

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
SPECIAL CITY COUNCIL MEETING MINUTES  
HELD IN THE CITY COUNCIL CHAMBERS  
JUNE 25, 2018 @ 6:30 P.M.**

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

(Phone connection with Miller-Anderson is very poor in many places)

**CALL TO ORDER**

**CHAIRPERSON DAVIS JOHNSON:** Good evening. I'd like to call the Special City Council Meeting of June 25<sup>th</sup>, 2018, to order. Madam Clerk, roll call, please.

**Roll Call**

**DEPUTY CITY CLERK BURGESS:** Sorry about that. Mayor Thomas Masters? Chair Tonya Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Here.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Lynn Hubbard?

**CHAIR PRO TEM HUBBARD:** Here.

**DEPUTY CITY CLERK BURGESS:** Councilperson KaShamba Miller-Anderson? Councilperson Julia Botel?

**COUNCILPERSON BOTEL:** Here.

**DEPUTY CITY CLERK BURGESS:** Councilperson Terence Davis? Acting Assistant City Manager Willie Horton?

**ACTING ASSISTANT CITY MANAGER HORTON:** Here.

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

**CITY ATTORNEY DeGRAFFENREIDT:** Here.

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

**CHAIRPERSON DAVIS JOHNSON:** Thank you. I'm told that Councilwoman Miller-Anderson will be joining us by phone. Is she --

**ACTING ASSISTANT CITY MANAGER HORTON:** She's on hold.

**CHAIRPERSON DAVIS JOHNSON:** She's on?

**ACTING ASSISTANT CITY MANAGER HORTON:** Yeah.

**CHAIRPERSON DAVIS JOHNSON:** Okay. In the interim we will take a moment of silence followed by the Pledge of Allegiance led by Chair Pro Tem Hubbard.

### **Invocation**

### **Pledge of Allegiance**

(Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by Chair Pro Tem Hubbard).

**ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM; PLEASE FILL OUT A PUBLIC COMMENT CARD LOCATED ON THE TABLE DIRECTLY OUTSIDE OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE ITEM BEING PRESENTED TO CITY COUNCIL FOR DISCUSSION. MEMBERS OF THE PUBLIC WILL BE GIVEN THREE (3) MINUTES TO SPEAK ON EACH REGULAR AGENDA ITEM. IN NO EVENT WILL ANYONE BE ALLOWED TO SUBMIT A COMMENT CARD AND/OR SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM IS CONSIDERED.**

### **AGENDA APPROVAL**

### **Additions, Deletions, Substitutions:**

**CHAIRPERSON DAVIS JOHNSON:** Mr. Interim City Manager, are there any deletions, substitutions or requests to table?

**ACTING ASSISTANT CITY MANAGER HORTON:** Yes, ma'am, Madam Chair. I have two to table. The first item is item number 2 which is the Forensic Audit. Councilwoman Miller-Anderson has requested that that be tabled until she's able to attend the meeting. Councilman Davis has asked that item 8 be pulled for a closed session.

**CHAIRPERSON DAVIS JOHNSON:** Uh-huh. Go ahead. Continue.

**ACTING ASSISTANT CITY MANAGER HORTON:** Okay. Miss -- Councilman Davis has also asked that on item number 3 that consideration be given to allot him \$5,000 out of the \$25,000 educational program for a nontraditional educational program that he's putting together, and he would be able to present that information to the board at the next board meeting. In addition, Madam Chair, the city clerk has asked that there be a motion and approval for the workshops that we talked about on Wednesday night. The first two are set for August 6<sup>th</sup> and 8<sup>th</sup>. Those are budget workshops at 6:00 here in the chamber. And then the third one would be the five-year capital plan that's scheduled for the 20<sup>th</sup> of August at 6:00.

**CHAIR PRO TEM HUBBARD:** Repeat those, sir.

**ACTING ASSISTANT CITY MANAGER HORTON:** The budget workshop is scheduled for August 6<sup>th</sup> and 7<sup>th</sup> at 6:00. And the five-year capital plan presentation for the 20<sup>th</sup> of August at 6:00. The board would need to vote on that to approve.

**COUNCILPERSON BOTEL:** I make a motion that we have those workshops.

**CHAIRPERSON DAVIS JOHNSON:** Is there a second?

**CHAIR PRO TEM HUBBARD:** Second.

**CHAIRPERSON DAVIS JOHNSON:** It's been motioned and properly second that we hold a budget workshop for August 6<sup>th</sup> and August 8<sup>th</sup>. And a workshop on the five-year capital --

**ACTING ASSISTANT CITY MANAGER HORTON:** The 6<sup>th</sup> and 7<sup>th</sup>.

**CHAIRPERSON DAVIS JOHNSON:** I'm sorry. 6<sup>th</sup> and 7<sup>th</sup>. I'm sorry.

**ACTING ASSISTANT CITY MANAGER HORTON:** Correct.

**CHAIRPERSON DAVIS JOHNSON:** August 7<sup>th</sup> and August 6<sup>th</sup> for the budget workshop and August 20<sup>th</sup> for the five-year capital plan workshop. It's been motioned and properly second. Madam Clerk?

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

**COUNCILPERSON BOTEL:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

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

**CHAIRPERSON DAVIS JOHNSON:** Continuing on.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** I don't think it's (unintelligible). I was on (unintelligible) the call.

**CHAIRPERSON DAVIS JOHNSON:** I'm sorry?

**COUNCILPERSON MILLER-ANDERSON:** We were having trouble initially when the attendance was called. I am on the phone.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. We will let the record reflect that Councilwoman Miller-Anderson is participating by telephone.

**COUNCILPERSON BOTEL:** Thank you. I would like to take items

6 -- let me get this right -- 6 and 12 off the agenda for this evening and move them to a workshop. These are the items that relate to the compensation study, item 6, and the PTO vacation sick leave buy-back. I think these are very, very important items that we need to have an in-depth conversation about. And in particular, item 12 I think is an item that really is tantamount to a negotiations item or labor negotiations. And I think it's something that we should have a workshop on.

**CHAIRPERSON DAVIS JOHNSON:** That was item 12 and item --

**COUNCILPERSON BOTEL:** -- 6.

**CHAIRPERSON DAVIS JOHNSON:** -- 6. So let's see here. Items 2,

6, 3 -- so 2, 3, 6, 8, 12. 2, 3, 6, 8, 12. Is that correct?

**ACTING ASSISTANT CITY MANAGER HORTON:** 3 is on (unintelligible) that's on.

**CHAIRPERSON DAVIS JOHNSON:** Are there any other items?

**DEPUTY CITY CLERK BURGESS:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Is that you, Madam Clerk?

**DEPUTY CITY CLERK BURGESS:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** That's fine.

**DEPUTY CITY CLERK BURGESS:** Item 3, was that going to be addendum to what's on the agenda or -- when he asked for the \$5,000.

**CHAIRPERSON DAVIS JOHNSON:** I would request to table it for further discussion by the full council. 2, 3, 6 -- does that complete every -- everyone's concern?

**ACTING ASSISTANT CITY MANAGER HORTON:** Yes, Madam Chair.

**COUNCILPERSON BOTEL:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** All righty.

**CHAIR PRO TEM HUBBARD:** The -- excuse me. We have -- we've got to do that?

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** Okay. I wanted to ask you about item -- item 8 and a -- we talked -- I asked about it last week whether or not we could have a -- an executive session, because it was a legal issue. So -- and of course we didn't get to it due to the time.

**CHAIRPERSON DAVIS JOHNSON:** Right. It's being pulled for executive session.

**CHAIR PRO TEM HUBBARD:** Okay. Thank you. It wasn't one of the

ones I had circled.

**CHAIRPERSON DAVIS JOHNSON:** Oh, okay.

**CHAIR PRO TEM HUBBARD:** Okay.

**CHAIRPERSON DAVIS JOHNSON:** Yes. It was a question for a closed executive session on item number 8. Workshop on 6 and 12.

**CHAIR PRO TEM HUBBARD:** Okay.

**CHAIRPERSON DAVIS JOHNSON:** And tabled to the next meeting 2 and 3.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** For item number 8, isn't that the one, the complaint that he needed to submit something for?

**CHAIR PRO TEM HUBBARD:** No.

**CHAIRPERSON DAVIS JOHNSON:** Yes. That was the item that Mr. McLean indicated he needed to submit something to the courts; however, he is calling in to have further discussion with us on the item.

**COUNCILPERSON MILLER-ANDERSON:** Tonight or another day?

**CHAIRPERSON DAVIS JOHNSON:** Well, it's going to have to be another night if we're asking for it to be -- we need to let him know what our decision is, and that is to take it into closed executive session. So we'll make him aware of that this evening.

**COUNCILPERSON MILLER-ANDERSON:** Okay. I just --

**CHAIR PRO TEM HUBBARD:** Madam Chair?

**COUNCILPERSON MILLER-ANDERSON:** -- I just -- from the last meeting he had to submit something based on our discussion tonight.

**CHAIRPERSON DAVIS JOHNSON:** You are correct.

**COUNCILPERSON MILLER-ANDERSON:** By tomorrow.

**CHAIRPERSON DAVIS JOHNSON:** You are correct. We're going to reach out to him and make him aware that the body has requested that it be set aside for closed executive session, and we will await his direction.

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM HUBBARD:** Question, Madam Chair. Did he give us a date as to when he have to have that submitted?

**CHAIRPERSON DAVIS JOHNSON:** Well, the hour was very late and so I'm unsure as to the exact date that he indicated. But he did say that we needed to respond to the courts in a timely manner. Now, what that timely manner is, we will find out from him as Mr. Horton is getting him on the line.

**CHAIR PRO TEM HUBBARD:** Okay. Thank you, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Madam Clerk?

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

**COUNCILPERSON MILLER-ANDERSON:** What are we (unintelligible)?

**CHAIRPERSON DAVIS JOHNSON:** Can you repeat?

**COUNCILPERSON MILLER-ANDERSON:** Is this a vote?

**DEPUTY CITY CLERK BURGESS:** Yes, it's a vote. Sorry.

**COUNCILPERSON MILLER-ANDERSON:** For what? Can you repeat it?

**CHAIRPERSON DAVIS JOHNSON:** It is a vote to table item 2, table item 3, a request to table and place in a workshop for item number 6, a request for closed executive session for item number 8, table to workshop for item number 12.

**COUNCILPERSON MILLER-ANDERSON:** Yes.

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

**COUNCILPERSON BOTEL:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote. You want to read the Public Comments -- Public Comments Section?

**PUBLIC COMMENTS SHALL BEGIN AT 7:30 PM UNLESS THERE IS NO FURTHER BUSINESS OF THE CITY COUNCIL, WHICH IN THAT EVENT, IT SHALL BEGIN SOONER. IN ADDITION, IF AN ITEM IS BEING CONSIDERED AT 7:30 PM, THEN COMMENTS FROM THE PUBLIC SHALL BEGIN IMMEDIATELY AFTER THE ITEM HAS BEEN CONCLUDED. ANY PERSON WHO WOULD LIKE TO SPEAK DURING PUBLIC COMMENTS, PLEASE FILL OUT A PUBLIC COMMENT CARD LOCATED ON THE TABLE DIRECTLY OUTSIDE OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF BEFORE THE PUBLIC COMMENTS SECTION IS ANNOUNCED.**

**UNFINISHED BUSINESS**

**1. ESTABLISHMENT OF A TELEPHONE SERVICE FOR PUBLIC USE AT COUNCIL MEETINGS.**

**COUNCILWOMAN JULIA BOTEL - (561) 845-3683**

**DEPUTY CITY CLERK BURGESS:** And we do have one public comment card on that.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. I believe you asked to have this on the item, Councilwoman Botel?

**COUNCILPERSON BOTEL:** I want to make a motion that council establish an open telephone line to these council meetings for use by the public watching these proceedings on TV. The telephone line could be staffed at no additional cost by someone already required to attend these meetings in person. The staffer would record citizens' comments and questions, and if relevant and saved respectfully, of course, those questions/comments would be read into the podium -- read at the podium by the staffer during the public comments portion of these meetings.

Callers would be required to identify themselves, their addresses, their phone numbers and their e-mail addresses in case the city manager or -- or specific department heads needed to follow up. This motion is made to give a voice to those who now can only listen but not speak. It encourages interactivensness between the council and citizens who elect us. It encourages more participation in government by the residents of Riviera Beach, more inclusion and improved communication between the council and those citizens who cannot always attend city council meetings.

**CHAIRPERSON DAVIS JOHNSON:** There's a motion. Is there a second?

**COUNCILPERSON MILLER-ANDERSON:** Second.

**CHAIRPERSON DAVIS JOHNSON:** Sorry? Can she vote when we --

**COUNCILPERSON MILLER-ANDERSON:** Yes, I can vote.

**CHAIRPERSON DAVIS JOHNSON:** What was that ruling?

**CHAIR PRO TEM HUBBARD:** I don't think she can vote.

**CHAIRPERSON DAVIS JOHNSON:** Okay. Well, Mr. Attorney?

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Based on the reason for the absence, Councilwoman Miller-Anderson can vote? We had this discussion before and I just want to restate that for the record.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** Okay. All right. So it's -- were you a second?

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** Public comment card?

**DEPUTY CITY CLERK BURGESS:** Miss Bonnie Larson.

**BONNIE LARSON:** Miss Botel, if you can expand a little bit on it, would this be people could call in just if they were sick or if they had some reason

they couldn't get here? Would they have to give the reason they couldn't get here? What I'm thinking is maybe everybody will be sitting at home just calling in.

And also, another thing is I think it would be better if the person could write down their comments and have whoever takes the message read it. 'Cause sometimes when people tell another person something, when it gets relayed the third time it's a little different. You know, so you want to make sure it's exactly what the person said.

**COUNCILPERSON BOTEL:** Well, I think we -- may I, Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel, you're recognized.

**COUNCILPERSON BOTEL:** Thank you. I think we'll have to work out the bugs.

**BONNIE LARSON:** Uh-huh.

**COUNCILPERSON BOTEL:** But my -- my goal here is to allow people sitting at home -- you know, we have many people who just for whatever reason --

**BONNIE LARSON:** Uh-huh.

**COUNCILPERSON BOTEL:** -- cannot get to these meetings.

**BONNIE LARSON:** Uh-huh.

**COUNCILPERSON BOTEL:** They may be sick but they may just not have transportation, they may be elderly, infirmed and not able to come. Now, I think it's very appropriate if the person on this end of the phone write down what the person is saying and read it into the microphone at the podium. We certainly don't want to have people from the phone right to the podium -- right to the microphone. I mean, that would be unwieldy. But to have someone take down the question or the comment and then just read it into the mike, that's what I had in mind.

**BONNIE LARSON:** Or if maybe they could text it or something. 'Cause like I said --

**COUNCILPERSON BOTEL:** That could be --

**BONNIE LARSON:** -- sometime when people transmit things --

**COUNCILPERSON BOTEL:** -- sure.

**BONNIE LARSON:** -- it gets a little wonky there. And, um, okay, we've gotta think about also what would stop people from just sitting at home --

**COUNCILPERSON BOTEL:** Do --

**BONNIE LARSON:** -- and calling in? Like, a thousand people sitting at home, calling in. 'Cause we -- everybody gets three minutes.

**CHAIRPERSON DAVIS JOHNSON:** Make your -- you're going to make your points and not have an exchange.

**BONNIE LARSON:** Yes, I'm making my point. I'm making my point. I'm making --

**CHAIRPERSON DAVIS JOHNSON:** We'll write down your comments.

**BONNIE LARSON:** -- some suggestions.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. We'll write those down.

**BONNIE LARSON:** Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Uh-huh.

**BONNIE LARSON:** And now I lost my train of thought. Have the person write it down, the person who's transmitting it, read it from what they've said somehow. And then also we've got to put -- somehow we've got to put a cap on it so people sit at home rather than coming to the meetings, if they can get here and if -- if everything is, you know, whatever. Because everybody with three minutes, let's say if 20 people called in, that would be an extra hour. And would they have to do -- another thing to think about is would they have to do it before the item comes to the podium, which is what we asked you. Just some things to think about. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. So I have a -- I have a concern about this action. And I did some research and I looked at best practices, and I checked with some of the municipal -- municipalities and county governments across the country. And that's problematic.

I fully understand the intent of the action. But it's problematic in that you have no way of determining who is on the other side of that line. If they are, in fact, a citizen of the city of Riviera Beach and if they just are who they say they are. And it's a -- it's a difficult thing to track. And the one thing that in talking with a couple of city managers, they don't allow -- you can listen, but there's no way for you to provide that comment because, number one, how do you -- how do you cue those calls? How do you maintain a cue of those calls? How do you verify? And then how does that information be transmitted in a public setting?

So those are the concerns that I have as it relates to opening up in the manner in which you are suggesting. I believe that we want our citizens to be engaged, but we have to make sure that what the underlying intent is is what actually occurs as opposed to opening this up for some other type of response in call, if you will.

**COUNCILPERSON BOTEL:** I certainly think you can put safeguards in place. And I'm willing to work with staff to try to make something that's manageable for city council. I think what we all want here is open communication with the citizens who've elected us. And I'm sure that we can work with staff to devise a method that would be equitable. I'm sure that we can look at phone numbers, make a determination, maybe with the help of the phone company to say, Yes, this is a Riviera Beach exchange. Yes, this is a person calling in from Riviera Beach. You know, I wouldn't want a 212 number calling in. I would want to know that it's a 516 with the proper exchange. I think there are probably ways around some of those issues. And -- and given that it's a very important thing that we have open communication with our citizens, I'd like to just see us try it.

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIR PRO TEM HUBBARD:** Madam -- Madam Chair, open dialogue, open communication, inclusion and participation is something that I think each of us and all of us want to see from our constituents, the residents of the city, both businesses and persons that live here. We, however, have a lot of business to do.

And on its face, we have long, drawn-out meetings. And I think that we have done a great job in providing participation for our residents. We have channel 18 that we've invested in that we continue to maintain and continue to invest in. We allow the three minutes for our constituents to come here and to speak and to voice their opinion. I think what it would hamper us, as you said -- we would not be able to discern who's on the other end of that -- on -- of that phone. And I think it would take away a lot of man hours to -- just to not necessarily to man the calls that night, but to get to the point where we put

in safeguards so that we know that people aren't coming to us with nefarious -- with a nefarious agenda, if you will.

So I think that we have done well in creating an opportunity for the residents of Riviera Beach to participate. I don't think that one -- that would be a good idea. We have real business to attend to here in the city and we're here sometimes to 12 or 1:00 at night. Not that that's a hardship on us as elected officials, but it's a hardship on the residents that want to participate in government when they come out and have to stay that long. Thank you, Madam Chair.

**COUNCILPERSON BOTEL:** Madam Chair? Thank you. Madam Chair?

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** I -- I just wanted to make a point that obviously there are details that need to be worked out. I'm in support of trying to provide as many opportunities for the public to participate. And my reason for seconding is to be able to allow staff to go and research and find out if this is possible for us to do. Obviously if it's problem, it's not something that we need to move forward with once we get all the details. So I'm going to put forward a -- looking into it and then from there, there appears to be an issue, then obviously wouldn't go down that road.

**CHAIRPERSON DAVIS JOHNSON:** Then I think that it would be appropriate to amend the motion to have staff look into the possibility of providing this service to look at what can and cannot be done, how we can and cannot do it and what's actually an acceptable practice in the -- in -- in the industry or in -- well, industry sounds strange when it's municipal government and county government. But I think that that would probably be more appropriate at this point to explore. Would you like to --

**COUNCILPERSON BOTEL:** I'm happy to amend the motion, thank you.

**CHAIRPERSON DAVIS JOHNSON:** Okay. So the motion is to explore creating a --

**COUNCILPERSON BOTEL:** An open telephone line.

**CHAIRPERSON DAVIS JOHNSON:** -- an open telephone line --

**COUNCILPERSON BOTEL:** To the council meetings.

**CHAIRPERSON DAVIS JOHNSON:** For public comment during council meetings.

**COUNCILPERSON BOTEL:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** Is that correct?

**COUNCILPERSON BOTEL:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** Are you okay with that second, Councilwoman Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** Did you have anything further?

**CHAIR PRO TEM HUBBARD:** I wanted -- I thought --

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** Madam Clerk, would you read the motion again, please?

**DEPUTY CITY CLERK BURGESS:** For staff to go and explore the process of an open telephone line for public use at city council meetings.

**CHAIR PRO TEM HUBBARD:** Thank you, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Madam Clerk?

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

**COUNCILPERSON MILLER-ANDERSON:** Yes.

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

**COUNCILPERSON BOTEL:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

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

**CHAIRPERSON DAVIS JOHNSON:** Item number 4.

**2. DISCUSSION REGARDING THE COST AND COMPONENTS OF A FORENSIC AUDIT.**

**COUNCILWOMAN KASHAMBA MILLER-ANDERSON (561) 845-3684**

**3. DISCUSSION AND DELIBERATION REGARDING THE USE OF THE \$25,000 EDUCATIONAL FUNDING SET ASIDE AS RESERVE IN THE GENERAL FUND CONTINGENCY ACCOUNT.**

**CHAIRWOMAN TONYA DAVIS JOHNSON (561) 845-3687**

**4. DISCUSSION AND DELIBERATION ON ESTABLISHING A RIVIERA BEACH YOUTH ADVISORY COUNCIL.**

**CHAIRWOMAN TONYA DAVIS JOHNSON (561) 845-3687**

**CHAIRPERSON DAVIS JOHNSON:** Thank you. Sometime ago I brought to the council the idea of establishing or re-establishing the youth council for the city of Riviera Beach. We went out and we took a look at the various agencies that have youth councils and what their roles are, and we conceptually agreed that we would be interested in creating our city of Riviera Beach Youth Advisory Council.

The purpose of the Youth Advisory Council was to provide an opportunity for our youth to engage in their civic duty and responsibility and to learn about municipal government from the inside. They would, in essence, be creating their own council with a chair and a vice chair. And the idea behind creating that council was to provide them with an opportunity to identify issues that were of concern to them and how they would ultimately like to see things handled in city government from their perspective.

What I did was I contacted the National League of Cities, as well as Savannah, Georgia, that has a very active youth council and I also contacted the City of Miramar, who also has a very active council. And what they shared

with me is that their council convenes at the beginning of the school year and it -- it recesses at the end of the school year. During the course of the year what they do is they create their own projects and initiatives so they present those to the board.

They hold their meetings just as the council, the full council, would hold a meeting. The -- the end result is that we believe that this is an opportunity to get our students engaged, to get our community involved and to have a different perspective as to what the youth of this community is actually interested in. I had requested that as we identified a budget for the youth council, that we consider taking those funds from police forfeiture to allow those dollars to augment and sustain the youth council.

There are three trips that -- there are two main trips that a youth council would take, and that is the National League of Cities meeting which takes place all over the country and they also would be allowed to attend possibly Palm Beach County Days or we would do the Florida League of Cities in our case. I think that based on the budget and -- and the preliminary numbers that we did seek out, the cost of operating a youth council within the City of Riviera Beach -- and we talked about 14 -- 14 youth and we talked about chaperons.

And so if -- when you're thinking about the cost of their uniforms, they - they get uniforms, they have a Polo shirt, a jacket. They are responsible for their bottoms. And then we take care of their travel. Preliminary numbers that came in is about \$33,000 for the year. But what I'm suggesting for our initial start of the youth council is not that we have them travel to the National League of Cities which is a large contingency of the budget, because you're talking about flying them and taking them out of state, but I would propose that we take a look at engaging them in the Florida League of Cities and Palm Beach County Days so that they could, number one, travel to the capital, understand and get the experience as to what really happens in Tallahassee during that period of time, and then also for the Florida League of Cities where you meet with all of the various cities from Florida and have an opportunity to engage with other youth councils to see what their initiatives and best practices are.

And so we just really believe that we're looking at an overall -- if we were in full operation, \$33,000 to operate the council, and we'll get -- we -- we can certainly get the breakdown of that and as I said, the bulk of it is travel cost. And then we just would need to identify an individual from within city government -- and I'm thinking that it could be one of our resource officers that could potentially oversee -- I see the interim chief looking up, but we're thinking that a resource officer could oversee the youth council and be responsible for that.

And certainly we would be interested in any volunteers that would want to assist us as we do the work around the city. But that's the preliminary report. The intent would be to gauge where the council is and now that we're

preparing to go into budget we can certainly look at the -- the dollars that we are looking to receive from police to support this initiative. And that is where most of these youth councils are supported from. And I believe that we can work through the budget process to figure out if this is something that will be viable for us as we move forward. But we believe that this youth council will help to engage our -- one of our precious assets which are our youth. That concludes my report.

**COUNCILPERSON BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel, you're recognized.

**COUNCILPERSON BOTEL:** I love this idea, you know, the educator in me. Whenever you say youth and that they're going to do something wonderful and meaningful, I think I have complete support. I don't want to step on the toes of KaShamba Miller -- Councilwoman Miller-Anderson, 'cause I know she's listening. But I do want to say that I enjoyed tremendously the Citizen's Leadership Academy that she did, and I would love to see this in some way dovetail with that effort because she had youth come to that and they learned an awful lot, I know, about the goings on of the city, internal goings on of the city.

And if there could be some way that that Youth Advisory Council could participate in that as an underpinning, as a background for them to understand the Riviera Beach operations -- every department head came and spoke -- I think that would be a wonderful addition and sort of a dovetail that they could benefit from greatly. But I think the idea is great and I love it. I support it.

**CHAIRPERSON DAVIS JOHNSON:** Well, I appreciate that because that was exactly the direction that we were planning to go. We wanted to get the names of the students that participated in the academy and extend an invitation to those children first.

**COUNCILPERSON BOTEL:** Okay.

**CHAIRPERSON DAVIS JOHNSON:** Because they have already gone through that process and they sat through it, and we thought that they would be a good selection of kids. So Councilwoman Miller-Anderson, thank you. We will be reaching out to you for the names of those students that participated in the Citizen's Academy.

**COUNCILPERSON MILLER-ANDERSON:** (Unintelligible) at the National League and the Florida League.

**CHAIRPERSON DAVIS JOHNSON:** You --

**COUNCILPERSON MILLER-ANDERSON:** So I'm excited to see this come online.

**CHAIRPERSON DAVIS JOHNSON:** Awesome. Thank you. I -- I heard the last part. I can't tell you what -- we heard excited and you can't wait for it to come online. So awesome.

**COUNCILPERSON MILLER-ANDERSON:** Well, that was pretty much the gist of it.

**CHAIRPERSON DAVIS JOHNSON:** Okay. Thank you. Did you have anything, Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** I just wanted to say, um, Councilwoman, that I applaud this initiative and I think it will be great for our community so we want to thank you for bringing it forward, and I look forward to supporting it in any way that you see that I might.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. So with that being said, we will bring it to -- we will bring the budget forth during the budget cycle. We will schedule a meeting with the city manager and the interim city -- the chief -- interim chief of police to identify funding sources so that we can bring that forth and move -- it is my hope that we were -- we will be able to send out our -- our applications and get the youth council ready to go at the beginning of the school year. Thank you.

**ACTING ASSISTANT CITY MANAGER HORTON:** You need a motion. You need a motion and a second to move forth.

**CHAIRPERSON DAVIS JOHNSON:** All righty. (Unintelligible).

**DEPUTY CITY CLERK BURGESS:** Item 5.

**5. PRESENTATION OF THE WINNER AND HONORABLE MENTION RECIPIENTS OF THE BIGGEST WINNER WEIGHT LOSS CHALLENGE CONTEST.**

**CHAIR PRO TEM LYNNE L. HUBBARD (561) 845-3686**

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** The City of Riviera Beach hosted a Biggest Winner Weight Loss Challenge, and we have not been able to get it scheduled so that both of winners would be able to come to the chamber for the -- for their presentation. So what we wanted to do was we wanted to let the community know who the winners were and that we are excited

about the effort that they put into it, and we wanted to thank everybody who participated for participating, the sponsors, the vendors that were out that day and all of the participants that signed up for the program. So Miss Jeanty is going to just put up a slide so you can see our winners of the weight loss contest, if you would, Miss Jeanty.

**CHAIRPERSON DAVIS JOHNSON:** Ooh, nice.

**UNIDENTIFIED SPEAKER:** Wow.

**CHAIR PRO TEM HUBBARD:** That's Mr. Willie Webb there and we were really excited that he was able to do that. And --

**CHAIRPERSON DAVIS JOHNSON:** Sonia. Ooh, yay.

**CHAIR PRO TEM HUBBARD:** -- she was getting married and so she was excited about the opportunity to participate. So there was a \$1,000 for the winner and 250 for the honorable mention, the first runner-up, Miss Sonia.

**CHAIRPERSON DAVIS JOHNSON:** Awesome.

**CHAIR PRO TEM HUBBARD:** And we congratulate them both. Thank you, Miss Jeanty. (Applause).

**DEPUTY CITY CLERK BURGESS:** Item 7.

6. **RESOLUTION NO. 53-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE AMORTIZATION OF TEN (10) YEARS TO MEDIUM (MARKET), 20 YEARS TO MAXIMUM AS CALCULATED IN THE COMPREHENSIVE SALARY STUDY FOR EMPLOYEES CLASSIFIED AS MANAGERIAL; AND PROVIDING AN EFFECTIVE DATE.**

**INTERIM DEPT. DIRECTOR: EUREKA IRVIN (561) 840-4880**

7. **RESOLUTION NO. 54-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF HEALTH CARE COVERAGE WITH AETNA HEALTH CARE OF FLORIDA AND AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENTS FROM VARIOUS DEPARTMENTAL ACCOUNTS UP TO THE AMOUNT EQUAL TO \$878.68 A MONTH PER EMPLOYEE FOR FISCAL YEAR 2018-2019 TO AETNA HEALTH CARE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

**INTERIM DEPT. DIRECTOR: EUREKA IRVIN (561) 840-4880**

**CHAIRPERSON DAVIS JOHNSON:** Is there a motion?

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

**COUNCILPERSON BOTEL:** Second.

**CHAIRPERSON DAVIS JOHNSON:** It's been moved and properly second. Mr. Horton?

**ACTING ASSISTANT CITY MANAGER HORTON:** Madam Chair, if the board would like an update, Miss Eureka Irvin is here along with our consultants. Miss Irvin?

**EUREKA IRVIN:** Good evening, Council. Eureka Irvin, Department of Human Resources. At this time I'm going to ask Mr. Bernstein to come up and provide us with an update.

**MR. BERNSTEIN:** Thank you. Great. Thank you. Thank you, Madam Chairman, thank you, Council. Last week when I was here I had explained to the council that we had run some claims experience and it was 86 percent. Tonight we got a note from Aetna, just came in as we got -- as we walked in. It's up to 91 percent. And my recommendation -- I -- I can go through this or I can make it short, whatever the council would like me to do. But my recommendation is that we take the 4.99 percent increase and we pass that 'cause I'm afraid if we go out to bids it's going to be much higher, and it can cause a lot of problems with employees, as well as the City paying more money. And we'll do whatever the council wants us to do. But my recommendation is that we go out -- we have Aetna people here, they want to ask any questions. You could ask me any questions. I'll be happy to answer any questions, also.

**CHAIRPERSON DAVIS JOHNSON:** Are there any questions?

**CHAIR PRO TEM HUBBARD:** Well -- Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** -- prior to tonight when we were first looking at the background for this material, I understand that as we mentioned last week it started at 25 percent. We were able to get it down to the 4.99 now with the 80 percent claims increase. And now it's up. So I -- I think we should go with the 4.99 because we don't -- right now it won't be a burden or an increase to our employees, and that's what I'm looking to keep from happening at this -- at -- at this time. So we appreciate, again, you working to get it to the 4.99 percent with Aetna. Thank you.

**MR. BERNSTEIN:** You're welcome, Miss Hubbard. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel, anything else?

**COUNCILPERSON BOTEL:** I -- I agree. I think we need to get this done sooner rather than later.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** Have we looked at any other agencies?

**CHAIRPERSON DAVIS JOHNSON:** Repeat your question, please.

**COUNCILPERSON MILLER-ANDERSON:** Is this a -- do they have additional years on their contract or we did look at other agencies to see what they offer?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Bernstein?

**MR. BERNSTEIN:** Yes, ma'am. The reason that we did not go out to bid, if we went out to bid we'd have to show the 25 percent number and not the number that we negotiated down to 4.99. And the concern that we had with the raising usage that if we went out to bid it would be higher than the 4.99 percent.

And my concern again was for the cost to the city and the cost to the employees. And that's where I was coming from. The dependent cost also for the employees, 'cause that would have went up, also. Anybody who had spouses or kids or children, that would raise their cost. So that's where I'm coming from. And we'll be happy to go out for bid if you'd like us to but -- but my recommendation is that you don't go out for bid at this particular time.

**COUNCILPERSON MILLER-ANDERSON:** Obviously I'm not in favor of increasing anything, but my question is do we know for sure we're not able to get lower than 4.99?

**MR. BERNSTEIN:** Ma'am, the only thing I -- I could say -- and I've been in the insurance business for 50 years -- is that when you have an increasing cost of usage, it's not the right time to go out for bid. The time you

go out for bid is when the cost is stable. And with the rise from one month of 86 percent to a 91 percent, my suggestion is that we don't go out for bid. And that's why we came in early to make this presentation instead of waiting a month or two from now, because that number could -- could go up and Aetna won't be able to hold that number. And -- and that's the real -- that's the real problem.

**COUNCILPERSON MILLER-ANDERSON:** Okay. So we're not really sure if we can get it lower than that?

**MR. BERNSTEIN:** Ma'am, all I could say is I've been in the business a long, long time, and you have some people on staff here who also have been in the insurance business and they'll tell you the same thing that I'm saying to you, that this is the wrong time to go out for bid at this particular time.

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

**CHAIRPERSON DAVIS JOHNSON:** Are there any further questions? Madam Clerk?

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

**COUNCILPERSON BOTEL:** Yes.

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

**COUNCILPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

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

**MR. BERNSTEIN:** Thank you, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** Thank you, Mr. Bernstein.

**MR. BERNSTEIN:** Council.

**DEPUTY CITY CLERK BURGESS:** Item number 9.

8. **RESOLUTION NO. 57-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TEMPORARY INCREASE OF THE COMPLEMENT OF SERGEANTS FROM 20 TO 22 UNTIL JULY 1, 2019, AT WHICH TIME THE TWO TEMPORARY SERGEANT POSITIONS CREATED BY THIS ACTION WILL BE ELIMINATED; AND PROVIDING AN EFFECTIVE DATE.**

**INTERIM DEPT. DIRECTOR: MICHAEL MADDEN (561) 845-4130**

9. **RESOLUTION NO. 58-18 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AGREEMENTS WITH MCLEAN & COMPANY, LLC., AND TORCIVIA, DONLON, GODDEAU & ANSAY, P.A. TO CONTINUE TO REPRESENT THE CITY IN THE NEGOTIATION OF LABOR CONTRACTS AND TO PROVIDE OTHER LABOR LEGAL SERVICES TO THE CITY; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FROM ACCOUNTY NUMBER 001-0512-5190-3101; AND PROVIDING AN EFFECTIVE DATE.**

**DEPUTY CITY CLERK BURGESS:** And we do have public comment cards.

**CHAIRPERSON DAVIS JOHNSON:** That's Mr. DeGraffenreidt's.

**DEPUTY CITY CLERK BURGESS:** Sorry, ma'am. I need a motion and second.

**CHAIRPERSON DAVIS JOHNSON:** Is there a motion or a second?

**CHAIR PRO TEM HUBBARD:** So moved, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** Second.

**CITY ATTORNEY DeGRAFFENREIDT:** Madam Chair, as you please will recall, we entered into a contract of legal services and labor negotiations.

**COUNCILPERSON MILLER-ANDERSON:** Can they pull the mike up, please?

**CITY ATTORNEY DeGRAFFENREIDT:** We entered into a contract of legal services and labor negotiations with both McLean and Mr. Torcivia's firm. It was anticipated at the time that we would conclude these matters back in

April. Obviously that has not occurred. We need to continue that relationship at least in this collective bargaining cycle until, my opinion, those collective bargaining sessions have been either concluded with a contract or impasse. And the resolution presented is intended to do that.

**COUNCILPERSON BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel, you're recognized.

**COUNCILPERSON BOTEL:** I -- I'm sorry. Is that what this resolution says? I mean, I don't see a --

**CITY ATTORNEY DeGRAFFENREIDT:** It says, "To continue to represent the City negotiations of labor contracts," as I indicated, "and provide labor legal services to the city."

**COUNCILPERSON BOTEL:** Yeah. But it doesn't say that once these negotiations are done that contract expires, does it?

**CITY ATTORNEY DeGRAFFENREIDT:** It gives you the opportunity to terminate the contract on 30 days' notice.

**COUNCILPERSON BOTEL:** It doesn't say that here, though.

**CITY ATTORNEY DeGRAFFENREIDT:** Not in the resolution, no.

**COUNCILPERSON BOTEL:** No. Okay. So --

**CITY ATTORNEY DeGRAFFENREIDT:** Doesn't have to. It's in the contract.

**COUNCILPERSON BOTEL:** -- okay. So I -- I have questions for Mr. DeGraffenreidt. May I ask them, Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Chair -- Councilwoman Botel, you're recognized.

**COUNCILPERSON BOTEL:** Thank you. When was this RFP issued for -- originally for?

**CITY ATTORNEY DeGRAFFENREIDT:** It was prior to my employment. I do not know.

**COUNCILPERSON BOTEL:** Okay. My understanding that it was issued in 2012 and then extended an additional three years until 2015 without going back out for competitive bid.

**CITY ATTORNEY DeGRAFFENREIDT:** I do not know if that's true or not.

**COUNCILPERSON BOTEL:** And that -- that's my understanding. So maybe it's true, maybe it's not. But that's what I've been told. That's -- I have a concern about that. And so now that these agreements have expired, we're asking to have them be renewed without a definite term.

So I would be more comfortable if there was something in writing saying that they're going to be renewed until such time as. And I mean, I know you've said that it's in writing, but I think I would be happier if the motion said that and was very explicit about that.

I'm also concerned because I'm hearing things from the general employees that they're not happy with the legal services that are being provided; they're not happy with the state of negotiations. And I -- I guess I would be concerned about that. I -- I -- I hear what you're saying, that you think that we should keep them on until these negotiations are over. But I guess I have concerns about that. Could --

**CITY ATTORNEY DeGRAFFENREIDT:** I'm not understanding the concern.

**COUNCILPERSON BOTEL:** -- could -- could -- well, first of all, can the motion be restated to make it very explicit that this agreement will terminate at the end of these contract negotiations?

**CHAIR PRO TEM HUBBARD:** Madam Chair?

**CITY ATTORNEY DeGRAFFENREIDT:** You don't know how long that's going to take. But we control the termination so whatever time it takes when we deem it appropriate, we can unilaterally terminate the agreement. We have absolute despotic control.

**COUNCILPERSON BOTEL:** I like despotic. That's an interesting term to use in there. So -- so -- so you're saying that we -- we -- the contract stipulates that we can terminate at the end of these labor negotiations?

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am. It's intended to do that because the particular people representing us are in the middle of the

negotiation cycle. It would not be prudent to go out for bid or do anything differently when they've been representing us through this whole cycle.

**COUNCILPERSON BOTEL:** I have another question. Why are we voting on both Torcivia and McLean in the same motion?

**CITY ATTORNEY DeGRAFFENREIDT:** Why not?

**COUNCILPERSON BOTEL:** Just a question.

**CITY ATTORNEY DeGRAFFENREIDT:** I don't have --

**COUNCILPERSON BOTEL:** Were they --

**CITY ATTORNEY DeGRAFFENREIDT:** -- to tell you why we couldn't do that.

**COUNCILPERSON BOTEL:** -- okay.

**CHAIRPERSON DAVIS JOHNSON:** I would like to take this -- the motions separately.

**CITY ATTORNEY DeGRAFFENREIDT:** That is at your discretion.

**CHAIRPERSON DAVIS JOHNSON:** I think that that's important. And there is a termination of legal services in Section 11 on page 4 of 4 of the contract. You can -- it says, "The City has the right to terminate outside counsel's representation upon written notice to outside counsel and said termination shall become effective upon receipt of said notice."

**COUNCILPERSON BOTEL:** Okay. I'm looking at that now. Yeah.

**CHAIRPERSON DAVIS JOHNSON:** Uh-huh. You have something?

**CHAIR PRO TEM HUBBARD:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem, you're recognized.

**CHAIR PRO TEM HUBBARD:** What I heard from the general public about not being happy with representation was the fact that what was being brought back to them through the union wasn't the same things that was here.

Not from our legal. Our legal has -- doesn't have any communication with the employees.

Who has communication with the employees -- as the young lady came to the mike and said last week, she was very glad that SEIU was in the room because she wanted them to know that what that -- what was being presented to us at that time wasn't what she felt that they had sent forth. So it -- so just to be clear and to be fair, it's -- it's not our legal team that go forth and speak with our employees or -- or only the union representatives get an opportunity to speak with our legal -- with our -- our legal team. So I think that was a -- a bit misunderstood from the comments that the young woman was making the -- was making the other night.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** I've had some concerns with this. Well, let me first off and say I just think we need to separate the two. In terms of Mr. McLean with the SEIU, I don't -- I'm not in favor of (unintelligible). What I would be in favor of (unintelligible) is (unintelligible) while we go out and get a (unintelligible).

I do not believe we should continue on based on the fact that we're waiting for the negotiations to finish. They have brought them on a long time as it is. And I believe -- and I feel that this contract that's coming to us now months after it expired on purpose to force us to continue with this contract. And that's where I have a problem. So I understand there's (unintelligible) but we (unintelligible) sever ties with this and go put this out for bid so that we could get someone to come on board. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Mr. DeGraffenreidt, did you have something?

**CITY ATTORNEY DeGRAFFENREIDT:** It would simply be imprudent to change the negotiation team and negotiation strategy in the middle of the cycle. In order to stop the negotiation process and to go out for a bid would probably subject us to an unfair labor stance before PERF. My strong recommendation is that we proceed as suggested. I do not think there's any infrastructure for the conclusion that it was deliberate in terms of the law firm's concern that they would put themselves in that situation. They never thought that we would not be able to consummate these agreements in April. They did not have any control of that and it's not predictable. So the alleged challenge to that as the foundation of going out for bid, in my opinion, is illogical and not in the best interest of the city.

**CHAIR PRO TEM HUBBARD:** Madam Chair.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem, you're recognized.

**CHAIR PRO TEM HUBBARD:** If, you know -- if we go out for bid -- and I have no problem with us going out for bid, but I think that if we're -- that we must state the facts. A lot of this we -- had to do with us with the work -- the work compensation study that -- that was in place.

The fact that employees were saying what was coming to the council was not what they had agreed on or that they understood, it wasn't that I -- I don't feel like either the SEIU or the union or whatever was -- or our legal teams were just deliberately sitting on it. What was in play was not something that the employees was for.

They didn't -- even myself as a -- as a councilperson did not like what was being offered to the employees. The things that were being taken away from, the things that were being bargained with and negotiating. So they were -- so -- so when the employees decided to let it die and start over again, that was indeed their -- their option and was a fair option, if -- if you -- if you will. It wasn't anything to do with the legal team.

It was the package that was sent before them that they were not in favor of. That was what -- what was -- what was going on at that team. And by no means -- and we keep saying to go -- we -- we keep using the word -- word firm, about a legal firm, but yet we say we're not for privatization. Putting a firm in place is just that. You -- we talk about putting lipstick on pigs and -- and the whatever. It is still privatization if you're talking about bringing in a -- a -- a legal firm. That was the word that was used.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** In regards to that comment, Miss Hubbard, you know we already confirmed (unintelligible) --

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

**COUNCILPERSON MILLER-ANDERSON:** -- I'm not saying any different.

**CHAIRPERSON DAVIS JOHNSON:** Can't hear you.

**CHAIR PRO TEM HUBBARD:** Can't hear you.

**COUNCILPERSON MILLER-ANDERSON:** (Unintelligible) Torcivia has a (unintelligible). So it's the same thing. It has nothing to do with privatizing. It's already being privatized. Otherwise we would have it in house. So that's -- that has nothing to do with nothing.

**CHAIR PRO TEM HUBBARD:** Madam Chair?

**COUNCILPERSON MILLER-ANDERSON:** And they came back to Mr. DeGraffenreidt. I do believe it was (unintelligible) that (unintelligible) put this and I'm not changing that.

Now, if we need to do a month-to-month (unintelligible), that's one thing. If we need to continue in this till they finish, that's another thing. But to sit here and say it's going to take another six months to a year, is what I feel like it could be drug out to on purpose, and we'll be in the same position. As long as I understand that they're working on it and trying to get to a finalized answer, then I'm okay with that. But I'm not in favor of keeping them on and it drags out. And they stay on for another year. And that's my position on that.

**CHAIRPERSON DAVIS JOHNSON:** Thank you.

**COUNCILPERSON BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel?

**COUNCILPERSON BOTEL:** I -- I have heard -- I have heard that members of S -- SEIU are not happy with -- and it's -- and it's not about the package. What I have heard is that they are displeased with the attitude and the lack of respect that has been shown them on the part of the legal representatives from that organization. And so for that reason I -- I am not supportive of -- of -- of voting them another contract and so that's why.

**CHAIRPERSON DAVIS JOHNSON:** I think -- okay. I think that we need to be careful because if you will recall, they did not specifically just single out the -- the legal team. They -- they stated unequivocally [sic] that it was the negotiating team. So we have some concern.

There was some concern for the internal team that was negotiating on our -- on our behalf as well as the legal team. So I -- I believe that that was stated in the minutes by the public commenter and we can probably find that information. My position on this is that, number one, as I said, we should break

them out, and I will rescind my second with the hope that the maker of the motion will take them in two separate items.

But I do believe that in light of the vote that we've taken, we -- we -- we -- we took on last meeting to handle mediation and we have negotiations, we need to continue. But again, as I said on page 4 of 4 in Section 11, there is a clause to terminate that we can use at any given moment. So when there is resolution and those items are done, we have the right to notify either one of those firms that it is our intent to terminate. And so that is my position on -- on that matter. Attorney DeGraffenreidt, you wanted to make a comment?

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am. I -- I needed to say for the record that collective bargaining is an adversarial process. The people who represent you in that process looking out for the best interest of the city as the employer really can't be empathetic to the other side. That's why they pay the union representatives to represent that side of the contract. So to the extent that they're telling you your defenders are not palatable to them, I think that's what's supposed to be happening.

**CHAIRPERSON DAVIS JOHNSON:** And I understand that it is adversarial in its nature. But there is just a level of respect that has to occur in the process. We can agree to disagree, but we can do it respectfully and that's what I heard from the podium, that there was a lack of respect. There was a lack of information being transferred and brought back properly on all sides. So as it relates to the adversarial role, I get it. But I just believe that we need to treat people the way that we want to be treated.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** And understand that these workers are our first responders. These are folks that take care of us.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** And so therefore, we need to be fair and we need to be respectful in that process.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIR PRO TEM HUBBARD:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** Madam Chair, I want to go back to Councilwoman KaShamba Miller-Anderson. By no means or a stretch of the

imagination, Councilwoman, do I ever expect you to change your position based on information that you will receive that would give you a -- a clearer understanding of -- of another person's position.

What I was saying and what I still stand to say is that the legal -- the -- the legal team, the firm -- you used the firm last week about -- for -- about a firm for the city. You use it again tonight. So -- and to -- to put the lipstick on the pig to continue to say that there's no privatization afoot, it still is afoot.

And the -- again, the only -- the only persons that deal with our --

our -- our employees is the bargaining -- is -- is the bargaining team. The legal team -- our legal team anyway, do not get to interact with the resident. It's the team that they elected, selected and sent forth that our legal team deals with.

Now, as far as my desire for us to go out to bid or -- or not to go out to bid, I'm not -- I'm not against us going out to bid at all. I'm -- I'm not against us -- us doing that. But I -- I -- I want to be fair and firm in -- in my position and my reasoning for it. And I, too, am not going to back down from that.

**CHAIRPERSON DAVIS JOHNSON:** Are there any further comments?

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**COUNCILPERSON BOTEL:** No further comments (unintelligible).

**CHAIRPERSON DAVIS JOHNSON:** Here's what we need to do. One moment, Councilwoman Miller-Anderson. I rescinded the second so that we could break the motions out into two, Chair Pro Tem, because it was your motion. And if the maker of the motion -- we have taken into consideration what Councilwoman Botel asked as it related to termination. Right? We -- you were clear on that?

**COUNCILPERSON BOTEL:** Yes. I'm fine.

**CHAIRPERSON DAVIS JOHNSON:** Okay. You're clear, Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Okay. Councilwoman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** Yes. I just wanted to ask Mr. Torcivia, he is with a law firm, correct? Mr. DeGraffenreidt?

**CITY ATTORNEY DeGRAFFENREIDT:** Actually he's --

**COUNCILPERSON MILLER-ANDERSON:** That's a yes or no.

**CITY ATTORNEY DeGRAFFENREIDT:** -- he's the principal of the law firm. It's his law firm, correct.

**COUNCILPERSON MILLER-ANDERSON:** So he's with a law firm. Okay.

**CITY ATTORNEY DeGRAFFENREIDT:** No. He's not with it. It's his firm.

**COUNCILPERSON MILLER-ANDERSON:** And then Mr. McLean?

**CITY ATTORNEY DeGRAFFENREIDT:** I'm sorry?

**COUNCILPERSON MILLER-ANDERSON:** He has a law firm.

**CITY ATTORNEY DeGRAFFENREIDT:** I'm not hearing you. Please forgive me.

**COUNCILPERSON MILLER-ANDERSON:** Mr. McLean.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes.

**COUNCILPERSON MILLER-ANDERSON:** Does he have a law firm?

**CITY ATTORNEY DeGRAFFENREIDT:** Yes.

**COUNCILPERSON MILLER-ANDERSON:** Okay. So Miss Hubbard, they are both law firms where either they -- when I suggested on going out is no different than what has been done in the past. We're already using law firms. I am suggesting we go out to find a different one.

So I am not putting lipstick on a pig or outsourcing and we need to stop with the propaganda. I am simply saying we do not need to always continue with who we already have. We have a law firm now with both of them. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. I would also suggest that we -- in entering -- in continuing on with this, there's nothing to prevent us from preparing an RFP to solicit those services while we are under -- unless Mr. Little can tell me something differently. Is there anything that prevents us from going out, Mr. Little? Is there anything that can prevent us from issuing an RFP while these services are ongoing?

**INTERIM DIRECTOR OF PROCUREMENT LITTLE:** Good evening, Council. Rickey Little, Interim Director of Procurement. There's nothing preventing you from doing that. But according to our ordinance we don't even have to go in that direction. The City Attorney has the authority to make recommendations to the council of any legal firm, and the council can approve that firm based on Mr. DeGraffenreidt recommendation.

**CHAIRPERSON DAVIS JOHNSON:** Okay. However, my question --

**INTERIM DIRECTOR OF PROCUREMENT LITTLE:** However, we can do an actual full-blown --

**CHAIRPERSON DAVIS JOHNSON:** RFP?

**INTERIM DIRECTOR OF PROCUREMENT LITTLE:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Thank you, sir.

**COUNCILPERSON BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**COUNCILPERSON BOTEL:** Yeah. I -- I -- I do believe -- I mean, I -- I do actually have in front of me the 2012 resolution which was the one that was issued to acquire the use of these firms. It was extended three years until 2015. I think that we've gone on too long without having an RFP issued. And it would be my preference to have an RFP issued. And I do believe that it's not just a matter of -- well, I'll leave it at that. I -- I have -- I have heard -- that's my preference.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. Councilwoman Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** Miss Davis Johnson, what you suggested is exactly what I'd like to see happen.

**CHAIRPERSON DAVIS JOHNSON:** Okay. All right. So Chair Pro Tem, will you restate your motion?

**CHAIR PRO TEM HUBBARD:** Yes. Madam Chair, I move that we separate this particular resolution and go out for solicitation for two services for -- for the legal services replacing the Torcivia group, the -- and the McLean group. At this time we'll continue with their services to -- to finish our negotiations and simultaneously Mr. Little and -- and his team will put out solicitations for this -- for these services.

**CHAIRPERSON DAVIS JOHNSON:** Is there a second?

**COUNCILPERSON BOTEL:** I will second.

**CHAIRPERSON DAVIS JOHNSON:** Madam Clerk.

**DEPUTY CITY CLERK BURGESS:** Question. Are you separating the two now?

**CHAIR PRO TEM HUBBARD:** Yes.

**CHAIRPERSON DAVIS JOHNSON:** So we would vote first on --

**CHAIR PRO TEM HUBBARD:** We're gonna vote --

**CHAIRPERSON DAVIS JOHNSON:** -- the first firm.

**DEPUTY CITY CLERK BURGESS:** McLean. But you also --

**CHAIRPERSON DAVIS JOHNSON:** But we have public comment cards.

**DEPUTY CITY CLERK BURGESS:** -- have public comment cards.

**CHAIRPERSON DAVIS JOHNSON:** So let us clear up what the motion is. And then we will take the public comment cards.

**DEPUTY CITY CLERK BURGESS:** Okay. We're separating the firms.

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** So the first vote will be for --

**ACTING ASSISTANT CITY MANAGER HORTON:** McLean.

**CHAIRPERSON DAVIS JOHNSON:** McLean & Company.

**DEPUTY CITY CLERK BURGESS:** -- McLean & Company, LLC, to continue with services throughout the negotiations but also have an RFP issued to replace the services once that's over.

**CHAIRPERSON DAVIS JOHNSON:** Just an RFP to -- because you can't preclude people from responding to the RFP. So to issue an RFP.

**DEPUTY CITY CLERK BURGESS:** All right. Public comment card. Bonnie Larson, J.B. Dixon, Willis Williams.

**BONNIE LARSON:** Bonnie Larson. From what I understand now, we're going to keep these two firms until they finish negotiating the current -- the current --

**CHAIRPERSON DAVIS JOHNSON:** Union contracts.

**BONNIE LARSON:** -- union contracts. Is that true? The other thing was certainly this should never have come together in one resolution. Certainly it should have said for a period of time to extend only until this. It should have said that. And even if it says it in the contract, it should say it in the resolution so you don't have to -- those of us don't have to go to the contract and read all that. It should say that right here.

Also if you know you're getting fired, you're going to be looking for another firm, how well are you going to negotiate till the end of this term? I don't know if we should have put the RFP out tonight. I don't know if we should have put that idea out tonight. But it's already been done so whatever. These contracts expired in 2015. You can't be an employee and say that was before my time. In the legal department you must know everybody in a legal situation with whom we have a contract. Who they are, what they've done in the past and what their contract terms are. How come we don't know these expired in 2000 -- how come the Legal Department doesn't know these expired in 2015? That is crazy.

**CHAIRPERSON DAVIS JOHNSON:** April.

**BONNIE LARSON:** In April of this year it expired? Oh, I thought it said 2012 to 2015.

**CHAIRPERSON DAVIS JOHNSON:** That was a statement made as it related to when the contracts were entered into.

**BONNIE LARSON:** Right. 2012 to 2015.

**CHAIRPERSON DAVIS JOHNSON:** 2012 to 2017. There's '15 but then there were extensions. Am I correct? Make your point, Miss Larson, and we'll address it.

**BONNIE LARSON:** Okay. Okay. Didn't hear about the extensions. Again, communicate. Communicate clearly. All I heard was 2012 to 2015. Didn't hear then you had a continuation on it. Didn't hear that. So let's get our act together. And now it's too late because now they know they're gonna -- not gonna be hired again but -- and it's not an outsourcing. We have to have a law firm doing this for us. So it's not like we're outsourcing. We have to have a law firm do it for us. So it's not like we're sending business elsewhere. Thank you.

**DEPUTY CITY CLERK BURGESS:** J. B Dixon, Willis Williams.

**J.B. DIXON:** I agree that I could not understand this resolution and especially not understand how an attorney could bring a resolution to a body that contained no costs, no dates and no conditions. After the explanation of the -- it would not kill anyone to put it in so that everyone understood without reading a 20-page contract. That would be very nice, speaking as a member of the great unwashed out here in the audience.

Secondly, I can't imagine -- I still don't know if we can extend the Torcivia contract for the length of the negotiations. Why do we need a new one? I don't understand that. Evidently it has been extended a number of times. Why can we not extend it until the end? Certainly I would -- I personally, if I were up there, would never vote on something that just said we can at our pleasure remove -- you know, terminate this firm.

I think it should be that you are hiring this firm or extending this firm's contract, not executing a new one until the end of the current negotiations. Period. That means that whoever is in the role, whether it is Mr. DeGraffenreidt or a new city attorney will know that the council has said it is going to contract with this firm until the end of negotiations. Period.

I would like to know the costs. In terms of executing a new agreement with these -- with this firm, is it at the same rate as we currently have? Which again, would be possible if you were extending the contract. But here you're executing a new contract. What is the cost of that contract and what was the cost of it before? I don't think anyone should vote without knowing those two

things. Maybe you do. I certainly cannot understand it from -- from this very badly written resolution.

Also I just wish to say that I think that Mr. DeGraffenreidt's attitude of arrogance showed again in the questions that were asked of him by the council. And that is very good reason I think for the fact that his contract is not going to be renewed.

**DEPUTY CITY CLERK BURGESS:** Willis Williams.

**WILLIS WILLIAMS:** Good evening. Willis Williams, Riviera Beach. Three years ago we were here with this same scenario with Mr. McLean and the Torcivia group. And at that time I asked why do we need two labor attorneys. I still haven't figured out why do we need -- do you guys understand it? You have two labor attorneys?

I've sat on the union negotiation board negotiating contracts. I've seen Mr. McLean there on a couple of occasions. But I never seen anyone from the Torcivia group negotiating at any time. So other than those cases that we get from time to time that they held in court for us, I don't understand why they would be considered as labor attorneys. And -- and most of the things that I really wanted to ask everybody, as I say, is I'm not going to echo it again. I just think you do need to go out with the RFP to bring someone else in here 'cause Torcivia and Mr. McLean -- and I like Jack. But they both have been around for a long time now. Quite some time. So I mean, Mr. McLean goes back to Mrs. Doretha Perry days. So I mean, and she's been retired almost for 10 years now. So it's been a long time. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Thank you.

**DEPUTY CITY CLERK BURGESS:** That was all the public comments we have.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. Well, with regards to the Torcivia firm, there is a -- a Section 2, page 2 of 4 does deal with the compensation and I did -- well, I read that. I'm sorry. Did you have a comment card in, Mr. Brown?

**LLOYD BROWN:** No.

**CHAIRPERSON DAVIS JOHNSON:** Public comment or on this item?

**LLOYD BROWN:** No, not that item. I'm sorry, Madam Manager [sic]. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Thank you, sir. So there are fees associated with the Torcivia -- Torcivia contract. I did not find fees for the McLean contract. And I believe we were asking for an extension of the contract, not a new contract. It would be for us to extend the contract through the negotiations. That was what I understood the conversation to -- to be. If I'm mistaken, please correct me. But I thought that that was what we were discussing the extension of the contract to carry us through the negotiations with the option to issue an RFP. Am -- was staff clear on that?

**DEPUTY CITY CLERK BURGESS:** Yes, ma'am.

**ACTING ASSISTANT CITY MANAGER HORTON:** Yes, ma'am.

**CITY ATTORNEY DeGRAFFENREIDT:** It's a semantical argument. It -- they can be raised. You cannot extend something that's already been terminated but what we did by their actions, they continued to work under the same terms and conditions of the prior contract and the new contract incorporates those same terms and conditions.

**CHAIRPERSON DAVIS JOHNSON:** Well, the term of the agreement modification states that the term of the agreement shall be extended retroactive to April 15, 2018. So if we are retroactive -- retroactively doing that, is this not an extension? Because we are taking it retroactively back

to --

**CITY ATTORNEY DeGRAFFENREIDT:** Well, technically it is an extension because it's a continuation of that same work (unintelligible).

**CHAIRPERSON DAVIS JOHNSON:** All right. I went to law school for a minute there, huh? All right.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Okay. So that's how I -- I understood it when I read the backup.

**CITY ATTORNEY DeGRAFFENREIDT:** In effect that's exactly what's happening.

**CHAIRPERSON DAVIS JOHNSON:** Okay. So then we are extending -- we are extending the contract retroactively back till April 15 in order to complete the terms of the negotiations and issuing an RFP for these services.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am. That's what we decided.

**CHAIRPERSON DAVIS JOHNSON:** Any comment from the -- from the council? So we have a motion one to deal with the extension of the contract. Now, I don't see -- I don't see the fee for the McLean contract. Well, I take that back. Here it -- it is there. 275 per hour. Okay. It's there. The fee is there. It does not appear -- this is the original contract. We're just modifying?

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Same rate.

**CITY ATTORNEY DeGRAFFENREIDT:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** All right. So with the first item on the McLean contract, Madam Clerk?

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

**COUNCILPERSON MILLER-ANDERSON:** No.

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

**COUNCILPERSON BOTEL:** No.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** That motion failed with Councilperson Miller-Anderson and Councilperson Botel dissenting.

**CHAIRPERSON DAVIS JOHNSON:** How then do we handle this matter? They need to continue on in the negotiations so, Councilwoman Miller-Anderson, you indicated that you wanted to see this go out for an RFP as I do, and I believe that Councilwoman Botel and Chair Pro Tem have also agreed. So I'm not just directing this solely at you. We need to collectively

figure out how we're going to handle this as it relates to the negotiations continuing on for the employees.

**CHAIR PRO TEM HUBBARD:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** I'd like to make a motion that we continue with the extension of the contract with these two firms until we conclude the negotiations for the SEIU labor union.

**CHAIRPERSON DAVIS JOHNSON:** Is there a second? I am seconding for discussion. We've got to resolve this. We can't sit and -- and stall the business of the city. Where -- what direction are we going to take as it relates to continuing on with the negotiations of these contracts? Because we have what, PMSA?

**ACTING ASSISTANT CITY MANAGER HORTON:** Yes, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** We have PMSA. We have SEIU.

**COUNCILPERSON MILLER-ANDERSON:** Madam --

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson, you're recognized.

**COUNCILPERSON MILLER-ANDERSON:** -- well, this is exactly why I don't like when they put us in this position. Because they put us in this position to force us to go the way that they want it to go. That's where I have a problem. But what I would -- if -- if I could see within the contract that it explicitly says that, I would be in favor of that. I would like to see the contracts a little more cut and dry and not open-ended to indicate that once it is over it is done. Not that clause we can terminate whenever we feel like terminating. Because it'll never come back.

**CHAIRPERSON DAVIS JOHNSON:** Well --

**COUNCILPERSON MILLER-ANDERSON:** So if we can make sure that that is very clear, that they are done as soon as those negotiations are done, I would be in favor of supporting this. And I don't expect the negotiations to drag on for another six months to a year.

**CHAIRPERSON DAVIS JOHNSON:** Okay. At this time I would like to table the motion so that the legal team can go back, make the adjustments to

the contract as discussed. So that we can move forward with the -- these contracts to complete the negotiations and to move forward with the RFP issuance.

**COUNCILPERSON MILLER-ANDERSON:** Table it till when?

**CHAIRPERSON DAVIS JOHNSON:** Till the very next meeting. Staff should be able to -- within the time frame that we have before the next meeting, we should be able to have staff take the comments that have been laid out tonight and the concerns that have been addressed by this council and bring the item back at the next meeting.

**COUNCILPERSON BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Botel?

**COUNCILPERSON BOTEL:** Will we be moving forward on issuing the RFP?

**CHAIRPERSON DAVIS JOHNSON:** I'm tabling the entire matter.

**COUNCILPERSON BOTEL:** Entire matter. Okay.

**CHAIRPERSON DAVIS JOHNSON:** All right.

**COUNCILPERSON MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** So we're (unintelligible) forward next (unintelligible), the first meeting? Are we meeting? Are --

**CHAIRPERSON DAVIS JOHNSON:** We are not meeting on the 4<sup>th</sup>.

**COUNCILPERSON MILLER-ANDERSON:** No. I know we're not meeting on the 4<sup>th</sup>. But were we going to discuss having another meeting (unintelligible) for that?

**CHAIRPERSON DAVIS JOHNSON:** The next meeting of our board will be July 18<sup>th</sup>.

**COUNCILPERSON MILLER-ANDERSON:** Okay. So we're not making (unintelligible)?

**CHAIRPERSON DAVIS JOHNSON:** Pardon?

**COUNCILPERSON BOTEL:** Not making up the 4<sup>th</sup>.

**COUNCILPERSON MILLER-ANDERSON:** We're not rescheduling the 4<sup>th</sup> meeting?

**CHAIRPERSON DAVIS JOHNSON:** No. We are going to take whatever items that would have been presented to us on the 4<sup>th</sup> and hear them on July 18.

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CHAIRPERSON DAVIS JOHNSON:** Madam Clerk, next item, please?

**CITY ATTORNEY DEGRAFFENREIDT (561)845-4068**

**10. ISSUANCE OF AN RFP FOR A FIRM TO COME IN TO HELP EVALUATE AND IMPROVE CITY ADMINISTRATION.**

**COUNCILWOMAN JULIA BOTEL (561) 845-3683**

**CHAIRPERSON DAVIS JOHNSON:** So moved.

**COUNCILPERSON BOTEL:** Second.

**CHAIRPERSON DAVIS JOHNSON:** Is there any discussion? Madam Clerk?

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

**COUNCILPERSON MILLER-ANDERSON:** Yes.

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

**COUNCILPERSON BOTEL:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** No.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** That vote passes with -- with Pro Tem Hubbard dissenting.

**CHAIRPERSON DAVIS JOHNSON:** All right.

**DEPUTY CITY CLERK BURGESS:** Number 11. Special events.

**CHAIRPERSON DAVIS JOHNSON:** Public comments, 7:30.

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

**CHAIRPERSON DAVIS JOHNSON:** That's okay.

**DEPUTY CITY CLERK BURGESS:** Bonnie Larson, J.B. Dixon, Andre Henderson.

**BONNIE LARSON:** What's she talking about?

**CHAIRPERSON DAVIS JOHNSON:** We are on public comments.

**DEPUTY CITY CLERK BURGESS:** This is public comments.

**BONNIE LARSON:** Oh.

**DEPUTY CITY CLERK BURGESS:** It's Bonnie Larson, J.B. Dixon and Andre Henderson.

**BONNIE LARSON:** I'm going to comment tonight on our agenda. It's really falling behind. Number one, I wasn't here last week but the week before that, we moved items around. It was absolutely impossible to tell where we were. People are deleting items, adding items, moving things around because so-and-so's here right now and they won't be here later. This has got to stop.

This needs to be a set agenda by the time it's published and put on the web. If you have something you want to postpone or whatever, talk to -- I asked before who sets the agenda, and I was told -- correct me if I'm wrong - - I was told that it was the city manager and the chairperson. Now, all other people who call in and say, I want to move things around, no, you relay that information to the city manager and to the chairperson. Let's not do it while we're here so we're flipping through all these pages. We have no clue where we are.

Tonight -- oh, also something I've noticed is on the items you put below it who brought up the item. That's a wonderful idea. That's an improvement. However, we've dropped off naming the departments. All right. Here let's take -- okay. Item number 7, Interim Department Director Eureka Irving [sic]. well, what department? Interim Department Director Michael Madden. What department is that? Put in there the department -- the name of the department so people will know. We who come all the time know. What's wrong with Interim Police Department Director? Interim Human Resources Director? Let's put the -- the department name in there. The negotiation discussion tonight, that was kind of ridiculous. It's way overdue. Okay? Now you've told me you had an extension until April. Okay? What happened between April and now? Why weren't you told it's going to expire in April? You can't make good decisions for us unless you get good decisions from the staff. It just can't happen. So we're always doing things retroactively or in arrears or whatever. Let's -- let's cut that out. Let's get organized. And let's have an arrangement of items on here.

We put a lot of the real important items -- well, not tonight because there are only 12 items tonight but this is a special meeting. Fifty percent of them were either tabled, moved to a workshop or gone to an executive session. So why are we here tonight if once we get here half of it's going to be deleted or moved or put in a closed -- let's get organized with our things. Let's -- let's look like we know what we're doing here.

Also on the agenda tonight we have here present, we have Miss Hoskins. She's not here tonight. She's on vacation. So why is her name on here? She's bringing up an item. Her name is on here. She's not here. Do we know why council people are absent tonight? Miss KaShamba Miller, I think I know why. Terence Davis, where is he? He leaves during public comment all the time. He needs to stay right here and listen to what the people have to say. But let's get organized so we look like we know what we're doing. Thank you.

**DEPUTY CITY CLERK BURGESS:** J.B Dixon, Andre Henderson, Reverend Burrs. J.B. Dixon? Andre Henderson?

**ANDRE HENDERSON:** Hello. Andre Henderson, Riviera Beach. I guess I -- first of all, item 52-18 from June 6<sup>th</sup>, Resolution 52, we talked about that. That's supposed to be put out. We -- we tabled that. I would like to know what they decided to do. There's some individuals in the city who want to come who are interested in representing the city who live here. And we talked about upward mobility and getting involved in the city. I think that -- and Mrs. Tonya Davis Johnson said she was open to giving the firm a piece or a part of that last time the -- the lady was here from the firm. You guys shot it done but you were -- you opened it back up. Is that going to be an RFP where it's going to go out to the community or is that firm still on? 'Cause individuals are questioning whether or not they can get in now to --

**CHAIRPERSON DAVIS JOHNSON:** We talked about workshopping that item, Mr. Henderson.

**ANDRE HENDERSON:** Sure.

**CHAIRPERSON DAVIS JOHNSON:** So we will put forth a date to workshop it so that --

**ANDRE HENDERSON:** Gotcha. Okay.

**CHAIRPERSON DAVIS JOHNSON:** -- council can discuss it.

**ANDRE HENDERSON:** Okay. All right. 47-18 and 46-18, about the work done on O Avenue. I know Mr. Bailey had come up here and gave a presentation. That's my -- my neighborhood and he talked about something going down the center of the road. Some of the constituents in that part of the city are concerned because frankly we've never seen that before, the drain being in the center of the road. That was one of the things he brought up on the -- the firm. So whenever you go into whatever you do, that's a concern by the constituents who live there.

Also, I guess it's been said before but I -- DeGraffenreidt, his attitude tonight, I -- I thought I was the only one. He seemed very matter-of-fact to the point where he didn't care what -- who said -- who -- who listened to him. He was very rude, I would say, to the board. He seemed agitated for some reason. I don't know why. But I thought his job was to come here and give information and relay what was supposed to be by law. But he seemed like he was agitated for some reason so I -- I would -- but at the same time, I think that delaying this to the 18<sup>th</sup>, that means that the -- the employees won't get their raise till next year.

So if we don't make a decision -- so I would like -- that should be moved up quicker because that's going to hurt the employees even more if something's not done. They've had enough so that's a consideration. So I think that's something that the board may want to take up sooner than later because the employees are already upset. They're our backbone and someone needs to stand up for them and -- although I disagree with Mr. DeGraffenreidt, I think that we -- we do need new blood but there needs to be something done sooner than later. Thank you.

**DEPUTY CITY CLERK BURGESS:** Reverend Burrs, Lloyd Brown, Madeleine Irving.

**REVEREND BURRS:** Madam Chair, Council, Reverend Burrs. I wasn't here to last council meeting, but I was watching from home and I -- and it disturbed me. And it's the last council meetings that some gentleman come

to the podium and ridiculing the young lady -- I only met her once but I talked with her several times on the phone -- who recruited a lot of millions of dollars from the firm that were ripping us off.

They keep saying that she's going to -- to jail and she should be fired and etc., etc. It seem like we ought to be praising her for getting us our money back, but nobody's saying anything but persecuting the people what stole the money. This is what troubles me. If somebody robbed -- rip you off and somebody recruit your money, put the person in jail for recruiting your money but let the person what rip you off go free. That don't make sense to me.

And I don't think most of councilperson -- and I know I talked with a couple of you all. And I asked, "Well, have anybody really sat down and discussed this issue with this young lady to find out her side of the story?" I think maybe a couple of y'all may have done it, but some of y'all refuse to talk to her to hear her side of the story. And that's -- I think that's ridiculous for this young lady to go through what she's going through with -- for getting us our money back. Even if she can't spell her name, she got us all of our money back. But the people who got the money, nobody came to this podium said, They need to be investigated. I think that's ridiculous. Somebody need to start defending this young lady and let -- and appreciate that she got our money back. And stop trying to talk about she go to jail, she will be fired. Fire the people that took the money.

And another thing that y'all opened up a can of worms is talking about peoples from home could call in in public comments. You opened up a bad can of worms. You see, every person -- grown person in the house got a cell phone plus their children's. What if you got five peoples in the house with cell phones? You can't monitor that. Matter of fact, no defense to any of y'all, this started before y'all got there. I don't think councilperson should be participating in the council meeting unless she here, personally. You ought to be here. You don't know who on the other end of the phone.

When you said first peoples could call in from home to be on the public comments, you'll be here until tomorrow. They'll call. Their -- their mother gonna call. Their father gonna call. Their children gonna call. That's ridiculous. Don't get in that. Don't -- if you can't be here then you can't give your comments. So I -- I think that you got enough problems as it is. And a lot of the problems that you're going through with, I have to admit, they started before some of y'all got here. And y'all didn't have a lot of the problems, and y'all been accused of some things that you may not be guilty of. But you have to deal with it and accept the good with the bad.

But some of these things that you all could handle in a better way about not rebuttaling [sic] one another every time. Somebody says something, you gotta rebuttal what this person says and etc. So -- but you're talking about Mr. -- Mr. City Attorney, got a bad attitude, I don't think so. You know, an attorney

-- when an attorney arguing a case, you know, some people may not like the way he argue the case. I think some of -- some peoples up there got a bad attitude.

I remember when -- when the -- when -- when Power was here giving his presentation, no offense, I see Miss Botel, This ain't right, that ain't right, that ain't right. That -- to me that was a bad attitude. Maybe that's her ways. So you can't judge a person by the way they act. You know, so thank you.

**CHAIRPERSON DAVIS JOHNSON:** Thank you, Reverend Burrs.

**DEPUTY CITY CLERK BURGESS:** Lloyd Brown, Madeleine Irving, Ahman Israel [phonetic].

**LLOYD BROWN:** All right. How you doing? My name is Lloyd Brown. You know, I was listening to Miss Botel when she asked y'all about talking to the man. Well, you know, sometimes like when you have a problem with your neighbor, I mean, if you do the same way you people do, you know, it'll be a lot of dead neighbors in our neighborhood, you know, because for one thing, you sometimes -- you gotta sit down and talk to these people, you know? You can't just say, Well, I don't like him. I don't want to deal with it.

And then what I'm thinking about, you know, whatever reasons y'all gave -- gave for firing or getting rid of the man, you know, if it was anything about his ideas, you know, what he thought about changing, I -- I -- I thought, you know, y'all had the last words. You know? I didn't think he could make these decisions and just put them down in stone and y'all didn't have anything to say about it.

And anyway, you know, with Hubbard, Davis and Pardo, y'all had the vote so anything you disagreed with the man, you could have stopped it right there and -- I mean, instead of letting the man go. Now here it is with you, you know -- you're so selfish. That's what it is. And then I don't know, maybe he was gonna look into something else and it might be some of your friends that was involved in it. But like, you know, the employees I see, they think highly of Mr. Evans, you know?

And I mean, what you're doing, it -- it may gonna cost the taxpayer more money, I mean, just because a few of you people up here and selfish and you want things the way you want them. You know, but that ain't right. It's the taxpayer money that's going to pay this and it's not going to be yours. I mean, you know you're wrong, but you still refuse to work together with this man. I mean, rather spend another million in taxpayer money running in this city, I mean, you running this city through the mud. And it's like you don't care.

And honestly, I got a whole minute left but, I mean, it's a shame. It really is. That's the only word I can say is because, you know, it's a lot of people out there that I know, they've been on these corners -- okay. The guy's saying something about not calling in. Well, I know a lady she can't get over here anyway. So that would be an opportunity for her. So a lot of things I hear people say, you know, they just be talking. 'Cause me, I mean, I'm not a genius, but I had a lot of older brothers and I was the youngest and I learned everything that my sister and brothers knew and my mother and my father. And that's what you're getting back right now.

See, I may not have a college degree but I tell you like this. It's a lot of things I know that you'll never know anything about, that you wouldn't know how to do. You wouldn't even know how to comprehend. But like a lot of thoughts in my head probably will burst your brain wide open. But I'm not even going to say that. But all I'm trying to say is this. If you don't work with this man, you're gonna spend our money. You're not going to spend your money. 'Cause it look like some of y'all have been living high on the hog up there.

**DEPUTY CITY CLERK BURGESS:** Madeleine Irving, Ahman Israel, Marie Davis.

**MADELEINE IRVING:** Good evening.

**CHAIRPERSON DAVIS JOHNSON:** Good evening.

**MADELEINE IRVING:** I'm Madeleine Irving, City of Riviera Beach resident. My only reason at this podium is although I understand that y'all spoke about Mr. DeGraffenreidt's contract being extended up to six months, I wasn't here last Wednesday so although I sent an e-mail it's -- it's -- I still want to make my public comment. I feel that his contract needs to be terminated immediately. Just like we just talked about hiring somebody to stand in pain or getting somebody else to do his job, yes. We can find somebody to work in his position as he says bye-bye to the city.

I'm still outraged for the simple fact that it was this man that made the decisions. There are things that are going on in our city and he's not benefitting our council by one bit. He's not clear and concise in his explanations. He hasn't addressed the fact that we still have a building official that was arrested for impersonating a building official. That's something -- legal advice needs to be given to this council for you all to make a decision.

Also with that being said, a merit to pay raises. He needs to be abreast of those things. Why? Just like Mr. Brown said, we take that. We hit -- that's our hit. We pay those -- those people who are benefitting from those raises. Also, his arrogance, I -- he clearly disrespected Dr. Botel,

Councilwoman Botel. That should not be. Because she's trying to get clarity. She's trying to get clarity. His job is to give the best legal advice to this board so you all can make the -- the most unanimous decision that you can. Also I don't understand. I think we can find some -- somebody or to take over his duties because he sure hasn't shown us his best. Thank you.

**DEPUTY CITY CLERK BURGESS:** Ahman Israel, Marie Davis.

**AHMAN ISRAEL:** Good evening. Ahman Israel, Riviera Beach, Florida. Some of my concerns is our city being fiscally sound. And I'm noticing in the budget book projected for the next three years starting on page 76 that we're projected to be in the fifth year \$3 million deficit. Starting from 2019 it's projected 682,000 projected. So I'm very much concerned with that.

One of the things -- and that's on -- on page 13 under the health care policy, there was a -- there was a proposal that Mr. Evans was proposing that would save the city a million dollars in insurance. I talked to some of the insurance people, and they admitted that through that the changes that he was implementing that we could have saved a million dollars.

Now, I hear we're talking about a -- an audit or -- an audit. According to some information that I had, and I really would like to know if it's true, we have an -- we have people that do not work for the city that has been receiving insurance. And that has totaled over \$1 million that we're paying insurance for people that don't work for the city and that is over a million dollars.

I see on the resolution it says the City of Riviera Beach, City Council agenda item, Resolution continued health care, Mr. Evans have here where he was informing the council that the revenue that we was paying for insurance was incorrect. That happened to be the same night y'all -- the council fired him. So someone that was gonna save the -- save the city a million dollars in insurance, here we is, it looks like the City has paid out over a million dollars for people who have not -- should have not been receiving insurance. And I think that's gross negligence, gross incompetence and I'd really like to know who's responsible for that. Thank you very much.

**DEPUTY CITY CLERK BURGESS:** Marie Davis.

**MARIE DAVIS:** Marie Davis, 3001 Lake Drive. Actually my public comments were going to be about item number 10, and I was thrilled to find that you all had made a decision to at least evaluate or send out an RFP

for -- to have some professional help to come in and evaluate our city. I think whether you know, my -- our choice and -- I love Dr. Orman. And I've

never met Dr. Orman, but he is with Berry University and we already have a relationship with them. And he has a stellar reputation. And whether you choose them or someone else, I think this is such a great and new beginning for Riviera Beach thank you.

**DEPUTY CITY CLERK BURGESS:** Madam --

**MARIE DAVIS:** That's the least I've ever talked.

**DEPUTY CITY CLERK BURGESS:** Madam Chair, when we called Miss J.B. Dixon's name she was outside. How would you like to respond?

**CHAIRPERSON DAVIS JOHNSON:** Do you still have a comment? Do you still wish to comment?

**J.B. DIXON:** (No audible response).

**CHAIRPERSON DAVIS JOHNSON:** Please come forward.

**J.B. DIXON:** Thank you. I apologize for not being here at the correct time. I wanted to comment about the telephone -- telephone line for the public. I think perhaps it's a misnomer to say telephone line when a lot of people now communicate through the telephone by text. We also have other technology available such as FaceTime that would allow us to see who is speaking to us, and actually I don't think anyone -- that's anyone who comes up here.

I mean, no one has ever asked me to prove that I am a citizen or that I'm a taxpayer nor many of the other people who have come up here. So I -- I kind of wonder why there would be a different standard for someone else. There are ways in which you can take a look at who is calling. You know, what their exchange is. The telephone exchange. I think that it's very important because people cannot always come here. They have children. They can't have babysitters. They have a life which although they can watch at home with noise and everything around them, they cannot be here personally, and I think it's important that we include those people. It's not just the elderly. A lot of it is young working families with children whose futures depend a lot on what this council does.

And if anything else, I think if -- I think it would be wonderful if you were inundated with calls from people concerned about their city. And if you were, the -- the worst-case scenario is that all of those comments having been written down from -- from the people's texts or phone calls could be given to the city manager for distribution to the proper department heads and perhaps for follow-up. And in that way I think that again you're -- I think you're going to improve your own reputation with your own constituents.

The thing of no one else has ever done it, I think it would be wonderful if Riviera Beach innovated something like this and when other people came to look at best practices they, for once, looked at Riviera Beach. The only other thing that -- well, I have 13 seconds so I will save that for another time. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Thank you.

**DEPUTY CITY CLERK BURGESS:** That was all the Public comments, Madam --

**CHAIRPERSON DAVIS JOHNSON:** Thank you. Item 11, I believe.

**11. SPECIAL EVENTS APPLICATION FOR RIVIERA BEACH HEIGHTS COMMUNITY CENTER GRAND OPENING AND RIBBON CUTTING.**

**CHAIRWOMAN TONYA DAVIS JOHNSON (561) 845-3687**

**CHAIRPERSON DAVIS JOHNSON:** This is an item of District 3. We are bringing forth a special event application because we are seeking road closure for the August 11, 2018, that it is the Riviera Beach Heights Community Center ribbon cutting and grand opening which will also include a back-to-school drive as well as Just for the Health of It. We are doing a physical and nutritional health fair which will include giveaways, youth activities, food and refreshment.

So by way of this special event application, we are asking for the closure of Fourth Street from President Barak Obama Highway to Avenue H and Avenue G between Fourth and Fifth Street. We want to close them between 5 a.m. and 5 p.m. I believe that this is being circulated through the city so that we can move forward with the plans for this event. It is a great day for the City of Riviera Beach, and we are excited about the grand opening and ribbon cutting of the community center, so we have a wonderful day planned. And I believe we're asking -- we are asking approval of the special events application which is attached. I do believe it has -- it is going through the system, correct, Mr. Gagnon?

**ACTING ASSISTANT CITY MANAGER HORTON:** Yeah, that's right.

**CHAIRPERSON DAVIS JOHNSON:** Okay. So we are asking for approval of the special events application.

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

**COUNCILPERSON BOTEL:** Second.

**CHAIRPERSON DAVIS JOHNSON:** It's been moved and properly seconded. Is there any -- are there any comment cards? Well, that was discussion and deliberation. Is there any other comment from the board?

**COUNCILPERSON BOTEL:** No.

**CHAIRPERSON DAVIS JOHNSON:** Madam Clerk?

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

**COUNCILPERSON MILLER-ANDERSON:** Yeah.

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

**COUNCILPERSON BOTEL:** Yes.

**DEPUTY CITY CLERK BURGESS:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DEPUTY CITY CLERK BURGESS:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

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

**CHAIRPERSON DAVIS JOHNSON:** Thank you, all. Please save the date: August 11<sup>th</sup>, 2018, 9 a.m. We will be -- the address of the center is -- where is it? I don't have any address on here but it's Fourth and Avenue G. But stay tuned. Information will be shared online, on TV 18 and through community correspondence. I believe item 12 we pulled. All right. Are there any petitions and communications for filing?

**12. DISCUSSION AND DELIBERATION REGARDING PTO, VACATION & SICK LEAVE, BUYBACK.**

**CITY MANAGER: KAREN L. HOSKINS (561) 845-4010**

**PETITIONS AND COMMUNICATIONS FOR FILING**

**DEPUTY CITY CLERK BURGESS:** No, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Are there any Awards and Presentations?

### **AWARDS AND PRESENTATIONS**

**DEPUTY CITY CLERK BURGESS:** No.

**CHAIRPERSON DAVIS JOHNSON:** Any Public Hearings?

### **PUBLIC HEARINGS**

**DEPUTY CITY CLERK BURGESS:** No.

**CHAIRPERSON DAVIS JOHNSON:** Items Tabled?

### **ITEMS TABLED**

**DEPUTY CITY CLERK BURGESS:** No.

**CHAIRPERSON DAVIS JOHNSON:** Any Regular?

### **REGULAR**

**DEPUTY CITY CLERK BURGESS:** No.

**CHAIRPERSON DAVIS JOHNSON:** Any further Discussion and Deliberation? Any Board Appointments?

### **DISCUSSION AND DELIBERATION**

### **BOARD APPOINTMENTS**

**DEPUTY CITY CLERK BURGESS:** No.

**CHAIRPERSON DAVIS JOHNSON:** Discussion by City Manager?

### **DISCUSSION BY CITY MANAGER**

**ACTING ASSISTANT CITY MANAGER HORTON:** Madam Chair, if I may, I'd just like to respond to one question that was made concerning the work I believe over on H.

**CHAIRPERSON DAVIS JOHNSON:** Oh.

**ACTING ASSISTANT CITY MANAGER HORTON:** Yeah. Oh, okay. A lot of -- a lot of times I -- I just -- I've got Mr. Terrence Bailey in the back, but I'm also an engineer so I can comment on it. A lot of times we use inverted crowns for streets to keep the water, the runoff from stormwater running into your private property. It's my understanding -- and Terrence -- Terrence Bailey, I need you to just shake your head in agreement or shake your head no if I'm wrong, but I believe the inverted crown was used purposely to keep the water off the private property.

**ACTING PUBLIC WORKS DIRECTOR BAILEY:** Yes.

**ACTING ASSISTANT CITY MANAGER HORTON:** So that's why the drainage is going down the center of the street. It's deeper. If it -- if you put in the other crown, the water possibly could end up in the private property yards and that's not what we want.

**CHAIRPERSON DAVIS JOHNSON:** Discussion by City Attorney?

#### **DISCUSSION BY CITY ATTORNEY**

**CITY ATTORNEY DeGRAFFENREIDT:** Nothing for your consideration, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** City Council Committee Reports? Statements by Mayor and Council, starting with Councilwoman Botel.

#### **CITY COUNCIL COMMITTEE REPORTS**

#### **STATEMENTS BY THE MAYOR AND CITY COUNCIL**

**COUNCILPERSON BOTEL:** Yes. We're having our July 19<sup>th</sup> Singer Island Town Hall. We're going to be focusing on hurricane preparedness with a presentation by the fire department, a representative from the fire department. I believe that Chief Duren is not going to be there, but he will have an able representative to discuss hurricane preparedness and also a discussion by Terrence Bailey, I hope, or some representative from Public Works regarding the Public Works Department. Particularly, I think, what's going on over there in Palm Beach Aisles with the culverts and so on. People are very interested in that and I know you'll give them a good explanation.

July 29<sup>th</sup>, we're going to be having a big voter awareness rally at the Riviera Beach Marina from 10 a.m. to 4 p.m. I'm actively working on the beach

access situation. There is, as you know, a new law and so I've been working with Lina Busby in the Legal Department. We'll be putting together a form for people, particularly those people on Sugar Sands who are interested in maintaining their access to the beach over by the Marriott. We'll be putting -- they have been sending me affidavits and pictures. I have many pictures now of people on the beach over there. And that's wonderful. But we'll be putting together a form that asks very specific questions about their use of the beach and the particular parcel they've been using. We need to have that for our legal case.

I'm also working with Lina Busby on bringing before council a motion that will ask us to join 21 other cities who are seeking to remove the penalties to local government commissions when they attempt to put gun control measures on the agenda. And I'm working with Inlet Grove High School, Viking Yachts, Rybovich Career Source and Langton Consulting and others on a marine industry workforce development program. I'll have more about that in the future. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Chair Pro Tem?

**CHAIR PRO TEM HUBBARD:** Yes, Madam Chair. I want to remind the public that on July 7<sup>th</sup>, we are getting ready for another clean-up in the community. The area that we will be working with is going to be off of 11<sup>th</sup> Street in that area on the -- on the east side of the railroad. We're going to be working on 28<sup>th</sup> and 29<sup>th</sup> Street. We are asking all groups and individuals that would like to participate in this clean-up to join us on July 7<sup>th</sup>. We'll kickoff from the old Maritime Academy at 8 a.m. We'll run till 12 p.m. Also, this is just one segment of Riviera Beach Clean, Riviera Beach Beautiful. We are working with Code Enforcement. We are working with the police department. Waste Management. All the departments in the city to get the lots cleaned, the trash picked up, plantings and landscaping done to make the city look more aesthetically pleasing.

It is -- we're educating the community again, re-educating them, if you will, when they're allowed to put their trash out, when it's going to be picked up. We are hoping that the neighbors, the residents will call the police when illegal dumping is taking place. It takes place a lot in the city. Today we were out on H Avenue. We caught -- or saw some gentleman dumping trash. We stopped. We called to report them. So that it -- and it's just happening. If you look around and if you're moving and you see this happening, call the police department, call Public Works, Code Enforcement. Just tell somebody because a lot of people are cleaning out homes, preparing them for rent and they're putting the -- the trash out in the community.

And one other thing that I wanted to say about the -- the drainage in the center is that we had the town hall meeting to go over with the residents what they would like to see initially and to get some ideas. One thing they said they

did not want, they didn't want to give up five foot of their property and they did not want the one-way streets. So staff went back again and they came up with this idea. We came back on Thursday night to present it to the people. And the only other options that they were willing to do was this one, because you got -- you'd have to give up five feet of your property or you'd have to have the one-way streets.

The streets are quite narrow. And the -- the law now is the sidewalks have to expand from the three feet they are to five feet. So that's where we're losing the traffic going the sides of the lanes in the highway. So all of this has been taken into consideration. The people that came out, they understood. They agreed that they did not want to give up the five feet of their property on either side nor did they want to have the one-way streets in Monroe Heights, either. So that's how we came up with this.

And as Mr. Horton pointed out, we don't want the water flooding into your property, and we -- and this was a way that we could prevent that, have curb and gutters as well as having the water flow down and not into the citizens' property. So that's -- that's where we are. That's where we are now. And we've -- we've done everything the residents have asked. We've gone back several times to get this project on the move. And that's it. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Councilwoman Miller-Anderson?

**COUNCILPERSON MILLER-ANDERSON:** Yes. I just have a few questions. The executive session where we moved for the sergeant, how will that be impacted with the (unintelligible)?

**CHAIRPERSON DAVIS JOHNSON:** What was the last part of your question?

**COUNCILPERSON MILLER-ANDERSON:** We're holding off for McLean and Torcivia until the 18<sup>th</sup>. Will they continue with negotiations between now and then? DeGraffenreidt?

**CHAIRPERSON DAVIS JOHNSON:** Mr. DeGraffenreidt?

**CITY ATTORNEY DeGRAFFENREIDT:** Sure they will. The responsibilities to the client is not driven totally by economics. These are professional guys who have been doing this for 30 years. They're not going to drop you or the ball in the middle of this contract negotiation.

**COUNCILPERSON MILLER-ANDERSON:** Okay. And so with the executive session for the sergeant, I thought that was something we had to do. Why are we going to executive session? What will we be discussing? Did you understand me?

**CITY ATTORNEY DeGRAFFENREIDT:** Are you asking me? That was what was -- I guess to discuss the recommendations of Mr. McLean relating to concluding the arbitration process by creating those two positions. That was his recommendation. There was some push-back against that, and I assume that the executive session was to air the concerns on the dais with the legal recommendations to find a course of action to take that meets your satisfaction.

**COUNCILPERSON MILLER-ANDERSON:** What -- maybe I understood it incorrectly. That wasn't a mandate that needed to happen?

**CITY ATTORNEY DeGRAFFENREIDT:** My understanding was --

**COUNCILPERSON MILLER-ANDERSON:** From the court?

**CITY ATTORNEY DeGRAFFENREIDT:** -- that --

**COUNCILPERSON MILLER-ANDERSON:** No?

**CITY ATTORNEY DeGRAFFENREIDT:** -- based upon the collective bargaining agreement, we agreed to be bound by the decision of the arbitrator to conclude that process and return the individual back to a sergeant's position, I recollect, is what Jack has been recommending. He wanted to do that now to conclude the process. It's my understanding that the time period in which to reinstate him based upon the arbitration position is not immediately. There's some flexibility there. So that --

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CITY ATTORNEY DeGRAFFENREIDT:** -- that is where in the discretion position lies. Jack was trying to conclude the matter completely.

**COUNCILPERSON MILLER-ANDERSON:** Okay.

**CITY ATTORNEY DeGRAFFENREIDT:** And that's why he made the recommendation.

**COUNCILPERSON MILLER-ANDERSON:** Okay. And then Mr. Horton, the -- in regards to the issue that Mr. Ahman brought up about --

**CITY ATTORNEY DeGRAFFENREIDT:** I didn't even hear that.

**COUNCILPERSON MILLER-ANDERSON:** -- some past employees still being paid or their insurance is still being paid, could you look into that (unintelligible) well?

**ACTING ASSISTANT CITY MANAGER HORTON:** Madam Councilwoman, I do plan to look into that . I will check with both HR and Finance to get an understanding of that.

**COUNCILPERSON MILLER-ANDERSON:** All right. Thank you.

**CHAIRPERSON DAVIS JOHNSON:** Okay. For the District 3 comments, we will -- the Office of District 3 will tour the district. We will tour the entire district to identify areas of overgrown lots and blight and set a schedule with Public Works moving forward, a regular schedule to make sure that the properties and the areas in the common areas or medians are taken care of in a timely manner.

I want to announce that I did have a conversation with Stantec and the lights along MLK from Australian Avenue to President Barak Obama Highway are scheduled to be activated in -- in a couple of weeks, is the explanation or the time frame given to me indicating that they are finalizing billing and the placement of a meter for those lights along that stretch of the roadway.

We are excited because the stoplight has been activated at Avenue J, and the traffic pattern has been altered to allow for the continuation of the road construction that is taking place along MLK. We are awaiting a response from FEC. We did hear the questions that were asked as it related to a quiet zone, but more importantly, buffers and the maintain -- the maintenance of the areas along the FEC railroad that begin from First Street on President Barak Obama Highway all the way up to Silver Beach Road. So we are waiting on a date so that we can have that conversation with the managing member in charge.

We have forwarded a letter to Dr. Fennoy asking for a meeting to discuss if there is a probability of a high school here in Riviera Beach or what the plans are. So we are moving forward with that. As soon as we can confirm that we will provide that information from the office. That concludes the District 3 comments.

I do have a comment, an announcement from the Mayor. The Office of the Mayor announces the Youth Job Fair which is scheduled for July 9<sup>th</sup> at 10 a.m. Ages 16 to 30 are the targeted areas for this job fair. The event will be held at the marina and we ask that you dress appropriately. Be prepared and be on time. With that being said, there being no further business, we stand adjourned.

**DEPUTY CITY CLERK BURGESS:** Madam Chair, I believe at the last meeting Mr. Davis had requested that Mr. -- you give information on the 4<sup>th</sup> of July events.

**CHAIRPERSON DAVIS JOHNSON:** Oh, we'll -- okay. I will remind everyone -- Mr. Blankenship, would you like to come up really quickly and remind the folks of the July 4<sup>th</sup> event and immediately following his comments we stand adjourned.

**PARKS AND RECREATION DIRECTOR BLANKENSHIP:** Good evening, Council. Richard Blankenship, Parks and Recreation Director. We're a little more than a week away from July 4<sup>th</sup> celebration next Wednesday at the marina co-sponsored by the CRA.

We'll begin at 2 p.m. The parking lots will open at about 1 p.m. We will conclude at 9:23 when the fireworks are done. We have many -- a day full of entertainment. We have food trucks, kid zone. It'll be a great day and we -- we invite everybody to come out.

There are nine different parking lots in the general vicinity that we'll have assigned and some of them will be manned. And then we will be using City Hall and Dan Calloway for some additional parking that will provide a shuttle service. So that all begins around 1 p.m. as far as shuttling. And we look forward to having a great day and there's be no rain.

**CHAIRPERSON DAVIS JOHNSON:** Thank you, sir.

**COUNCILPERSON MILLER-ANDERSON:** Mr. Blankenship?

**PARKS AND RECREATION DIRECTOR BLANKENSHIP:** Yes, ma'am.

**COUNCILPERSON MILLER-ANDERSON:** Some people are asking can they bring their coolers or tents.

**PARKS AND RECREATION DIRECTOR BLANKENSHIP:** No, ma'am.

**COUNCILPERSON MILLER-ANDERSON:** How does that work?

**PARKS AND RECREATION DIRECTOR BLANKENSHIP:** They cannot bring food or tents. They can bring lounge chairs, towels to sit on. We will have chairs there. We're bringing in about 500 chairs, but they cannot bring tents or coolers or -- you know, we've done a -- been meeting for months and working out this plan to make it as a secure and safe an event as possible

so we -- we're kind of putting our foot down on what people can bring into the area.

**COUNCILPERSON MILLER-ANDERSON:** Okay. Yes. Please do 'cause a lot of people have been asking.

**PARKS AND RECREATION DIRECTOR BLANKENSHIP:** Yes, ma'am.

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

**CHAIRPERSON DAVIS JOHNSON:** Thank you . Good night.

### **ADJOURNMENT**

**CHAIRPERSON DAVIS JOHNSON:** We stand adjourned.

(CONCLUSION OF SPECIAL COUNCIL MEETING)

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**APPROVED:**

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**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**TONYA DAVIS JOHNSON**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**LYNNE L. HUBBARD**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**COUNCILPERSON**

\_\_\_\_\_  
**JULIA A. BOTEL**  
**COUNCILPERSON**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**COUNCILPERSON**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**L. HUBBARD** \_\_\_\_\_

**K. MILLER-ANDERSON** \_\_\_\_\_

**T. DAVIS JOHNSON** \_\_\_\_\_

**J. BOTEL** \_\_\_\_\_

**T. DAVIS** \_\_\_\_\_

**DATE APPROVED:**   **JULY 18, 2018**