILPERSON DAVIS:** For next year.

**CHAIR PRO TEM DAVIS JOHNSON:** ...to be able to go out next year.

**COUNCILPERSON DAVIS:** Right.

**CHAIR PRO TEM DAVIS JOHNSON:** Because, what we don't want to do, is damage any partic'.., you know, with, with kids not really having the experience that they may

necessarily need to go out into the work force and we're talking about those that are 14.., I think we, we said 14 through 21. So, if we could.., they could still be paid out of...

**COUNCILPERSON DAVIS:** [Inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** ...part of the dollars in order to get them ready so that when we go into the next summer, those students will then just transition right into a working situation.

So, that was something that I wanted to consider. I ha'.., I don't know what Ms. Grimsley's full plan is and it may include something of.., along those lines but I really gave it thought and I want us to be able to make sure that our children, our children of Riviera Beach, are prepared and ready to go. There are some of them that may be older that may have some work experience, that we want to put into those job opportunities for those businesses that have reached out to us but, for the younger ones, I think that we really should focus in on employability and training prior to sending them out.

**COUNCILPERSON DAVIS:** Thank you. And Madam Ch'...

[Inaudible dais comment]

**COUNCILPERSON DAVIS:** Madam Chair, as she approaches, I would like to make a motion to extend the meeting to 10:15.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Is there a second?

**COUNCILPERSON HUBBARD:** A second.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**CHAIR PRO TEM DAVIS JOHNSON:** Okay. I'm sorry, let's be realistic.

**COUNCILPERSON HUBBARD:** Oh.

**CHAIR PRO TEM DAVIS JOHNSON:** Let's be realistic. It's, it's 9:45. We're saying...

**COUNCILPERSON HUBBARD:** 10 [inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** ...30 minutes.

**COUNCILPERSON HUBBARD:** Let's do it one time, 10:55.

**CHAIR PRO TEM DAVIS JOHNSON:** Just.., let's do it one time and, and be done.

**COUNCILPERSON DAVIS:** What's that timeframe?

**CHAIRPERSON MILLER-ANDERSON:** Well, I mean, we're moving pretty swiftly now.

**CHAIR PRO TEM DAVIS JOHNSON:** Well, we still have...

**CHAIRPERSON MILLER-ANDERSON:** Are we gonna do...

**CHAIR PRO TEM DAVIS JOHNSON:** ...we have...

**CHAIRPERSON MILLER-ANDERSON:** ...11 o'clock?

**CHAIR PRO TEM DAVIS JOHNSON:** ...we still have discussion.

**COUNCILPERSON PARDO:** The Amrit's...

**CHAIRPERSON MILLER-ANDERSON:** Does anyone...

**COUNCILPERSON PARDO:** ...gonna be hours.

**CHAIRPERSON MILLER-ANDERSON:** ...make a motion to...

**CHAIR PRO TEM DAVIS JOHNSON:** Yeah.

**CHAIRPERSON MILLER-ANDERSON:** ...11:00?

**COUNCILPERSON HUBBARD:** Ten fif'...

**COUNCILPERSON DAVIS:** [Inaudible].

**COUNCILPERSON HUBBARD:** 10:55. I, I mean, and if we don't use all of it, then we don't use all of it.

**COUNCILPERSON DAVIS:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** So, you're s'... Did someone second him?

**COUNCILPERSON DAVIS:** Yes. They., there's a second on the floor.

**COUNCILPERSON HUBBARD:** A second...

**CHAIRPERSON MILLER-ANDERSON:** And so...

**COUNCILPERSON HUBBARD:** ...for the...

**CHAIRPERSON MILLER-ANDERSON:** ...go ahead and call it.

**COUNCILPERSON HUBBARD:** ...10:55.

**COUNCILPERSON DAVIS:** Huh?

**COUNCILPERSON HUBBARD:** Uh...

**COUNCILPERSON DAVIS:** Do you want me to amend my motion?

**COUNCILPERSON HUBBARD:** If you would, sir.

**COUNCILPERSON DAVIS:** [Ooo sound].

**COUNCILPERSON HUBBARD:** I mean, if we don't use it all, we don't...

[Chuckle]

**COUNCILPERSON DAVIS:** Oh, we're gonna use it all.

**COUNCILPERSON PARDO:** You're gonna [chuckle]...

**UNK.:** You're gonna use it all [inaudible].

**COUNCILPERSON PARDO:** You're gonna be here 'til 2:00 a.m...

**COUNCILPERSON DAVIS:** [Stammer] I will...

**COUNCILPERSON PARDO:** ...if you make it through...

**COUNCILPERSON DAVIS:** I will...

**COUNCILPERSON PARDO:** ...the Agenda.

**COUNCILPERSON DAVIS:** ...amend my motion to 10:30 then, and see how far we get from there.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Good.

**COUNCILPERSON DAVIS:** And if I have to go 10:55, will do.

**CHAIRPERSON MILLER-ANDERSON:** Let her, let her call the...

[Inaudible background comment]

**CHAIRPERSON MILLER-ANDERSON:** ...vote right quick.

**COUNCILPERSON HUBBARD:** Go ahead.

**DEPUTY CITY CLERK BURGESS:** You second that, Ms....

**COUNCILPERSON HUBBARD:** I second...

**DEPUTY CITY CLERK BURGESS:** [Inaudible].

**COUNCILPERSON HUBBARD:** ...it, ma'am.

**COUNCILPERSON DAVIS:** Yeah. 10:30.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** No.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Um...

**DEPUTY CITY CLERK BURGESS:** I'm sorry.

**CHAIRPERSON MILLER-ANDERSON:** Miller-Anderson, yes. [Pause]. So, who, who did you skip?

**DEPUTY CITY CLERK BURGESS:** Can I redo that?

[Inaudible background comment]

**CHAIRPERSON MILLER-ANDERSON:** Yes. Go ahead.

**DEPUTY CITY CLERK BURGESS:** Yes, please.

**COUNCILPERSON PARDO:** Councilman Davis out.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis?

**COUNCILPERSON DAVIS:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** No.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** That vote passes with Councilperson Pardo and Pro Tem Davis Johnson...

**COUNCILPERSON HUBBARD:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON HUBBARD:** Before Mrs. Grimsley come, I wanted to, uh, the Chair to give some more informa'.., I, excuse me. I'm looking at the Chief and saying the Chair.., some more information [stammer], hopefully, about... If you have any thoughts you wanted to add or, or share about...

**POLICE CHIEF WILLIAMS:** Ms. Hubbard, I think we, we should, for the sake of time, Ms. Grimsley and a lot of.., anything I would've added will probably be covered in her and you'll get the complete picture. The commitment that the Police Department is.., has made to Ms. Grimsley is to assist her with any outreach efforts, identifying

suitable work sites, so, I will personally help her with that aspect. So, children that are identified will have wholesome places to work and that, that'll be our commitment to the project.

**COUNCILPERSON HUBBARD:** Okay. Thank you. And the only thing I, I, I want to say is, the entire program, from the beginning of its conception, was to have employability skills training for all the kids, 14 to 21. We know that some of the little kids, 14 and 15, might not be able to go on a job site...

**COUNCILPERSON DAVIS:** [Inaudible].

**COUNCILPERSON HUBBARD:** ...so they might get some classroom different types of things going on but what I., what, so, we., so, adding employability skill training or workplace behavior, isn't, isn't different or a new twist. It was always one of the things that we wanted to add to, to, to that program.

Ms. Grimsley, please.

**YEP DIRECTOR GRIMLSEY:** Good evening.

**COUNCILPERSON DAVIS:** Good evening. How you doing?

**YEP DIRECTOR GRIMLSEY:** Valerie Grimsley, Youth Empowerment Director. What we did is, we took the current proposal that the Urban League gave, which they were gonna serve 85 kids and we took the same proposal and we would serve the same number of youth. We would serve 30 kids that are 14 to 15 and we'll give them an intensive job readiness type program, which is evidence based. And then, we would take 55 kids from 16 to 21 and actually place them in an external position, outside of the City. Because Youth Empowerment already has 20 slots that were pa'..., that are paid for by the Palm Beach County.

**COUNCILPERSON HUBBARD:** Okay.

**YEP DIRECTOR GRIMLSEY:** So, we will [stammer] actually, ultimately, be placing more than 85 kids, this year.

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** So, how many additional Staff people will you need?

**YEP DIRECTOR GRIMLSEY:** Three.

**COUNCILPERSON PARDO:** Okay. And [pause], the 55 children from 16 to 21, will they get any training or...

**YEP DIRECTOR GRIMLSEY:** Yes. They would.

**COUNCILPERSON PARDO:** ...will they just go into the field?

**YEP DIRECTOR GRIMLSEY:** No.

**COUNCILPERSON PARDO:** Alright. So...

**YEP DIRECTOR GRIMLSEY:** They would actually get training. These kids would not go to work until June 19<sup>th</sup> because we are behind the 8-ball so we would need to give them intensive job readiness training.

**COUNCILPERSON PARDO:** And when would the program begin?

**YEP DIRECTOR GRIMLSEY:** June 19<sup>th</sup>. And they would work until the week of August 7<sup>th</sup>.

**COUNCILPERSON PARDO:** Right. So when.., when does the training aspect come in?

**YEP DIRECTOR GRIMLSEY:** Immediat'...

**COUNCILPERSON PARDO:** Does that start on the 16<sup>th</sup>?

**YEP DIRECTOR GRIMLSEY:** We would need...

**COUNCILPERSON PARDO:** And they do...

**YEP DIRECTOR GRIMLSEY:** ...to start immediately.

**COUNCILPERSON DAVIS:** [Inaudible].

**YEP DIRECTOR GRIMLSEY:** If we.., if we are approved to go forth, we would...

[Inaudible dais comment]

**YEP DIRECTOR GRIMLSEY:** ...need to start next week.

**COUNCILPERSON PARDO:** Okay. So, we still have to identify the children...

**YEP DIRECTOR GRIMLSEY:** Yes.

**COUNCILPERSON PARDO:** ...though?

**CITY MANAGER EVANS:** And certainly, if, if it is the pleasure of the Council, I would ask that if this is something that we want to support Ms. Grimsley, and she's put together a comprehensive report that shows that the actual cost would roughly be about \$226,000 based on the numbers that she has proffered, to include the additional Staff. But if that is something that the Council would like to move forward, I would ask that the Council direct the City Manager to move forward with the process to appropriate the funds immediately to, in fact, allow for Ms. Grimsley to begin and then we can memorialize it by virtue of a resolution at the next regular Council meeting but actually transfer the funds so she can start the process today versus waiting another two weeks.

**COUNCILPERSON PARDO:** Right. And then... Madam Cahir, I have one last question. So, Ms. Grimsley, where are you [pause]... Do you have to advertise for these three Staff positions? What are...

**YEP DIRECTOR GRIMLSEY:** We [inaudible]...

**COUNCILPERSON PARDO:** ...you gonna do with that?

**YEP DIRECTOR GRIMLSEY:** We would need to, yes.

**COUNCILPERSON PARDO:** Okay. So, it.., does that go through HR?

**CITY MANAGER EVANS:** Yes.

**COUNCILPERSON PARDO:** What happens with that?

**YEP DIRECTOR GRIMLSEY:** It would have to go through HR, yes.

**COUNCILPERSON PARDO:** Okay. Alright. Thank you.

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** Okay. So, we have... Are you finished with your presentation?

**YEP DIRECTOR GRIMLSEY:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** We have one public comment card. Ms. Mary Brabham. As she's co'.., are you coming or no?

**MS. M. BRABHAM:**[Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** You're good?

**MS. M. BRABHAM:**No.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** [Inaudible].

**MS. M. BRABHAM:**Proceed forward.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** Alright. [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Alright.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** Did you have something else to add, Ms....



**COUNCILPERSON HUBBARD:** I guess I'm [pause], I'm, I, I do wanna get with Staff, both Ms. Grimsley and the City Manager to see what..., to make sure that this is what we're looking for and what, what we want to see the end product..., this end product be and what, and what we're, and what we're trying to do. Some of the kids won't, you know, and I think that..., I do think that we'll probably be able to honor more than..., to host more than 85 kids.

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON HUBBARD:** I, I think we'll be able to host, host way more than, than 85 kids. I think that if..., once we get out into the public, you have businesses that are willing to pay for some of the slots for the, for the kids...

[Inaudible dais comment]

**COUNCILPERSON HUBBARD:** ...that we won't be actually paying for out of our pocket, so that we can..., so that, you know, I don't wanna lea'..., misund'..., you know, my colleagues to misunderstand where I'm trying to go and what..., once we get off this dais, what we're trynna do. What I'm, what I'm hoping for is, with the, with the funds and the money that Ms., Ms. Grimsley already have, with the fact that we have businesses out there that are going to pay for some of the ki'..., for some of the kids out of their pocket...

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON HUBBARD:** ...we're gonna host more than, um, we're gonna host more than the 85 kids and we're looking to move as fa'..., you know, host as many kids as the money that we get in, will allow us for, to have the young kids involved as well and to also once..., and if the money come down from the Senator...

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON HUBBARD:** ...that, that too will help with, with some of, some of the costs. We said \$300,000 that we will set aside for this then, you know, and I think that with that, what's coming down the pipe, we will do more than 85 kids. So, I'm not gonna tie..., I don't wanna tie myself, or us, up to say we're looking for 85 kids when we've been trying to get as clo'..., as many kids employed as we can in the City.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

[Inaudible background comment]

**CHAIRPERSON MILLER-ANDERSON:** Thank you. I think we...

[Inaudible dais comments]

**CHAIRPERSON MILLER-ANDERSON:** ...we got..., you got clear direction on what it is...

**CITY MANAGER EVANS:** And, and...

**CHAIRPERSON MILLER-ANDERSON:** ...that you're gonna do, right?

**CITY MANAGER EVANS:** And certainly, if it is the... What we will do is, we will proceed forward accordingly to effectively transfer the money to the, to the appropriate department and then begin the process for recruiting and establishing the program. We will definitely sit down, if it is the, the pleasure of the Council, to sit down with Councilwoman Hubbard to talk more specifically on the program but also, one of the things that we have to be, based on the analysis that Ms. Grimsley has proffered, as we continue to add kids, we have to continue to add Staff...

**UNK.:** Uhuh.

**CITY MANAGER EVANS:** ...and so, that may eat into the cost as well. So, we'll look at all those di'.., different things but based on the Item that has been presented today, we'll move forward accordingly and, and report back to the Council.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So do you need for any.., us to make any...

**CITY MANAGER EVANS:** No. We...

**CHAIRPERSON MILLER-ANDERSON:** ...motion or anything?

**CITY MANAGER EVANS:** ...will memorialize it in a resolution...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** ...for the transfer of the funds next regular Council meeting.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So...

**MAYOR MASTERS:** [Inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** ...that's the end of...

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Hold on one minute, Mayor.

**MAYOR MASTERS:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** That is the end of No. 27. We're going to move into 28 and, as we do that though, I do want to put this here, out there because it was just brought to my attention that the Item that we went over for the Consent with Mr. Degraffenreidt, with the dismissal of the case, it has the incorrect case number, Mr. Degraffenreidt?

**CITY ATTORNEY DEGRAFFENREIDT:** Sorry.

**CHAIRPERSON MILLER-ANDERSON:** What.., can you cor'.., can you tell us a little bit about this Item No. 1 that has the wrong case number?

**CITY ATTORNEY DEGRAFFENREIDT:** The wrong case number...

**CHAIRPERSON MILLER-ANDERSON:** Pull your mic down, please.

**CITY ATTORNEY DEGRAFFENREIDT:** The correct case number is 50-2016-CA-001527.

**CHAIRPERSON MILLER-ANDERSON:** So, this number is totally incorrect?

**CITY ATTORNEY DEGRAFFENREIDT:** It is. The one...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY ATTORNEY DEGRAFFENREIDT:** ...that's... The one that's in the Agenda package is incorrect.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So, what, what do we need to do to fix this so that we, um...

**COUNCILPERSON DAVIS:** This, this is an easy fix.

**CHAIRPERSON MILLER-ANDERSON:** What., so that we make sure that this Item moves forward as, as intended, being that it was put there?

**CITY ATTORNEY DEGRAFFENREIDT:** It was, I believe, approved as part of the Consent Agenda.

[Inaudible dais comment]

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

**CHAIRPERSON MILLER-ANDERSON:** Based on that number.

**CITY ATTORNEY DEGRAFFENREIDT:** Yes. And we've just corrected the number.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So as long as the number's correct and now that it is., it., that's suffice?

**CITY ATTORNEY DEGRAFFENREIDT:** That would be correct.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** We don't need to...

**CITY ATTORNEY DEGRAFFENREIDT:** That would be...

**COUNCILPERSON HUBBARD:** ...pull it out and...

**CITY ATTORNEY DEGRAFFENREIDT:** ...the number...

**COUNCILPERSON HUBBARD:** ...vote on it?

**MAYOR MASTERS:** No. He'll, he'll...

**CITY ATTORNEY DEGRAFFENREIDT:** No.

**MAYOR MASTERS:** ...just fix it. He can just fix it.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes. You're...

**MAYOR MASTERS:** Just on the No. 27. I know you're moving to 28 but, just for the record, the 40 young people that I've committed, that I promised to Councilwoman Hubbard, those 40 people, 40 young people will be paid by local businesses or either special, other programs. So, they will be Riviera Beach, um, young people. So, none of the money from the, um, that you're giving to the program will...

**COUNCILPERSON DAVIS:** From Riviera Beach.

**MAYOR MASTERS:** ...have to come from there. They'll be paid by companies like Marriott and Hilton and so forth and so on.

Thank you, Madam Chair.

**COUNCILPERSON HUBBARD:** Thank you, [inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you.

**COUNCILPERSON HUBBARD:** ...Mayor.

**28. ITEM NO. 28**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 28.

**DEPUTY CITY CLERK BURGESS:** **DISCUSSION AND DELIBERATION ON THE WELLNESS RESORT AND SPA PROJECT APPROVED AT 3100 NORTH OCEAN DRIVE BY CITY RESOLUTION NO. 143-15 ON OCTOBER 12, 2015.**

**CHAIRPERSON MILLER-ANDERSON:** Go ahead. Who's going?

**CITY MANAGER EVANS:** Mr. Gagnon.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, thank you. Good afternoon, Mayor, Council and Staff. Jeff Gagnon, Assistant Director of Community Development.

Just for the record, it's out of order but I have a different recollection on the C.A.P. Item so I'll provide that in writing to the City Manager's office.

Back on topic, this Item is just for discussion and deliberation in regards to 3100 North Ocean Drive. As a brief overview, we'll include the project information and location,

also, the previous resolution and conditions of approval, as well as requested project amendments. The Amrit development team is here tonight as well and they have additional information they'd like to share with the Council and general public as well.

Just for a brief history, the project has historically been referred to as the Amrit project. However, that name has morphed into Wellness Resort & Spa. It's also referred to as the Amrit Wellness Resort & Spa or variations of that name. So, if you hear that name in the community, it's, it's all the same project on the same property, located at 3100 North Ocean Drive. It is located just north of the Tiara and south of the Marriott development. The zoning and future land use is resort hotel and the project proposal is based on approximately 7.1 acres of land. [Pause]. Here is a location map for reference. [Pause]. You can see, it's directly east from Surf Road. [Pause]. And, here's an aerial view of the property. The date of the actual aerial, I believe, is a few months back so it may not be accurate to today's site conditions, however, this gives you a, a better aerial overview of the project location. [Pause]. So, the City Council, historically, granted development approval through resolution No. 143-15. That occurred on October 12<sup>th</sup> of 2015. The approval was for two 20 story high rise buildings and that also included 150 resort hotel rooms and 209 resort hotel suites. Approximately 30,000 square feet of spa area was approved, as well as 10,000 square feet of restaurant and bar space. There were portions of the building... During this time, let me take a step back. During this time, the City was contemplating modifying the setback line for coastal development. This project was provided to Staff prior to that modification of the coast construction line for a setback so the Council used the 1979 coastal construction control line for development approval of this project versus the 1997 coastal construction control line which is the current standard for development setbacks along the Atlantic Ocean. And, with the resolution, there was a site plan, landscape plan and building elevations. Attached is Exhibit A, B and C and those have been included in your Council packet as backup information as well.

So, this is the original Site Plan that was Exhibit A with the resolution. I'll try to mouse over the, the two areas. This was the western tower, 20 stories. This was the eastern tower, 20 stories. You can note, this line represents the 1979 coastal construction control line, or approximately there.., the location thereof. [Pause]. This is the landscape plan that was approved of the development. Again, the dash line here is the 1979 coastal construction control line. This is the west tower and the east tower. The drive aisle into the property, roundabout for drop off and transportation to and from the property. And parking garage structure was underneath in this area. [Pause]. So, this is the south elevation that was provided with the original resolution. We have three other elevations following this that provide [pause] the other direction, this is the north elevation. [Pause]. The west elevation. So, this would be the view looking east, to the Atlantic Ocean. So, if you're on North Ocean Drive, this would be the view if you were directly in front of the property. And this would be the view from the east elevation from the water.

So, within approval of Resolution 143-15, there were specific conditions of approval. In fact, there were 16 conditions of approval and they're outlined in full detail within the actual resolution that's attached as backup. And what Staff did, is identify on this slide

and the following slide, each condition of approval and an overall status of that condition of approval, just for reference. So, there's a requirement, condition number one is for a landscape bond. Typically, that's provided towards the end of the project, so that is still open and would remain so until about the end of the project, once all the landscaping is planted and final inspection occurs. Number two is more of a [stammer], excuse me, a perpetual condition which deals with advertisement requirements so they would have to advertise that they're located in the City of Riviera Beach and they wouldn't be able to advertise that they're located in, uh, Palm Beach Gardens, for example. [Pause]. Number three is construction timeline and the requirement that construction must be initiated with 18 months of approval. That condition is still open and there's actually..., Staff was provided with a letter based off of Governor's Declaration of State of Emergency so Staff's still investigating whether or not the letter is valid. It appears to be, however, there might be additional timeline for construction which would be associated with, um, condition number three and also condition number four. So, approximately an additional year has been added to both those timelines.

Number 5 was a self-satisfying condition. Once that resolution was approved, that site plan would really make any other site plan null and void and take precedence for that site development.

**CHAIRPERSON MILLER-ANDERSON:** Mr. Gagnon, I'm gonna ask that you speak a little quicker.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** I'm sorry.

**CHAIRPERSON MILLER-ANDERSON:** Knowing that we are probably not going to want to extend the time.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Understood.

**CHAIRPERSON MILLER-ANDERSON:** So we can get through and not have to bring this issue back.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Understood. Number six is probably the Item that we're really gonna focus on tonight and that provides Staff..., City Council provided Staff with the administrative authority to prove deviations to the plans within five percent from the original approval. The amendments that are proposed by the Amrit development team seem to be within that five percent deviation. However, we wanted to make sure that the process was transparent and provide that information to the Council and general public. So, you'll notice there will be architectural elements that have changed from the original approval to what's being proposed so we just didn't want any surprises moving forward.

Um, and at that point... [Pause]. Let's see if I can... Running through the additional conditions, there's really nothing that is as pressing on this slide. [Pause]. So again, condition number six talks about the administrative approval not to deviate greater than five percent from the original approved submittal. And there are specific amendments that were requested by the development team which were outlined in the March 13,

2017 letter from the development team and that was revised on March 17<sup>th</sup> so the specific amendments are itemized in that correspondence.

This is a breakdown of the specific elements that are proposed to be amended. Um, it shows the, the previous approved..., approval, whether it's building dimensions or type of unit, total unit counts, square footage of space or type of space. So that's outlined on these slides as well, which is provided within the letter that was previously referenced. [Pause]. There was a minor reduction in parking spaces, modifications to the garage entrance. I guess due to fire department request, there were other modifications for a fire station that were provided by the applicant as well. [Pause]. So, this is revised elevation that was contained within their building permit set. So, there's some minor architectural differences. We still are questioning, I guess, whether or not there's any building elements proposed east of the 1979 coastal construction control lines so we can work with the development team to make sure that, um, all, all code requirements are satisfied in regards to that. I believe the development team has some better images. Unfortunately, I had to scan these in but this is a revised elevation of the development proposal. And this would be kind of a view facing both east and south.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Is that it?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Just for the record, this is the site plan that's provided, as well as the landscape plan. The second sheet of the landscape plan, again, shows the '79 coastal construction control line and Staff is just questioning some of the elements that, that are within that area. And that is it.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you. We have two public comment cards and then we'll come to the Board. Mr. Gary Hines and then Ms. Marie Davis.

**MR. G. HINES:** Good evening, Madam Chair...

**MAYOR MASTERS:** Good evening.

**MR. G. HINES:** ...Mayor.

**CHAIRPERSON MILLER-ANDERSON:** Good evening.

**MAYOR MASTERS:** Good evening.

**MR. G. HINES:** Council Members, Mr. Evans. For the record, Gary Hines with the Business Development Board of Palm Beach County. Through the years, the BDB has..., had, had great pleasure in working with companies that are either relocating or assisting in the Palm Beach County and a number of those, I'm pleased to say, have come to [stammer] Riviera Beach. A couple recent projects we worked with, uh, Lockheed Martin, building equipment for our military men and women and, more exciting, it was mentioned recently, Sancilio and Company, we helped them get a sizable grant to expand about 200 jobs there and wouldn't it be wonderful to hear that a cure for [stammer] Sickle Cell is developed right here in Riviera Beach. But, a project

I'm also very excited about is the one that's before you tonight, the Wellness Resort & Spa. I think this is a great project, not just for this community but for all of Palm Beach County. Several key points, this project will create over 650 permanent jobs. The construction alone, will probably create over 1,000 jobs, over the construction period. And very important, this project will bring \$38,000,000 of revenue to the City [stammer], City of Riviera Beach. I think it's gonna be a jewel, uh, in Riviera Beach and I think it's one that this Council and this community, and the county, can be very proud of.

Thank you for your time.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Ms. Marie Davis.

**MS. M. DAVIS:** I promise to be brief. My name is Marie Davis. I am a resident of Singer Island.

And, um, many years ago, the City, the City Council passed a resolution saying that any new development on Singer..., any new development on Singer Island, the developers must come to the community [stammer] our community and have a public meeting. On Monday night, we had a public meeting with the developers. We really weren't quite sure why we were there but I spoke to the young lady tonight and she said tonight is mainly an update of where they are in the project. Some of the neighbors had concern about the, the, um, the sand and the dirt that's actually goi'..., flying across the street, across the road into their, into their yards. It's sort of piling up everywhere. Also, trash ever place as well. And there was some concern about turn lanes and the safety once the, the real construction, real construction begins.

Just to give you a little history, this project... Oh, also, I sat on the Planning & Zoning Board until 2015. This history, briefly, is this has been an open project since 2004 and it's had various generations of changes and that sort of thing, not all of which we thought were an enhancement to our community. But, any event, it is what it is and I hope that you will, um, I don't wanna say execute but you will support Staff with the same vigor regarding this project that you have and the other projects tonight.

And also, I'm a very..., I'm very strong and I think our community has to be strong in making certain that we have a s'..., for lack of a better word, a real strong zoning code because that is the [stammer], the cornerstone of a successful City. If we don't have a good strict zoning code that we abide by, then we have nothing.

Thank you so much.

**CHAIRPERSON MILLER-ANDERSON:** Thank you so much. Do we have any comments from the Board?

**COUNCILPERSON PARDO:** Yes. Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** Alright. So, I have some questions for Staff. So, going through the documents, it seems like the plan is somewhat convoluted. So, you



know, I went and I pulled some public records and there was a email from Andrew Degraffenreidt to, um, you know, one of the owners, Shama. Okay? And they talk about the Unity of Title and in the Unity of Title, they mention condominiums. So, Mr. Degraffenreidt said, 'What's going on with this?' You know, 'We looked in the resolution, there's no mention of condominiums in the resolution. And then, I looked at the [pause], the letter from the county regarding sea turtle lighting and, in the letter, it mentions.., now, this is coming from the county, 'Blah, blah, blah for the multi-family residences at 3100 North Ocean Boulevard.' So, I'd like to know, is this still a hotel? Is it a hotel condominium? What is going on with the, the condominium aspect because this is the first time, you know, after reading the documents, the first time I heard about it. There's no mention of condominiums in the orig'.., original resolution from 2015.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Terrence Bailey, Director of Community Development. At this time, we've received no formal request to revise their Site Plan to provide for condominium or residential use at the site. There are, there are terms mentioned.., the co'.., the word condominium was mentioned in the Unity of Tile.

**COUNCILPERSON PARDO:** Right.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** There has been emails back and forth to the effect of the potential use change and what that would trigger, if the intent for condominiums was a future request and that would, basically, start over with a new site plan process because the current site plan does not contemplate that level of residential for this site.

**COUNCILPERSON PARDO:** And then, if it was a condominium.., you know, I notice that they're asking to reduce parking spaces but condominiums would.., you would need additional parking, correct?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Yes. And in that process, for a request to revise the site plan, a full analysis, bringing the project up to today's code for all elements in reference to residential condominiums, including parking demand, would be done in the analysis on the property.

**COUNCILPERSON PARDO:** Okay. My other... And, Mr. Degraffenreidt, do you have anything to add to the condominium aspect of, you know...

**CITY ATTORNEY DEGRAFFENREIDT:** No, ma'am.

**COUNCILPERSON PARDO:** Everything that we're seeing in the documents that mention condominiums but nothing in the resolution?

**CITY ATTORNEY DEGRAFFENREIDT:** It was [stammer]... There has been, as indicated by the [inaudible] Director, there's been no formal request to amend the project to address a condominium use, as I understand it. It, it was just strange to me that condominium was used in reference to the Unity of Title. And until such time as they formally request that, there is really no issue.

[Inaudible dais comment]

**COUNCILPERSON PARDO:** Okay. So, they're just...

**CITY ATTORNEY DEGRAFFENREIDT:** And then, have to go back...

**COUNCILPERSON PARDO:** ...floating it around...

**CITY ATTORNEY DEGRAFFENREIDT:** ...to square one if they do, I think. [Chuckle].

**COUNCILPERSON PARDO:** Okay. And then, um, when was the 180 days up?

[Pause]

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** In the letter that we received from, I believe the developer's attorney, their [pause], their definition of when the clock started, appears to be different than the day the resolution was authorized. And, I don't have that date off the top of my head. Wh'.., the Council meeting that made the resolution effective [inaudible]. [Pause]

**COUNCILPERSON PARDO:** October 12...

**COUNCILPERSON DAVIS:** October, right?

**COUNCILPERSON PARDO:** ...2015.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** [Stammer] October 12, 2015. So, I believe, April 12 of this year would be the, the timeframe.

**COUNCILPERSON PARDO:** So, did they meet everything they were supposed to meet?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Well, as we stated, in the letter that went from their legal department to our legal department, in reference to the Governor's, uh, [pause]...

**CITY ATTORNEY DEGRAFFENREIDT:** Declaration of Emergency. There's a statute that extends the time with respect to issue development permits and approvals based upon a Declaration of Emergency by the government, I think.., Governor, and I forget the exact period of time. It's, like, three hundred [inaudible]...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** There, there's a series of...

**COUNCILPERSON PARDO:** Like, three hundred and sixty...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** 364 days...

**COUNCILPERSON PARDO:** ...four days?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...were the total proposed by the legal team in reference to the Zika outbreak for Palm Beach County and the Governor's Executive Order in reference to Zika.

**COUNCILPERSON PARDO:** Do we know if anyone on their team was bitten by a mosquito that had Zika?

**UNK.:** [Chuckle].

**COUNCILPERSON PARDO:** No. I'm just curious because it's...

[Inaudible background comments]

**COUNCILPERSON PARDO:** ...really the first time that I heard that someone was using the Zika epidemic to, you know, to try to delay a project.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** And as we stated, the, the.., that issue is still under discussion and analysis between our department and legal as to whether that is a, an appropriate extension for a year, in essence, on the timelines laid out by this Board.

**COUNCILPERSON PARDO:** Right. And then today, the Governor declared an epidemic [stammer], you know, the whole opioid thing. So, does that add an additional year? So now will they have over two years? I guess that's something Mr. Degraffenreidt or, I'm sure, one of their attorneys will...

**CITY ATTORNEY DEGRAFFENREIDT:** We'll look at...

**COUNCILPERSON PARDO:** ...take a look at.

**CITY ATTORNEY DEGRAFFENREIDT:** ...[stammer]...

**COUNCILPERSON PARDO:** We'll get another letter...

**CITY ATTORNEY DEGRAFFENREIDT:** We're not quite...

**COUNCILPERSON PARDO:** ...from Gunster.

**CITY ATTORNEY DEGRAFFENREIDT:** ...in agreement on the application of the law at this point and I understand what.., why you raised that question.

**COUNCILPERSON PARDO:** Okay. Yeah. Because I spoke with a couple of attorneys and...

**CITY ATTORNEY DEGRAFFENREIDT:** Yeah.

**COUNCILPERSON PARDO:** You know, they said no.

**CITY ATTORNEY DEGRAFFENREIDT:** It's not [inaudible].

**COUNCILPERSON PARDO:** [Inaudible] has come to them. And, you know, if you really wanna get your project done, you're gonna move forward with it. Alright.

And then, my last question is, so were they asking.., I received a couple of emails from people in the Tiara about issuing a permit for the foundation. Do we.., now, we just went through this issue with Cold Storage, don't we usually issue the entire, um, you

know, set of permits instead of just a permit for a foundation? Shouldn't there be a, a full set of permits? And, can you tell me what's going on with all of those permits, sir?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** They've made a full and complete submittal for review, uh, for the entire project package. It is very large, as you can imagine, with this scale of a project. They've requested that the foundation permit be issued in advance and during the review for the full project. We indicated that, because the site plan had changed, buildings had moved slightly and the issue with what may or may not be being constructed on the other side of the coastal construction line, we did not feel comfortable issuing a foundation permit for a foundation that may, I say may, be on the other side of the coastal construction line until we can determine, definitively, what those elements are showing in the plan that appear to be on the other side of that line.

**COUNCILPERSON PARDO:** So, have you met with them? Have they told you...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** We've had a number...

**COUNCILPERSON PARDO:** ...what they're...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...of meetings...

**COUNCILPERSON PARDO:** ...[stammer] proposing? Is anything west of the line or you can't get a straight answer? Uh, east of the line, I'm sorry.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** We have not been able to determine definitively what those elements are, east of the coastal construction line.

**COUNCILPERSON PARDO:** Okay. Thank you.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Mhmm.

**COUNCILPERSON HUBBARD:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON HUBBARD:** Do you, do you know where the, um, east..., the, the coastal line is?

**COUNCILPERSON PARDO:** Mhmm.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** It, it's shown on the plans that they provided...

**COUNCILPERSON HUBBARD:** Okay. [Inaudible]...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...where the line is and what..., and there are...

**COUNCILPERSON HUBBARD:** And...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...what appear to be elements east of that line.

**COUNCILPERSON HUBBARD:** Now, you say, 'Appear to be.' Can you not tell definitively, based on the plans that you have and the fact that you know where the coastal line is, whether anything is east of it or not?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** There is, obviously, something east of the line. The question is...

**COUNCILPERSON HUBBARD:** No. Not obviously, you said it appears to be. So, if it was obvious, you would've said that it was and that's why I'm just trying to get a point of clarification, sir. Don't get slick.

[Inaudible background comment]

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** What, what I'll do for discussion purposes, is just pull up the most recently proposed site plan. [Pause]. And actually, I think it's, it's probably more visible on the landscape plan. So, we'll bring that up for discussion.

**COUNCILPERSON HUBBARD:** So..., while you're bringing that up, gentlemen, if there is something that you've determined that's east of the construction coastal line, would..., have you indicated that to them, that they need to move it back or remove it? [Pause]. Or make it..., or, or alter it so that it would, it would, that it..., so that it would fit?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes. I think that Staff's made that clear. I guess during the Staff discovery phase, for lack of a better term. Typically, a developer, if there's amendments to a project, they provide the amendments to Staff, Staff reviews those amendments to see if it's something that can be approved administratively. If it's something that's very large scale, it may have to go through the, the approval process through Planning & Zoning Board and City Council. With this process, it seemed that Staff had to attempt to identify the differences between the approved plan and what was being proposed. So, because it wasn't provided to Staff in advance, it was [pause], I guess a, 'Where is Waldo,' type of exercise for Staff. So, the line that we're discussing runs north and south, right here. So, this is the, the building footprint itself.

**COUNCILPERSON HUBBARD:** Mhmm.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** And the building foundation. And then there's other elements here. I believe it's some sort of covered canopy structure or garden that may be referenced in another plan. However, this is the line and we just have questions of Staff exactly how this, this element will interact with the site and to ensure that all the existing codes, as far as setbacks, are met.

**COUNCILPERSON HUBBARD:** Okay. One other question. Before the [pause], you said the..., they're coming up? The..., Mr. Gagnon, the changes that they made were

because a.., for, for a public safety requirement and they needed to make them because of the public safety [pause] requirements?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** I, I've heard that, however, this element was not shown on the original site plan...

**COUNCILPERSON PARDO:** Right.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...but it exists...

**COUNCILPERSON HUBBARD:** Which element?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** So this, this outline, of whatever this is. So, this garden element. So, it was not shown on the original site plan. I don't believe that this would relate to fire safety which may be in conjunction with parallel parking, fire access or maybe a turning radius, I can see that relating to fire safety. However, this seems to be more of an, an architectural addition that, in my opinion, doesn't directly relate to a fire access issue.

**COUNCILPERSON HUBBARD:** Okay. Yes. And I think that what I was referring to were more of a circular element...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, ma'am.

**COUNCILPERSON HUBBARD:** ...and it's not on this particular drawing. As you said, the.., they might have a different one...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yeah.

**COUNCILPERSON HUBBARD:** ...or a clearer one or, or a better one.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yeah. So, this, this is the...

**COUNCILPERSON HUBBARD:** That's...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...I guess, the roundabout...

**COUNCILPERSON HUBBARD:** Yes.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...in the middle of the site. Um, and this was modified and I believe that was modified due to, um...

**COUNCILPERSON HUBBARD:** The public safety.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...turning radius...

**COUNCILPERSON HUBBARD:** Yes.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:**...requirements.  
Yes...

**COUNCILPERSON HUBBARD:** That's what I...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...that's  
correct.

**COUNCILPERSON HUBBARD:** ... was referring to.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, ma'am.

**COUNCILPERSON HUBBARD:** Okay. So... Okay. So, everything is fine. You said  
they had something that they were gonna show us or no? Or everything's good?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yeah. The  
development team is here tonight as well. I believe they have a presentation.

**COUNCILPERSON HUBBARD:** Okay.

**MAYOR MASTERS:** Something else?

**CHAIRPERSON MILLER-ANDERSON:** Alright. We're, we're gonna be expiring in our  
time. Do you all want to entertain a motion?

**COUNCILPERSON HUBBARD:** We could...

**CHAIRPERSON MILLER-ANDERSON:** We have...

[Inaudible dais comments]

**CHAIRPERSON MILLER-ANDERSON:** We only have a few more left. I don't know  
that many of these are gonna take a long time. I... Maybe 30...

**COUNCILPERSON HUBBARD:** You mean, entertain...

**CHAIRPERSON MILLER-ANDERSON:** ...45 minutes?

**COUNCILPERSON HUBBARD:** ...a motion to...

**CHAIRPERSON MILLER-ANDERSON:** Go bey'... We're getting ready to...

**COUNCILPERSON HUBBARD:** Oh. I thought...

**CHAIRPERSON MILLER-ANDERSON:** ...expire at...

**COUNCILPERSON HUBBARD:** ...you meant to...

**CHAIRPERSON MILLER-ANDERSON:** ...10:30.

**COUNCILPERSON HUBBARD:** ... vote on this.

**COUNCILPERSON PARDO:** That's why we sh'...

**CHAIRPERSON MILLER-ANDERSON:** Huh?

**COUNCILPERSON HUBBARD:** Okay.

**COUNCILPERSON DAVIS:** There's...

**COUNCILPERSON HUBBARD:** I thought you were saying to vote on their issue.

**CHAIRPERSON MILLER-ANDERSON:** No, no, no. Our time., I wanted to do it before...

**COUNCILPERSON HUBBARD:** Oh.

**CHAIRPERSON MILLER-ANDERSON:** ...they started because our time is gonna be up in five minutes. So, is...

**COUNCILPERSON DAVIS:** Ma'.., Ma'...

**CHAIRPERSON MILLER-ANDERSON:** ...there a motion to...

**COUNCILPERSON HUBBARD:** I move...

**CHAIRPERSON MILLER-ANDERSON:** ...extend?

**COUNCILPERSON HUBBARD:** ...that we extend the time to 10:55?

**CHAIRPERSON MILLER-ANDERSON:** We have other Items. Do we just want to finish this one or we're trying...

**COUNCILPERSON DAVIS:** I wanna fi'...

**CHAIRPERSON MILLER-ANDERSON:** ...to bring the...

**COUNCILPERSON DAVIS:** I wanna finish...

**CHAIRPERSON MILLER-ANDERSON:** ...others...

**COUNCILPERSON DAVIS:** ...this Item.

**MAYOR MASTERS:** Yeah. Me too.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**UNK.:** [Stammer]...

**CHAIRPERSON MILLER-ANDERSON:** What motion., who wants...

**CHAIR PRO TEM DAVIS JOHNSON:** No. No...

**CHAIRPERSON MILLER-ANDERSON:** ...to make...



**CHAIR PRO TEM DAVIS JOHNSON:** ...no, no, no.

**CHAIRPERSON MILLER-ANDERSON:** ...a motion?

**CHAIR PRO TEM DAVIS JOHNSON:** No.

**COUNCILPERSON PARDO:** Why did we...

**CHAIR PRO TEM DAVIS JOHNSON:** Why do we keep putting ourselves in this position that we have to continuously do this?

**COUNCILPERSON DAVIS:** [Inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** This is... I, I am going to extend but, Mr. City Manager, moving forward...

**CHAIRPERSON MILLER-ANDERSON:** We've already talked about that.

**CHAIR PRO TEM DAVIS JOHNSON:** It ca'.., this...

**CHAIRPERSON MILLER-ANDERSON:** We've already...

**CHAIR PRO TEM DAVIS JOHNSON:** ...is ridiculous.

**CHAIRPERSON MILLER-ANDERSON:** ...talked about it.

**CHAIR PRO TEM DAVIS JOHNSON:** We may have talked about it but we don't seem to...

**CHAIRPERSON MILLER-ANDERSON:** No, no, no.

**CHAIR PRO TEM DAVIS JOHNSON:** ...be getting it.

**CHAIRPERSON MILLER-ANDERSON:** I told.., I just told him we're not gonna go beyond 20 until we can get it together...

**CHAIR PRO TEM DAVIS JOHNSON:** It is...

**CHAIRPERSON MILLER-ANDERSON:** ...as a Board.

**CHAIR PRO TEM DAVIS JOHNSON:** ...ridiculous.

**CHAIRPERSON MILLER-ANDERSON:** Right.

**CHAIR PRO TEM DAVIS JOHNSON:** Because we have folks coming here and we're beginning to look most unprofessional and unprepared. So, tonight it stops. I will make the motion to let this meeting go 'til 11:15 but we've gotta stop it.

**CHAIRPERSON MILLER-ANDERSON:** That's already been addressed. I agree with you wholeheartedly and I think that's what I stated at the beginning before we started our meeting. So, that has been discussed. These Items were already on here.

**CHAIR PRO TEM DAVIS JOHNSON:** You may have had a discussion with him but I wanna publicly...

**CHAIRPERSON MILLER-ANDERSON:** I understand.

**CHAIR PRO TEM DAVIS JOHNSON:** ...say this.

**CHAIRPERSON MILLER-ANDERSON:** I understand.

**CHAIR PRO TEM DAVIS JOHNSON:** Because we, we wo'... I, I won't be a party to this.

**CHAIRPERSON MILLER-ANDERSON:** Well, you, you do understand I gotta get up in the morning too so I understand. And...

**CHAIR PRO TEM DAVIS JOHNSON:** That's not the...

**CHAIRPERSON MILLER-ANDERSON:** ...I'm, I'm...

**CHAIR PRO TEM DAVIS JOHNSON:** ...issue, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** ...here with you.

**CHAIR PRO TEM DAVIS JOHNSON:** I'm sa'..., and I understand that you're agreeing with...

**CHAIRPERSON MILLER-ANDERSON:** But we...

**CHAIR PRO TEM DAVIS JOHNSON:** ...me but...

**CHAIRPERSON MILLER-ANDERSON:** But, as a Board, we, we are not getting through the business and we do need to get through the business. So, I'm okay with extending but we'll, we'll, we'll get it together. So, what is it?

[Inaudible background comment]

**COUNCILPERSON HUBBARD:** I'm..., I was making the motion that we extend the...

**COUNCILPERSON DAVIS:** It's done, right?

**CHAIRPERSON MILLER-ANDERSON:** She said...

**COUNCILPERSON HUBBARD:** ...the meeting...

**CHAIRPERSON MILLER-ANDERSON:** ...11:15.

**COUNCILPERSON HUBBARD:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** So, do we have a second?

**CHAIR PRO TEM DAVIS JOHNSON:** So, we don't have to come back and do it.

**CHAIRPERSON MILLER-ANDERSON:** Do we have a second?

**COUNCILPERSON HUBBARD:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** I had already made it to...

**CHAIR PRO TEM DAVIS JOHNSON:** You said 10:55.

**COUNCILPERSON HUBBARD:** 10:55.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes. Yes.

**MAYOR MASTERS:** Do we even need a presentation?

**DEPUTY CITY CLERK BURGESS:** Councilperson Davis?

**COUNCILPERSON DAVIS:** No.

**UNK.:** I don't think we need a presentation.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanim'...

**CHAIRPERSON MILLER-ANDERSON:** And I'm gonna ask, sir, if you can keep it to about five minutes. Condense it as much as possible so we can move on. 'Cause I do understand that this is an Item that you all., the, the Staff really doesn't need our vote on this per se, they could actually go ahead and move forward on their own. So...

**COUNCILPERSON PARDO:** Um...

**CHAIRPERSON MILLER-ANDERSON:** Let's...

**CITY MANAGER EVANS:** Well...

**COUNCILPERSON PARDO:** I don't think that's true.

**CHAIRPERSON MILLER-ANDERSON:** Well, that's what has been stated. Numerous times.

**COUNCILPERSON PARDO:** They're saying it's more than five percent that's why...

**UNK.:** No.

**COUNCILPERSON PARDO:** ...it came back to us.

**MAYOR MASTERS:** Let's...

**UNK.:** [Inaudible].

**MAYOR MASTERS:** Just hold on, sir. Hold on just a minute 'til the Chair...

**CHAIRPERSON MILLER-ANDERSON:** Go ahead, City Manager. Were you about to say something?

**CITY MANAGER EVANS:** One of the things [stammer] with respect to the, the coastal setback line, if it is the... Certainly, that, that's something that we need to look in but we should hear from the proposer and see what that specific aspect is and if, you know, that's something that we can administratively approve, with the understanding that there must not be something that deviates from what the existing codes and regulations have in place but we will let him go through the presentation.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** Ma'..., Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Let's try to keep it to five minutes. Yes.

**COUNCILPERSON DAVIS:** I'm trying to find out what warrants us to even... I know you wanna do a presenta'...

**CHAIRPERSON MILLER-ANDERSON:** Still do what?

**COUNCILPERSON DAVIS:** To even move to this level 'cause they...

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**COUNCILPERSON DAVIS:** If they're at the five percent.

[Background chuckle]

**COUNCILPERSON DAVIS:** And...

**MAYOR MASTERS:** So we [inaudible]...

**COUNCILPERSON DAVIS:** ...there's some legal issues for us to intervene in anything beyond.., within the five percent. I don't wanna put this Board in any trouble. But they're at the five percent, at this point, we need to, um, allow Staff to do their jobs and if there's some things to concern, like the condominium issue? That is a issue with me. If that issue hasn't been addressed, then I'm prepared to deal with that, which will change the five percent. If that's not the case...

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**COUNCILPERSON DAVIS:** ...then, I would like Staff to just move forward and [stammer], if something happens, then bring it back at, at the later date. But...

**COUNCILPERSON HUBBARD:** Madam Chair? I'd like to, hopefully, to let them do the presentation so that they can move forward with the project so that the people on the Island can see that it's a viable project and that the project is moving forward and, hopefully, all of this time, you know, Staff can determine if it's more than.., should have determined whether it's more than five percent change and, if it is, what's, what are their next steps? And the, the coming back and forth, you know, it's going from the ridiculous to the sublime. I think that we, you know.., I wanna hear from 'em. Let's...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** ...try to make...

**CHAIRPERSON MILLER-ANDERSON:** Let's let him...

**COUNCILPERSON HUBBARD:** ...some decisions.

**CHAIRPERSON MILLER-ANDERSON:** ...go ahead and go then. Alright. Go ahead, sir.

**MR. D. HEARING:** Good evening.

**CHAIRPERSON MILLER-ANDERSON:** Hi.

**MR. D. HEARING:** Madam Mayor and..., Mayor Masters. Thank you so...

**MAYOR MASTERS:** Yes.

**MR. D. HEARING:** ...much for having us here today. For the record, my name is Donaldson Hearing. I'm the Managing Partner of Colteur & Hearing Planners and Landscape Architect, right here in Palm Beach County and it's our pleasure to be before you today. And I, I think that, uh, Mayor Pro Tem, you, you clearly have pointed out what this is about. This is really in abundance of caution. I think Staff, in their own words, I heard your Staff say, you know, that they believe that this is within the five percent. I'm professional, I get paid to make these evaluations. I will tell you, it's well within the five percent. This is.., you approved this project in October of 2015. This is a significant architectural and engineering undertaking, involving millions of dollars of just permit fees, just to review the level of complexity of detail that goes into a set of plans like this. And so, the types of things that have changed and have been modified over the last, uh, last 12 [stammer] to 18 months, are those normal things that occur during any project of this significance. Your own projects, your own Public Works Department projects, your own roadway projects, these are the things that occur from concept through design development through engineering and through permitting. And as was pointed out, that a number of the changes that occurred were directly a result of your Public Works Department act'.., and Fire Department, asking for changes to make public safety even better. So, I won't get involved in a very, very lengthy presentation 'cause I don't believe that it's needed.

**MAYOR MASTERS:** Right.

**MR. D. HEARING:** The buildings are basically right where they were before. Some of the buildings actually got a little bit shorter. We actually have a greater distance today by about two feet, further back from the coastal construction control line. The numbers of dwelling units actually went down, the number of hotel rooms and suites actually went down slightly, so the square footage of the spa went down a couple hundred square feet, the square footage of the restaurant went from 10,000 to just under 10,000 square feet. The normal types of refinements that would occur through a complex architectural and engineering process for any project that the City does themselves, or really, any developer brings before the City today.

Relative to the improvements that you see on the diagram that, uh, are east of the coastal construction control line, those are landscape improvements. I can assure you that they have been fully permitted by the Florida Department of Environmental Protection. We will tell you, we will commit to you, Mr. City Manager, that, that we will comply with every requirement of your code relative to those landscape features and a lot of that's enhancements that occurring out there on the do-line that we agreed to do with the Department of Transportation to make everything more sustainable in, in the long-term. So, we'll commit to that, you know, if we have to take them out, we'll take them out. We believe that they're appropriate and that all the changes that have occurred are, are very, very minor in nature. They relate generally to the site., site circulation to make things better. When the, when the, when the, when the circulation in between the two towers was increased, the radius was increased, we had to change the design of the pool and we had to split the pool into two pieces because it ended up getting pinched because we were trying to respond to comments that were made by your department.

As you know, and as your Staff pointed out, we have submitted a very full set., many, many, many of hundreds of pages of documents, structural engineering, architectural plans, plumbing, mechanical, landscape plans and lots of other details that are on file that we have submitted and they are being reviewed. We've been working in due diligence. Our application has been in since November for our foundations and the balance of the building permit activity was submitted after. So we're ready to start. Your Staff has said that this is within the fift'., five percent. I will confirm with you from my professional opinion, that it's within five percent and it's still an absolutely amazing, wonderful project as it was previously presented to you.

So, I'm more than happy to go on for, for hours but I don't think that we...

**UNK.:** Uh-uh.

**MR. D. HEARING:** ...need to. This was being brought back to you for transparency purposes. We'll work with your Staff to address all issues. And I think, before I conclude, I think Mr. Crowley just was gonna very quickly talk to you about the Governor's order and we've processed hundreds of these for our clients throughout Palm Beach County. It's standard, it's statutory...

**COUNCILPERSON PARDO:** Yeah. [Inaudible]...

**MR. D. HEARING:** ...and he'll tell you the same.

**CHAIRPERSON MILLER-ANDERSON:** Okay. A couple minutes.

**MR. J. CROWLEY:** I don't wanna repeat what he said and that was a very good legal analysis by, by Don. But, for the record, my name is Jamie Crowley. I wrote the letter concerning the extension of time. I just wanted to repeat that it's a very routine thing. We do them in Palm Beach County, we do them all over this county. And I actually, in my letter that I wrote, I included the Palm Beach County planning and zoning forum which outlines the process that the county uses when you're processing these applications for extension of time. So, it is something that's recognized all over the state and, in particular, in, in Palm Beach County. So, if you need to go back and look at that letter, or I can provide it to you, I have a copy with me now if you want me to give one to the Clerk but it's a very standard procedure that's, that's recognized all over the state.

So, thanks.

**CHAIRPERSON MILLER-ANDERSON:** You can leave that copy there.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** So, Mr., um, City Manager... Right over there.

[Inaudible background comment]

**MR. J. CROWLEY:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** What., do you need anything else from us in order to move forward with this?

**CITY MANAGER EVANS:** Staff would like to proceed forward with the administrative approval process, assuming that the applicant complies with the items that Staff has requested of the development team from the Amrit's project. And so, that is where we would like to take this particular Item, ensuring that they're consistent with policies and procedures and the rules and regulations in place. Assuming that I get the okay from the professional Staff, I will then proceed forward with authorizing the administrative approval.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Alright.

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON PARDO:** I have a question. Mr. Bailey, I have a question for you. Is there a difference between meeting facilities and restaurant and bar? Are they the same?

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** From a land use perspective?

**COUNCILPERSON PARDO:** Mhmm.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** No. A meeting facility would be more of an assembly space versus a restaurant which has a very specific type of use.

**COUNCILPERSON PARDO:** Okay. Well, that's also in the documents, a document that they filed. I believe it was in the county document where they state that, you know, they're gonna have...

[Inaudible dais comment]

**COUNCILPERSON PARDO:** ...suites and, and the grand spa and meeting facilities. So, I don't know if you caught that too. But it seems like, you know, we pick and choose the projects. Like, Ms. Davis said in the back earlier.

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**COUNCILPERSON PARDO:** You know, if we have, if we have codes, you need to go by the codes. You don't go by, you know, I'm gonna do this guy a favor, I'm not gonna do this guy a favor.

[Chuckle]

**COUNCILPERSON PARDO:** And, to me, that's what it seems like is happening here. You know? We're just pushing it through.

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**COUNCILPERSON PARDO:** But that's fine. I know what happened in 2015, I was here. Alright? I know what went down. So...

**CITY MANAGER EVANS:** Well, I...

**COUNCILPERSON PARDO:** You know, I'm not in favor of this and...

**MAYOR MASTERS:** And you wasn't in 2015. Right?

**COUNCILPERSON PARDO:** I'm just not..., I'm just not doing it. That's right. I wasn't in favor of it. The...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON PARDO:** ...lone dissenter.

**CHAIRPERSON MILLER-ANDERSON:** Right.

**COUNCILPERSON PARDO:** Alright? But meanwhile, I'm the one getting the phone calls because the sand is going across the street. Alright? They don't have barriers up. The residents go over there and they get intimidated by the project manager, I get the phone calls and the knocks on my door when they had the trucks up



and down A1A when the people in the Ritz Carlton couldn't get out of their building. There were no flag people there. Alright? But again, we just turned a blind eye because, I guess, a lot of us don't, you know, don't see it and... Yeah.

**CHAIRPERSON MILLER-ANDERSON:** Alright. That's it [inaudible]...

**COUNCILPERSON PARDO:** But, it's... And I just hope...

**UNK.:** Yeah.

**COUNCILPERSON PARDO:** I hope, Mr. Manager, 'cause I had discussions with you about this. You know, you need to hold these people accountable when they really start moving forward on the projects. We can't allow this to happen. They are in the City, they don't have carte blanche to do whatever they want to do, they need to follow the rules and regulations of the City. And I feel very strongly about that.

And the last thing, um, I'm surprised we're not talking about minority participation or local participation because I can tell ya, it's not going on over there. But again, you know, we'll just turn a blind eye on that one.

**UNK.:** [Sigh].

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON HUBBARD:** Madam Chair?

**UNK.:** Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Alright. We're gonna move on to Item 19.

[Chuckles]

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yeah.

**COUNCILPERSON DAVIS:** I didn't get a chance to ask that question.

**CHAIRPERSON MILLER-ANDERSON:** Oh, now you...

**COUNCILPERSON HUBBARD:** I w'...

**CHAIRPERSON MILLER-ANDERSON:** ...wanna, now you wanna... Oh, I thought you were...

**COUNCILPERSON PARDO:** [Inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** ...ready to move.

**COUNCILPERSON DAVIS:** Well, I...

**COUNCILPERSON HUBBARD:** I...

**COUNCILPERSON DAVIS:** ...was ready to go but you...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** ...you keep me here but I just want...

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**COUNCILPERSON DAVIS:** I had one question.

**CHAIRPERSON MILLER-ANDERSON:** Like, but, but I do...

**COUNCILPERSON DAVIS:** What's the local participation?

**CHAIRPERSON MILLER-ANDERSON:** But this is the thing though.

**COUNCILPERSON DAVIS:** Well I guess, you know, that doesn't have anything... bearing to do with, uh...

**CHAIRPERSON MILLER-ANDERSON:** But that, that's what I'm getting ready to say. It...

**COUNCILPERSON DAVIS:** Yeah.

**CITY MANAGER EVANS:** Exactly.

**CHAIRPERSON MILLER-ANDERSON:** I mean, that's a...

**COUNCILPERSON DAVIS:** The five percent.

**CHAIRPERSON MILLER-ANDERSON:** ...separate conversation...

**COUNCILPERSON DAVIS:** [Inaudible]. Right.

**CHAIRPERSON MILLER-ANDERSON:** ...if we do want to address that, we can bring that back but for the, the sake of what is on the Agenda, we have already...

**COUNCILPERSON HUBBARD:** 30 seconds.

**CHAIRPERSON MILLER-ANDERSON:** ...identified what it was that we need to do and how to move forward.

**MAYOR MASTERS:** [Inaudible].

**COUNCILPERSON HUBBARD:** Can I..., can, just 30 seconds, Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Ten.

**COUNCILPERSON HUBBARD:** Ten seconds. Okay. Real quick. The local participation and minority participation is in the backup that has been given..., that was given to us previously, how many jobs we were gonna get, the ad valorem, the, the ad valorem percentage, the fact that we're going to have a school for hospitality being brought into community to train people so that they can work there, that's gonna..., that's

gonna be there as well. And any, any construction proble'.., projects, all the inconveniences that the people on Singer Island are enduring, we all endure them every time there's a construction property in the City. This is nothing special, this is nothing different. It takes dirt to build things and that.., those type things happen and we, you know, we look forward to these jobs and the projects that are coming on, onboard as well.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** Five seconds.

**CHAIRPERSON MILLER-ANDERSON:** We're gonna stop.

**COUNCILPERSON PARDO:** Yeah. [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** No, no. No. We're moving...

**MAYOR MASTERS:** I need five...

**CHAIRPERSON MILLER-ANDERSON:** ...on to 19.

**MAYOR MASTERS:** ...seconds, Madam Chair.

**COUNCILPERSON PARDO:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** We're moving to 19.

**COUNCILPERSON DAVIS:** [Inaudible].

**19. ITEM NO. 19**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 19.

**MAYOR MASTERS:** While we move, I never got one email in opposition to this project from Singer Island or anywhere...

**COUNCILPERSON PARDO:** Why do we allow it?

**MAYOR MASTERS:** ...from the mainland.

**CHAIRPERSON MILLER-ANDERSON:** Mayor, we're on 19.

[Inaudible dais comments]

**DEPUTY CITY CLERK BURGESS: RESOLUTION NO. 45-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING SECOND 1 OF RESOLUTION NO. 91-16 BY DELETING THE END TIME OF 10:00 P.M. FOR CITY COUNCIL MEETINGS AND PROVIDE AN EFFECTIVE DATE.**

[Inaudible background discussion]

**CITY MANAGER EVANS:** This, this particular Item...

**DEPUTY CITY CLERK BURGESS:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** We need a motion. First and a second?

**COUNCILPERSON PARDO:** [Inaudible].

**COUNCILPERSON HUBBARD:** So moved.

**CHAIRPERSON MILLER-ANDERSON:** Do we have a second? [Pause]. Do we have a second? [Pause]. [Passing the gavel]. I'll second that.

**CHAIR PRO TEM DAVIS JOHNSON:** It's been motioned been properly second. Mr. City Manager.

**CITY MANAGER EVANS:** This particular Item will assist Staff enable.., and enable us to get through some of the pertinent City business that has been, um, backlogged since.., some.., in some cases, back to December. We have, unfortunately, been unable to get through some of the Items. So, as we get ready to go into the budget process, we certainly need to be able to get through some of these Items because we are putting ourselves in a precarious situation with respect to contracts, agreements, and just the day to day operations of the City. So, it is Staff's recommendation that we eliminate the end time and we conduct City business until.., or the, the Council meeting until City business is complete. If the Council is not amenable to such action, Staff would recommend that the Council suspend the 10:00 o'clock stop time until the end of the fiscal year so we can ensure that we can get through the budget process 'cause Staff is already commencing in creating that document and bringing some substantive policy items to the Council and certainly we do not wanna rush through these Items and we wanna make sure that the Agenda is consistent with the desires of the Council but there is just so many Items that we, as Staff, are trying to prioritize and we're trying to fit it all in at a 10:00 o'clock time. And so, we are respectfully requesting that the Council either, in essence, terminate the 10:00 o'clock provision in the resolution or allow for the suspension of that particular Item until the end of the fiscal year.

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

**CHAIR PRO TEM DAVIS JOHNSON:** Mr. Mayor.

**MAYOR MASTERS:** Thank you. Does that mean, if you delete, suspend.., does that mean that if it ends... My question is, does that mean that we could be here 'til 2:00 o'clock in the morning?

**UNK.:** Exactly what it means.

**MAYOR MASTERS:** If this, if this is passed?

**CITY MANAGER EVANS:** If, if, if it is an elimination of the, the stop time, yes, you can be here 'til 2:00 o'clock in the morning. And there is caselaw that supports that you can, in fact, do that, um...

**MAYOR MASTERS:** Okay.

**CITY MANAGER EVANS:** ...as long as the meeting is appropriately noticed, you can still maintain...

**MAYOR MASTERS:** I, I, I understand, Mr. Manager, but I don't think [chuckle] I can support this. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Madam Chair?

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIR PRO TEM DAVIS JOHNSON:** [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** Okay. So, with this Item, [stammer], you know, I don't want us to take a look at it as saying we're gonna be here 'til 2:00 o'clock 'cause I could certainly say that is not what I'm in favor of doing. However, one of the things, as we've talked about earlier, is that we wanna make sure that we get through our Agenda Items and one of the ways in which we would do that is making sure that we prioritize and put things on the Agenda, not at last minute, not overtax the Agenda and have 30, 40 Items on the Agenda. We'll., we can look at maybe limiting the amount of things that we put through by being proactive and making sure that our department heads bring before us the Items that need to be discussed in a, in a priority order so that we're not having to load the Agenda up. We've been doing this now for over a year where our Agendas have been very, very heavy with some really controversial issues and that has caused us to be on an Item for a very long time. This is not something that just started tonight, this has been going on for a very long time. So I think we need to look at how we structure our Agenda so that we are not expecting to be here six, seven, eight hours. But, I think that if there., if it does come to a point where there's an Item where we need to get through it, we shouldn't limit ourselves to a 10:00 o'clock and even having to do the extensions because, as you see how that goes, we're constantly, you know, if it's an Item you don't wanna talk about or nobody votes for it and, and, you know, at some point, we just need to get the business of the City done. But at the same time, we need to just make sure we're mindful of the Items that's being placed on the Agenda so that we do not have such long meetings and only get through half of the Agenda.

So, I, I am in favor of either suspending it until we get through or just doing away with the resolution altogether and we be [stammer] you know, responsible adults and get through the business and, um, in a timely fashion and we just all work together to make sure that we can put on the Agenda what needs to be on the Agenda and, and get through, get through the Agenda.

**CITY MANAGER EVANS:** And, and...

**COUNCILPERSON PARDO:** Madam Chair?

**CITY MANAGER EVANS:** ...Madam Councilwoman, if I, if I may? There'.., there're certain aspects that I think that can be deployed that will allow for us to get through the [stammer] the, the Agenda in a quick and concise fashion. If we were to move the public comments to the beginning of the meeting and the end of the meeting to whereby, if someone speaks at the beginning of the meeting, they cannot speak for public comments at the end of the meeting because any momentum that we get as we proceed forward at 7:30, when we have that time certain, we lose that. So, that is something to consider. Also, there's an opportunity whereby I can put time limits on these types of Items and.., that we will discuss these Items for 30 to 45 minutes and at that point, if we're not ready to call for a vote, that Item is continued to ano'.., another City Council meeting. So, there is some mechanisms in place that we can utilize to get the meeting in order but, realistically, there's so many Items that are backlogged...

**COUNCILPERSON DAVIS:** Mhmm.

**CITY MANAGER EVANS:** ...that we need to be able to move this forward or we're gonna have some unintended consequences with respect to not completing the public's business. So, this intent was merely to allow for us to get to a point where we start getting some momentum and, also, there's Items that are just for informational purposes only, where it is a discussion that needs to occur here on the dais with the Council and City Staff and there's only.., statute only requires the public to be able to interact with the Council anytime there's official action being taken. So, if we expect that they have to speak to the Item that is before them and then at [stammer] citizen comment, it's any Item that is not scheduled on the Agenda. And so, if we operate procedurally, under Robert's Rules of Order, we put time limits, we change the way in which public comments is handled, I certainly believe that we can get out of here before 10:00 o'clock with managing the Agenda and making sure the information is submitted in time.

But those are some options that we're trying to work through but there's just so many Items that are still.., haven't been discussed, as far back as probably December.

**COUNCILPERSON DAVIS:** Madam Chair?

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIR PRO TEM DAVIS JOHNSON:** I heard Mr. Davis, Ms., Ms. Pardo and then Ms. Hubbard.

**COUNCILPERSON DAVIS:** While...

**CHAIR PRO TEM DAVIS JOHNSON:** Mr. Davis.

**COUNCILPERSON DAVIS:** ...while I do, and our goal has always been, since day one, is to move through these execution meetings, I call 'em...

**MAYOR MASTERS:** [Chuckle].

**COUNCILPERSON DAVIS:** It, it is. It is. We have to...

**MAYOR MASTERS:** [Inaudible].

**COUNCILPERSON DAVIS:** ...understand our practice.

**UNK.:** Mayor, come on.

**COUNCILPERSON DAVIS:** We, we have seven days a week, as individuals, as professionals, to sit down with Staff., even if it take' Agenda review, one on one Agenda reviews to do three or four hours with Staff to make sure that all our [stammer] questions are answered prior to this meeting. We can put as many Items as you want and just come prepared to vote. The discussion should not happen in this meeting, unless it's something that changed from the time we had a Staff meeting and for this meeting. So, it's all about us, preparation. We have to prepare ourselves before we get here 'cause we're still asking them questions and questions and questions in this meeting, that mean that we didn't do what we were supposed to do prior to coming to this meeting. Now, you're gonna have some changes, I understand that and I can respect that. You're gonna want people to see you ask questions but some of these questions can save us a lot of time. We have Staff sitting here, they have families, they're required to come back to work the very next day and still perform at a high level, and not make mistakes and not get ridiculed for, for being in long meetings at the same time. So, we have to be better prepared so we can send them home in due time so they can be real fresh for their dai'..., [stammer], daily work. We have to prepare ourselves, that's just it. It doesn't..., we should not..., it's embarrassing to have to put a timeframe on, on a discussion. No. Take..., if it take' you six hours with Staff, over two days, do it. Take the time. If it take a Saturday afternoon, do it. If it take a Sunday night, I do it. I sacrifice that personal time to be prepared for these meetings. That's, that's it. And, you know, we have our goals. I mean, but we have to..., if we're that backlogged, I can understand, um, where, where you all wanna go, at least until the budget year. And I, I will consider that but we have to look at ourselves as individuals and say are we giving more than enough, as difficult as it may be, we have to understand that.

**CHAIR PRO TEM DAVIS JOHNSON:** Councilperson Pardo.

**COUNCILPERSON PARDO:** Thank you. I think we're doing an injustice to Staff and to ourselves to be here, even 'til 11:00 o'clock. You know, 11:00 o'clock, a lot of us have been up almost 18 hours already. This is ludicrous. How are you..., you know, how are we supposed to be on the game, right, when we've been up 18 hours? It just, [stammer], it makes absolutely no sense to me. And, if we're so backlogged, let's have, you know, until we catch up, let's have a meeting on Tuesday and Wednesday and I bet you, within a month, we'll be where we're supposed to be and then we can just move forward again.

[Inaudible dais comment]

**COUNCILPERSON PARDO:** And why don't you think about maybe moving public comment to 8:30 instead of 7:30? Then, at least, you have two and a half hours where you are full speed ahead doing City business. And then at 8:30, go to public comment. By that time, a lot of your business is a'..., has already been taken care of.

You know, I, I am not in favor of, um, of just going, you know, until we're done. No. No way. No way. And you gotta think about how it's going to affect everyone's health, it's not healthy. So, I am not in favor of it. I'm in favor of, like I said, going forward for the next month or so, you wanna have two Council meetings a week so we can catch up, I have no problem with that and maybe we should think about moving public comment back another hour.

Thank you.

**CHAIR PRO TEM DAVIS JOHNSON:** Before we go any further with any continued Board discussion, we have one public comment card. Ms. Mary Brabham.

**MS. M. BRABHAM:** Ms. Mary Brabham, Riviera Beach.

You all are the causing of this. Your previous Chair... Yes, we are backlogged. Your previous Chair labored up there, bogged the Board down, being petty, being petty because he could not have his way. And the Agenda Items here, are backlogged because every Agenda Item here, the things that we are discussing here now, we have never been able to get to it because of some of the Staff, some of the Council people up on that Board there, especially the Chair and the residents in the audience knows it. Because every time..., you can get through an Agenda. If you would stop being petty, stop being just self-centered. Every meeting that this, this Chair, previous Chair has chaired, we got the videos. It's evidence. He labored this Board here. And when Lynne couldn't dialog, she sorta went into that, that, that stage too. It should be, you can try it. Perhaps, get into that timeframe of doing our business, not you all's business. The government is our business here. Yes, you all have cause this and you all have allowed your previous Chair to do this so don't blame the residents, don't blame your Staff, don't blame the new City Manager, he's trying to deal with all this backlog here from this previous Staff that did not do the things that they were supposed to do. So, it is enough blame to go around here. He did this to your Board. We sat here, 11:00 o'clock, 10:30, quarter 'til 11:00 some nights because of your previous Chair. Your Chair did this. He not only did it to his Staff, some of them that do not even live in this City here that have to get on that highway and drive back down there. He did it to the residents because he didn't care. If it's something that he didn't like, he bogged it down. No, he would never admit to anything that he does but the records and the actions, and his character, speaks it. Those are volumes. Those things there are noted.

You can construct this better. Your hot Items should be on a Agenda all to themselves. You know that the public is gonna come in, or whoever's gonna come here to dialog. You know that. Put those hot Items on the Agenda when...

[Beep]

**MS. M. BRABHAM:** ...you know that, that, that, that we're gonna be in here. Yes, you did it and the general public knows it. You did it.

**CHAIR PRO TEM DAVIS JOHNSON:** Thank you, Ms. Brabham...

**COUNCILPERSON DAVIS:** Madam...



**CHAIR PRO TEM DAVIS JOHNSON:** ...for your comments.

**COUNCILPERSON DAVIS:** ...Chair.

**CHAIR PRO TEM DAVIS JOHNSON:** Mr. Davis.

**COUNCILPERSON DAVIS:** Just speaking back to the comment here as business.

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**COUNCILPERSON DAVIS:** I'm not referencing that.

**CHAIR PRO TEM DAVIS JOHNSON:** Okay.

**MS. M. BRABHAM:**[Inaudible] Agenda here.

**COUNCILPERSON DAVIS:** No. No. I'm done with that.

**MS. M. BRABHAM:**[Inaudible].

**COUNCILPERSON DAVIS:** I'll wait 'til someone from the public to.., allow us to have order in this meeting. Thank you so much. I appreciate it. Back to the meeting.

We all have a goal and that's to get through the effective meeting and I will never back down from saying, there's some things we all can do. There's some Staff that's been making recommendations and some of 'em have been great recommendations but we have to look at ourselves on what we can do to be better prepared to move effectively through these meetings. And we have to look within ourselves. No matter what folks say but we have to look from within ourselves and I'm comfortable with that and, and I'm always gonna continue to try harder. If it requires me to do six or seven hours with Staff, I will be prepared to vote when I come in this meeting. There's some things that are a little questionable, then I won't beat.., I won't beat the Item up, [stammer], I'll say table it, postpone it and we'll just move forward. And I'm just done with it from there.

**CHAIR PRO TEM DAVIS JOHNSON:** Thank you, Mr. Davis. Alright, Ms. Hubbard.

**COUNCILPERSON HUBBARD:** The.., I don't think that it's a matter of us not being prepared when we come into the Chamber because with the Sunshine law, we cannot dialog anywhere else but in this Chamber. A lot of the information that we wanna discuss and we have all the Staff here, we get to discuss it and we get more points of clarification, especially when you're talking about a development project. You know, the team will be here to present it to, to the public. A lot of questions you ask is because the community want' to know about those different things. What I say as far as the Item as it, it is written on the Agenda, we just work until.., as long as we have a quorum. When we no longer have a quorum, then we just stop working. You know, if that's.., if, if that's the case because we have to, we have to get through some of this and if we.., and I would, um, I would.., I, I agree either way, just move the, move the time and work until it's, um, as long as we have a quorum, put some of the parameters in place that the City Manager mentioned and see how that works and we keep trying 'til we get it like we'd like to have it.

**CHAIR PRO TEM DAVIS JOHNSON:** Thank you, Ms. Hubbard. Mr. Evans, what is the backlog? What would you estimate is, is the number of Items and/or projects that we have that need immediate attention or place us in a position of being in, in any type of violation or other concern that may affect this Council, and the City?

**CITY MANAGER EVANS:** Conceivably, we probably have maybe about [pause], anywhere from 17 to 25 items that are in the system right now that can.., that should be heard or should've already been, action Items plus the re'.., plus the new stuff that's already coming onboard. So, you know, in the next week or so we can be up to, to 30 Items as we prepare for the next Agenda but, right now, there's probably, safely to say, anywhere between 17 to 25 Items. I.., since I've been with the organization, I have had to look back at Agendas previously and pull Items rolling forward. So there's, there's quite a bit of information that's.., that needs to come before this Council for action, as well as we have started scheduling budget sessions with the Council and so there's things that we're not gonna be able to bring forward because of the time that the budget's gonna require for discussion and continued deliberation.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIR PRO TEM DAVIS JOHNSON:** I, I wasn't done...

**COUNCILPERSON DAVIS:** Okay.

**CHAIR PRO TEM DAVIS JOHNSON:** ...Mr. Davis. So, is it.., is it conceivable that we could hold a series of additional meetings in order to get through the backlog as opposed to... I can't see him. Thank you. As opposed to extending the time because what happens here has been happening, as the Chair said, over the course of the year. So, one of the things that has to happen is the amount of conversation from this dais...

**UNK.:** [Chuckle]

**CHAIR PRO TEM DAVIS JOHNSON:** ...because there are times when we sit and discuss, or an individual has the floor for 20 to 30 minutes and that prolongs our meeting and prevents us from getting on to the next Item, into the business at hand. So, would it be conceivable for you and Staff to schedule a series of additional meetings for us, to get through the backlog [pause] and then catch up and be able to have an Agenda that is manageable?

**CITY MANAGER EVANS:** Certainly.

**CHAIR PRO TEM DAVIS JOHNSON:** That is not packed with Items? Because we.., naturally, we want to do the business of the City. That's, that's what we're charged with. However, we are having companies and corporations and individuals come and sit and then we don't get to it and then that's another two or three meetings. And I know that, you know, we're entering into agreements with, with folks and they want to do business here but I believe that as you talked about.., when you were talking about coming here and doing b'.., being our City Manager, you had some thoughts on how we could improve. And so, I appreciate what you're bringing forth but I think that if we structure and package our Agenda in such a manner, we could get through...

**UNK.:** Right.

**CHAIR PRO TEM DAVIS JOHNSON:** ...the meeting. So, are there any other comments from, from the Council?

**COUNCILPERSON PARDO:** [Inaudible].

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Well, I...

[Chuckle]

**CHAIRPERSON MILLER-ANDERSON:** Go ahead and then I'll, I'll just say something really quick.

**CHAIR PRO TEM DAVIS JOHNSON:** Yes, Mr. Mayor?

**MAYOR MASTERS:** I think that's a good idea. And, and the intent of what the Manager has was, was very good as well but the intent was, as you said, was to move the meetings and get us caught up. And if that, if it takes extra meetings to get us caught up, then fine, then keep the Agenda abbreviated, as much as possible, we can go home at a decent time 'cause I do wanna stay healthy.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** What.., I, I don't have an issue with the additional meetings but I know Mr. Evans did send out some dates for the budget coming up and you know that...

**COUNCILPERSON DAVIS:** We could...

**COUNCILPERSON PARDO:** [Inaudible]...

**COUNCILPERSON DAVIS:** ...use those same...

**CHAIRPERSON MILLER-ANDERSON:** We...

**COUNCILPERSON DAVIS:** ...dates. And plug in a few items.

**CHAIRPERSON MILLER-ANDERSON:** Depends on how.., he may need to have something voted on before we even get to that on some things, maybe. But, what I'm saying is, we're now talking about additional meetings on top of those meetings, so, you know, at some point I'm sure we're gonna run into an issue where some people can't come on that date, they're out of town, they're at a workshop, they're somewhere. So, I just don't want that to be an issue and, if that.., if once.., I'm okay with them trying to throw the dates out there to us and see if it's something that we can all work with and if not, if it just becomes a po'.., a burden of s'.., of not being able to all get together, I would like for us to reconsider this until we can get through what we need to...

**CITY MANAGER EVANS:** Well...

**CHAIRPERSON MILLER-ANDERSON:** ...get through.

**CITY MANAGER EVANS:** And, and certainly one of the things we would look to piggyback on is the Utility District meetings...

**CHAIR PRO TEM DAVIS JOHNSON:** Mhmm.

**CITY MANAGER EVANS:** ...and the CRA so that after that you would recess and then you would convene as the City Council. So that's the days I would look because you already...

**UNK.:** Yeah.

**CITY MANAGER EVANS:** ...planned out to be here...

**UNK.:** Right.

**CITY MANAGER EVANS:** ...so, we can address some of those Items and see where we go. And also, there, there's some other things that I, I can bring forward as some recommendations as it relates to the Agenda, is that, based on my conversations with the City Attorney in our reviewing the Charter is that the, the, the administrative roles and responsibilities as it relates to the creation of the Agenda should fall under the purview of the administrator so we can definitely get it to appoint where Agendas are submitted in time, there's adequate backup, the, you know, we're not going passed 22, 25 Items. And then.., there's some Items here that certainly.., that don't require a presentation and where Staff [stammer] could come up to the podium and say, 'Staff is prepared to answer any questions that the Council may have.' So there's some things that we've talked about internally, making sure that we put more information in the backup and do a better job with respect to the writing and the content so, realistically, you know everything about that Item and then, realistically, Staff is just here to answer any questions that you may have.

So, we, we can do the, the meetings to get us caught up and then better manage the Agenda so it doesn't get to a point where we're here, you know, at 11:00 o'clock at night every other Wednesday.

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

**CHAIR PRO TEM DAVIS JOHNSON:** Any further comments

**CHAIRPERSON MILLER-ANDERSON:** No.

**COUNCILPERSON DAVIS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** No.

**COUNCILPERSON DAVIS:** Really, really.., 30 seconds. I just wanna...

**CHAIR PRO TEM DAVIS JOHNSON:** 10.

**MAYOR MASTERS:** [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** 5.

**MAYOR MASTERS:** 5.

**COUNCILPERSON DAVIS:** Just recall back in the fall when there was a time we was trying to executing some meetings, people didn't want Items to hit the Agenda until the new City Manager came and so, a lot of heavy Items were not coming to meetings for weeks and weeks and there's where your backlog continued to grow. And that's not to take a shot at Mr. Evans, with all due respect, sir, but when people come to the mic with their issues, with their community meetings, they need..., I wanna make sure they have all the facts so the public can understand. That's what happened. We already had some backlog but it made it a much longer issue and we just wanna do whatever we gotta do to help you get to where you need to be to make this City successful.

That's it.

**CHAIR PRO TEM DAVIS JOHNSON:** Thank you. So, moving forward, we understand that the purview of setting the meeting, the Agenda is under the City Manager so we will expect that you will be bringing forth those projects that need to..., that need our attention and our vote and we will look to see... I know that there is a motion on the..., a motion and a second on the floor but I do believe that we need to...

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** Pardon?

**CHAIRPERSON MILLER-ANDERSON:** I said, do we want to...

**COUNCILPERSON DAVIS:** [Inaudible] rescind the motion.

**CHAIRPERSON MILLER-ANDERSON:** ...amend the motion or...

**CITY MANAGER EVANS:** Or rescind it?

**CHAIRPERSON MILLER-ANDERSON:** ...rescind it?

**UNK.:** Rescind it.

**CHAIRPERSON MILLER-ANDERSON:** Rescind the motion?

**COUNCILPERSON PARDO:** Rescind it.

**CHAIR PRO TEM DAVIS JOHNSON:** You can...

**CITY MANAGER EVANS:** Rescind it.

**CHAIR PRO TEM DAVIS JOHNSON:** You were the maker of the motion...

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** ...Ms. Hubbard.

**CHAIRPERSON MILLER-ANDERSON:** I believe so.

**CHAIR PRO TEM DAVIS JOHNSON:** And...

[Inaudible dais comment]

**CHAIR PRO TEM DAVIS JOHNSON:** ...and you second.

**CHAIRPERSON MILLER-ANDERSON:** What are we gonna make.., we don't need to make a motion.

[Inaudible dais comment]

**COUNCILPERSON DAVIS:** Just rescind it.

**UNK.:** There was a...

**COUNCILPERSON PARDO:** Rescind it.

**UNK.:** ...motion?

**COUNCILPERSON HUBBARD:** Just rescind it.

**UNK.:** Make another motion.

**CHAIR PRO TEM DAVIS JOHNSON:** Okay. So, then, I would move that we seek to...

**COUNCILPERSON DAVIS:** Can't.., you can't make a motion...

**CHAIR PRO TEM DAVIS JOHNSON:** Oh, I'm sorry. I cannot... Madam...

**CHAIRPERSON MILLER-ANDERSON:** Can't...

**COUNCILPERSON DAVIS:** Just ask the motion.

**CHAIRPERSON MILLER-ANDERSON:** ...pass it back.

**CHAIR PRO TEM DAVIS JOHNSON:** Just make it. You know what I want.

**COUNCILPERSON DAVIS:** What motion you want?

**CHAIR PRO TEM DAVIS JOHNSON:** You all know that I want to ex'... [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** We gonna pass it back in the middle of the...

**CHAIR PRO TEM DAVIS JOHNSON:** Well...

[Chuckles]

**CHAIR PRO TEM DAVIS JOHNSON:** Well, I can convey it. Well, I, I can talk to you. I won't make the motion but the...

**CHAIRPERSON MILLER-ANDERSON:** Go ahead, go ahead.

**CHAIR PRO TEM DAVIS JOHNSON:** ...the..., what I'm asking is that we look to, to identify additional dates to get rid of the backlog. So, if someone would make...

**COUNCILPERSON DAVIS:** Move on that...

**CHAIR PRO TEM DAVIS JOHNSON:** ...that motion...

**COUNCILPERSON DAVIS:** ...motion.

**CHAIR PRO TEM DAVIS JOHNSON:** ...for me.

**COUNCILPERSON DAVIS:** I move on that motion that we..., that Staff help identify dates with the Council so we can move forward with have extra meetings with [inaudible].

**COUNCILPERSON PARDO:** Second.

**CHAIR PRO TEM DAVIS JOHNSON:** It's been motioned and properly second.

**CHAIRPERSON MILLER-ANDERSON:** She's still the Chair without the [inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** I didn't make the motion.

[Chuckles]

**CITY MANAGER EVANS:** And, and just for Robert's Rules of Order, you, you don't have to roll call. You can just say, 'All in favor,' 'aye,' and then you say the aye's have it and then if there's a nay, you announce the nay. That helps move the Item...

**COUNCILPERSON DAVIS:** Yeah. Fane Lozman said that at the last meeting.

**CITY MANAGER EVANS:** Yeah.

[Chuckles]

**MAYOR MASTERS:** I have a question, real quickly [inaudible]. The, there's a Charter..., Charter question I have for the Attorney.

[Inaudible dais comment]

**MAYOR MASTERS:** The Charter says...

**UNK.:** [Chuckle].

**MAYOR MASTERS:** ...something about the, the Manager and the Chair sets the Agenda, something but I have no problem with it but I just wanna make sure we're not, we're not changing the Charter and leaving the...

[Inaudible dais comments]

**MAYOR MASTERS:** ...[stammer] at all, are we?

**CITY ATTORNEY DEGRAFFENREIDT:** I don't think there is anything that [inaudible]...

**MAYOR MASTERS:** Yeah. There's something there.

**COUNCILPERSON PARDO:** Yes. Yes, there is.

**MAYOR MASTERS:** There is something in there that says the Chair and...

**COUNCILPERSON PARDO:** And the Manager.

**MAYOR MASTERS:** ...the City Manager. That's definitely in the Charter.

**COUNCILPERSON PARDO:** Set the Agenda.

**COUNCILPERSON HUBBARD:** Who's tryna change that?

**CITY ATTORNEY DEGRAFFENREIDT:** I'll have to look at it.

**COUNCILPERSON DAVIS:** That's Charter review committee so we., [inaudible].

**CITY ATTORNEY DEGRAFFENREIDT:** [Inaudible].

**CHAIR PRO TEM DAVIS JOHNSON:** No. That was the language.

**MAYOR MASTERS:** Well no. The City Manager...

**CHAIR PRO TEM DAVIS JOHNSON:** It's always been...

**MAYOR MASTERS:** ...just said that it used to...

[Inaudible dais comment]

**MAYOR MASTERS:** ...be the City Manager...

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**CITY MANAGER EVANS:** We'll [inaudible]...

**MAYOR MASTERS:** I just wanna make...

**COUNCILPERSON PARDO:** The Chair

**MAYOR MASTERS:** ...sure that we're, we're in order.

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**COUNCILPERSON PARDO:** No. It's., she reviews it.

**COUNCILPERSON HUBBARD:** Let me get a point of clarification.

**MAYOR MASTERS:** I wanna make sure we're in order. That's all.

**CHAIRPERSON MILLER-ANDERSON:** Point of order. Point of order.



**COUNCILPERSON DAVIS:** Madam [stammer]...

**CHAIRPERSON MILLER-ANDERSON:** Alright. We have a motion...

**COUNCILPERSON DAVIS:** Madam Chair. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** ...on the floor though. So, let's, let's get..., move through that Item and then we can..., if we have some comments at the end of our meeting, then we can shoot that out there then. Go ahead. Since we've been doing voting, so might as well finish it out tonight.

**DPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DPUTY CITY CLERK BURGESS:** Councilperson Davis?

**COUNCILPERSON DAVIS:** Yes.

**DPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DPUTY CITY CLERK BURGESS:** Unanimous vote.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**20. ITEM NO. 20**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 20.

**COUNCILPERSON DAVIS:** I'm sorry if [inaudible]...

**DPUTY CITY CLERK BURGESS:** **RESOLUTION NO. 46-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING SUBMITTAL OF GRANT APPLICATION, EXECUTION OF A AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION LAND AND WATER CONSERVATION FUND PROGRAM FOR RENOVATIONS AT THE MUNICIPAL BEACH PARK, AUTHORIZING CITY MANAGER TO EXECUTE THE APPLICATION, AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT AND PROVIDE AN EFFECTIVE DATE.**

**COUNCILPERSON PARDO:** So moved.

**COUNCILPERSON HUBBARD:** Second. Call the question.

[Chuckle]

**MAYOR MASTERS:** All in favor.

[Chuckles]

**COUNCILPERSON PARDO:** Aye.

**COUNCILPERSON HUBBARD:** Aye.

**UNK.:** [Inaudible].

**PARKS & RECREATION DIRECTOR BLANKENSHIP:** Let's try this out. Richard Blankenship, Parks & Recreation Director. Staff is here to answer any questions you may have.

[Chuckles]

**MAYOR MASTERS:** All in favor.

**COUNCILPERSON PARDO:** Chair..., Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** Alright. The only thing I'll say is thank you very much for moving forward with this.

**PARKS & RECREATION DIRECTOR BLANKENSHIP:** Yes.

**COUNCILPERSON PARDO:** It's much need over at that park. The..., you know, the salt water just destroys...

**COUNCILPERSON DAVIS:** Yeah, it does.

**COUNCILPERSON PARDO:** ...everything. And also, thank you for finally putting up the shade sail in the tot park.

**PARKS & RECREATION DIRECTOR BLANKENSHIP:** You're welcome.

**COUNCILPERSON PARDO:** Thank you, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Anyone else? Do we have...

**DPUTY CITY CLERK BURGESS:** Uh-uh.

**CHAIRPERSON MILLER-ANDERSON:** No?

**DPUTY CITY CLERK BURGESS:** Uh-uh.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**DPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DPUTY CITY CLERK BURGESS:** Councilperson Davis?

**COUNCILPERSON DAVIS:** Yes.

**DPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DPUTY CITY CLERK BURGESS:** Unanimous vote.

**21. ITEM NO. 21**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 21.

**DPUTY CITY CLERK BURGESS:** **RESOLUTION NO. 47-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH...**

[Inaudible dais comment]

**DPUTY CITY CLERK BURGESS:** ...COUNTY, FLORIDA APPROVING THE APPLICATION FROM THE EQUITAS MANAGEMENT GROUP, LLC AND THOMAS ENGINEERING GROUP, LLC FOR SITE PLANT APPROVAL TO DEVELOP A SINGLE STORY, 8,247 SQUARE FOOT RETAIL BUILDING ON .92 ACRE OF 1.93 ACRES OF VACANT COMMERCIAL LAND LOCATED AT PARCEL CONTROL NO. 56-43-42-28-31-015-0010 AND PROVIDING AN EFFECTIVE DATE.

**COUNCILPERSON HUBBARD:** Uh-uh.

**CHAIRPERSON MILLER-ANDERSON:** So mo'... Do we have a motion? [Pause]. Do we have a motion? [Pause]. Alright. This Item dies for a lack of a second.

**COUNCILPERSON DAVIS:** Lack of a motion?

**CHAIRPERSON MILLER-ANDERSON:** Lack of a motion and a second.

**MAYOR MASTERS:** 22.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON DAVIS:** Hold on.

**CITY MANAGER EVANS:** Well, Madam Chair...

**MAYOR MASTERS:** It died.

**CITY MANAGER EVANS:** [Stammer]...

**CHAIRPERSON MILLER-ANDERSON:** What are we gonna do?

**COUNCILPERSON DAVIS:** Um...

**CITY MANAGER EVANS:** Ho'...

**COUNCILPERSON DAVIS:** Legal. Mr. Evans.

**CITY MANAGER EVANS:** The..., this particular Item, with respect to [pause] their, their... Item 22 and twenty'.., 21 coincide with one another.

[Inaudible dais comment]

**CITY MANAGER EVANS:** And so, by, by taking that action, you, in essence, would, would eliminate Item 22 but I, I do wanna communicate to the Council that there's some concerns with respect to Item 21 and 22 and we would encourage the Council to allow for Staff to present the Item in order to hear exactly what the exposure would be to the City in the event that we do not allow for this particular endeavor to move forward because there is some legal exposure that we would have and we want to communicate to the Council on this ma'.., this particular.., these particular two matters.

**CHAIRPERSON MILLER-ANDERSON:** Um...

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** Okay. So, this is for the Clerk. What time did we say that we were going...

**CHAIRPERSON MILLER-ANDERSON:** 11:15.

**COUNCILPERSON PARDO:** ...until?

**DPUTY CITY CLERK BURGESS:** 11:15.

**UNK.:** [Inaudible] 30.

**COUNCILPERSON PARDO:** Okay. There's no way that we have time to even...

**COUNCILPERSON DAVIS:** That's..., and that's why...

**COUNCILPERSON PARDO:** ...[inaudible]...

**COUNCILPERSON DAVIS:** ...I didn't...

**CHAIRPERSON MILLER-ANDERSON:** Okay. So...

**COUNCILPERSON DAVIS:** ...make a motion.

**CHAIRPERSON MILLER-ANDERSON:** ...do you wanna make...

**CHAIR PRO TEM DAVIS JOHNSON:** Let's just finish it.

**CHAIRPERSON MILLER-ANDERSON:** Someone wanna make a motion.., motion to postpone?

**CITY MANAGER EVANS:** [Stammer]...

**COUNCILPERSON DAVIS:** [Inaudible]...

**CITY MANAGER EVANS:** We have...

**CHAIRPERSON MILLER-ANDERSON:** Or...

**COUNCILPERSON DAVIS:** But, but what I will suggest is, if this goes to next meeting, this is the very first Item on the...

**CHAIRPERSON MILLER-ANDERSON:** Right.

**COUNCILPERSON DAVIS:** ...next meeting.

[Inaudible dais comment]

**CITY MANAGER EVANS:** Well, another thing is, we have three representatives from the entity that are here, that have been here since 6:00 o'clock. So, if it is the pleasure of the Council, if we can allow for, at least, 15 minutes to get through this Item...

**COUNCILPERSON DAVIS:** Okay.

**UNK.:** Okay.

**COUNCILPERSON DAVIS:** At least this...

**CITY MANAGER EVANS:** Both, this Item...

**COUNCILPERSON DAVIS:** ...will cover two of them, right.

**CITY MANAGER EVANS:** ...both, both of them. So.

**COUNCILPERSON DAVIS:** Okay.

**MAYOR MASTERS:** 21 and...

**CHAIRPERSON MILLER-ANDERSON:** But we don't., we need...

**MAYOR MASTERS:** ...22?

**CHAIRPERSON MILLER-ANDERSON:** ...the motion...

**CITY MANAGER EVANS:** 21 and 22.

**CHAIRPERSON MILLER-ANDERSON:** ...and the second in order to move forward with it though.

**COUNCILPERSON DAVIS:** Well, for..., do we need a motion for [stammer] for a hearing or... 'Cause he said they're gonna do a presentation? What would you need from us, Mr. Evans?

**CITY MANAGER EVANS:** Um...

**COUNCILPERSON PARDO:** Well, first...

**CITY MANAGER EVANS:** You...

**COUNCILPERSON PARDO:** ...a motion to extend.

**CITY MANAGER EVANS:** [Stammer] what we would do, is we just get into the presentations. The motion, you would only take a motion when you're getting ready to, to take official action. So...

**COUNCILPERSON DAVIS:** Okay.

**CITY MANAGER EVANS:** ...you don't have to motion to, to hear an item.

**COUNCILPERSON DAVIS:** So let's...

**CHAIRPERSON MILLER-ANDERSON:** Right.

**COUNCILPERSON DAVIS:** Okay. That makes sense.

**CHAIRPERSON MILLER-ANDERSON:** Well, let's extend the meeting first. Do we have a motion...

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** ...to extend first?

**COUNCILPERSON DAVIS:** I gotta go.

**COUNCILPERSON HUBBARD:** So moved.

**CHAIR PRO TEM DAVIS JOHNSON:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright. How long are we..., how long?

**COUNCILPERSON DAVIS:** Uh-uh. Sorry, I gotta go.

**COUNCILPERSON HUBBARD:** 'Til they finish this presentation.

**COUNCILPERSON DAVIS:** I have to go.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM DAVIS JOHNSON:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** Are you gonna give him a time limit as to how long he's gonna do a presentation? You wanna give...

**COUNCILPERSON HUBBARD:** 15 minutes?

**CHAIR PRO TEM DAVIS JOHNSON:** 11:45.

**COUNCILPERSON HUBBARD:** You said 15 minutes, Mr. Evans?

**CITY MANAGER EVANS:** You have 15 minutes.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON PARDO:** Well...

**CHAIRPERSON MILLER-ANDERSON:** Are we...

**COUNCILPERSON PARDO:** I'd like to make a motion.

**CHAIR PRO TEM DAVIS JOHNSON:** Where are we...

**CHAIRPERSON MILLER-ANDERSON:** Hold on, hold on...

**COUNCILPERSON PARDO:** I'd like to make...

**CHAIRPERSON MILLER-ANDERSON:** ...hold on.

**COUNCILPERSON PARDO:** ...a motion to go...

**CHAIRPERSON MILLER-ANDERSON:** We have a motion on the floor already. And a...

**COUNCILPERSON PARDO:** But it...

**CHAIRPERSON MILLER-ANDERSON:** ...second.

**COUNCILPERSON PARDO:** ...wasn't...

**COUNCILPERSON DAVIS:** It wasn't second yet.

**COUNCILPERSON PARDO:** Who second it?

**CHAIR PRO TEM DAVIS JOHNSON:** There was a second [inaudible]...

**CHAIRPERSON MILLER-ANDERSON:** Well, it was second. She just didn't...

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** ...have the time [inaudible].

[Inaudible dais comments]

**CHAIR PRO TEM DAVIS JOHNSON:** Oh, I second it through, through my teeth.

**CHAIRPERSON MILLER-ANDERSON:** Yeah. She did second it. Does your second still stand for the amount of time that she suggested or do you wanna rescind your motion, Ms. Hubbard or Ms. Pardo to...

**COUNCILPERSON PARDO:** I'm saying until [inaudible].

**CHAIRPERSON MILLER-ANDERSON:** What is she getting ready to say?

**UNK.:** [Inaudible].

**COUNCILPERSON PARDO:** Well, my motion was going to be, let's just finish the Agenda. So, if we're here...

**CHAIRPERSON MILLER-ANDERSON:** I would...

**COUNCILPERSON PARDO:** ...until 2:00 a.m....

**COUNCILPERSON DAVIS:** Sorry but...

**CHAIRPERSON MILLER-ANDERSON:** I was okay with...

**COUNCILPERSON DAVIS:** ...I got., I have to go.

**CHAIRPERSON MILLER-ANDERSON:** ...that to begin with.

[Inaudible audience comment]

**COUNCILPERSON DAVIS:** I'm sorry. I really have to...

**CHAIRPERSON MILLER-ANDERSON:** I was okay with that...

**COUNCILPERSON PARDO:** I make a motion...

**CHAIRPERSON MILLER-ANDERSON:** ...to begin with.

**COUNCILPERSON PARDO:** ...that...

[Inaudible audience comment]

**COUNCILPERSON PARDO:** ...we finish the entire Agenda.

**CHAIR PRO TEM DAVIS JOHNSON:** Second.

**UNK. AUDIENCE:** Thank you.



**CHAIRPERSON MILLER-ANDERSON:** Alright.

**DPUTY CITY CLERK BURGESS:** Who second? I'm sorry.

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

**CHAIR PRO TEM DAVIS JOHNSON:** I did.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON DAVIS:** [Inaudible].

**DPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DPUTY CITY CLERK BURGESS:** Councilperson Davis?

**COUNCILPERSON DAVIS:** No.

**DPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON PARDO:** Okay.

**COUNCILPERSON DAVIS:** Madam Chair?

**COUNCILPERSON PARDO:** Okay. Excuse me. I have to go find someone to go feed my dog.

**CHAIRPERSON MILLER-ANDERSON:** Oh, bring him next time. Go ahead.

**MAYOR MASTERS:** [Chuckle].

**COUNCILPERSON DAVIS:** Madam Chair.

[Inaudible audience comment]

**MAYOR MASTERS:** She's not...

**COUNCILPERSON PARDO:** I have...

**MAYOR MASTERS:** ...gonna starve.

**COUNCILPERSON PARDO:** ...[inaudible] pound German Shephard...

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** ...that's starving...

**CHAIRPERSON MILLER-ANDERSON:** What do you need...

**COUNCILPERSON PARDO:** ...right now.

**CHAIRPERSON MILLER-ANDERSON:** ...Mr. Davis?

**COUNCILPERSON DAVIS:** No. I just., I need...

**CITY ATTORNEY DEGRAFFENREIDT:** [Inaudible]...

**COUNCILPERSON DAVIS:** I needed to leave. That's...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** I wanna state it on the record.

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON DAVIS:** I have time...

[Inaudible dais comments]

**COUNCILPERSON DAVIS:** ...sens'... Well, I need to leave.

**CHAIR PRO TEM DAVIS JOHNSON:** We need to...

**CHAIRPERSON MILLER-ANDERSON:** Alright. Mr. Davis is stating on the record that he needs to leave.

[Inaudible dais comments]

**CHAIRPERSON MILLER-ANDERSON:** Alright. Go ahead.

**UNK.:** Excuse me.

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**COUNCILPERSON HUBBARD:** Before you start, sir.

**UNK.:** [Whisper: We need a break]

**MAYOR MASTERS:** So, we have a quorum.

**CHAIRPERSON MILLER-ANDERSON:** We're gonna take a thr'.., two minute recess so that our Council people can be comfortable enough to stay as long as they need to.

**MAYOR MASTERS:** So they can stretch, right?

**CHAIRPERSON MILLER-ANDERSON:** So, we'll give 'em about three, four minutes.

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible]. It's gonna take you three minutes to [inaudible]...

**COUNCILPERSON HUBBARD:** Get up and get out. [Inaudible].

**MAYOR MASTERS:** I'm good. I can sit right here. I'm great.

[Inaudible comments]

**MAYOR MASTERS:** I can relax.

[Break]

**MAYOR MASTERS:** ...my Agenda. I'll tell the Chair.

**CHAIRPERSON MILLER-ANDERSON:** Ms. Pardo and Ms. Hubbard.

[Inaudible chatter]

**MAYOR MASTERS:** I'm probably gonna pull my Agenda., my Item tonight, my presentation.

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

[Inaudible chatter]

**MAYOR MASTERS:** Because I want, I want you to be able to go to work tomorrow.

[Chuckle]

**UNK.:** I'll be fine.

[Inaudible comments]

**MAYOR MASTERS:** Okay. Well, I'll play it by ear.

**CHAIRPERSON MILLER-ANDERSON:** Well, yeah. Just play it by ear.

**COUNCILPERSON HUBBARD:** I should've left...

[Gavel]

**CHAIRPERSON MILLER-ANDERSON:** Alright. We're going to resume our City Council meeting. We were on Item No. 21. We., did., he's gonna go ahead and do the presentation?

**CITY MANAGER EVANS:** Yes, Madam Chair.

**UNK.:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Good evening. Jeff Gagnon, Assistant Director of Community Development.

**MAYOR MASTERS:** Good evening.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Proceeding with this Item, it is also connected to...

**COUNCILPERSON PARDO:** [Inaudible].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...the Item directly following this which is the plat. This is for the Site Plan. As the Clerk already read into the record...

**CITY MANAGER EVANS:** Jeff, hold on one second.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, sir.

**CHAIRPERSON MILLER-ANDERSON:** Mr. Degraffenreidt.

**CITY ATTORNEY DEGRAFFENREIDT:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** For this Item here, it di'.., it died for a lack of a second. Do we need to get another motion before he does the presentation?

[Inaudible dais comment]

**COUNCILPERSON PARDO:** Mhmm.

**CITY ATTORNEY DEGRAFFENREIDT:** Let him do the presentation. And then, I'm going to ask you to take an action based upon his presentation. That will be the easiest way to do and it'll waste.., and will take less time.

**CITY MANAGER EVANS:** But in the future, we don't have to get a motion to present an Item. We just...

**CITY ATTORNEY DEGRAFFENREIDT:** No, you do not.

**CITY MANAGER EVANS:** ...co'... We just come and...

**CITY ATTORNEY DEGRAFFENREIDT:** You, you do not.

**CITY MANAGER EVANS:** ... present.

[Inaudible dais comment]

**CITY MANAGER EVANS:** A motion would only be...

**CITY ATTORNEY DEGRAFFENREIDT:** The process that I would prefer to happen, is for Staff to present the issue.

**CITY MANAGER EVANS:** Correct.

**CITY ATTORNEY DEGRAFFENREIDT:** At the conclusion, they will make.., they will ask you, we're looking for a motion to do x, y, z.

**UNK.:** Yeah.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY ATTORNEY DEGRAFFENREIDT:** We're looking for a motion to approve, should be the one that follows this one.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you. Go ahead.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, thank you. So, this project proposal is for a Site Plan and it was provided by Equitas Management and Thomas Engineering.

**CITY ATTORNEY DEGRAFFENREIDT:** [Inaudible background comment].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** The applicant's proposing to develop 0.92 acres of the existing 1.93 acre vacant commercial site located south of Blue Heron Boulevard and West of Avenue L. The PCN number has been provided previously. The proposal is to construct a single story, 8,247 square foot retail building. Additionally, as mentioned before, the replat is provided concurrently following this resolution.

So, here is the site location map. Again, this is Blue Heron Boulevard running east and west and the property is located next to Avenue L and also Australian Ave. to the west. This is an aerial of the site. You can see the property is currently vacant and there's currently no building construction on the site. I don't believe, historic, there has been either. So, it's still a green space in the City.

**COUNCILPERSON PARDO:** [Inaudible] traffic problems. [Inaudible] traffic problems now?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** So, this is Blue Heron Boulevard to the north. The proposal is to, again, develop this portion of the site. The retail building is positioned affronting Broadway which is not necessarily a code requirement for general commercial zoning district, however, it's something that the City has been moving towards within our downtown mixed use areas and it's something that the development community in most cities have been pushing for. So this is seen by Staff as a, a positive, um, positive element of the design and something that's favorable moving forward. [Pause]. So gain, the building is shown and the landscape package proposed is provided within this landscape plan, shown for the record. If you will also note, discussed briefly at the Planning & Zoning Board meeting, was the landscape package that's proposed and there is a significant amount of landscaping that's proposed along Avenue L, as well as Blue Heron Boulevard. [Pause]. So, here's an elevation of the building that's being proposed. This provides

both the north elevations and the west elevation. These elevations will be most prominent from Blue Heron Boulevard and will be seen most frequently by the general public driving through the area. [Pause]. This is the east elevation, the south elevation.

Later in the presentation, a few slides from now, I'll demonstrate that the Planning & Zoning Board did recommend approval of this project with a 3 to 1 vote. They also recommended that additional architectural treatment be added to these elevations to kinda make it more in line with the elevations shown previously and the development team has done that accordingly. [Pause]. So again, this parcel has a commercial future land use, it's general commercial zoning. The uses being proposed which is a retail use, is the permitted use within the zoning districts and compatible to that future land use designation. Within the area, the property to the north is currently vacant, south is the City Public Work' facility, to the east is industrial uses, as well as to the west. [Pause]. So, a brief synopsis of the Staff analysis that's provided in your backup material tonight is that the project proposal is consistent with and compatible to the City's Comprehensive Plan and Land Development Regulations. All typical City services are available to the site, including roads, water, sewer, garbage collection. Adequate parking has been proposed by the applicant. In total, there are 39 parking spaces, two of those parking spaces are ADA accessible and there has been no objections from City Staff associated with the plan review process. That includes Fire Department, Police, Utilities, Building and Planning & Zoning.

So, as mentioned previously, on April 13<sup>th</sup> the Planning & Zoning Board recommended approval of this project with a 3 to 1 vote. And the architectural treatment enhancements were also recommended as a condition of that approval. The development team has amended their elevations to reflect those changes. And City Staff recommends that the City Council consider the information presented and the applicant's request for Site Plan approval. Additionally, we have the applicant team here tonight and they have a, a brief presentation..., well..., as well, if it pleases the Council.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON PARDO:** Madam Clerk, I have a question for Jeff.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** Ah, Madam Clerk.

**CHAIRPERSON MILLER-ANDERSON:** I heard you.

**COUNCILPERSON PARDO:** Oh my God, I'm sorry.

[Chuckle]

**COUNCILPERSON PARDO:** See what happens?

**CHAIRPERSON MILLER-ANDERSON:** I know.

**COUNCILPERSON PARDO:** Been up over 18 hours now.

**CHAIRPERSON MILLER-ANDERSON:** That's okay. You're working...

**COUNCILPERSON PARDO:** Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** ...good. Go ahead.

**COUNCILPERSON PARDO:** Okay. Jeff.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, ma'am.

**COUNCILPERSON PARDO:** Can you go back to the slide that showed the, um, the parcel? No, go back. Right..., yeah. There. Okay. So, show me [pause] what part of the parcel will, um, people, you know, where's the...

**UNK.:** [Inaudible].

**COUNCILPERSON PARDO:** ...egress and [pause].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Sure.

**COUNCILPERSON PARDO:** Okay. Where is that?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** So, along Blue Heron Boulevard, which is to the north...

**COUNCILPERSON PARDO:** Okay.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...this darker grey section...

**COUNCILPERSON PARDO:** Uhuh.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...is actually the area proposed to be paved.

**COUNCILPERSON PARDO:** Right.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** So, there'll be direct access from Blue Heron Boulevard.

**COUNCILPERSON PARDO:** Okay.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** And then, Avenue L will also provide an additional access point to this site.

**COUNCILPERSON PARDO:** Okay. And that's my problem. We have had many accidents... We've had accidents with Public Works and with our Police Department. The police and, and other, you know, and residents and visitors through the City. Heading west on Blue Heron, they go into that turning lane to head south on Avenue L. And, we know Blue Heron is a very busy street and, especially, you know, heading east, during rush hour. And, and it's not even rush hour anymore, it just seems, you know, it, it..., we constantly have a lot of traffic on there. I have an issue with being able to

access that development on Avenue L because it is going to [stammer]. We have a history already of, you know, numerous number of accidents from people turning from west on Blue Heron, south on Avenue L. And I think it is going to become extremely dangerous. More dangerous than it is right now.

So, have you guys discussed that, have you looked into it? Did Planning & Zoning say anything about it or police or fire or anyone?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Traffic really wasn't discussed at the Planning & Zoning Board meeting, however, as supplemental information...

**COUNCILPERSON PARDO:** Mhmm.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...the development team did provide a traffic study for this development proposal.

**COUNCILPERSON PARDO:** Mhmm.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** That study was reviewed by Palm Beach County for compliance with traffic standards and did issue a compliance letter stating that the development was within all of the, the code requirements for traffic.

**COUNCILPERSON PARDO:** Right. But again, but they're not looking at all of.., the numerous number of accidents that occur there. Do they?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** I, I don't know if that is part of their direct analysis. I would hope that it would be but I'm not sure of that.., if it is directly part of...

**COUNCILPERSON PARDO:** We just...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...their analysis.

**COUNCILPERSON PARDO:** ...paid out a claim six, seven months ago. For an accident that occurred right there. With, I think it was our.., a police officer.

I have.., that's my issue with this project, that Avenue L...

**CITY MANAGER EVANS:** [Inaudible background comment].

**COUNCILPERSON PARDO:** ...being able to access the property from Avenue L.

**UNK.:** We'll put in a light.

**COUNCILPERSON PARDO:** It's either that or close, you know, that turning lane. Which would then have a negative effect on Public Works. But... That's the...

**CHAIRPERSON MILLER-ANDERSON:** That's it?



**COUNCILPERSON PARDO:** ...that's the thing. Yeah. Thank you. That's the thing that's holding me up on this.

**CHAIRPERSON MILLER-ANDERSON:** Anyone else?

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**MAYOR MASTERS:** The, uh, Jeff, you did say that the police signed off on this?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, sir.

**MAYOR MASTERS:** And the fire?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, sir.

**MAYOR MASTERS:** Okay. So, I guess they didn't see any.., they didn't say anything about the, that intersection being dangerous to pedestrians or to cars or.., they didn't say any'.., they didn't give any...

**COUNCILPERSON PARDO:** [Inaudible].

**MAYOR MASTERS:** ...any review or any documentation to...

[Inaudible dais comment]

**MAYOR MASTERS:** ...suggest anything differently?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** I don't recall any specific comments from those departments in regards...

**MAYOR MASTERS:** But they signed off?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...to pedestrian safety.

**UNK.:** Yeah.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Right. So...

**MAYOR MASTERS:** Okay.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...the, the traffic study does...

**UNK.:** Right.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...review many of those elements. And again, the county is the reviewing...

**MAYOR MASTERS:** But our department...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...authority.

**MAYOR MASTERS:** ...signed off. Right?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, sir.

**MAYOR MASTERS:** Okay. Thank you.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes.

**CITY MANAGER EVANS:** And, and Mr. Mayor, just as a, a point of clarification, public safety wouldn't look at those particular aspects. They would look at, would there be any additional resources from the public safety side, fire, police, etc., associated with the development. So they're not necessarily looking at it from the traffic component. That would be something that the county would then provide the information and then we take it and, and incorporate that in the overall package.

**MAYOR MASTERS:** Okay. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Are you finished with your presentation? We do have some public comment...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** ...cards on this. Ms. Bonnie Larson and then Ms. Mary Brabham.

**MS. B. LARSON:** What I notice was an obvious omission on this, is the type of store, type of retail and also the location. We should be able to read the Agenda and know exactly where something is and exactly what it is. He ment'..., that looks very much like a dollar store. Don't tell me there's gonna be another dollar store on Blue Heron. Please don't tell me that.

[Inaudible background comment]

**MS. B. LARSON:** And it's...

**UNK.:** [Inaudible].

**MS. B. LARSON:** ...obviously something is missing here. Why don't we mention what that retail store is?

Also, the map... Well, we can go back to it but the map, if, when we have maps of something, when he said Avenue L, I figured that was the, um, Utility or the Maintenance Department.

**UNK.:** Public Works, yes.

**MS. B. LARSON:** Public Works, yeah. It would be good if we could see that on the map, in relation to this, rather, this was, like, really cut off. You can't really see that. So, those were m'... My comment is to [stammer] instead of listing a property control

number, if you want to that's fine, but mention the streets, do a little map and also say what type of store we're talking about 'cause that makes a big difference. We're gonna be the dollar store capital of Florida, if we continue with this. Right on Blue Heron, our major street, a do'... Looks like a dollar store to me. Let's see if it is or not. But, please be more specific so that we don't have to look at the backup and if you're looking for it someday, you can just read this and know what they're talking about.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Ms. Mary Brabham and then Mr. Tradrick McCoy.

**MS. M. BRABHAM:** Ms. Mary Brabham, Riviera Beach. Too bad the Chair is not here but I, I hope...

**CHAIRPERSON MILLER-ANDERSON:** I'm here.

**MS. M. BRABHAM:** ...that he hears.

**CHAIRPERSON MILLER-ANDERSON:** I'm here.

**MS. M. BRABHAM:** I mean, the previous Chair...

[Inaudible dais comment]

**MS. M. BRABHAM:** ...is not here

**MAYOR MASTERS:** [Inaudible] talking about.

**MS. M. BRABHAM:** But I'm hoping that he will hear me loud and clear. I do not have a distain for the company, they're a business. I have a distain toward the.., some of the Staff and some of the Council representative who also pushed this.

Last year, when we were battling the most hazardous chemical compound that would infringe upon our City, I had a conversation with the previous Chair, TD Davis and I did tell him about the dollar stores. Yes, this is a dollar store. That one on Broadway there, that we just.., across from Winn Dixie there, that one just opened up there a couple weeks ago. Right down the street there, next to Save A Lot, Family Dollar store. Congress and Blue Heron, across from Walgreens, Family Dollar store.

I was in the Planning & Zoning Board meeting... Nice to see you reps again. And I stated my same opposition. It was not with them, it was what we parlay as, as representat'.., us, in this City here. How we look? That's our main thorough' there. That is our main thorough' there. And every Councilperson, and I should call your names but I'll let the general public decide that, will not go unchecked for doing this and setting this in motion here, as well as some of the Staff that set this in motion for this City. It's shameful. It is shameful. That is a most elemented corner there. We have that signage place there, Publics Work Department is there and in the Planning & Zoning Board meeting, it's, it's, it's some of these criteria's here that was not even discussed. Mr. Kunuty asked for some, some, um, aesthetic in the back of this building

here because Public Works eventually would be build out or it will be built. But, you have a dollar store on that main corner there. Yes, I had advised that Chair, our previous Chair, to put a moratorium, like the residents said last year...

[Beep]

**MS. M. BRABHAM:**...back in September. When you put the moratorium on it. After you passed the dollar store down on Broadway there and then went 'head on and slid this on in. Now, you puts the moratorium on 'em. Yeah. We, we, we know, we know what, what, what went on here. Those that did not have a hand on any [clapping hands], congratulation'. But those that did, the general public will know and they will be informed. Like I said every meeting, it's televised, every comment that you made. So, that when we have to readdress these issues...

[Inaudible background comment]

**MS. M. BRABHAM:**...it's no, it's no such thing as sayin' that we didn't know.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Ms....

**MS. M. BRABHAM:**Yes, your Chair knew it. He knew it.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Mr. McCoy.

**MR. T. MCCOY:** Good evening again. Tradrick McCoy, Riviera Beach.

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

**CHAIRPERSON MILLER-ANDERSON:** Good evening.

**MR. T. MCCOY:** Humbled Member of the Planning & Zoning Board.

**MAYOR MASTERS:** [Chuckle].

**MR. T. MCCOY:** For the sake of time, and I guess I could answer the question about how we extend these meetings so late. You guys have a Planning & Zoning Board who is appointed by the Council so rely on us. You know, we vetted this project at least an hour and a half. There was a number of different questions that we asked and, regrettably, Council Member Pardo, that wasn't one of 'em. We did ask about some of the other things and I did see the letter that was put into the record from Palm Beach County but, what I will say is this, [pause], I supported the project and I still do simply because I don't wanna do the pipeline thing and, when they have an application in the pipeline, we try to bring language to block 'em. I don't think that's good business for the City. And not only that, [pause – clears throat], the presentation that was offered by Mr. Gagnon, I don't think there was really anything significant that changed from the moment when it was at the Planning & Zoning Board.

But I support it. We found it to be consistent and there were some concerns about, um, that east elevation. But I.., what I didn't want to see happen was that we condition

these projects so much that we turn businesses away from the City. And now, you know, we've had a number of different inquiries about dollar stores and filling stations and that's why it's important that we have a review of our whole entire Comprehensive Plan because, you know, as much as we don't like a project, if they are permitted by right, then they are permitted. And, I don't wanna come to a meeting and try to negotiate conditions when..., for a project when the best time to do it is in the planning stages and when these applicants first come to the City to try to find something that works best with the overall layout of the City.

So, those are my comments and I support the project and we did find that it was consistent with the Comp Plan, the LDR, as well as its adjacent uses. So, those are my comments.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you. Any comments from the Board?

**COUNCILPERSON PARDO:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COUNCILPERSON PARDO:** Okay. So, Jeff. Could we [pause]..., would it be reasonable to request that they close the, the entrance on Avenue L? I'm just concerned about the safety.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** I think that would really require almost a start over for the project.

**CITY MANAGER EVANS:** Yeah.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** It would require a full review from, really, every aspect.

**CITY MANAGER EVANS:** And you've gotta have the ingress/egress on, on both sides.

**CITY ATTORNEY DEGRAFFENREIDT:** Yeah. But who regulates the traffic flow? Is it a county road or, or city road or what?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** So...

**CITY ATTORNEY DEGRAFFENREIDT:** Who, who has the last word...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...Blue Heron Boulevard...

**CITY ATTORNEY DEGRAFFENREIDT:** ...on that traffic flow?

**COUNCILPERSON PARDO:** The state.

**CITY MANAGER EVANS:** The state.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Blue Heron Boulevard's a state road and...

**CITY ATTORNEY DEGRAFFENREIDT:** Yeah.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...Avenue L is...

**CITY ATTORNEY DEGRAFFENREIDT:** [Inaudible].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...a City road.

**CITY MANAGER EVANS:** Yeah.

**CITY ATTORNEY DEGRAFFENREIDT:** Okay. [Pause]. What...

**COUNCILPERSON PARDO:** So then we have...

**CITY ATTORNEY DEGRAFFENREIDT:** ...impact would closing...

**COUNCILPERSON PARDO:** ...control of it.

**CITY ATTORNEY DEGRAFFENREIDT:** ...that road have on the county's review of the project?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Well, it's, it's, it's kind of a two-pronged element. So, one is whether or not...

**COUNCILPERSON PARDO:** [Inaudible].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...the project applicant...

**UNK.:** [Inaudible].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...still has a business model that will survive if ingress and egress is modified because I'm sure that they have their [stammer] economic data driven by access to the site so that could change their pro forma.

**CITY MANAGER EVANS:** Yeah.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** And additionally, it would require a full review, again, by Palm Beach County which could take months.

**CITY MANAGER EVANS:** So, could you go back to the, the roadway? And could..., can you proffer up an option whereby it's a right in, right out?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** For, for the Avenue L...

**CITY MANAGER EVANS:** Yeah.

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...egress point?

[Pause]

**CITY MANAGER EVANS:** Whereby you'd put one of those things. I call it a pork chop but, you know, just allows for vehicles to turn in and then you can't make a left turn out onto Avenue L, you'd have to make a right?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yeah. I would probably have to defer to either, um, the City...

**COUNCILPERSON PARDO:** Yeah, but...

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...Engineer or the project engineer as far as modifying the ingress and egress points to the site.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** [Inaudible].

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** Yeah.

**COUNCILPERSON PARDO:** Right. I think the problem though is heading south on Avenue L, crossing over Blue Heron...

**CITY MANAGER EVANS:** Mm.

**COUNCILPERSON PARDO:** ...to get into Avenue L. That's where the problem is.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** And, and while we, we understand your, your concern in, in that turning motion, understand that clo'..., eliminating the access on Avenue L requires anybody going westbound to make one of two choices. You're gonna make the left turn at Obama, come down to 17<sup>th</sup> and come up and around the backside...

**COUNCILPERSON PARDO:** Right.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...which, if you're not intimately familiar with that intersection, or that motion, you're probably not going to do that. The more likely option would be to keep going west and try to make a much more problematic U-Turn at Australian at the light which is a motion that we absolutely don't want vehicles to make. So, there's a turning lane there now. I believe that, if we look back at the traffic study, the potential traffic trips coming from east to west was low enough and de minimus to where the county did not feel it would be an additional burden or concern for the capacity of that intersection. And that would...

**COUNCILPERSON PARDO:** [Inaudible]...

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** ...be why...

**COUNCILPERSON PARDO:** ...[inaudible].

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:**...they didn't recommend any other physical improvements to the intersection on the DOT road or the City road in order to add capacity for that turning motion.

**COUNCILPERSON PARDO:** Okay. Fine. They're not traveling that road every day, like most of us are. Alright? They haven't seen the accidents, the numerous accidents, people in that turning lane heading, you know, crossing Blue Heron Boulevard to get into Avenue L. It's, it's a serious concern of mine.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Anyone else?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**CHAIR PRO TEM DAVIS JOHNSON:** I just wanted to go on record as having said, prior to the Item going to Planning & Zoning..., or maybe shortly thereafter, I did speak to Attorney Calhoun and the conversation that we had simply was, we had had some concerns from members of the community that were not necessarily happy about a retail store going on the corner and not inundating our City with that type of industry. I appreciate the work of the Planning & Zoning Board and I just wanted to go on record as having said it's not that I am not business friendly because, if anybody knows me, they know that I am certainly business friendly. It is just a matter of what industry goes where and we are constantly talking about not only in the Marina but in the City, as a whole, what we want to look like when we grow up and I, I still stand by the fact that that is a main thoroughfare and that just does not appear to me to be the look that we wanted. We had some conversation and discussion about, you know, how we get to the type of industry that is placed there and I certainly understand that and, and that puts a responsibility back on this Board to deal with the Comp Plan and to talk about the intended use and what we really want to have there. That sits smack dab..., that's in District 3 as well and, you know, we just wa'..., we want to be good partners and we want to be good neighbors, it is just, we have to take into consideration... And I understand that the moratorium was..., the application was placed prior to the moratorium being entered and, based on I guess some of the conversation that the Attorney has had with their Attorney and, and the legalities of it all, it doesn't appear that there is a immediate out. I know that we've asked for some, some increased landscaping and we've asked for other things. I, I still stand by my position that is not what we absolutely want. So, I guess we need to understand what the direction of the Attorney is, is going to be or what the question, from the Attorney...

**CITY ATTORNEY DEGRAFFENREIDT:** Your job is a...

**CHAIR PRO TEM DAVIS JOHNSON:** ...is going to be.

**CITY ATTORNEY DEGRAFFENREIDT:**...very difficult one. It's a balancing and weighing of public interest versus private rights. In this particular circumstance, it is my opinion that because the applicant meets the current codes and the criteria set forth in



our regulations to develop what he's asking you to develop, which is a retail store, he's entitled to it. As part of his investment back expectations and utilizing his property. And the exercise of our police power, there will have to be a paramount public purpose that is lawful and, currently, what is lawful, is what he's asking us to do. My recommendation to you would be to approve both of the Items. The application for the Site Plan, as well as the plat because he has met the conditions preceding that we have promulgated. It is also important to know that he got the application in prior to the moratorium, so we cannot rely on that either.

[Inaudible dais comment]

**CITY ATTORNEY DEGRAFFENREIDT:** ...to preclude his entitlement, in my opinion.

**COUNCILPERSON HUBBARD:** Ms..., may...

**CHAIRPERSON MILLER-ANDERSON:** Are you finished, Ms. Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Go ahead, Ms. Hubbard.

**COUNCILPERSON HUBBARD:** The..., you know, it's unfortunate that [pause], Staff didn't bring forth any regulations knowing that we had that one prior to us being inundated with this particular one. However, as much as they have a right to build within our City, we have a right to determine how we want our City to look and the different types of things that we would like to see in our City. We should drive what we want in our City. Our community, our residents, our constituents have said they do not want another dollar store in, in the City and I think they have that right to want to have something, um, have the type of amenities in the store. We, we have..., we have given our fair share to the dollar store in'..., industry. We have four dollar stores within a half a mile, or a mile radius. So, I don't think that..., I don't think that it would be..., they would be hard pressed to come up with another use for that or something that can be amenable to us, as well as to them. And, if they're..., I believe, if we're coming in off of Blue Heron, that we're gonna back up traffic onto Australian as well. The [pause]. I, I have to disagree with our Attorney. They might very well have certain rights, we have rights too. And then, you know, and we just..., we just see what weighs out.

**CITY MANAGER EVANS:** Madam Chair, if I...

[Inaudible background discussion]

**CITY MANAGER EVANS:** ...if I may?

**CHAIRPERSON MILLER-ANDERSON:** Mhmm.

**CITY MANAGER EVANS:** This particular entity, as part of the application process, or any application process in any organization, they are not required to proffer what type of entity that they are going to put into that particular facility. Also, it is a right that they have as a property owner. It would be the same thing that if we were to tell a residential property owner that we are no longer permitting swimming pools even though they have

the ability to put a swimming pool in their yard, that we make a decision that is arbitrary and capricious in nature, so I definitely would discourage the Council from taking a position that is contrary to the Attorney's position from the standpoint it leaves us legally vulnerable and exposed because we are holding on that we are trying to regulate commerce and there's a provision in the U.S. Constitution that prohibits that and so, there is some.., there is a lot of vulnerability for the organization legally and the reality is, if we go through the process, we still may end up seeing.., we will end up seeing a dollar store and then you will also see legal fees that would be associated with, with fighting this particular battle. One of the things that we can do in the future, is look at our Land Development Regulations and increase architectural features and buffers and those types of things and utilize those mechanisms to get a better design but we cannot take away the right of private property owners to develop what they can do, by law, on their parcels because it's paramount to a Bert Harris taking and then you've got other legal issues that you have to deal with. And Mr. Attorney, if I said anything outside of the scope, certainly, please free to, to correct me.

**CITY ATTORNEY DEGRAFFENREIDT:** You did not. You're right where you need to be.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR MASTERS:** Mr. Attorney, would you explain on the record, what is the difference between the situation that we are facing now versus the, the bleach situation?

**CITY ATTORNEY DEGRAFFENREIDT:** None.

[Inaudible background comment]

**MAYOR MASTERS:** It's the same thing?

**CITY ATTORNEY DEGRAFFENREIDT:** Same thing. And, I gave you the same recommendation. They decided not to go forward with any, any legal action. They looked for another site. That was a choice they.., these people could make that same choice but that [stammer] that does not change my opinion. The facts were still the same, it was entitled use.

**MAYOR MASTERS:** But didn't you say before that, something about the, the public... We would have to.., there would have to be an argument...

**CITY ATTORNEY DEGRAFFENREIDT:** That has to be a paramount public interest that's established on the record as a factual matter, that would support the denial in order to get around it being arbitrary and capricious. I think the presentation here, as before, was that there was compliance with all of the criteria.

**MAYOR MASTERS:** So, but in the bleach situation, there were...

**CITY ATTORNEY DEGRAFFENREIDT:** There were questions you...

**MAYOR MASTERS:** That, that...

**CITY ATTORNEY DEGRAFFENREIDT:** ...asked the expert that he did not answer, which I would have relied on in making your defense and I talked to you about that.

**MAYOR MASTERS:** Right. Which was adverse.

**CITY ATTORNEY DEGRAFFENREIDT:** I didn't say it was gonna be a good defense.

**MAYOR MASTERS:** Right. But, there were issues that were presented...

**CITY ATTORNEY DEGRAFFENREIDT:** That situation, yes.

**MAYOR MASTERS:** Ad'.., adverse to the applicant.

**CITY ATTORNEY DEGRAFFENREIDT:** In that situation, yes.

**MAYOR MASTERS:** Uh, and do we have that situation today?

**CITY ATTORNEY DEGRAFFENREIDT:** I do not believe so.

**MAYOR MASTERS:** I just wanted to ask the question.

**CITY ATTORNEY DEGRAFFENREIDT:** Yes, sir. I understand.

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

**CITY ATTORNEY DEGRAFFENREIDT:** I understand why you asked them. Yes, sir.

**CITY MANAGER EVANS:** And, and, and another thing is there.., there's nothing that precludes a, a dollar store entity or Dollar Tree or Family Dollar from leasing commercial space in an existing strip mall. So, there is inconsistent applications of rules and so, you would leave yourself exposed...

[Inaudible dais comment]

**CITY MANAGER EVANS:** ...tremendously, if, if you did not consider this Item. And so, my job as the administrator and the City Attorney's job is to provide you the information so you can make a sound public policy decision but I certainly would encourage the Council to consider both these Items because of the...

**COUNCILPERSON PARDO:** [inaudible].

**CITY MANAGER EVANS:** ...facts and the legal exposure we would have in the event that we turn down these, these two Items.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Any other comments?

**CITY MANAGER EVANS:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Alright. Huh?

**CHAIR PRO TEM DAVIS JOHNSON:** No.

**MS. H. CALHOUN:** Just the applicants. It's public hearing, if I'm correct. So, the...

**CHAIRPERSON MILLER-ANDERSON:** Right. [Inaudible]...

**MS. H. CALHOUN:** ...applicant has...

**CITY MANAGER EVANS:** So, the applicant has the...

**MS. H. CALHOUN:** ...an opportunity to...

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**MS. H. CALHOUN:** ...to present. Thank you. I will be brief in the interest of time. Good evening. My name is Hope Calhoun. I'm gonna..., first of all, try to put up our PowerPoint. Jeff's gonna help me. Thank you. Hope Calhoun here on behalf of the applicant. Again, I will do my best to be brief.

**MAYOR MASTERS:** You're their attorney? You're an attorney?

**MS. H. CALHOUN:** I am an attorney, yes.

**MAYOR MASTERS:** Thank you.

**MS. H. CALHOUN:** A land use a'.., attorney. So, this was the presentation that went before Planning & Zoning. We'd like to enter it into the record tonight, again, for your information. Very quickly, I think someone asked about an aerial showing the entire site. You'll see our site is highlighted in red and you see the description of the property there, the size, the, the land use and the zoning. It is currently vacant, as already was presented in Staff's report, um, and again, you just see that written here. Our request is already stated in the application, in the presentation. And in your Agenda backup, is twofold. First is [clears throat], excuse me, a Site Plan approval for approximately 8,000 square feet of commercial use and then a plat approval, corresponding plat approval. Both of these requests are technical in nature. You have heard, with regard to the Site Plan already, that the Site Plan meets all the technical criteria for approval. Your Staff has, has suggested, has stated clearly in the backup, Planning & Zoning found, also, that we meet those technical criteria for approval. You will see the same thing in the plat approval. Again, plat being administrative and technical in nature. We've satisfied all of the technical requirements for approval of both of those, um, requests.

Again, just an overview of the parcel. You see again, we are in red and the zoning is CG, as previously stated, which is commercial. You'll note in our next slide here, the commercial, the CG Zoning District, specifically permits retail uses in addition to a number of other uses within that District. The, the important thing to remember with regard to our application.., and this has already been said more than twice this evening, is that our request is for [stammer] approval of a commercial retail site. The end user is not what's before this Board tonight. It is the Site Plan approval for a retail use, which, as you can see, pursuant to your City code is a permitted use in this particular District. Again, here's just another.., again, Mr. Gagnon showed you the Site Plan entrances off

of Blue Heron and off of Avenue L. The turning movements and the access points were reviewed by your City Staff and then by Palm Beach County Staff in connection with the review of a traffic study which was presented by a certified traffic expert. Her, Staff report..., excuse me. Her traffic report is a ba'... It's late for me too. Her traffic report is a part of your backup. And again, she is certified and that information, again, is in your backup, as an expert.

[Stammer], we went to Planning & Zoning. These were the elevations that we proposed. Again, you'll see here, this is the front elevation so that's gonna face Blue Heron, west is what you see on the bottom, with the color scheme, as identified. Further elevations on both sides of the building are on the next slide. As a result of some comments, concerns, suggestions raised at the Planning & Zoning Board, we're suggesting some changes to satisfy their concerns, or, or desires or suggestions and you'll see modified trim on the elevations and some detail, architectural..., some detail changes also on the, on the bottom slide. Again, I'm just trying to go through this quickly. Again, you'll see a bit of a modified..., modification there and again, this is in response to the Planning & Zoning Board. Please note that your City Staff did not request these, City Staff was happy with our Site Plan that was permit'..., proposed. I'm shivering too, so I'm sorry..., was consistent. So, [stammer] City Staff approved the Site Plan that was proposed, both the elevations and all the details associated with same. The changes that we're propo'..., showing you here, are simply in response to the Board's recommendations or suggestions. We can provide, again, what, what's [stammer] originally approved by Staff or we can make the modifications as requested by Planning & Zoning. Here's just a closer view of what I just showed you.

And the plat, it was the next application. I don't know if we're discussing both of them together but again, very briefly, you'll get a Staff report on that. Again, we meet the technical criteria and the required..., legal requirements for approval. [Stammer], no disrespect, but any opinions offered, whether they are by myself or anyone else here, if they are not an expert, then it's not something that you can rely on with regard to making a decision. In making a decision, you use a technical criteria. We have an engineer, who is qualified as a, as an expert and again, a traffic report by a traffic expert, which has been entered into evidence. I know that [stammer] it's been said already that the end user, the end tenant may not be one that the City is currently in love with, however, again, our application was submitted prior to any moratorium and I would just ask, if you need to, you, you are able to, um, to heed the advice provided by your professionals and, and approve the uses as [stammer], approve the request, the Site Plan, the plat as proposed, as they are permitted uses in the current zoning district.

I'm happy to answer any, any questions that you may have. With me tonight, I have a representative of the developer and I have the engineer and I have my litigation co-counsel. So, if you have any questions of any of us, we're happy to answer them.

Thank you for the time.

**UNK. AUDIENCE:** You have the owner too. [Inaudible].

**MS. H. CALHOUN:** Oh, and the owner. Yeah. Sorry. And the owner's also here. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Do we have any questions or concerns for them?

[Pause]

**CHAIR PRO TEM DAVIS JOHNSON:** I know that you just said we're not here to discuss the final, the end use but you provided the rendering.

**MS. H. CALHOUN:** As a part of the Site Plan 'cause you did have to..., you have to approve the Site Plan of the building itself.

**CHAIR PRO TEM DAVIS JOHNSON:** But there is still..., based on the descriptions that you placed there for retail... I mean, it's obvious what it looks like but you provided a series of listings of other retail uses that could potentially go in that space.

**MS. H. CALHOUN:** Those..., I'm sorry to interrupt. Those aren't other retail uses, those are other just permitted...

**CHAIR PRO TEM DAVIS JOHNSON:** Just...

**MS. H. CALHOUN:** ...uses in the district. So, you see bakery, bookstore, boutique...

**CHAIR PRO TEM DAVIS JOHNSON:** Descriptions, definitions of what retail is. Right?

**MS. H. CALHOUN:** [Stammer], examples, yes, of other types of retail. Yes. That could be permitted.

**CHAIR PRO TEM DAVIS JOHNSON:** So, there is no probability that any of those additional uses could go in that spot?

**MS. H. CALHOUN:** Right now we're not in discussions with any other ret'..., end users.

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** That's it?

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** Okay. Just, you know, just my brief comment. I., you know, we, we were here several months ago talking about the, the types of retail stores that we really did not want to have in the City and I do understand that the way that it is stated that, you know, it's open-ended retail includes all of those things and it, it fits the description based of what we have laid out. I think this is a, a, a perfect example as to why we really need to look at our Comp Plan, our Charter review, we need to look at our zoning, all of those things that we, we talked about earlier so that we don't have this issue going forward. If this is [stammer], clearly this is not something that I support but if this is what we have to do because of the fact that the application was submitted

before we did place our moratorium, I, I, I don't, you know, I don't see what option we would have at this point but I do believe that our moratorium... And we need to take a look at that too because I'm sure the months have been countin' down that and I don't wanna find ourselves where we only have a month left and then we haven't had a chance to talk about it. So, I think that needs to be coming back before us very soon. You know, these are the types of things we need to try to fix so that we don't find ourselves in these positions, of having to accept something that we really don't want because of a lack of, others prior to us, not thinking about these things, um, and looking ahead.

Alright. Anything else? Alright.

**UNK.:** We need a motion.

**CHAIRPERSON MILLER-ANDERSON:** Alright. We have a motion? [Pause].

**UNK. AUDIENCE:** Can I say a word [inaudible]?

**CHAIRPERSON MILLER-ANDERSON:** A, a quick couple minutes, couple minutes. I'm sorry, we had comment cards. I am so sorry.

**CITY MANAGER EVANS:** So...

**CHAIRPERSON MILLER-ANDERSON:** Yeah. Real quick, sir.

**CITY MANAGER EVANS:** We have closed public [inaudible]...

**PROPERTY OWNER SIMON:** Yes. My name is Simon. I'm the owner of this property and I just have [pause], I'd like you to be practical and tell me, if you do not approve it, are you prefer to see a vacant lot for another 10 years or you prefer to...

[Inaudible comment]

**PROPERTY OWNER SIMON:** ...see this retail plaza, whi'...

[Inaudible dais comment]

**PROPERTY OWNER SIMON:** ...whichever it mighta be, if it's a dollar store or if it's gonna...

[Inaudible dais comment]

**PROPERTY OWNER SIMON:** ...be a bakery or whatever?

[Inaudible dais discussion]

**PROPERTY OWNER SIMON:** How can you let the lot to be vacant for another 10 years?

[Inaudible dais discussion]

**PROPERTY OWNER SIMON:** Because, I guess, you wanna have something else? Tell me what you wanna have. Maybe I should bring Macy's or maybe Bloomingdale but I don't think they're gonna come here. So, you tell me, where can I find somebody...

**COUNCILPERSON HUBBARD:** [Inaudible].

**PROPERTY OWNER SIMON:** ...that's gonna satisfy what you want to see there?

**COUNCILPERSON HUBBARD:** That's the problem.

**CHAIRPERSON MILLER-ANDERSON:** Sir, that...

**COUNCILPERSON PARDO:** Um...

**CHAIRPERSON MILLER-ANDERSON:** ...are you saying that...

**COUNCILPERSON PARDO:** Madam Chair?

**COUNCILPERSON HUBBARD:** That...

**COUNCILPERSON PARDO:** Yeah.

**COUNCILPERSON HUBBARD:** That's what he's saying.

**COUNCILPERSON PARDO:** Yeah.

**COUNCILPERSON HUBBARD:** That we [inaudible]...

**PROPERTY OWNER SIMON:** What's the option here?

**CHAIRPERSON MILLER-ANDERSON:** Sir, okay.

[Inaudible dais comments]

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** Basic'...

**CHAIRPERSON MILLER-ANDERSON:** Uh...

**COUNCILPERSON HUBBARD:** Basically, you're saying the only people that will come here would be a dollar store.

**PROPERTY OWNER SIMON:** No, I didn't say...

**COUNCILPERSON HUBBARD:** That was...

**PROPERTY OWNER SIMON:** ...dollar store, I said...

**COUNCILPERSON HUBBARD:** Well, you...

**PROPERTY OWNER SIMON:** ...retail.



**COUNCILPERSON HUBBARD:** So, Macy's and Bloomingdales are both retail stores. So, basically, what you're saying.., we have as many Macy's credit cards in this neighborhood as you have in whichever one that you live in. So, for you to sit up there and, and, and try to say that the only types of stores that will possibly come here is dollar stores, is offensive...

**PROPERTY OWNER SIMON:** This is not...

**COUNCILPERSON HUBBARD:** ...on its face...

**PROPERTY OWNER SIMON:** ...what I say.

**COUNCILPERSON HUBBARD:** ...and for that reason alone...

**PROPERTY OWNER SIMON:** This is not...

**COUNCILPERSON HUBBARD:** And for that...

**PROPERTY OWNER SIMON:** ...what I said.

**COUNCILPERSON HUBBARD:** ...reason alone...

**PROPERTY OWNER SIMON:** This is not what...

**COUNCILPERSON HUBBARD:** ...is enough...

**PROPERTY OWNER SIMON:** ...I said. What I...

**COUNCILPERSON HUBBARD:** Okay.

**PROPERTY OWNER SIMON:** ...said was...you prefer...

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**PROPERTY OWNER SIMON:** ...to see it vacant for...

**CHAIRPERSON MILLER-ANDERSON:** Point of...

**PROPERTY OWNER SIMON:** ...another 10 years?

**CHAIRPERSON MILLER-ANDERSON:** Sir?

[Inaudible background comment]

**CHAIRPERSON MILLER-ANDERSON:** Point of order.

**PROPERTY OWNER SIMON:** Would you...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**PROPERTY OWNER SIMON:** ...like to see us...

**CHAIRPERSON MILLER-ANDERSON:** Sir.

**PROPERTY OWNER SIMON:** ...vacant or you like to see [chuckle]...

**COUNCILPERSON HUBBARD:** I would rather...

**PROPERTY OWNER SIMON:** ...like to see a building there?

**CHAIRPERSON MILLER-ANDERSON:** Sir, I just...

**COUNCILPERSON HUBBARD:** I'd like to see it vacant...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON HUBBARD:** ...for the next 20 years.

**CHAIRPERSON MILLER-ANDERSON:** Call the vote. We have a motion? [Pause].  
Do we have...

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** ...a motion?

**COUNCILPERSON PARDO:** Motion.

**CHAIRPERSON MILLER-ANDERSON:** Do we have a second?

**CHAIR PRO TEM DAVIS JOHNSON:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Call the vote.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

[Pause]

**COUNCILPERSON PARDO:** It's too approve.

**CHAIRPERSON MILLER-ANDERSON:** To approve this.

**COUNCILPERSON HUBBARD:** No.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

[Pause]

**CHAIR PRO TEM DAVIS JOHNSON:** I'm [stammer]... I'm couching this right now,  
based upon the direction provided by the Attorney, I will vote yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** No.

**DEPUTY CITY CLERK BURGESS:** That motion failed with Councilperson Hubbard, Councilperson Pardo and Chair Miller-Anderson dissenting.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Item No. 22.

**CHAIR PRO TEM DAVIS JOHNSON:** That takes away 22.

**DEPUTY CITY CLERK BURGESS:** RESOLUTION NO....

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible]?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** I'm sorry, being it's...

**CHAIRPERSON MILLER-ANDERSON:** Huh?

**ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON:** ...an associated item, I think...

**CHAIRPERSON MILLER-ANDERSON:** I'm sorry.

[Inaudible background comment]

**CHAIRPERSON MILLER-ANDERSON:** You know, wait a minute. I'm so sorry. We had comment cards and I think we just kinda got caught up in, in the back and forth...

**UNK.:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Ms. Larson, do you wanna still come up? Ms. Mary Brabham?

[Inaudible audience comment]

**CHAIRPERSON MILLER-ANDERSON:** Come on up. I'm sorry.

**COUNCILPERSON PARDO:** Yeah. Get on the record.

**CHAIRPERSON MILLER-ANDERSON:** Bonnie Larson.

**MS. B. LARSON:** I know I spoke. I think I had a few seconds left. In that list of retail stores, I don't see dollar stores...

[Chuckle]

**MS. B. LARSON:** ...there. I don't. So, for him to come here, that was insulting, for him to come here and say that's all that's gonna come to Riviera Beach. You show me where it says dollar store there. Hobby store, music store, fine. Look at all the things we can have. Where does it say a dollar store?

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Ms. Brabham.

**MS. M. BRABHAM:** `Ms. Mary Brabham. I hope everybody got it on record what the owner said. So, if we goin' to court here...

**UNK.:** Let's go.

**MS. M. BRABHAM:** `...we'll do battle. Shameful. Exactly what Ms. Brabham said. This is exactly how that perception of who we are. Too bad you got a good team [inaudible], too bad. This is exactly who we are, one dollar. Perhaps there will be consequences but from what was stated here tonight, and I was sitting back there saying, 'Be quiet. Be quiet. You're talking too much.' Sometimes you can overstep your own boundaries. It's nothing up there that says a dollar store. It's nothin'. It's nothin' there. And, and, and, and look, if we're faced with another dollar store, we are already encountering the oil stains all in the parking lots. The trash'll be strow' from here to yonder blowin' all out in our main thoroughway. That corner there is, is a gold mine corner. Yes, we will get someone to come in here with that prime piece of property. And perhaps it could be a Macy's. Come on Macy's, prove him wrong. Come on others, come on in here. We got the best beach, the best Marina and we got all the ammunities that a City should ever want. Why you think he wanted to come here? Why do you think that he wanted to come here? Because he saw what we had too. But he came to degrade us instead of saying, 'Okay. Can we have some meeting of the minds here?' The Attorney laid it out. Mr. Evans laid it out and he came back and put his foot in his mouth.

[Chuckles]

**MS. M. BRABHAM:** `To let we, as peoples know, exactly what he thought about us [pause] and that perception is, we' worth a dollar. Ms. Brabham may not be the richest person in the world 'cause I'll tell everybody I'm poor but when someone comes into our City, willing to do business and want to do business, we should not have to settle for insults because he stood at this podium here and he did not just only insult the intelligency of a Cou'.., of the Council, as well as some of our Staff. Because they gave a whoa, because that's exactly what it was. And what does this speak for our children? Yeah, you can roam the street...

[Beep]

**MS. M. BRABHAM:** `...baby, 'cause you're only worth a dollar.

Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Ms. Brabham. Item 22.

**CITY MANAGER EVANS:** [Stammer] if we can just redo the vote to memorialize it because we have to, by statute, you have to allow for public comments before you take official action.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Go ahead.

[Inaudible dais comment]

**COUNCILPERSON PARDO:** So, my motion still stands.

**COUNCILPERSON HUBBARD:** My second stands.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** No.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** No.

**DEPUTY CITY CLERK BURGESS:** That motion failed with Councilperson Hubbard, Councilperson Pardo and Chair Miller-Anderson dissenting.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

## **22. ITEM NO. 22**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 22. [Inaudible].

**CITY MANAGER EVANS:** Item No. 22. Resolution 48-17 coincides with Item No. 21 with respect to the parcel so, at this point, Staff is here to answer any questions and the applicant is also here as well but I think based on the actions that the Council already took, it's probably appropriate if the applicant wanted to...

**COUNCILPERSON HUBBARD:** No.

**CITY MANAGER EVANS:** ...say anything, if not or just call for the vote?

**COUNCILPERSON HUBBARD:** Call for the vote.

**CHAIRPERSON MILLER-ANDERSON:** Do we have any comments [inaudible]?

**MS. H. CALHOUN:** Thank you for the opportunity. Very quickly. You have your Staff report in the back'.., you have your Staff report in the backup. Again, we've made.., met all of the technical requirements of the plat requirement, Staff has deemed it as such, it's in your backup. Again, you've been advised by your professionals, both legal and administrative, that is the best course of action for the City to approve because we've meet the tech'.., we meet the technical standards. Again, we're here to ha'.., I am here to [stammer], happy to answer any questions, if you'd like to ask me anything, I'm happy to respond.

**DEPUTY CITY CLERK BURGESS:** Chair, I need to read the resolution into the record.

**DEPUTY CITY CLERK BURGESS:** **RESOLUTION NO. 48-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING THE PLAT ENTITLED AVENUE L RETAIL AT AUSTRALIAN AND BLUE HERON, TOTALING APPROXIMATELY 1.93 ACRES LOCATED AT PARCEL CONTROL NUMBER 56-43-42-28-31-015-0010, AUTHORIZING THE MAYOR AND CITY CLERK AND CITY ENGINEER TO SIGN THE PLAT ENTITLED AVENUE L RETAIL STORE AT AUSTRALIAN AND BLUE HERON AND PROVIDING AN EFFECTIVE DATE.**

**COUNCILPERSON PARDO:** So moved.

**CHAIRPERSON MILLER-ANDERSON:** Do we have a second? [Pause]. Do we have a second?

**COUNCILPERSON HUBBARD:** Second.

**CHAIRPERSON MILLER-ANDERSON:** It's been properly moved and second. [Pause]. Okay. We have one card from Ms. Bonnie Larson. Do you wanna come up for this one or no?

**MS. B. LARSON:** No. I, I didn't realize at first that they were altogether, they were the same company.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Do we have any comments from the Board? [Pause]. Alright. Go ahead and call the vote.

[Inaudible dais comment]

**CHAIRPERSON MILLER-ANDERSON:** We had another one?

**DEPUTY CITY CLERK BURGESS:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** Ms. Brabham, are you coming for 22?

**MS. M. BRABHAM:**No.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MS. M. BRABHAM:**[Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Alright. Call the vote? They're not presenting.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** No.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** No.

**DEPUTY CITY CLERK BURGESS:** That motion failed with Councilperson Hubbard, Councilperson Pardo and Chair Miller-Anderson dissenting.

**UNK.:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Thanks.

**23. ITEM NO. 23**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 23.

**DEPUTY CITY CLERK BURGESS:** **RESOLUTION NO. 49-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CITY MANAGER TO TRANSMIT NOTICE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY THAT THE CITY INTENDS ON PREPARING THE ELEVATION AND APPRAISAL REPORT ON THE CITY'S COMPREHENSIVE PLAN, AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO TRANSFER \$25,000 FROM ACCOUNT NO. 001-0714-515-0-1201 IN ORDER TO CREATE ACCOUNT NUMBER 001-0714-515-0-3107 ENTITLED COMPREHENSIVE PLAN UPDATE FOR PROFESSIONAL MODERATOR SERVICES FOR THE PUBLIC WORKSHOP ASSOCIATED WITH THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS AND PROVIDING AN EFFECTIVE DATE.**

**COUNCILPERSON PARDO:** So moved.

**CHAIR PRO TEM DAVIS JOHNSON:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead.

**COMMUNITY DEVELOPMENT DIRECTOR BAILEY:** Staff stands ready to answer any questions.

**CHAIRPERSON MILLER-ANDERSON:** Can you...

**CITY MANAGER EVANS:** This particular Item is Resolution 49-17. As a requirement by state statutes, we are to transmit a letter to the Department of Economic Opportunity, telling them that we are in the process emb'., embarking on revising our Comp Plan. So, this is the authorization to proceed forward with sending the letter to DEO and then

to secure a land development attorney.., or land use attorney to assist us in the moderation as it relates to the Comprehensive Plan. Based on the public meetings that was.., well, one of the public meetings that was just hosted, we would like to have an opportunity to have a land use attorney assist us in communicating some of the Items to the public, as well as to the elected officials concerning the importance of a Comp Plan and looking at some of the documents before we proceed forward with a full rewrite or a full analysis of the Comp Plan and then putting it together and, ultimately, sending it off to the state for review.

So, Staff is requesting authorization to proceed forward accordingly and support Resolution 49-17.

**CHAIRPERSON MILLER-ANDERSON:** Okay. We have one public comment card. That's Ms. Bonnie Larson.

**MS. B. LARSON:** The land use attorney is a good idea. Where can we see.., how do we get to, on the web, how do we get to the portion where we can read the Comprehensive Plan? And if it's, like, a download of three days or something, can it be broken up or is it online already that we can read...

**CITY MANAGER EVANS:** Yes. The [stammer], the Comp Plan...

**MS. B. LARSON:** How do you get...

**CITY MANAGER EVANS:** ...is already online.

**MS. B. LARSON:** ...to that?

[Inaudible background comment]

**MS. B. LARSON:** It's on the Community Development's website but we can provide.., we'll provide you the link directly.

**MS. B. LARSON:** Okay. That'll be great. And also, my question is, whenever we have these workshops and stuff, we always hire someone to be a moderator. Why do we have to hire someone? Don't we have someone, a department head or something, who can do it? I mean, it's not much to it. Why do we always have to hire somebody?

**CITY MANAGER EVANS:** In this particular case, since it's been the discussion of this Council, the importance of the Comp Plan, the Land Development Regulations and then moving forward with a u'.., a Unified Development Code...

**MS. B. LARSON:** Mhmm.

**CITY MANAGER EVANS:** ...we would like for the attorney to assist us to make sure we put all the information together in an appropriate form and fashion and then to provide [stammer] cursory review of the document when we go ahead and put this document forward because it establishes the rules and laws in which the City would have to follow. So, it, it's an.., it's a legal document...



**MS. B. LARSON:** Mhmm.

**CITY MANAGER EVANS:** ...so we wanna make sure we have somebody that has that expertise.

**MS. B. LARSON:** Oh, no. I understand about hiring the attorney. My question was about a moderator, just someone to moderate...

**CITY MANAGER EVANS:** That, that's gonna be...

**MS. B. LARSON:** ...the questions and stuff.

**CITY MANAGER EVANS:** That's, that's.., the attorney is going to be...

**MS. B. LARSON:** Oh. That's gonna be him?

**CITY MANAGER EVANS:** Yeah.

**MS. B. LARSON:** Oh, alright. Thank you.

**CITY MANAGER EVANS:** Mhmm.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Thank you. Any comments from the Board? [Pause]. Roll call.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**25. ITEM NO. 25**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 25.

**DEPUTY CITY CLERK BURGESS:** **RESOLUTION NO. 50-17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ESTABLISHING THE RIVIERA BEACH EDUCATION ADVISORY COMMITTEE (RBEAC) SETTING FORTH THE TERMS AND**

**CONDITIONS UNDER WHICH THE COMMITTEE SHALL OPERATE AND PROVIDING AN EFFECTIVE DATE.**

**CHAIR PRO TEM DAVIS JOHNSON:** So moved.

**COUNCILPERSON PARDO:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Mr. Manger.

**DEPUTY CITY MANAGER JONES:** Danny Jones, Deputy City Manager. At the request of the Council, Staff is presenting a resolution to you for the reestablishment of the Riviera Beach Education Advisory Committee. The Committee was established in 1992 and took on the role of being an advocate for education and youth for [stammer] Riviera Beach. One of the components that was.., that is still active and that was a integral part of the Committee was the scholarship program but it's the desire of the Council to reactivate the full advisory committee and to have it act in a greater capacity. Staff researched the original 1992, or research to try to get additional information from the 1992 [stammer] resolution but was unable to locate such a resolution, therefore, I had the City Clerk put together and develop this resolution that's before you for consideration.

To further provide backup or background information as to the Committee, I've asked a key member of that, that Committee to come and present, if you'd so desire, Ms. Roseanne Brown.

**CHAIRPERSON MILLER-ANDERSON:** Yeah. She has a public comment card in. So.

**DEPUTY CITY MANAGER JONES:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** You can come on up, Ms. Brown.

**MS. R. BROWN:** Should I say, good morning.

**CHAIRPERSON MILLER-ANDERSON:** Good morning.

**CHAIR PRO TEM DAVIS JOHNSON:** Ahh, you should.

[Chuckles]

**MR. R. BROWN:** Thank you for this opportunity to be here and thank you Council Chair Miller-Anderson for following through with the commitment that you made to reestablish the Education Advisory Committee and I do pray that that does pass.

I must say this though, you know you attract what you resemble and when you spend meeting after meeting, beating up on your brand, dragging it through the mud and allowing implications that Staff is incompetent and on the take and all that kind of stuff, the brand is all beat up. We gotta promote the brand, ya'll. We got the best and the brightest here and we have to make sure that we promote that. Your Education Advisory Committee will assist in that manner because there is not a lotta pride

oftentimes after you pass Suncoast on the condition and the accomplishments of the schools in the community. Many great things come out of Riviera Beach and they came out of the schools in Riviera Beach. There's a need for advocacy, there's a need for folks to stand up and tell the well-kept secret of what happens in Riviera Beach. Your Education Advisory Committee did that and, I believe, once you reestablish it, they will do it again. As with anything, sometimes you lose support and interest wanes. Fortunately, the scholarship program did not, and that is a bright and shining star. I was gonna ask you for some more money tonight but I'm gonna do that at a different time, when I can ask you earlier in the evening, for the scholarship program. But, the Education Advisory Committee, and it was called a committee rather than a board, so that you had greater flexibility in your appointments. The boards, many of them, require residency and the Education Committee enjoyed support from the best and the brightest advocates in education, from around the county, because it was so active. Your Education Advisory Committee was an author of achievement matters for all which was approved by the entire School Board back in 1999, 2000 timeframe and it exists right now as a part of the school district's academic plan. It, it appears as an index in that academic plan and it was the model for the school district's academic plan. They did not have an academic plan prior to the authoring of achievement matters for all. And you will see members of the Education...

[Beep]

**MS. R. BROWN:** ...Advisory Board as original writers for the achievement matters for all plan. There's a lot of work that needs to be done. Our children need advocates. Your Education Advisory Committee will do that and prayerfully there will be someone in the reestablished Education Advisory Committee who will assume responsibility for the scholarship program because [stammer] it cannot die. You've given away almost \$400,000 in support of the young people of this community and right now, through the story that was in the last newsletter, we're collecting data on many of those young people who came through that program and who are now serving in great ways because of the assistance that you provided to them. We talked a lot about the Education Advisory Committee and I still remain as a resource as you continue with your work in reestablishing it 'cause then I can retire.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** We're gonna hold.., keep you on for a little while. Are you finished, Ms. Roseanne?

**MS. R. BROWN:** How many kids did we give scholarships to?

**DEPUTY CITY MANAGER JONES:** No. I was.., we, we do have at least one young man who was a recipient of a scholarship. Now, funds from additional scholarship...

**MS. R. BROWN:** Oh, Jason Young.

**DEPUTY CITY MANAGER JONES:** Yeah.

**MS. R. BROWN:** It's in here.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**DEPUTY CITY MANGER JONES:** He's paying it forward.

**CHAIRPERSON MILLER-ANDERSON:** Wonderful.

**MS. R. BROWN:** Actually, I'll give you guys just a little recap and I'll pass this.., send this up to you. It's a recap of the scholarship program, how many children have been awarded each year and, by the way, the last few years, you have awarded a scholarship to every kid who qualified. We have about 47 applications this year so you don't wanna...

**CHAIRPERSON MILLER-ANDERSON:** Right.

**MS. R. BROWN:** ...break your record, do you?

**CHAIRPERSON MILLER-ANDERSON:** No. I don't think that was the design and the intent behind bringing this but I think we, we just need to expand it and do a little more than just a scholarship. So, that's where this piece comes in. Did you.., were you going [inaudible]...

**MAYOR MASTERS:** Yes, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** Just quickly. On this.., on the, on the resolution, we're setting forth the, they're gonna be.., the Committee is gonna be setting forth the terms and conditions under which the Committee shall operate and provide an effective date. Once they have set forth those terms and conditions, do they need to bring anything back for us to approve or it's approved going forward?

**CHAIRPERSON MILLER-ANDERSON:** The information, just like we reestablished that.., the Parks & Rec, explain the process as how we did that and what.., how that will look with this.

**DEPUTY CITY MANAGER JONES:** Once the applications are received and Staff has received all that information, we will put together a presentation to bring back that information before the Council, before it's moved forward.

**MAYOR MASTERS:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** Okay?

**MAYOR MASTERS:** Thank you, Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Any questions in regards to this?

**MAYOR MASTERS:** And thank you.

**CHAIRPERSON MILLER-ANDERSON:** Now, with this Item, on last week, we did have a, as I mentioned before, Dr. Deborah Robinson wanted to have a joint meeting with the

Council and I think we all have already shared our desire to assist with our schools in Riviera Beach so I think this is a perfect opportunity for us to reactivate our advisory board so that we're able to have a, a voice that would be able to work in conjunction with the partnership that's being developed. We had several, Mr. Blankenship, Chief Williams, Ms. Cobb, um, City Manager Evans, as well as Ms. Hubbard and Mayor Masters and Debbie that attended. The meeting with the principals.., the principals had an opportunity to share intimate details about their schools and, and, you know, how the attendance issues are problems, they have transportation issues, they're concerned about their kids not having food so we're talking about things outside of just, you know, we need to make an 'A' to stay open, although many of those schools are in a position and Ms. Davis Johnson has, has spoken with many other principals because majority of the schools are in her District where they, they do have to maintain a certain grade level, a school grade. However, they're dealing with some real issues that you just can't fix with a teacher standing up there teaching. So, that's where the community comes in, in p'.., into play and I think that if we had a Education Advisory Board to be able to help drive the, the, the desire that we have, I think we could get a lot more done. The scholarship program is, is wonderful but we wanna now expand and do more than just the scholarships.

So, I look forward to you all bringing this back, advertising it and having us being able to select and, and have some people appointed to that particular board.

**CHAIR PRO TEM DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM DAVIS JOHNSON:** I would just like to have the City Manager follow up on the discussion that was had today with the School District with regards to K-2 and 3-5 to provide us with some update as to how that discussion shook out today.

**CHAIRPERSON MILLER-ANDERSON:** I understand they're supposed to have more meetings as well, um, going forward.

**CHAIR PRO TEM DAVIS JOHNSON:** Yes. Because...

**CHAIRPERSON MILLER-ANDERSON:** But...

**CHAIR PRO TEM DAVIS JOHNSON:** ...there was some additional conversation about K through 8, that whole process there. I don't know if they took that up today but that was...

**CHAIRPERSON MILLER-ANDERSON:** I'm not...

**CHAIR PRO TEM DAVIS JOHNSON:** ...mentioned.

**CHAIRPERSON MILLER-ANDERSON:** ...sure. Yeah.

**CHAIR PRO TEM DAVIS JOHNSON:** But that was mentioned, so if you could please bring back something for us, that would be great.

**CITY MANAGER EVANS:** Sure.

**CHAIR PRO TEM MILLER-ANDERSON:** Okay.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** I'm sorry. Wait, wait, wait. You're right. Come on up. No, this is 26. I don't have one for 25, I have one for 26, Ms. Brabham, the labor attorney.

[Inaudible dais comments]

**CHAIRPERSON MILLER-ANDERSON:** [Stammer] you, you heard me?

[Inaudible audience comment]

**CHAIRPERSON MILLER-ANDERSON:** You have 26.

**MS. M. BRABHAM:**What is this?

**CHAIRPERSON MILLER-ANDERSON:** This is...

[Laughter]

**CITY MANAGER EVANS:** 25.

**CHAIRPERSON MILLER-ANDERSON:** This is 25.

**MAYOR MASTERS:** [Inaudible] nights, that's what it is.

**CHAIRPERSON MILLER-ANDERSON:** You wanted to speak on the labor attorney?

**MS. M. BRABHAM:**Oh yeah. [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** We're not on that yet. We're on the education.

**MS. M. BRABHAM:**[Inaudible] late.

**CHAIRPERSON MILLER-ANDERSON:** I know it's late.

**MS. M. BRABHAM:**[Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** We're gonna call... Just sit right there and I'll call you in a few minutes.

**MAYOR MASTERS:** Don't, don't go to sleep on us, Ms. Brabham.

**CHAIRPERSON MILLER-ANDERSON:** Don't go to sleep.

**MAYOR MASTERS:** Stay with us.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Go ahead.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

### **DISCUSSION AND DELIBERATION**

#### **26. ITEM NO. 26**

#### **SOLICITATION OF PROFESSIONAL SERVICES FOR A LABOR ATTORNEY AND A HUMAN RESOURCES PRACTITIONER FOR THE PURPOSES OF REVIEWING CURRENT ORGANIZATIONAL PRACTICES.**

**CHAIRPERSON MILLER-ANDERSON:** Okay. Item No. 26.

**CITY MANAGER EVANS:** Madam Council., or Madam Chair, Members of the Council, this Item is to seek City Council authorization to proceed forward with the solicitation of professional services for a labor attorney and a Human Resources practitioner to assist in reviewing current organizational practices.

In the short time that I've been in the organization, I've had an opportunity to speak to numerous employees with respect to some challenges that they are facing in their respective departments. Also, I think there's an opportunity to look at some of our employment practices and procedures, the work environments, the conditions and begin the process of looking at how we formulate a policies and procedures manual for our employees. Also, to look at the placement of employees, the selection, the recruitment process and to ensure that it's consistent with industry standards, as well as any state or federal law. So, this particular group of individuals would report directly to the administrator and then any information that is uncovered as part of their services to the City, will be presented back to the Council in a report in a public setting. So, we will address the concerns immediately but there will be a comprehensive report that will come back before the Council for, uh, just for your edification.

And, at this time, Staff recommends approval.

**CHAIRPERSON MILLER-ANDERSON:** Okay. We have a public comment card. Ms. Mary Brabham.

**MS. M. BRABHAM:** Okay. Okay. Ms. Mary Brabham. I did drink some coffee.

**CHAIRPERSON MILLER-ANDERSON:** What was in that coffee, Ms. Brabham?

**MS. M. BRABHAM:** Yeah.

**MAYOR MASTERS:** That's what I'm wondering.

**MS. M. BRABHAM:** I did, I did drink that coffee. You, you didn't have honey and you didn't have a lemon 'cause I normally drink my coffee with honey and just lemon. Okay. So. But I had a little sugar.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** Alright. Go ahead, Ms. Brabham.

**MS. M. BRABHAM:** Okay. Okay. Excuse me. Okay. Ms. Mary Brabham.

[Chuckles]

**MS. M. BRABHAM:** Riviera Beach. Okay. Where we...

**CHAIRPERSON MILLER-ANDERSON:** The la'...

**MS. M. BRABHAM:** ...at now?

**CHAIRPERSON MILLER-ANDERSON:** ...labor attorney.

**MS. M. BRABHAM:** Oh, the, the labor attorney.

**CHAIRPERSON MILLER-ANDERSON:** We're gonna make sure we're not here...

**MS. M. BRABHAM:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** ...long. Your...

**MS. M. BRABHAM:** The labor...

**CHAIRPERSON MILLER-ANDERSON:** ...[inaudible] Ms. Brabham?

**MS. M. BRABHAM:** ...attorney. Okay. Oh, oh, thank you. Thank you, as a Board for proceeding to do this. If we are to move forward here, this is much needed here. So, A plus for you all, okay? And, and I know I drank the coffee but I'm still giving you, you an A plus. So, I'm hoping that you all will deliver on this and not just only deliver on it but put it in motion and put it in practice and build on it because [stammer] within Mr. Evans constantly emphasize, organization. That's what we say too. Because this is an organization that encompass' all of us, that including every accountability, on every



aspect and looking into everything that needs to be looked into. So I, as a resident, and I'm sure it was others that was here, that they spoke in favor for it also, so, I'm hoping that the Board will all get on board here because it would not only elevate you and make you stronger, it will also empower we, as resident' and build your organization to the height that it needs to be.., go and to be built upon. I know, Commissioner Johnson, you spoke, I think I was in a CRA meeting, about how we can elevate, you know, some of the things that are, that are in place, as well as out of place. So, these are tools that, you know, you all should really, really think about voting, voting on. So, I, I, I do support this.

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**MS. M. BRABHAM:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you so much, Ms. Brabham. Okay. Anybody else want.., any comments?

**CHAIR PRO TEM DAVIS JOHNSON:** I just have a question...

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM DAVIS JOHNSON:** ...for the City Manager. Did you, um, while you were preparing this, did you take into consideration the Office of Equal Opportunity or the EEOC for the handling of such hostile work environment issues?

**CITY MANAGER EVANS:** I, I did not take into account working with the EEOC. In the event that we find any information that leads us down that route, we will turn that information over to the EEOC but the attorneys firm.., the situation where we have the hostile work environment, they will become that investigatory arm to say what's consistent with organizational policy, if there is, in fact, a hostile work environment, recommend actions that the organiz'.., organization should take. And then, if it is to work through the EEOC to, to utilize that mechanism as well. So, it, it's going to be kind of a fluid process. Also, there's not gonna be working with the labor attorney exclusively, it's gonna be a lot of work with the HR practitioner that's going to look at some of our policies and procedures or the lack thereof and the revamping of some of them 'cause we have some documents that are inconsistent or policies that contradict one another. So, we didn't necessarily wanna get the EEOC involved, right off the bat but we wanted to do the.., our due diligence with regards to a third party attorney to do the internal interviews and those types of things to look if there is any alleged improprieties or hostile work environment or inappropriate practices.

**CHAIR PRO TEM DAVIS JOHNSON:** Okay. And the Human Resources practitioner, that's going to be a new position?

**CITY MANAGER EVANS:** That's gonna be somebody that...

**CHAIR PRO TEM DAVIS JOHNSON:** [Inaudible].

**CITY MANAGER EVANS:** ...is, in most cases, that they will work in tandem with the labor attorney. So there may be things that we will say..., a firm may say, 'Okay. I have an HR practitioner and their billable rate is 'x'', and so they may be looking at certain aspects while the labor attorney is doing other aspects. So, it's just a contract for professional services. It wouldn't be something where they are a full-time employee or anything like that.

So, we're just gonna put out a proposal, see what we get back and get a billable rate and then from that billable rate, we'll be able to decipher how much service is needed at that point. If it's over the threshold of the City Manager of \$25,000, obviously, that will come back to the City Council.

**CHAIR PRO TEM DAVIS JOHNSON:** Thank you, sir.

**CHAIRPERSON MILLER-ANDERSON:** Anyone else? [Pause]. Alright. So, you're gonna bring it back to us or you need for us to give you...

**CITY MANAGER EVANS:** I need..., if you can just give authorization to allow for me to proceed, I will...

[Inaudible dais comments]

**CITY MANAGER EVANS:** ...proceed accordingly.

**CHAIRPERSON MILLER-ANDERSON:** Do we have someone that wanna make a motion to allow him to proceed?

**COUNCILPERSON HUBBARD:** I wanna ask a question first. Will this [pause] delve into the monies for the Summer Youth Employment Program?

**CITY MANAGER EVANS:** No. No, no.

**COUNCILPERSON HUBBARD:** Okay.

**CHAIR PRO TEM DAVIS JOHNSON:** [Chuckle].

**COUNCILPERSON HUBBARD:** Just something...

[Chuckles]

**CITY MANAGER EVANS:** It's late, right?

**MAYOR MASTERS:** [Inaudible].

**COUNCILPERSON HUBBARD:** No. I just wanted to make sure.

**CITY MANAGER EVANS:** Yeah. I know.

**COUNCILPERSON HUBBARD:** It's not that late.

**CHAIRPERSON MILLER-ANDERSON:** So...

**COUNCILPERSON HUBBARD:** I make a motion that we move forward with this Item.

**CHAIRPERSON MILLER-ANDERSON:** [Inaudible]...

**COUNCILPERSON PARDO:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

**29. ITEM NO., 29**

**CHAIRPERSON MILLER-ANDERSON:** Item No. 27. No, I'm sorry. No. 29.

**CITY MANAGER EVANS:** This is **APPROVAL OF THE FINALIST FOR THE POSITION OF UTILITY DISTRICT EXECUTIVE DIRECTOR**

**COUNCILPERSON PARDO:** Mr. Chair. Mr.... Oh my God.

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON PARDO:** I'm sorry.

**CHAIRPERSON MILLER-ANDERSON:** That's okay.

**COUNCILPERSON PARDO:** Ms. Miller...

**CHAIRPERSON MILLER-ANDERSON:** We're moving right on. Go ahead.

**COUNCILPERSON PARDO:** Is this something that we really need to discuss tonight or can this be at.., can we discuss this at the Utility meeting? Since it is a Utility issue?

**COUNCILPERSON HUBBARD:** We probably have to do it on this side.

**COUNCILPERSON PARDO:** Sir?

**CITY MANAGER EVANS:** How many candidates do you have in here, Troy?

**ASSISTANT TO CITY MANAGER PERRY:** There was 12 candidates and the Council narrowed it down to five highest scores...

**UNK.:** Right.

**ASSISTANT TO CITY MANAGER PERRY:** But, in this particular case, we do have six candidates that were asked to be interviewed. So we can give...

**CHAIR PRO TEM DAVIS JOHNSON:** Why? Why do we have one more?

**CHAIRPERSON MILLER-ANDERSON:** How do we get to six if they only turned in five?

**CHAIR PRO TEM DAVIS JOHNSON:** How did we get to the number six if we...

**ASSISTANT TO CITY MANAGER PERRY:** Because you.., as you'll recall, in the memo we said we.., we'll take the five top scores. So, we did have two individuals that tied.

**CHAIRPERSON MILLER-ANDERSON:** It was a tie? Okay.

**ASSISTANT TO CITY MANAGER PERRY:** Yes.

**CITY MANAGER EVANS:** Okay. What we can do is, the Council can approve the list as, as offered and then we'll incorporate and interview for the six.., the top six and then we can move through.., from this item.

**COUNCILPERSON HUBBARD:** [Inaudible] top five.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON HUBBARD:** Let's see the.., he's gonna show us the top five.

**ASSISTANT TO CITY MANAGER PERRY:** Danny put it up here somewhere.

**CHAIRPERSON MILLER-ANDERSON:** So, what is he gonna do, show us who they are or?

**CITY MANAGER EVANS:** We can show you who they are or we can...

**COUNCILPERSON HUBBARD:** [Inaudible background comment].

**CITY MANAGER EVANS:** Okay. That's the.., is that the scoresheet...

**CHAIRPERSON MILLER-ANDERSON:** I mean, he can just say it out loud?

**CITY MANAGER EVANS:** ...right...

**ASSISTANT TO CITY MANAGER PERRY:** Yes, it is.

**CITY MANAGER EVANS:** Okay.

**ASSISTANT TO CITY MANAGER PERRY:** You probably can't see it. I have some hard copies here if you need.

**CITY MANAGER EVANS:** Okay.

**ASSISTANT TO CITY MANAGER PERRY:** We just...

**CITY MANAGER EVANS:** If you can zoom in on that. [Pause]. Okay.

**MAYOR MASTERS:** A little bit more.

**CITY MANAGER EVANS:** Okay.

**MAYOR MASTERS:** Yeah.

**CITY MANAGER EVANS:** So, if, if it is the pleasure of the Council, we can just adopt the list as...

[Inaudible dais comment]

**CITY MANAGER EVANS:** Oh.

**UNK.:** So moved.

[Chuckles]

**CITY MANAGER EVANS:** You can, uh, adopt the list as presented and then we can incorporate an interview for, for six candidates.

**CHAIRPERSON MILLER-ANDERSON:** What.., the one through ten, who are the ten people? I mean...

**ASSISTANT TO CITY MANAGER PERRY:** The, the one...

**CITY MANAGER EVANS:** That's...

**ASSISTANT TO CITY MANAGER PERRY:** That's.., those are ten interview questions.

**CITY MANAGER EVANS:** That's the Likert...

**CHAIRPERSON MILLER-ANDERSON:** Oh, the questions.

**CITY MANAGER EVANS:** ...Scale that...

**ASSISTANT TO CITY MANAGER PERRY:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** That was provided. Yes.

**ASSISTANT TO CITY MANAGER PERRY:** And, and just for the record to be.., to make sure I put everything on the record, when we went to score the sheets, not...

[Inaudible dais comment]

**ASSISTANT TO CITY MANAGER PERRY:** ...everyone provided five candidates. So, HR didn't score a sheet, they had to try to put the scores in a certain order but [stammer] the final scores are all the same, is what I'm trynna say.

[Inaudible background discussion]

**ASSISTANT TO CITY MANAGER PERRY:** So, we couldn't score every individual because the scores [inaudible] add up because everybody didn't turn in the same number of applicants, as their five finalists. But what I will do is provide you with all the backup document' from each rating so everyone can see who voted for who and...

**CITY MANAGER EVANS:** Right.

**ASSISTANT TO CITY MANAGER PERRY:** ...what the scores.., how the scores did tally up. But...

[Inaudible dais comment]

**ASSISTANT TO CITY MANAGER PERRY:** ...in terms of the total score, that's the total score for those, those 12 candidates.

**UNK.:** Okay.

**MAYOR MASTERS:** I have a question.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And...

**CHAIR PRO TEM DAVIS JOHNSON:** We still should've only ended up with five.

**ASSISTANT TO CITY MANAGER PERRY:** I'm sorry?

**CHAIR PRO TEM DAVIS JOHNSON:** We, we should've only ended up with five.

**CITY MANAGER EVANS:** Well...

**ASSISTANT TO CITY MANAGER PERRY:** We had two.., you had a tie...

**CHAIRPERSON MILLER-ANDERSON:** There are 253...

**ASSISTANT TO CITY MANAGER PERRY:** ...at 253.

**CITY MANAGER EVANS:** Well, you can...

**CHAIRPERSON MILLER-ANDERSON:** There's two 253.

**CHAIR PRO TEM DAVIS JOHNSON:** Yeah. But you can drop off...

**CHAIRPERSON MILLER-ANDERSON:** You just drop off...

**CHAIR PRO TEM DAVIS JOHNSON:** ...that 228.

**CHAIRPERSON MILLER-ANDERSON:** ...the 228.

**CITY MANAGER EVANS:** Yeah. You can drop off the 228.

**ASSISTANT TO CITY MANAGER PERRY:** Well, we can do it but, like I said, in the, in the original instructions I said we were gonna take the top five scores and I just wanted to make sure I did...

**COUNCILPERSON PARDO:** Drop 'em.

**ASSISTANT TO CITY MANAGER PERRY:** ...exactly what I said I would do.

**COUNCILPERSON HUBBARD:** I would [inaudible]...

**COUNCILPERSON PARDO:** I would keep it at five.

**ASSISTANT TO CITY MANAGER PERRY:** That's fine.

[Inaudible dais comments]

**ASSISTANT TO CITY MANAGER PERRY:** So, we'll drop the 228 and just do...

**CITY MANAGER EVANS:** Yeah. So...

**ASSISTANT TO CITY MANAGER PERRY:** Stop at Mr. Akhimi [sp].

**CITY MANAGER EVANS:** Yeah. So, if we can have a motion to approve the list as recommended, eliminating the score of Mr. Akhimi.

**COUNCILPERSON PARDO:** Yes. That's my motion.

**CHAIRPERSON MILLER-ANDERSON:** And.., do we have a second?

**CHAIR PRO TEM DAVIS JOHNSON:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**DEPUTY CITY CLERK BURGESS:** Councilperson Hubbard?

**COUNCILPERSON HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Councilperson Pardo?

**COUNCILPERSON PARDO:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Davis Johnson?

**CHAIR PRO TEM DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Miller-Anderson?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote.

**30. ITEM NO. 30**

**CHAIRPERSON MILLER-ANDERSON:** Okay. Item No. 30.

**CITY MANAGER EVANS:** Item 30. This particular Item is contractually stipulated in the agreement between the City of Riviera Beach and the City Manager and it requires the City Council to select which evaluation criteria that you would like to utilize for the purposes of evaluating the City Manager. There is a couple options that have been provided, three of those options are in your packet. I had the opportunity to serve on the Board for the Florida City County Management Association and one of the agenc'..., or one of the entities that I was on the Board for, is the Professional Development Committee and we worked on evaluation criteria for city managers. And some of the criteria here is listed from professional skills, public policy, policy execution, intergovernmental relations, fiscal management, Staff management, planning and organizational development, leadership decision making. Those are just some of the items that are incorporated in the evaluation. For the sake of time, I can tell you that it's on a Likert Scale, there are a couple eval'..., the three evaluation. Out of the three evaluations, the one that I have seen utilized in most cases has been the evaluation that is listed as a..., at the end here where it has ten categories and you have an opportunity, in each of those sections under, for instance, one topic would be leadership and decision making. There's Items A through E and it's a score out of five and then that tallies up and you rank that and that's a mechanism that is fairly common in the profession. So, it basically comes down, which performance evaluation form the Council prefers and then that will be the evaluation form that you would utilize to evaluate the City Manager.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Any questions? Ms. Hubbard, Ms. Davis Johnson, Ms. Pardo? [Pause]. Any questions regarding this Item No. 30?

**COUNCILPERSON PARDO:** No.

**COUNCILPERSON HUBBARD:** I'll take 'em home and review 'em and look at 'em and chose one.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Well, we need to have that same enthusiasm...

**MAYOR MASTERS:** [Chuckle]

**CHAIRPERSON MILLER-ANDERSON:** ...throughout the night so we can move fast. I like that. Alright. So, anyone else? Go ahead.

**MAYOR MASTERS:** Madam Chair. Just for..., just quickly. For me, um, the forms are great that we're gonna be getting but I just wanna just say for the record and get mine over now, henceforth and forever more, Mr. Evans has done an outstanding job so



far, as City Manager and I'm straight across the board on whatever.., what you wanna evaluate, he gets high marks from me.

**CHAIRPERSON MILLER-ANDERSON:** Thank you.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Ms. Brabham, you have a card in. Are you still with us?

[Chuckle]

**CHAIRPERSON MILLER-ANDERSON:** Come on. And Ms., I would assume Mr. Willis Williams and Horace Towns are not here.

[Inaudible audience comment]

**MS. M. BRABHAM:** They spoke earlier.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MS. M. BRABHAM:** But they voice.., they told me to...

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MS. M. BRABHAM:** ...voice their sentiment also.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MS. M. BRABHAM:** Ms. Mary Brabham.

**CHAIRPERSON MILLER-ANDERSON:** You still just get three minutes though, Ms. Brabham.

[Laughter]

**MS. M. BRABHAM:** They, they are very much impressed and they said that they like.., they like what they have been presented with here, as well as the residents from just seeing and interacting in the community and stuff. I'm still looking for that one on one but I don't think you would wanna have it with me, Mr. Evans but I think.., I also read about the Utility.., all the criterias for the Utility Director, which you all had some good ones but it kinda flew by. Did you all choose one of those Utility directors?

**COUNCILPERSON PARDO:** No. We're gonna interview them.

**MS. M. BRABHAM:** Huh? Okay. [Stammer], so we will get a chance to...

**UNK.:** [Inaudible].

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MS. M. BRABHAM:** Also, vet them also, am I correct?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MS. M. BRABHAM:** And, and the.., the City [stammer] County Manager Performance Evaluation. I looked through these two and I find these of standard and it's very detailed. I, I really haven't just seen so much throttliness in there so that, uh, we can have a roundabout perception. And, also too, it was asked for me to voice that, that he should also be extended a contract. This City here has never had.., I mean, we haven't had a City Manager in here without... I'm, I'm sorry. He does have a contract.

**UNK.:** Mhmm.

**MS. M. BRABHAM:** But, the length of the contract.

**MAYOR MASTERS:** A couple weeks, couple weeks.

**MS. M. BRABHAM:** 'Cause Ms. Johnson looking at me.

**CHAIR PRO TEM DAVIS JOHNSON:** [Chuckle].

**MS. M. BRABHAM:** Help me out, you know? He doesn't have a contract which you all have been fair to the other preceding City Managers so he, he.., I, I like.., others like how he gives you all an open innuendo of, of different...

**MAYOR MASTERS:** Options.

**MS. M. BRABHAM:** Options. And, and, and he, he explains it thoroughly so [inaudible].., it was a student in the Chambers about two weeks ago and that student say, 'Oh, I understand him. I understand him.' So, that's a good thing. You know? When, when our kids can pick up on something that perhaps that what we're saying.., so as a, as a resident, along with the others that asked me to voice that also [stammer] sentiment that they would like to see an extended contract and I'm hoping that this Board here will do that and have a meeting of the minds here to go 'head on and do that. We, uh, we're, we're not beggin', we're asking. We're not only asking, it is fitting and it is, it is proper that you.., whenever you did hire a City...

[Beep]

**MS. M. BRABHAM:** ...Manager here, you did a.., provide a contract.

So, thank you. And the evaluation sheets there, I think they're very throttle. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Alright.

**CITY MANAGER EVANS:** Any, any particular form that the...

**COUNCILPERSON HUBBARD:** Ms. Hubbard wanted to.., you wanted to review them and have.., you wanted to let him know which ones to bring back or...

[Inaudible dais comment]

**CITY MANAGER EVANS:** There, there's three of them. So I...

**CHAIRPERSON MILLER-ANDERSON:** There's three.

**CITY MANAGER EVANS:** ...I can, I can easily bring it back and...

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CITY MANAGER EVANS:** ...it'll take 10 seconds for the Council to say which one they like.

**CHAIRPERSON MILLER-ANDERSON:** Sounds good.

**DISCUSSION BY CITY MANGER**

**CHAIRPERSON MILLER-ANDERSON:** Alright. Discussion by City Manager.

**CITY MANAGER EVANS:** I've never gotten to this point...

**CHAIRPERSON MILLER-ANDERSON:** I know.

**CITY MANAGER EVANS:** ...in the meeting...

**CHAIRPERSON MILLER-ANDERSON:** You don't know what to do, right?

**CITY MANAGER EVANS:** ...so I, I don't know what to do, so. I'll...

**CHAIRPERSON MILLER-ANDERSON:** [Chuckle]. I think you've discussed [inaudible].

**COUNCILPERSON HUBBARD:** You make a motion to adjourn.

**CITY MANAGER EVANS:** Yeah.

**DISCUSSION BY CITY ATTORNEY**

**CHAIRPERSON MILLER-ANDERSON:** Discussion by City Attorney.

[Inaudible comment]

**CHAIRPERSON MILLER-ANDERSON:** City [inaudible].

**CITY ATTORNEY DEGRAFFENREIDT:** You just moved the City Attorney's discussion up.

[Laughter]

**CHAIRPERSON MILLER-ANDERSON:** No, you're, you're gonna be here right along with us.

**CITY COUNCIL COMMITTEE REPORTS**

**CHAIRPERSON MILLER-ANDERSON:** City Council committee reports.

[Pause]

## **STATEMENTS BY THE MAYOR AND CITY COUNCIL**

**CHAIRPERSON MILLER-ANDERSON:** Statements by the Mayor and City council. You said you wanted to change your presentation or hold it off, Mayor?

**MAYOR MASTERS:** I will.

**CHAIRPERSON MILLER-ANDERSON:** You...

**MAYOR MASTERS:** I'll just give my statement.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Go ahead.

**MAYOR MASTERS:** As it relates to the discussion about the.., a real contract for the City Manager, not.., where he's working on a week to week basis or every two weeks. I did review the Charter and there's a possibility, up on the research that I've conducted, that there may be something in the Charter that I've seen that may.., that we may be able to do what we have done for other city managers in the past and I will get with the City Attorney and sh'.., and tomorrow and discuss that and show him what I've seen in the Charter that, that we may not have to have a Charter amendment to [stammer], it's a referendum. So, I will discuss that. I did see something that may have been overlooked that we may be able to treat this young man as we have treated other city managers in the past.

Debbie, you don't have to come to work tomorrow. You worked tonight, long enough. You're off tomorrow.

Thank you, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Do we have any comments from Ms. Pardo?

**COUNCILPERSON PARDO:** Yes.

[Inaudible background comment]

**COUNCILPERSON PARDO:** When we went through the budget last summer, we put money in the budget for fireworks, for the 4<sup>th</sup> of July and we had told Staff to talk to DEP to see what it would take to get permits to do fireworks. So, I'd like to know if anyone has looked into it and if they can give us a report at the next Council meeting because the 4<sup>th</sup> of July is going to be here before you know it.

**CITY MANAGER EVANS:** Absolutely.

**MAYOR MASTERS:** And the City of Lake Park...

**COUNCILPERSON PARDO:** Thank you.

**MAYOR MASTERS:** ...said they may wanna partner with us, for the fireworks, as well.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** The Mayor of the City of Lake Park. That may be something you wanna look into.

**COUNCILPERSON PARDO:** Well...

**CHAIRPERSON MILLER-ANDERSON:** Alright.

**COUNCILPERSON PARDO:** ...they have fireworks every year.

**MAYOR MASTERS:** But they may...

**COUNCILPERSON PARDO:** You know, I think...

**MAYOR MASTERS:** ...wanna partner with us.

**COUNCILPERSON PARDO:** ...it's about time Riviera has...

**MAYOR MASTERS:** Absolutely.

**COUNCILPERSON PARDO:** ...their own.

**UNK.:** We used to [inaudible]...

**CITY MANAGER EVANS:** We will certainly look at that...

**COUNCILPERSON PARDO:** Yeah. I remember.

**CITY MANAGER EVANS:** ...and have Staff report.

**UNK.:** [Inaudible].

**COUNCILPERSON PARDO:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Ms. Hubbard.

**COUNCILPERSON PARDO:** At the Marina.

**COUNCILPERSON HUBBARD:** I make a motion that we...

**CHAIRPERSON MILLER-ANDERSON:** No, we're not...

**MAYOR MASTERS:** [Chuckle].

**CHAIRPERSON MILLER-ANDERSON:** ...at the motions yet. We're doing comments.

**MAYOR MASTERS:** She's just being facetious.

**CHAIRPERSON MILLER-ANDERSON:** Alright. Ms. Davis Johnson.

**CHAIR PRO TEM DAVIS JOHNSON:** So, really quickly. I want to congratulate the Parks & Recreation Staff for the Academic Recreation Enrichment Program soft grand

opening this past weekend. It is amazing what they have done to convert the.., a portion of the gym for the.., for the program. If you've not had a chance to go over, I would like to encourage you to do so. I also want to remind you that the Riviera Beach small business symposium will happen on Friday, May 5<sup>th</sup> from 9:00 a.m. until 4:00 p.m. at the Riviera Beach Marina. We're encouraging all local small businesses who are, who are interested in learning more about small business development and growth and doing business with the City, ask that you come out. And then finally, Palm Beach County Small Business activities.., Small Business Week activities will culminate on tomorrow evening with a Journey to Certification that will be held at 6:15 p.m. at the Vista Center in the Zoning Chambers. We will have local small businesses that have been certified, talk about their journey to certification and how they have done business with [pause] with the, the county, to this point.

**UNK.:** What time?

**CHAIR PRO TEM DAVIS JOHNSON:** 6:15 at 2300 Vista. I'm sorry, 2300 Jog Road in the Vista Center.

[Inaudible dais comments]

**CHAIRPERSON MILLER-ANDERSON:** Okay. And I'll be very, very brief. I just wanna thank everyone for hanging in there. This will not be the beginning of many late nights. We discussed this earlier about how we're going to work together to be able to shorten our nights and that includes you all.

And I did want to just briefly make a comment in regards to Ms..., Ms. Roseanne Brown speaking about the branding and, you know, uplifting everyone and I, I'm certainly in support of that, however, I do stand by what I said earlier and throughout the night, it needs to be consistent, across the board, for everyone. We want everyone to feel safe and secure when they're at work and being able to do their job without, you know, feeling like retaliation will occur. And, um, I, I stand by what I said earlier. But again, I appreciate all of you hanging in there but we're gonna make this better so that we're not having to be here very late at all. And I do appreciate you guys hanging in there, gettin' through it because this was Mr. Evans' first meeting completing...

**CITY MANAGER EVANS:** Completing...

**CHAIRPERSON MILLER-ANDERSON:** ...an entire meeting.

[Cheers and applause]

**CITY MANAGER EVANS:** I'm gonna, I gonna need everybody to, to sign the Agenda 'cause I'm gonna frame it.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** Alright. Is there...

**MAYOR MASTERS:** 30 seconds.

**CHAIRPERSON MILLER-ANDERSON:** ...anything else?

**MAYOR MASTERS:** 30 seconds.

[Inaudible audience comment]

**MAYOR MASTERS:** I made a.., earlier I made an announcement that may have been incorrect. That trip for Charlie Wilson is not a church sponsored trip, they're renting that Hilltop bus.

[Chuckles]

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**MAYOR MASTERS:** I wanna make sure.

**ADJOURN**

**CHAIRPERSON MILLER-ANDERSON:** Is there a motion to adjourn?

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Motion to adjourn?

**CHAIR PRO TEM DAVIS JOHNSON:** So moved.

**COUNCILPERSON HUBBARD:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Second?

**City Employees, Public Comment Speakers and Others**

DEPUTY CITY CLERK JACQUELINE BURGESS      DEPUTY CITY CLERK BURGESS

WILLIS WILLIAMS      MR. W. WILLIAMS

PUBLIC WORKS DIRECTOR BRENT JOHNSON      PUBLIC WORKS DIRECTOR  
JOHNSON

PRESIDENT, RIVIERA BEACH MARITIME  
GEORGE CARTER      MR. G. CARTER

FIRST BAPTIST CHURCH, MRS. ALTIDOR      MRS. ALTIDOR

PASTOR H. ALTIDOR      PASTOR H. ALTIDOR

BONNIE LARSON      MS. B. LARSON

JOSEPH ANDERSON      MR. J. ANDERSON

COMMUNITY DEVELOPMENT DIRECTOR      COMMUNITY DEVELOPMENT

TERRENCE BAILEY	DIRECTOR BAILEY
RICKY DUKES	MR. R. DUKES
DR. PHILLIP DUKES	DR. P. DUKES
SHALONDA WARREN	MS. S. WARREN
HORACE TOWNS	MR. H. TOWNS
DR. J.R. THICKLIN DR.	J.R. THICKLIN
MARY BRABHAM	MS. M. BRABHAM
FELICIA WILDER	MS. F. WILDER
TRADRICK MCCOY	MR. T. MCCOY
BUILDING OFFICIAL LADI MARCH	BUILDING OFFICIAL L. MARCH
CAP GOVERNMENT PRESIDENT CARLOS PENIN	MR. C. PENIN
DEPUTY CITY MANAGER DANNY JONES	DEPUTY CITY MANAGER JONES
PURCHASING DIRECTOR DEAN MEALY MEALY	PURCHASING                      DIRECTOR
DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES RANDY SHERMAN	FINANCE DIRECTOR SHERMAN
POLICE CHIEF CLARENCE WILLIAMS	POLICE CHIEF WILLIAMS
YOUTH EMPOWERMENT DIRECTOR VALERIE GRIMSLEY	YEP DIRECTOR GRIMSLEY
ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR JEFF GAGNON	ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR GAGNON
GARY HINES	MR. G. HINES
MARIE DAVIS	MS. M. DAVIS
COLTEUR & HEARING PARTNER DONALDSON HEARING	MR. D. HEARING



JAMIE CROWLEY

PARKS & RECREATION DIRECTOR RICHARD  
BLANKENSHIP

HOPE CALHOUN, ESQ.

PROPERTY OWNER SIMON

ROSEANNE BROWN

ASSISTANT TO CITY MANAGER TROY PERRY  
PERRY

MR. J. CROWLEY

PARKS & RECREATION  
DIRECTOR BLANKENSHIP

MS. H. CALHOUN

PROPERTY OWNER SIMON

MS. R. BROWN

ASST. TO CITY MANAGER

**APPROVED:**

\_\_\_\_\_  
**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**KaSHAMBA L. MILLER-ANDERSON**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**TONYA DAVIS JOHNSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**LYNNE L. HUBBARD**  
**COUNCILPERSON**

\_\_\_\_\_  
**DAWN S. PARDO**  
**COUNCILPERSON**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**COUNCILPERSON**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**L. HUBBARD** \_\_\_\_\_

**K. MILLER-ANDERSON** \_\_\_\_\_

**T. DAVIS JOHNSON** \_\_\_\_\_

**D. PARDO** \_\_\_\_\_

**T. DAVIS** \_\_\_\_\_

**DATE APPROVED:**   **JUNE 7, 2017**