

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
MINUTES OF THE CITY COUNCIL MEETING  
HELD IN THE CITY COUNCIL CHAMBERS  
APRIL 10, 2019 AT 6:00 P.M.**

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

**CALL TO ORDER**

**CHAIRPERSON MILLER-ANDERSON:** I'd like to call to order Special City Council Meeting, April 10<sup>th</sup>, 2019, 6 p.m. Madam, roll call.

**Roll Call**

**DEPUTY CITY CLERK BURGESS:** Mayor Ronnie Felder?

**MAYOR FELDER:** Present.

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

**CHAIRPERSON MILLER-ANDERSON:** Present.

**DEPUTY CITY CLERK BURGESS:** Chair Pro Tem Julie Botel?

**CHAIR PRO TEM BOTEL:** Here.

**DEPUTY CITY CLERK BURGESS:** Councilperson Tradrick McCoy? Councilperson Shirley Lanier? Councilperson Douglas Lawson?

**COUNCILPERSON LAWSON:** Here.

**DEPUTY CITY CLERK BURGESS:** City Manager Karen Hoskins?

**CITY MANAGER HOSKINS:** Here.

**DEPUTY CITY CLERK BURGESS:** Deputy City Clerk Jacqueline Burgess is present. Assistant City Attorney Lina Busby? You have a quorum.

**CHAIRPERSON MILLER-ANDERSON:** Okay. We'll have a moment of silence followed by the Pledge of Allegiance led by Councilwoman Lanier.

**Invocation**

**Pledge of Allegiance**

(Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by

**SPECIAL CITY COUNCIL MEETING  
American High-Tech Transcription  
Suite 215  
Largo, FL 33771**

**April 8, 2019  
2600 East Bay Drive,**

**727-535-1066**

Councilperson Lanier).

**CHAIRPERSON MILLER-ANDERSON:** Are there any disclosures by council?

**AGENDA Approval:**

Additions, Deletions, Substitutions

**Disclosures by Council**

**CHAIRPERSON MILLER-ANDERSON:** I will put on the record that over the course of the past 17 months or so, I have had several conversations with the former attorney. I'm sorry, the former City Manager Jonathan Evans, just trying to identify if this is something that he would be interested in at some point because we did value the work that he did here. So I just want to put that on record that over the course of the last 17 months I have had contact with him.

**CHAIR PRO TEM BOTEL:** Madam Chair, I have also, over the course of the last 17 months, had contact with Jonathan Evans.

**CHAIRPERSON MILLER-ANDERSON:** Anyone else have any disclosures? Please let the record reflect Councilwoman McCoy is on the dais.

**COUNCILPERSON McCOY:** Madam Chair?

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

**COUNCILPERSON McCOY:** I had conversations with Mr. Evans over the past 17 months.

**CHAIRPERSON MILLER-ANDERSON:** All right. Anyone else?

**COUNCILPERSON LANIER:** Madam --

**COUNCILPERSON LAWSON:** Madam --

**CHAIRPERSON MILLER-ANDERSON:** Go ahead, Councilwoman Lanier.

**COUNCILPERSON LANIER:** Madam Chair, I've had conversations with Mr. Evans during the same period of time.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Councilman Lawson?

**COUNCILPERSON LAWSON:** I've also had conversations with Mr. Evans over the last two weeks.

**CHAIRPERSON MILLER-ANDERSON:** All right. All right. Can we have a motion to adopt the agenda?

## Adoption of Agenda

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

**CHAIRPERSON MILLER-ANDERSON:** Do we have a second?

**COUNCILPERSON LANIER:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Madam Clerk?

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

**COUNCILPERSON McCOY:** Yes.

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

**COUNCILPERSON LANIER:** Yes.

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

**COUNCILPERSON LAWSON:** Yes.

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

**CHAIR PRO TEM BOTEL:** Yes.

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

**CHAIRPERSON MILLER-ANDERSON:** Yes.

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

**CHAIRPERSON MILLER-ANDERSON:** Any person who would like to speak on an agenda item please fill out a pink public comment card located in the back of the council chambers and give it to the staff prior to the item being presented to city council for discussion. Members of the public will be given three minutes to speak on each regular agenda item. In no event will anyone be allowed to submit a comment card and speak on an agenda item after the resolution is read or the item considered. We don't have any public hearing.

And then in terms of the public, general public comments, typically it starts at 7:30. If we finish the business of the City before 7:30, we will allow the public comments to -- public comment cards to be accepted. At 7:30, though, we will close off the acceptance of public comment cards at that time, provided we're still here. Public comment cards should be restricted to the issues, matters or topics pertinent to the City of Riviera Beach. Please be reminded that the city council has adopted rules of decorum governing public conduct during official meetings which has been posted at the entrance of the council chambers. In an effort to preserve order, if any of the rules are not adhered to, the council

chair may have any disruptive speaker or attendee removed from the podium, from the meeting and/or building if necessary. Please govern yourselves accordingly. We don't have any items tabled, no regular items and then discussion and deliberation item number one.

**Comments From the Public on Consent Agenda (Three Minute Limitation)**

**CONSENT AGENDA**

**ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.**

**MINUTES RESOLUTIONS**

**END OF CONSENT AGENDA**

**UNFINISHED BUSINESS**

**PETITIONS AND COMMUNICATIONS FOR FILING AWARDS AND PRESENTATIONS**

**PUBLIC HEARINGS**

**COMMENTS FROM THE PUBLIC - 7:30 PM Non-Agenda Item Speakers (Three Minute Limitation)**

Public Comments should be restricted to issues, matters, or topics pertinent to the City of Riviera Beach. Please be reminded that the City Council has adopted "Rules of Decorum Governing Public Conduct during Official Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker or attendee removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

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.

**ITEMS TABLED REGULAR**

**DISCUSSION AND DELIBERATION**

SPECIAL CITY COUNCIL MEETING  
American High-Tech Transcription  
Suite 215  
Largo, FL 33771

April 8, 2019  
2600 East Bay Drive,  
727-535-1066

**1. DISCUSSION AND DELIBERATION ON UPDATING, MODIFYING, DISPOSING OF AND/OR AMENDING THE SETTLEMENT AGREEMENT WITH MR. JONAT HAN EVANS TO ALLOW FOR HIM TO RETURN AS CITY MANAGER IN RIVIERA BEACH. ALSO START NEGOTIATION ON HIS CITY MANAGER CONTRACT.**

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

**CHAIRPERSON MILLER-ANDERSON:** Do we have a motion to approve?

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

**CHAIRPERSON MILLER-ANDERSON:** All right.

**COUNCILPERSON LANIER:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Well, we'll just move it into a --

**DEPUTY CITY CLERK BURGESS:** For discussion.

**CHAIRPERSON MILLER-ANDERSON:** For discussion, yes. All right. So with this item --

**DEPUTY CITY CLERK BURGESS:** I'm sorry. I didn't hear the second on the discussion.

**COUNCILPERSON LANIER:** Here.

**DEPUTY CITY CLERK BURGESS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** So this item was brought up briefly on last week Wednesday's meeting by Councilwoman Botel. And so what I will do will allow her an opportunity to set the stage for the -- the item that is being presented. We do have Mr. Glen Torcivia, our attorney, who worked on this particular settlement case, and Lina Busby here from our City Attorney Office. And they will provide some information as well. After that point we will then allow for public comment on this particular discussion item and then we will come back to the board to have a discussion. Okay.

**CHAIR PRO TEM BOTEL:** Thank you. So as we all know, after Mr. Evans was fired from the city manager position, sometime after that he entered into a settlement agreement stating that he would not come back to the city. That was Section H of the settlement agreement. It is our goal this evening to make a motion at some point later in the conversation that will allow us to amend Section 8 [sic], begin conversations with Mr. Evans relative to his desire to come back to the city, and then, in fact, enter into contract negotiations with him so that we can make that happen.

Our belief is that the people who were party to the settlement agreement, the City, Mr. Evans and the three then council people -- that the three then council people do not

have a standing in this matter. They are not harmed in any way. If we amend Section 8 they might be harmed if we were to amend other -- H -- not Section 8. That's Housing. If we were to amend Section -- parts of Section F they might be harmed but amending Section H does not harm them in any way, and it is our belief that we have little or no risk in taking this action this evening.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So I'm going to go to -- would you -- does anyone have any brief comments to make before Mr. Torcivia or Miss Busby comes up and do their presentation? Or to explain what Section 8 -- H entails and then we can have some, you know, interaction with them as they're speaking? Okay. All right. Thank you. Mr. Torcivia?

**GLEN TORCIVIA:** Thank you. And welcome, congratulations to all of you who have been recently elected. So as Dr. Botel set the stage, Mr. Evans filed a lawsuit and that was filed on May 24<sup>th</sup>. And it was against the City and against three former council members, Miss Pardo, Miss Hubbard and Mr. Davis, individually, as well as in their official capacity. No action really ever happened in that lawsuit because the parties went to mediation very soon, and at that mediation, there was an agreement reached that resulted in a settlement agreement that came back before the city council.

And the parties to that settlement agreement were the City and Mr. Evans, not the three individuals. The three individuals were released in that case, and as Council Member Botel correctly pointed out, their paragraph E and F talk about those individuals being released. A paragraph that you apparently want to amend is paragraph H as in Henry. And paragraph H is the paragraph that says that Mr. Evans agrees that he will not seek employment with the city, will not apply and he will not accept any position.

So the -- as in any agreement, the parties to an agreement can always amend that agreement. And so we've prepared some drafts if you want to get into the conversation about how you could amend that agreement and delete paragraph 8 -- H and once that paragraph is deleted by the City and agreed to by Mr. Evans, then you're free to go ahead and negotiate a new agreement with him. As Miss Wynn explained and I watched the tape of that meeting, there is certainly a risk. There's always a risk to just about anything you do in this world and particularly anything legally.

I don't think it's any secret that the risk that most people think about at any one of the three former council members may file a lawsuit. They weren't parties to the settlement agreement; however, I understand that they might, and there was a letter that was passed out earlier today from a lawyer for former Councilman Hubbard indicating that she's objecting to amending this agreement. But again, I would reiterate again with Dr. Botel -- I'm going to call her Doctor for Juris Doctor soon because she's getting her degree in law -- talked about in terms of there really is no harm to those three individual defendants. The only real benefit that they receive was being dismissed from that lawsuit individually. They are now private citizens. They're no longer members of the council.

The council has the authority and the discretion to amend an agreement that it made if those third parties and in the legal world they might be called third-party beneficiaries of that agreement -- file a lawsuit, we think the City -- that that's the risk, and I think the City has a good case to say that they're not being impacted by this and that a judge wouldn't agree with them. But then again, that's the risk and you all know that risk. We've talked about that.

**CHAIRPERSON MILLER-ANDERSON:** All right. Are there any questions regarding what he just spoke about? If not I do want -- if you can explain a little more about that letter that we received, 'cause obviously the public doesn't know what it says and I'm not sure if everybody --

**GLEN TORCIVIA:** Sure.

**CHAIRPERSON MILLER-ANDERSON:** -- up here had an opportunity to read it. 'Cause it was -- you saw it? Okay.

**GLEN TORCIVIA:** I'll just summarize it.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**GLEN TORCIVIA:** I don't think you want me to read the whole page and a half.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**GLEN TORCIVIA:** But the -- the gist of it is that -- and I'll quote -- this is Commissioner Hubbard's position, that the City and Mr. Evans will be violating their contractual obligations if Mr. Evans accepts employment with the City. Commissioner Hubbard further cautions the City that inducing Mr. Evans to accept employment with the City runs afoul of the covenant of good faith and fair dealing.

She is then placing Mr. Evans and the City on notice that the City and Mr. Evans will be in breach of their obligation under the settlement agreement. So that's the gist of what their complaint is. The argument is that she is someone who benefitted from that agreement by having that lawsuit dismissed against her, would have the ability to bring a lawsuit claiming that she has to be a party to any amendment.

And again, if -- if she had actually signed the settlement agreement she might have a better argument. But she did not. The parties of the agreement are clearly, you know, in terms of obligations, the City and Mr. Evans and those other commissioners were as beneficiaries of the agreement. So again, I've got to reiterate, Miss Wynn said -- 'cause I'm in full agreement with her -- that there's a risk. And as a client, you always have the choice to decide whether the benefit is worth the risk.

**CHAIRPERSON MILLER-ANDERSON:** All right. Anyone have any questions regarding this section here? Anything that he just spoke about?

**COUNCILPERSON LAWSON:** Madam Chair?

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

**COUNCILPERSON LAWSON:** When were they actually released from the agreement?

**GLEN TORCIVIA:** The settlement agreement was signed, I believe, in -- on July 30<sup>th</sup> of 2018. And the case was then dismissed soon after that within a matter of a week or so. By late July, early August of 2018, the case was over. They were dismissed. Actually, it was the 27<sup>th</sup> day of August. Thank you. Miss Busby is right on it. That's when the lawsuit was dismissed.

**CHAIRPERSON MILLER-ANDERSON:** When was that that it had been --

**GLEN TORCIVIA:** August 27<sup>th</sup>, 2018.

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

**COUNCILPERSON LAWSON:** Follow-up question.

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

**COUNCILPERSON LAWSON:** And none of the defendants signed the settlement agreement?

**GLEN TORCIVIA:** The settlement agreement was -- do you need copies of the settlement agreement?

**COUNCILPERSON LAWSON:** Please.

**CHAIRPERSON MILLER-ANDERSON:** Yes. You can provide everybody --

**GLEN TORCIVIA:** Yes?

**CHAIRPERSON MILLER-ANDERSON:** -- with it, yeah.

**GLEN TORCIVIA:** Oh, they're in your book? Okay. So, you know, the settlement agreement does say -- and, you know, in full disclosure, the first paragraph says, "This settlement agreement and release is made and entered by and between Jonathan Evans, the City of Riviera Beach, as well as Terence Davis, Dawn Pardo and Lynne Hubbard in their individual capacity."

So it does say that in the very beginning. And then when you get into the body of it in paragraph E, Mr. Evans is releasing the City and the individual defendants, those three. But when it came time for signing this agreement, the only signatures are the City and Mr. Evans. Now, those three council members signed it but in their official capacity. And they didn't sign the agreement. They signed the resolution that the City passed



accepting the agreement and each one of them, along with Dr. Botel, signed the resolution but not the agreement.

**COUNCILPERSON LAWSON:** So a follow-up to that is they did sign the agreement just in their official capacity, not as individuals that were named in the suit?

**GLEN TORCIVIA:** Again, they didn't sign the agreement at all. They signed the resolution on behalf of the City that the City Council passed approving the agreement and agreeing to pay Mr. Evans the \$190,000. So in your -- in your agenda you usually have a resolution that you adopt directing action. So they signed the resolution in their official capacity but not in their individual capacity.

**CHAIRPERSON MILLER-ANDERSON:** And that's everyone on the dais after items are presented and we vote on them. We sign the resolutions. And so all of us, all five of us signed that resolution. It's just that it had -- it was just to ratify the action that was taken.

**COUNCILPERSON LAWSON:** But in reference to that, those three individuals were named in the suit.

**GLEN TORCIVIA:** They were.

**COUNCILPERSON LAWSON:** And even though all five were named, Miss KaShamba Miller-Anderson, Councilwoman, did not sign that portion 'cause she was never released. It was only those three individuals that were released.

**GLEN TORCIVIA:** Right. Only those three were sued. Correct.

**CHAIRPERSON MILLER-ANDERSON:** But the signing was not for the -- had -- had nothing -- well, it did have something -- it -- their names were a part of it.

**COUNCILPERSON LAWSON:** Uh-huh.

**CHAIRPERSON MILLER-ANDERSON:** But the resolution themselves was just an action that had to be taken because of it being a function of the city council meetings. But they were three that were -- the two of them, rather, were a part of the reason why we had to do this all along. But they did not actually sign the release agreement.

**GLEN TORCIVIA:** That's correct.

**CHAIRPERSON MILLER-ANDERSON:** The court document. They didn't sign that.

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

**CHAIRPERSON MILLER-ANDERSON:** Hold on. Is -- did you want to say something else, Mr. Lawson?

**COUNCILPERSON LAWSON:** No, go ahead.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM BOTEL:** I just want to make it clear to everybody. I didn't know this when I got elected until I went through a couple of meetings. We always sign every resolution that we vote on, whether we voted for it or against it. We have to attest to the fact that we were here when it was approved, even though we might not have agreed with it. So that's what everybody signed. And -- and you'll see after every meeting you'll watch us pass along a big stack of papers and that's what those are. They're just attesting to the fact that we were here when that action took place. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** And you -- it lists whether or not you voted yes or no.

**CHAIR PRO TEM BOTEL:** It does, yeah.

**CHAIRPERSON MILLER-ANDERSON:** And it doesn't mean that we approve --

**MAYOR FELDER:** Madam -- Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** -- you know --

**CHAIR PRO TEM BOTEL:** Right.

**CHAIRPERSON MILLER-ANDERSON:** -- we don't approve it but that we're signing saying that we did make that vote. And if you're absent, typically you do not sign it. So --

**MAYOR FELDER:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR FELDER:** But the issue that's at hand is the release. Right? They didn't sign the release because that was for City, right?

**GLEN TORCIVIA:** They did not sign --

**MAYOR FELDER:** The resolution is what everybody signed.

**CHAIR PRO TEM BOTEL:** Yes.

**GLEN TORCIVIA:** Correct.

**MAYOR FELDER:** But we are here to talk about the agreement, the release agreement, right?

**GLEN TORCIVIA:** Right. The release agreement was not signed by them,

although they were mentioned in it.

**MAYOR FELDER:** Right.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Mr. Lawson? You're good?

**COUNCILPERSON LAWSON:** (Nods head).

**CHAIRPERSON MILLER-ANDERSON:** Okay. Any other questions right now for the board? Yeah.

**COUNCILPERSON McCOY:** Madam Chair? Excuse me. Good evening, Mr. Torcivia.

**GLEN TORCIVIA:** Good evening.

**COUNCILPERSON McCOY:** A few questions. Jonathan Ball, was he a part of negotiating this settlement agreement?

**GLEN TORCIVIA:** I'm sorry. I didn't hear the first part.

**COUNCILPERSON McCOY:** Attorney Jonathan Ball, who we received this letter from.

**GLEN TORCIVIA:** No. No. He was not.

**COUNCILPERSON McCOY:** Okay. I couldn't find the attorneys on this agreement that represented Davis, Hubbard and Pardo.

**GLEN TORCIVIA:** There weren't any at that time. What occurred is that the lawsuit was filed, and I think the city attorney at the time had spoken to those council members, and I think the understanding was until they had to do something, they wouldn't hire an attorney, 'cause if we could settle the case and get them dismissed there'd be no need to incur additional costs. So I don't believe any of them actually hired an attorney because the lawsuit didn't go anywhere.

The lawsuit was filed. There was an agreement very early on that the lawsuit would be stopped until we got a chance to mediate it. We mediated the case. They did not attend the mediation, the individual council members. And it was city representatives and Mr. Evans and his representatives that were at the mediation, though the individuals were -- never really participated in that process. They didn't have any attorney representing them. We represented the City. And in our filing with the court we indicated we're representing the council members in their official capacity only. We never undertook representation of them individually.

**COUNCILPERSON McCOY:** I'm -- Madam Chair? I beg your pardon? You -- I beg your pardon. You said -- you indicated in something that you represented them in

their official capacity. What was that?

**GLEN TORCIVIA:** Well, again, in the -- in -- when -- when the City is sued and someone names -- let's say they name you in your official capacity. Well, normally, a city or a school board or the county, whoever the employer is, if you're acting in your official capacity, if you're a police officer or code enforcement officer, the City will defend what you do in your official capacity. If you were involved in an arrest, you know -- you arrested somebody as a police officer and you get sued individually, the City will represent both the City and you, 'cause you're in your official capacity. When people are sued in their individual capacity, then they usually have the right to get their own attorney. But in this case it never got to that point. They never -- I don't believe any of the three of them ever retained their individual attorney because the settlement happened so quickly and they were dismissed.

**COUNCILPERSON McCOY:** Follow-up, Madam Chair?

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

**COUNCILPERSON McCOY:** So they never returned -- they never retained an attorney in their personal capacity so they never really negotiated the terms of this agreement?

**GLEN TORCIVIA:** No, they -- they did not. They did not attend the mediation. The agreement was presented.

**COUNCILPERSON McCOY:** Mr. -- Mr. Torcivia, let me follow up so we don't go too far.

**GLEN TORCIVIA:** Okay. Sure.

**COUNCILPERSON McCOY:** So they never negotiated the provisions within this agreement between Mr. Evans and the City?

**GLEN TORCIVIA:** I don't believe so, no.

**COUNCILPERSON McCOY:** Okay. Follow-up, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Uh-huh.

**COUNCILPERSON McCOY:** Miss Busby or Mr. Torcivia, I was looking for that resolution. Do you have a number and a date it was voted on and adopted by council?

**GLEN TORCIVIA:** 74-18.

**ASSISTANT CITY ATTORNEY BUSBY:** (Unintelligible).

**GLEN TORCIVIA:** Pardon me? Miss Busby indicates it's in the back of your

packet, and I have an extra copy if you'd like me just to bring it up to you.

**CHAIRPERSON MILLER-ANDERSON:** What packet? We don't have a packet.

**CHAIR PRO TEM BOTEL:** I don't --

**CHAIRPERSON MILLER-ANDERSON:** We don't have a packet.

**GLEN TORCIVIA:** Oh, I think the clerk is going to pass out packets.

**COUNCILPERSON McCOY:** Reserve for follow-up, Madam Chair. So it's correct, they weren't parties of the negotiation, nor did they have counsel that represented them in negotiations; is that correct?

**GLEN TORCIVIA:** To the best of my knowledge, they did not. If they had it on their own they were talking to them privately. I never got that communication.

**COUNCILPERSON McCOY:** Well, I'm speaking specifically to the negotiations that occurred during mediation that led to this agreement of five pages. They didn't have any counsel, nor were they a part of the negotiations?

**GLEN TORCIVIA:** They were not. The -- I have a list of the people that were at the mediation and it was Mr. Evans. He had two attorneys. Myself, I had an attorney from our firm there. Miss Busby was there and Mr. Horton was there for the City.

**COUNCILPERSON McCOY:** Follow-up.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead. You have the floor.

**COUNCILPERSON McCOY:** Thank you, Madam Chair. So I know that there's -- I guess it's a standing policy, Miss Busby, that contracts are generally executed by the city clerk and the city manager. This wouldn't be a contract but missing from this resolution is the mayor's signature. Does that prevent this resolution from being binding?

**ASSISTANT CITY ATTORNEY BUSBY:** No. And I'm not aware of whether he was absent and did not sign or he just chose not to sign. I -- I think the clerk would be able to -- if they went to their notes, verify that. But that would take some research.

**GLEN TORCIVIA:** At the bottom of the resolution it does say that the mayor refused to execute the agreement; therefore, it does not have his signature but the resolution was approved by the city council on August 1<sup>st</sup>, 2018.

**COUNCILPERSON McCOY:** Where would it say that, Mr. Torcivia?

**GLEN TORCIVIA:** Pardon me?

**COUNCILPERSON McCOY:** That he refused. I don't see that.

**GLEN TORCIVIA:** At -- at the last page of the resolution it was right underneath the signatures of -- of Miss Hoskins and the clerk. It says "Resolution 74-18" and then that the mayor refused to sign.

**CHAIRPERSON MILLER-ANDERSON:** I don't -- we -- I don't --

**COUNCILPERSON McCOY:** I don't have that on this version.

**CHAIRPERSON MILLER-ANDERSON:** And if I may make a point, because now that I see, I didn't sign this resolution, either. And the reason I did not sign it was because it was a lie. In there it stated that he was terminated without cause, I think is what they changed it to. And I did not agree with that 'cause that's not what happened. So I refused to sign it. And I did vote against it, as well.

**CHAIR PRO TEM BOTEL:** As did I.

**COUNCILPERSON McCOY:** So follow-up for Miss Busby. I -- I have it here and pardon me because I'm just getting this resolution today. "The mayor refused to execute the agreement; therefore, it does not have his signature." Does that make it unenforceable or, I guess, from Robert's Rules of Order, resolutions not signed by the mayor, does that mean -- does that have any bearing on whether or not it's binding?

**ASSISTANT CITY ATTORNEY BUSBY:** Well, I don't believe it's a Robert Rule of Order if you can point to the rule that requires the mayor to sign. I believe what it is is the charter provision which would require the mayor to sign off on that. And there has been occasions in which the mayor would not sign something in protest and not perform the ministerial duties of his position.

**COUNCILPERSON McCOY:** So it's a charter requirement that the mayor signs all resolutions?

**ASSISTANT CITY ATTORNEY BUSBY:** If you give me a moment let me review for that.

**COUNCILPERSON McCOY:** Okay. That's it for now. Thank you, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** All right. Anyone else before we go into public comment?

**CHAIR PRO TEM BOTEL:** I'll save it.

**CHAIRPERSON MILLER-ANDERSON:** All right. Thank you. We may have you come back up in a little bit.

**GLEN TORCIVIA:** Thank you.

**DEPUTY CITY CLERK BURGESS:** L.V. Silvester, Rick --

**CHAIRPERSON MILLER-ANDERSON:** Just to remind everyone to please watch the clock. Are you running the clock, too?

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

**CHAIRPERSON MILLER-ANDERSON:** Okay. L.V. Silvester, Rick King and John Miller.

**L.V. SILVESTER:** Good evening and congratulations to our new council members. It's very, very nice to see you all sitting in place. There has been criticism that the previous city council did not act timely in moving our city forward and was procrastinating in the hiring of a permanent city manager. This criticism was even brought up on -- at last Monday's Special Council Meeting by one or two residents. Let's face it. Did anyone in this city really believe that T.D. Davis and/or Lynne Hubbard should be involved in the hiring a permanent city manager after they participated in the firing of Jonathan Evans for unspecified reasons, reasons which later turned out to be based on Mr. Evans' apparent investigations into their own activities as officials?

The answer is a resounding no. The council -- that council pushed Riviera Beach into 18 months of turmoil simply to protect themselves and their positions. Thank goodness that the citizens of Riviera Beach had the good sense to retire each and every one of those members responsible for the city in turmoil.

And thank goodness for KaShamba Miller-Anderson and Julia Botel who held the line and protected Riviera Beach from being saddled with a permanent city manager until the citizens of Riviera Beach could remove those obstructionists on city council who were advocating for various inexperienced and unqualified candidates for this very important position merely because they wanted the long standing status quo for our city to continue.

We now have the opportunity to bring back a qualified competent and experienced city manager in Jonathan Evans. Mr. Evans signed a settlement agreement with Riviera Beach that states that he would not seek employment from the city. However, at the council meeting that discussed the settlement, the attorneys representing our city were specifically asked if it would be possible for a future city council to revise the settlement agreement by removing this restriction on future employment -- the future employment clause.

They answered that it was totally within the power of a future city council to do so. That is where we are today. This council should amend the settlement agreement to remove the restriction on future employment clause which affects only the City of Riviera Beach and Mr. Evans. Such an amendment will have absolutely no impact and certainly no damages to the three former city council members who were made a part of the settlement agreement simply because they fired Mr. Evans inappropriately and were included as individual -- individual defendants in his lawsuit for wrongful termination.

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Those three individuals lost their official positions and are no longer of any concern in the City's deliberations regarding Mr. Evans. I can't -- cannot imagine that our city will be able to attract competent, qualified experienced candidates other than Mr. Evans to apply for the position of permanent city manager because of the 18 months of turmoil. Why would anyone seek this position based on our recent history? I can also imagine that Mr. Evans feels that his tenure in Riviera Beach was cut short prematurely with much left to be done. It was and there is. This city needs to end the turmoil, find qualified and permanent department heads and move forward in unity. But first you must hire a permanent city manager who is competent and capable, qualified and experienced and can hit the ground running. Mr. Evans fits this description. I urge this council to amend the settlement agreement and immediately enter into negotiations with Mr. Evans to bring back -- him back as permanent city manager.

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

**L.V. SILVESTER:** Allow him to finish the job he started but was not permitted to complete. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Rick -- Rick King, John Miller, Bonnie Larson.

**CHAIRPERSON MILLER-ANDERSON:** You pass? Rick King passes. John Miller, Bonnie Larson, Fane Lozman.

**JOHN MILLER:** John Miller, 1290 Manor Drive. I did not write anything so I'm going to shoot from the hip a little bit here. 19 months ago this all started. And we are here right tonight. We have a chance to end this, period. Now, what are we ending? 19 months ago three people fired Jonathan Evans unjustly, for no reason. Except for personal -- whatever they wanted or whatever they -- they had planned. We can't figure that out. He left.

People on both sides of the bridge came together here how many times, right here? You remember me standing up here. I was one of the first ones that screamed at my representative, Miss Pardo, who was the third and deciding vote. At that -- at that same meeting I was threatened to be arrested saying that I threatened the person, which I did not. Went all the way -- Williams pushed it. And it went all the way to the state's attorney. The only reason I'm bringing that up is because now we're getting another threat. If we do the right thing here then we possibly could be sued.

Well, guess what? If Tradrick McCoy does not like me and like that I gave him a dirty look, he could possibly sue me. That doesn't mean we're going anywhere. And think about it. The three that fired him, if they do file any suit, it's going to be investigated, and the judge will look at the whole entire thing and say this is absurd. And you, the citizens -- you're the city. I listened to the city attorney Wednesday night say, Well, you know, you can't do that because not only the three individuals but it's the City. I think



you're the City. Are you the City if we vote you in? These are the City. They put you in. We put you in for a reason. And the reason is that we want to move this city forward. We have an excellent person, Jonathan Evans, going to come back here, finish what he started in 2017. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Bonnie Larson, Fane Lozman, Bessie Brown.

**BONNIE LARSON:** Bonnie Larson. Tradrick, thank you for your line of questioning. Could I ask two more questions that you can ask of the attorney? So Torcivia was the attorney for the City. Could you ask him please what his position was or what he did for the City during that time? And also who added that -- who was it that added that Section 8 [sic] which prohibited Mr. Evans from coming back? Mr. Evans, a lot of people are talking about he got \$190,000. That's peanuts. He had to sue this city. This city said we will clear your name. He had to come back, come back, come back with attorneys. You know what attorneys cost? A lot of money. So he made zero on it. Also at the end of that they come up with this crazy agreement where he can't come back.

Now, he could have kept on and on and on with attorneys, and that would have meant the City would have had to have attorney after attorney after attorney, more money, more money. Riviera Beach has deeper pockets than Mr. Evans and all of us put together. So he was between a rock and a hard spot. He said this was the -- this was the paragraph that gave him heartburn 'cause he loved Riviera Beach in the short time that he was here. And he did more in that six months -- I've said this many times -- he did more in that six months than any city manager we have ever had in the history of Riviera Beach.

So to do this to him was just an absolute crime. But I'd like to know what -- what the attorneys did. And I'm a little disappointed tonight that our new attorney, Miss Dawn Wynn, is not here tonight. Well, there might be a reason. I don't know. And I'm a little disappointed that our city clerk is not here tonight. It seems like when there are important things sometime people don't show up. I'm not sure now, has it been determined that we can do this? What are the rules and regulations for hiring a city manager? Because we want to follow all the rules. We want to be transparent and that's the only way Mr. Evans works is honestly and transparently.

So we don't want to just reach out to him and say, Will you do this? and then find out we can't hire him. We have to do it correctly. If it means interviewing other people, more money spent during interviews, so be it if that's the way it has to be. We want it to be done properly. There are a lot of rumors going around the city about putting department heads in the temporary position. Bad idea. We have only a couple department heads as it is. We did that once. We put someone in charge helping out and the City took him away from his water department. We had sewage leaks. We had all kinds of -- we cannot take our department heads away from their jobs. Those are

important jobs that they have. There's also rumor about maybe putting Billie Brooks in there. She's a Riviera Beach gal who ran for office --

**CHAIRPERSON MILLER-ANDERSON:** Miss Larson, it's only about the agreement for Evans. In public comment you can talk about the rest.

**BONNIE LARSON:** Oh, okay. Okay. All right. About the agreement. Yeah. I'd like to know who put in that -- who put in that clause, that clause number 8 [sic] which was the one saying he could never come back. And how legal is it since we have the attorneys here -- how legal is it to ban somebody from the city like that anyway? Is that even a legal thing to do? And also the question about the signatures. Was it even proper the way it was done? So let's do it the proper way. Let's get him back here. Get him back here. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Fane Lozman, Bessie Brown, Felicia Wilder.

**FANE LOZMAN:** Fane Lozman. I need to preface my comments that you have to have confidence in your outside counsel. Your outside counsel told a prior council that the City did not have to keep written (unintelligible). I said they did. We filed a legal action. We won in local court and then you said, Take it to the appellate court. Cities don't have to keep written minutes. The appellate court ruled in our favor. I had \$120,000 in legal fees. The City had to write me a check for \$85,000 and the woman -- the chief judge on the appellate panel laughed. She said the --

**CHAIRPERSON MILLER-ANDERSON:** Mr. Lozman, this is about the contract.

**FANE LOZMAN:** Right. What I'm saying -- what I'm saying is that I believe you've committed an ethical violation tonight and I'm going to tell you why. The operative agreement that he did not discuss that especially Mr. McCoy who knows a lot about the law should ask him for right now, is document number 23 on the federal court docket. Okay? And document 23 is the operative agreement. It's a joint stipulation for dismissal with prejudice. Okay?

And in paragraph 1 of that document it says, "Plaintiff Jonathan Evans and Defendant Terence -- Terence Davis in his individual and official capacity, Lynne Hubbard in her individual and official capacity, Dawn Pardo in her individual and official capacity, and the City of Riviera Beach, a municipal corporation by and through the respective undersigned counsel --" respective undersigned counsel, okay? -- "hereby stipulates to the dismissal of the matter with prejudice in accordance with federal rule," blah, blah, blah. Who do you think the individual counsel was? It was his associate on page 2, Matthew Ransdell from Torcivia, Donlon and Gonlin [phonetic], whatever.

So in the stipulation for final -- and Mr. McCoy will appreciate that. They're representing in the stipulation for dismissal that they represent the individual defendants.

If they didn't they would have not put that in there. You should demand before you do anything, Show us document 23. Why are you representing in the dismissal document that you represent the individual defendants? That's what the Court's going to look like. An individual defendant can go like, Yeah, they represented me. They represented me in the dismissal.

Well, where's the paper you signed? I don't know where it is. I'm not a lawyer. But the operative agreement, he represented the individual defendants as their lawyer is clear as day in document 23. And you need to get another lawyer to review document 23 because I think he ethically challenged that he didn't point out document 23 that he represented them in the stipulation there. You need to look at that. I'm not a lawyer but I sure know -- learned a lot about the law winning two cases in the United States Supreme Court that no individual's done before.

You need to get somebody else to look at that before you dig yourself a big hole and you look like an idiot, and you run up a city's legal bill that's not necessary 'cause he's misrepresented that he didn't represent them in the individual capacity. He sure represented them in document 23. And Mr. McCoy would appreciate it. Ask him for document 23 before you take a vote. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank -- thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Bessie Brown, Felicia Wilder, Lloyd Brown.

**BESSIE BROWN:** Good evening, Bessie Brown.

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

**BESSIE BROWN:** I wanted to say the settlement -- settlement is a legal document. And -- and I really want to be clear on that, that that's a really legal document. And how -- and how it's done, you know, done and said and all that is (unintelligible). But how can you come back and change a settlement that was a legal document and, you know -- I just -- I need to know how can you change something that's already done, a legal document, and -- and it -- and it was said that, you know, what Jonathan -- what Jonathan Evans said, he wouldn't -- he would not do.

My thing is, is that -- only thing I have to say is that we -- we all are dealing -- we're dealing with things and we're dealing with people. And then like -- like -- like, well, Bonnie -- Bonnie said, you know, we -- I'm just -- I'm just -- I'm just really -- I'm just really, really upset about this. My thing is, is that whatever you do, make sure you're doing the right thing, and you're -- you'll be given the information so that -- so that whatever comes of it -- if it ever comes back again, we can take the document -- I guess the document that, um, Mr. Lozman is talking about -- and say -- and, you know -- and just change it -- change it again. This is the -- this is the -- this is the thing that I'm stating for everybody up here, you know, for -- for everybody. And, um, I need to know are we going to get \$190 back? I need to know that because I'm not -- because it's not going to be nice for that -- \$190 is

not peanuts.

**UNIDENTIFIED SPEAKER:** (Unintelligible).

**UNIDENTIFIED SPEAKER:** (Unintelligible).

**BESSIE BROWN:** Not -- I didn't ask you. I didn't ask you.

**CHAIRPERSON MILLER-ANDERSON:** Point of order.

**BESSIE BROWN:** Okay. Okay. I didn't ask you.

**CHAIRPERSON MILLER-ANDERSON:** Point of order, please.

**BESSIE BROWN:** Uh-huh. Right. So --

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

**BESSIE BROWN:** -- so the thing about it is that whoever thinks that he should not get -- be paid -- pay that money back, since you're taking away what the other -- what the other defendants were -- you know, other -- other -- other council people and saying what they said, so therefore, if you can wipe them out, make sure you get our money back.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Who's next?

**DEPUTY CITY CLERK BURGESS:** Felicia Wilder, Lloyd Brown, Dosha Newbold.

**FELICIA WILDER:** Good afternoon.

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

**FELICIA WILDER:** My name is Felicia Wilder. And I'm here to address this issue with Mr. Evans and the -- the lawsuit. And he agreed not to seek employment with the employer at any time in the future. And then you have on a different item where he said the former manager agreed not to reapply to the city in the future. So the newly constituted board would have a free -- have to free him from his (unintelligible). Now, my thing is you can sue somebody and come back and work for them?

So now you're opening up a can of worms. People can go back to the County and get their jobs now. So we can say that they sued the County and they can come back and get their jobs, by what you're stating in here. And I want to know, too, 'cause I want my job back. Hello, 'cause I sued them. So I would like my job back. I love working. So now you let me know how you get Jonathan back in. I can go out to the County and get my job back. I'm almost 70 years old but I want to work. I love working. So I -- I would like to know how are you managing the -- one got 57,000, one got 57,000, one got 38,000, one got 38,000. That's a lot of money. He took our money. It's not just the City money. It's our money. He took it. I don't want it back. Let him keep it. Jonathan Evans is over

there creating havoc over there in Madeira -- it's a turmoil.

**UNIDENTIFIED SPEAKER:** (Unintelligible).

**FELICIA WILDER:** Paperwork.

**CHAIRPERSON MILLER-ANDERSON:** Point of order, audience, please.

**FELICIA WILDER:** Paperwork. He's out of order. And listen, his time is up so I know why you're rushing to get him. Because they're having a council meeting -- they're having a meeting on the 33<sup>rd</sup> -- 23<sup>rd</sup> of April. They're having another meeting on May 14<sup>th</sup>. So you're trying to get him in there 'cause he's on interim, month to month. So you're trying to rush to get somebody. You know what they said in the Bible? You rushing to get a king, you're going to get just what you're looking for. And some of you sit here and look like you like to throw rocks and hide your hand. I'm not that type. When it comes to what's right, I'm going to stand for what's right. You can look at me whatever you want but it's all right.

You're entertaining an angel unaware, but I'd just like for you to know we need to do what's right. Why don't you go to some of the other applicants when you had the guy up there in Massachusetts somewhere. He had applied and they tell me he was qualified, overqualified. But you wouldn't receive him. And he makes all this money. Come down here and make less? Yes. So what? You don't know his situation. You don't know his bank account. So we're not -- just what you do is just go through those other applications and give other people a chance. Because you already had the king in here tearing it up. Now you want him back?

I -- if you get him back, it's okay with me 'cause God gonna handle it. And you -- I -- you rest assured, He's going to handle it. Satan knows scripture, too. He got up here one night quoting scriptures. (Sound effect). Well, Satan knows scriptures but he can't live them. Jonathan Evans ran through and privatized everything where people wouldn't even speak to me at the City. I got e-mails from that. He called all the department heads. Yes, he did. And I'd like an answer before I leave about this statement in this document here with the lawsuit. What's the difference in H and what's on this paper here?

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

**FELICIA WILDER:** Will I get an answer tonight?

**CHAIRPERSON MILLER-ANDERSON:** We will come back at the end and --

**FELICIA WILDER:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** -- I hope we will get that answer for you.

**DEPUTY CITY CLERK BURGESS:** Lloyd Brown, Dosha Newbold, Ahman Israel.

**LLOYD BROWN:** Well, all I have to say is there used to be a song that says, "Give the people what they want." You know, give the people what they want. And I'm not up here to preach to you 'cause you can go home and do that in your closet by yourself. This is a city. So what I'm trying to say is the man was going to help me out with my problem so I kind of liked the man. You know, there's going to be people who are going to hate the man and they're going to like the man.

But one thing I can say is why do you want to go by what this guy was saying about Hubbard and them? These people are out of here. I mean, they still want to hang on. Push them ticks off to the side. You know what I mean? Pluck them away and throw them away. You know, and I see new faces up here. I hope y'all have got new ideas. But y'all do what y'all gotta do. If y'all want the man back and the people want the man back, you do what the people say. 'Cause we supposed to have a wall, right? (Applause).

Don't we supposed to have -- hey, and another thing, you know, didn't this President we got say he was gonna have a wall up? It ain't up yet, right? So I'm saying everybody state things. They say -- I'm not a lawyer. I don't know nothing about this -- you know, this jargon and I don't have no big words for you. I'm just gonna tell you like this. The people I know around the city where I live, they always talk to me. I don't come over here saying things that's in my mind. I come over here because a lot of people be coming around to me and say, Hey, man, I got something to say to you. The Water Department come around and ask me and everybody I know that work for the City, these are employees. These are not the people that work in the office. These are employees, garbage men. I mean, they're not garbage men, but the City workers who do the parks and whatever, I see them every day. They always ask me, "Why did they fire that man?" That man was going to do something for them, also.

'Cause, like, the little things that you say he's doing, wherever he's at, well, as long as we get him back here, as long as he do us right, I mean, who cares the man stealing out of the neighbor's store? He ain't stealing out of yours. And I ain't saying it like that to be, you know, saying we don't care about the situation. But all I got to say is we should give the people what they want. And that's all that matters. And it doesn't matter whether Hubbard or whoever, you know, got the man out of here. We want the man back. He was gonna help me. He was gonna help me, and he was gonna help a whole lot of other people, and it's probably -- it ain't the bottom line. It's probably a lot of people had an axe over their head if he would have stayed here. They would have been out of here and they know this.

So that's why these people are, you know, talking up -- they knew they would have been gone. (Applause). I mean, I never been to college but one thing I had a bunch of brothers and sisters. And they were all older than me. And I learned things. I learned to be humble from my mother and whatever. But if I have to say something I'm just going to tell you like it is. Give the people what the people want. That's the bottom line.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Doshia Newbold, Ahman Israel, Connie Kirk.  
Doshia Newbold?

**CHAIRPERSON MILLER-ANDERSON:** Can you repeat them again?

**DEPUTY CITY CLERK BURGESS:** Doshia Newbold, Amon Yisrael, Connie Kirk.

**CHAIRPERSON MILLER-ANDERSON:** All right. I don't see Miss Newbold. Mr. Amon? All right. We ready? Go ahead. Okay. As -- as these are being passed down, Mr. Amon can go ahead and start speaking.

**AMON YISRAEL:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** These are from Mr. Amon.

**AMON YISRAEL:** Yes. They started my time already, Chair.

**CHAIRPERSON MILLER-ANDERSON:** Can you go back? Just start it now when he's -- put it back. Go ahead.

**AMON YISRAEL:** There -- Miss Chair?

**CHAIRPERSON MILLER-ANDERSON:** Can we just stop it for a minute? As soon as he starts just go ahead and start it going. Okay? Go ahead.

**AMON YISRAEL:** Thank you. Good evening. Amon Yisrael. Monroe Heights, Florida. Riviera Beach. A lot of people don't know Jonathan Evans. They have heard a lot about his good works things that he's done. If you go down to Riviera Beach accomplishments, that's the first -- that's the title of the first paragraph. But I'm going to just touch the -- where it says International City County Management Association Manager. And then it says in short he has credentials that people around the world --

**CHAIRPERSON MILLER-ANDERSON:** Stop his time for a minute. Can you all please silence all your phones? Whose phone is it? Okay. Can everyone else go ahead and just silence your phones, please? Okay. Go ahead.

**AMON YISRAEL:** Can they take me back to 2:49?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead. I'll give -- go ahead. We gotcha. Go.

**AMON YISRAEL:** All right. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** You'll finish early, I'm sure.

**AMON YISRAEL:** Out of all the people in the world in the city manager positions, there's 1,264 people that holds the title that Jonathan Evan has. In the State of Florida only 104 people hold this esteemed title out of 412. So Jonathan Evan is just not some

ordinary city manager. He has credentials that are truly superior. Some of the things that Jonathan Evans did, he started an investigation concern about inappropriate behavior by employees and management resulting in resignations.

We need to have an environment where -- where employee misconduct is not acceptable. He also draft and authorized a moral report about the Public Works facility, closed, removed the employees from an old public -- old Public Works site. So he moved employees out of a very dangerous environment. Going to the first page of Riviera Beach accomplishments. The Town of Mangonia Park owed us hundreds of thousands of dollars.

Jonathan Evans was able to recoup 307,000 of that income, reduce the subsidy to the CRA saving the general fund \$228,000, negotiated reduced payment to the -- to the ECR resulting in \$158,000, created a budget report that we recognize around the country. We didn't receive that wall -- that award since '80 something. Just to name a few of his accomplishments, because a lot of people don't know just what Jonathan Evan did for the city, he met about 500 employees throughout the city. He had an open-door policy where employees can come tell him what's going on in reality in the city.

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

**AMON YISRAEL:** And --

**CHAIRPERSON MILLER-ANDERSON:** I gave you your extra secs -- few seconds. I gave you, like, 10 extra seconds, Mr. Ahman.

**AMON YISRAEL:** Yes, ma'am.

**CHAIRPERSON MILLER-ANDERSON:** Give me the last sentence and -- and we gotta stop.

**AMON YISRAEL:** Bring Jonathan Evans back immediately.

**CHAIRPERSON MILLER-ANDERSON:** I thank --

**AMON YISRAEL:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** -- I thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Connie Kirk. Connie Kirk, Mr. Shulers [phonetic].

**CONNIE KIRK:** Good evening.

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

**CONNIE KIRK:** Connie Kirk. I agree with what everyone has said in the positive



manner so far about Jonathan Evans. What has not been said to this point is I believe some of the former council members possibly had their hands in the cookie jar, and Mr. Evans caught them and as a result they summarily, arbitrarily and capriciously fired him. So now we have in the last two years five new council members who have been elected by the people.

**CHAIRPERSON MILLER-ANDERSON:** Four. I'm still here.

**CONNIE KIRK:** No. In the last two years weren't you -- you were real -- okay. I beg your pardon. Okay, fine. Five great council members who are here because they not only listen to what the people had to say, they heard what they said. You know what the people want. You have the authority to do it. Don't let anybody tell you you can't change an agreement. That's why we have so many amendments to our constitution. You have the power to do it, do it, please.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Our last card is Mr. Shuler.

**WESLEY SHULER:** Wesley Shuler. I'm just very curious. Everybody's trying to ride this horse about Jon Evans, bring him back. But all y'all are really thinking about, the people that really don't want Jonathan Evans back, because at the end of the day, I think y'all have been getting into bed with him. And when you get into bed with the devil, you're going to dance with the devil.

So I'm going to tell you right now. I don't know why we're entertaining this issue. Because at the end of the day y'all got some bigger issues around this whole city right now. Instead of making the news -- but the news ain't coming out good on the other end. And at the end of the day he -- he owe the City some money, then. If y'all want to bring him back, what about all the money he -- he owes? What about the stuff that he's doing over there to the other city? And then not only that, if you think about it, that city could turn around and sue y'all. But y'all are not worried about that. Y'all are just worried about what's best for y'all. Y'all ain't worrying about the other people that say he don't want him back. Y'all ain't have no town hall meeting for that.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. All right. You said that's the last one? All right. Council, do we have any additional comments or concerns to -- regarding --

**UNIDENTIFIED SPEAKER:** (Unintelligible).

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

**UNIDENTIFIED SPEAKER:** (Unintelligible).

**DEPUTY CITY CLERK BURGESS:** That was just --

**CHAIRPERSON MILLER-ANDERSON:** This is only -- this is the comments for this particular item. We haven't done general public comments yet. All right. All right. Do we have any other questions or comments regarding the agreement? Okay.

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

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

**CHAIR PRO TEM BOTEL:** I make a motion to amend the settlement agreement with Mr. --

**COUNCILPERSON McCOY:** Madam Chair, point of order.

**CHAIRPERSON MILLER-ANDERSON:** Hold on.

**COUNCILPERSON McCOY:** We're not at the point of motion. Yes.

**CHAIRPERSON MILLER-ANDERSON:** Yeah. Do you have any other questions or discussion?

**COUNCILPERSON McCOY:** Regarding -- not regarding the agreement. But I asked Miss Busby about the provision of the mayor so --

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON McCOY:** -- I'm going to ask if we can go to (unintelligible).

**CHAIRPERSON MILLER-ANDERSON:** Yeah. That's why I was saying did anybody else have anything to say.

**COUNCILPERSON McCOY:** Well, not so much about the agreement but about the resolution.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON McCOY:** The mayor's -- whether it's enforceable or is it legal if the mayor doesn't sound resolutions.

**ASSISTANT CITY ATTORNEY BUSBY:** Yes, Councilman McCoy. Very good question. The mayor's duty to sign resolutions is found in Section 14 of the City Charter. "The mayor and city clerk shall sign all ordinances and resolutions even though he or she be not present at the meeting at which they were adopted." However, his refusal to do so in this case and the other resolution does not invalidate the legality of the resolution.

**COUNCILPERSON McCOY:** Thank you, Madam Attorney.

**ASSISTANT CITY ATTORNEY BUSBY:** You're welcome.

**COUNCILPERSON McCOY:** Follow-up, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Go ahead. You have the floor.

**COUNCILPERSON McCOY:** I just was reviewing Article 5, Section 2 of the charter which provides for -- 'cause I think it was mentioned regarding whether or not we have the ability to change something. Give me just one second.

**CHAIRPERSON MILLER-ANDERSON:** Is there anyone else that have any concerns or questions while he's looking that up? Okay.

**MCOUNCILPERSON McCOY:** Madam Attorney, do you have Article 5, Section 2?

**ASSISTANT CITY ATTORNEY BUSBY:** I do, Mr. McCoy. Do you want me to read that section?

**COUNCILPERSON McCOY:** Yes, 'cause I'm having difficulties navigating back.

**ASSISTANT CITY ATTORNEY BUSBY:** Okay. Article 5, Section 2, "Present ordinances and resolutions not repealed. That all ordinances and resolutions of the City of Riviera Beach, Palm Beach County, Florida, which have not been repealed or rescinded by the city council of the said city be and the same are hereby validated, ratified and confirmed. Except if an ordinance has been challenged in court as of the day of the final approval hereof, such ordinance so challenged shall stand ratified or invalidated as the court or courts may order." It is our position that this section would not apply to this situation.

**COUNCILPERSON McCOY:** Well, perhaps not, but -- I finally found it -- but for individuals of the public that suggested that we can't repeal a resolution, that charter provision specifically allows that ordinances aren't repealed automatically when there's a new government but -- when there's a new succession in government. However, that doesn't limit our ability to change resolutions on a new board. So the question that -- well, the point that I'm making is there's nothing to prohibit us from changing or entering into a new resolution.

The agreement, you know, I want to defer that to the attorney, but clearly Section 2 of Article 5 provides that ordinances are not repealed automatically by succession in government. However, that doesn't limit a new council from repealing a resolution. That correct? Because the -- the very first line says that, "All ordinances and resolutions of the City of Riviera Beach, Palm Beach County, Florida, which have not been repealed or rescinded by the city council of the said city be and the same are hereby validated." So we have the very authority to repeal and rescind ordinances -- I'm sorry, resolutions as provided for in Article 5, Section 2.

**GLEN TORCIVIA:** And Councilman McCoy makes a good point. However, in this

case I would suggest and advise that you not try to repeal the resolution because I don't want you to potentially put yourself in this spot that you don't need to be in. All you need to do is amend that one paragraph in that one settlement agreement. And I wouldn't want to be -- I don't want to suggest that you also amend the resolution 'cause you don't need to. The resolution to approve the settlement agreement.

And you're correct, future councils can take action. I think the person that commented about amendments to the constitution was a good point. Any time you have a contract -- I could have a contract to paint this room green and then you could say, "I want to amend it and paint it red and change the price." So you can always amend an agreement. So I don't see any problem with amending the agreement. And I don't know that you want to go down the path and have to go down the path of changing that resolution.

**COUNCILPERSON McCOY:** So if we don't amend the resolution, we would create a new resolution; is that right?

**GLEN TORCIVIA:** Yeah, from your protocol I'm not sure you actually need a resolution. I think you could simply pass a motion that amends that agreement. You have an agreement. I'm not sure that you're -- I'll defer to Miss Busby -- I'm not sure your rules require that every motion have a resolution. I don't think it does. So you can simply have a motion that says, We want to amend this agreement, and if it's deleting paragraph H, that's the gist of the motion. You want to add anything else around it, you can. But that sounds like the gist of all your comments is you want to remove paragraph H.

**COUNCILPERSON McCOY:** Thank you, Mr. Torcivia, and thank you, Madam Chair.

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

**CHAIRPERSON MILLER-ANDERSON:** I wanted to make a comment before you went further.

**CHAIR PRO TEM BOTEL:** Well, my question was if I make a motion, then we still have time for discussion after I make the motion.

**CHAIRPERSON MILLER-ANDERSON:** Definitely.

**CHAIR PRO TEM BOTEL:** I make a motion to amend the settlement agreement with Mr. Jonathan Evans to allow for him to return to city manager in Riviera Beach, to ask Mr. Evans if he is willing to come back and to begin negotiations on his city manager contract.

**COUNCILPERSON LANIER:** Second. (Applause).

**GLEN TORCIVIA:** Councilman Botel, would you mind if I made a suggestion on

your motion?

**CHAIR PRO TEM BOTEL:** Not at all.

**GLEN TORCIVIA:** Thank you.

**CHAIR PRO TEM BOTEL:** It's welcome.

**GLEN TORCIVIA:** I would suggest that you take this in two steps. Step one being to amend this and then let Mr. Evans sign it, and then take step two at a next meeting to negotiate to bring him back, because I don't want to put either you or Mr. Evans in the position that while this agreement's in effect, that either side's potentially breaching it.

**CHAIR PRO TEM BOTEL:** Thank you. I amend my motion. I make a motion to amend the settlement agreement with Mr. Jonathan Evans, deleting Section H to allow for him to return as city manager in Riviera Beach.

**CHAIRPERSON MILLER-ANDERSON:** Does your second still stand, Miss Lanier?

**COUNCILPERSON LANIER:** Yes. Yes.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON McCOY:** Mr. Torcivia, wouldn't it be cleaner if Council Member Botel remove the provision that says "allow" him to return? Because essentially what I'm hearing is what she just proposed will pretty much allow him to walk in as city manager. I'm asking that the -- well, my position is that the provision is just removed from the contract. Let's not get subjective and say that it's going to bring him back here. I just -- if you're going to remove the provision just do that.

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

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

**CHAIR PRO TEM BOTEL:** I amend my motion. I make a motion to amend the settlement agreement removing Section H.

**CHAIRPERSON MILLER-ANDERSON:** Does your second still stand?

**COUNCILPERSON LANIER:** (Nods head).

**CHAIRPERSON MILLER-ANDERSON:** Is that good, Mr. Torcivia?

**GLEN TORCIVIA:** Tell me if you have any questions. I think that's a nice clean motion.

**CHAIRPERSON MILLER-ANDERSON:** Okay. All right. I would like to take this

time -- I appreciate and, um -- I appreciate the motion being made tonight. And I also appreciate our legal taking the time to look and see if this is something we could do. I want -- you know, at this -- for this particular issue here, it started out with me being a part of the interviewing team or -- or council that was there in place when all of this started.

And I can tell you it was a fight from the very beginning. And I -- I really fought at that time because I thought that Mr. Evans had an opportunity to take the city where it has not been in a very long time. And throughout the time that I worked with him, I was also the chairperson at that time, as well, and so I saw a lot of things moving. I saw a lot of employees that were happy that had not been happy for many, many years. Of course you will not always have 100 percent of everyone happy about any decision that's made. But what I can say is that when I'm out in the community, I have numerous employees I run into all the time and they're constantly asking, Can we get Mr. Evans back? I have never been approached by so many people asking that specific question.

And being in a position of a minority as -- in terms of a vote for so long -- I tried many times to be able to bring him back. I tried numerous times of trying to bring up the issue during the meetings. And I was always in the minority. So I am excited tonight. Although I'm not screaming and hollering, but I'm very excited tonight. (Applause). Because we have finally gotten to a point where we could at least get to this point. Now, the vote hasn't happened yet, but I do want to say that if we look at the elections that took place in 2018 which was about -- about six months after he was terminated, it was myself -- that was my election. My election was going on in the middle of all of this. I came out of it. My other colleague who was running at the same time with me did not. She lost horribly. Okay?

The next year, 2019, the other council members that were a part of the vote, the motion that was made and the three votes that it took to happen -- to make it happen, they lost. One did not even survive to get to the runoff. The other one lost drastically. So if that does not say anything to any of you, something is wrong. Because the people came out -- (applause) -- they came out and voted and they got them out. One thing that I can -- one thing I can say, I can rest at night, every night, very well.

**UNIDENTIFIED SPEAKER:** That's right.

**UNIDENTIFIED SPEAKER:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Because I know I was on the side of right all the time. And there are people who I know do not want him here. I know there are some employees that may not want him here. But I know that he will hold people accountable and that's just something that people don't want. So I can honestly say I will have an affirmative yes vote tonight.

And, you know, I understand that we did receive a letter from one of the former council members, from her attorney stating that she objects to it and I understand that. I

-- I -- I probably would, too, if I was in that position. But at the end of the day there's a reason why that person is not here, and I think it has something to do with this. So that's the end of my comment. Is there anyone else before we take the vote?

**COUNCILPERSON LAWSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Go ahead, Mr. Lawson.

**COUNCILPERSON LAWSON:** As tonight appears that we have colleagues that are interested in bringing Mr. Evans back and we have a lot of public at this hearing interested in bringing Mr. Evans back. As was stated with the comments, there are individuals that do not want to bring Mr. Evans back. So what we have to do is allow for the opportunity if that is the will of the body, to bring Mr. Evans back to re-apply if he chooses and interested in coming back to the city.

So if he has an interest in coming back to the city, I would be interested in that re-applying process and having him come, to sit and to stand with the new council that's here and give us a fair chance moving forward to select the individual to help grow our city forward. Miss KaShamba Miller-Anderson, our chair, was in the interview process but the other four were not. So two years later we do not know who is the best candidate to be city manager of Riviera Beach. But I will be all for striking the portion that says he is not allowed to reapply to the city, because I'm an advocate for moving the city forward, but to run with transparency and honesty of the city of Riviera Beach. We want to all have the opportunity to move forward. But I will be for that motion, but moving forward, let's make sure he is still the best candidate for Riviera Beach. (Applause).

**CHAIRPERSON MILLER-ANDERSON:** Anyone else?

**COUNCILPERSON LANIER:** I would just like to say that the people of the city of Riviera Beach came out in such astronomical numbers, and one of the main questions I was asked canvassing neighborhoods, talking with people, the first time that they had a conversation with me they would say, Are you going to bring Jonathan Evans back?

And that would be the start of the conversation, and however I answered that question is how they would respond or how they would proceed in the conversation. 99 percent of the time the people who I spoke with, I received almost a thousand votes more than my opponent. And those people told me that, We're putting you here for a reason. We're asking you that if you're going to have a discussion about bringing Jonathan Evans back, then you need to vote in the affirmative. Now, this was not from one person. This was not from two people, everyone that I spoke with. And they did not want us to sit here and belabor the moment. They didn't want us to sit here and drag this out. (Applause).

Because what is happening is that we are in a state of crisis here in this city. We have mold in the fire department. We have mold in the police department. We have issues here at the city. And we need to be able to have someone here who can hit the ground running and be able to take on these issues because we are council people. We

are here for policy. We don't run the day-to-day of the city. If a person has a pothole or has an issue with what is happening in their neighborhood, they're supposed to call the city.

People are supposed to be there to take care of them. People call us. They can't get anything from the city. That is why they voted. That is why they came out. That is why in all of Palm Beach we were the city that had the most people to show up. (Applause). So let us -- let us -- let us be clear about -- let us be clear about why we are here. This is no disguise. This is no cloak of darkness. This is transparent and this is what the people voted for. (Applause).

**CHAIRPERSON MILLER-ANDERSON:** Mr. McCoy, did you have any comments?

**COUNCILPERSON McCOY:** Nothing, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** All right. Mayor Felder, did you have any comments?

**CHAIR PRO TEM BOTEL:** Madam -- Madam Chair?

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

**MAYOR FELDER:** Yeah. I'll save my comments till the end.

**CHAIR PRO TEM BOTEL:** Thank you, Madam Chair. You know, sometimes I say I'm a woman of few words but hopefully lots of action. Tonight I am just thrilled to have been able to make that motion. I am thrilled that my colleagues -- I feel like I want to hold hands again, but somebody's going to start singing Kumbaya and I don't think I can handle that. I am thrilled that this night has finally come. I have anticipated this through my campaign, through the arduous -- I can actually tell you how many days I've been in this seat but I won't take the time to look at my app. I have been waiting for this moment for so long and I am so pleased that it's finally come. Thank you. (Applause).

**CHAIRPERSON MILLER-ANDERSON:** Mayor Felder?

**MAYOR FELDER:** Oh, it's my time?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR FELDER:** I'm honored to sit on this board. Like most of you said that we were elected because you felt like voices wasn't being heard. And I ran a campaign on your voices count. Understand this. We have to make a decision or this board has to make a decision -- excuse my French, because you're damned if you do, you're damned if you don't.

But let's make the right decision that in two years this city will be moving forward.



And everybody that didn't agree with it, it would be okay. But we have to set a precedent that your voice do count. And I think everybody that's up here ran and have won because you elected us to do a job. Now, I don't want to bring scripture or -- because I often say you all didn't appoint me to be your pastor. You appointed me to be your mayor. But I want to say this.

When we come up and we make statements of devils or we make statements that we really didn't get to know a person, I've come in this seat and I want to meet with every employee with my guard down because I'm not a person that takes what somebody else says about somebody if I don't know you. But what I do know is the first time my assistant called Jonathan Evans because I was worried about Cunningham Park not being fixed, he came the next day and I seen it boarded up the next day and I seen movement going.

Now, I don't have negative to say because I've never been around him. In six months I don't know how you can judge a person in six months and really get a complete synopsis of who that person is. (Applause). I also want to address the 190. I think -- and (unintelligible) transparent because I wound up being transparent. I think the first debate I would have stood up here and say I support Jonathan Evans. I was the first one in the first debate.

But should he give the \$190,000 back? No. Because how could -- because we have to -- we have to face this. They could have fired Jonathan without cause and we wouldn't even be here. They fired him with cause and couldn't prove it. And if it was any one of our family members that was faced with that, we'll be saying, Don't give the \$190,000 back, either. So we're not going to please everybody.

But tonight let's make a stand to do us right. Let's hear what the people has to say and we'll deal with the consequences later. But we have a lot of issues on the table that we need to hit. We have people that's working in our facilities that we need to, day one, come in and start fixing that stuff. So I am proud to be a part of this board. I'm proud to represent you. Let's move forward. Your voices do count. (Applause).

**CHAIRPERSON MILLER-ANDERSON:** All right. Madam Clerk?

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

**COUNCILPERSON LANIER:** Yes.

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

**COUNCILPERSON McCOY:** Yes.

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

**COUNCILPERSON LAWSON:** Yes.

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

**CHAIR PRO TEM BOTEL:** Oh, yes. My God, yes.

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

**CHAIRPERSON MILLER-ANDERSON:** Most definitely.

**DEPUTY CITY CLERK BURGESS:** Unanimous vote. (Applause).

**CHAIRPERSON MILLER-ANDERSON:** Okay. Madam Clerk? Madam Clerk, we're going to go ahead and go into our Public Comments. And we will keep the acceptance of cards open until 7:30. At that time we will no longer accept any public comment cards.

**DEPUTY CITY CLERK BURGESS:** Rick King, John Miller, Bessie Brown.

**CHAIRPERSON MILLER-ANDERSON:** King declines.

**DEPUTY CITY CLERK BURGESS:** John Miller, Bessie Brown, Felicia Wilder.

**JOHN MILLER:** Very short. Thank God. (Applause).

**CHAIRPERSON MILLER-ANDERSON:** Who do we have after Mr. Miller? Miss Burgess, who's after Mr. Miller?

**DEPUTY CITY CLERK BURGESS:** Bessie Brown, Felicia Wilder, Ahman Israel.

**BESSIE BROWN:** I'd just like to say I still -- I'm -- I'm -- I'm -- I still am, uh, trying to figure out how you can just take a -- take a -- a -- take a -- one paragraph out of a -- a settlement -- a settlement agreement and -- and move on and do things like that. I would like to know exactly how this is -- how this will fold -- how this will fold out in the long run, because I don't think that you all handled that in a manner that it should have been handled. And -- and it should -- should (unintelligible) -- do new -- new information and we could -- we would all see where you go from there.

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

**DEPUTY CITY CLERK BURGESS:** Felicia Wilder, Ahman Israel, Bonnie Larson.

**FELICIA WILDER:** Good afternoon.

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

**FELICIA WILDER:** My name is Felicia Wilder. And I'm here to address the issue of Silver Beach Road and the construction of that road where they're taking an access street that goes from Avenue S to Avenue P. Why not take it all the way up the hill? They always come and eminent domain African-American properties. These people homes are already on the sidewalk. You can pass by and cough and they can hear you in the back room. But you're taking their property. You got all these woods over there on -- in

Lake Park but you don't touch their property. I want to know for a fact. There's a -- a wooden fence out there. But it didn't go all the way up past the junk yard. So I'm wondering why it stopped.

So back there in that time I'd like -- I'm -- I'm going to do some research. Somebody did something illegal for them to get that property for the junk yard shouldn't be having those cars out there. But all of a sudden that fence stopped there. But they won't take it all the way up to Avenue O. What you do for one you do for all. Hear you preaching but you -- you're not doing it. They're doing half of it. From Avenue S to Avenue P.

They're taking an access street for those people. But the other people, they have apartments. So you're going to give them a circular driveway? You have all these apartments, one, two, three, each apartment has two cars. How you gonna put a -- you -- Uh, could you move your car so I can get to work? Really? Just put an access street. Those children don't have no yard to play in. If they had a yard they could play in it. They don't have -- we don't even have a back yard on Silver Beach Road.

So my thing is how can you come in and take one side of the property -- there's nothing over there but -- but a business and a junk yard, which you have that oil contaminating our water -- our water table. Move it back. Lake Park, nothing but some woods. But you'd rather take somebody homes like you did here on Eighth Street. Took all those people home -- eminent domain -- to build your highway. Really? So why not move it? Why everything have to be taken from Riviera? Take it from somewhere else. Take it on the other side. There's nothing over there. Nothing but some woods and a junk yard, but you'd rather take somebody's livelihood. Their home.

So we must think about what we're -- what they're doing. I've already gotten the plans. I've been talking about it long ago. Something need to be addressed. And if you don't address it then somebody else is gonna address it. So somebody needs to do something about Silver Beach Road and how they're operating. 'Cause there's nothing over there but the junk yard, and it's a place up there on Avenue O where there's an empty warehouse where the Army people go.

And you took that property down there near Walmart and let the Army build their facility down there, Reserves facility down there. But now you're taking the people's property. Something's wrong. You're praising one thing and doing something else. But you have to look at it as a whole. I'm for all people. When I fight I fight for everybody. I just don't fight for me. 'Cause I thank God for Jesus. When He fought He fought for everybody. And you can sit here and praise Him and I'm still praying. You ask Him for a king and you're gonna just what you're looking for.

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

**DEPUTY CITY CLERK BURGESS:** Ahman Israel, Bonnie Larson, Sammy Brown.

**CHAIRPERSON MILLER-ANDERSON:** Bonnie Larson, you said?

**DEPUTY CITY CLERK BURGESS:** Ahman Israel, Bonnie Larson, Sammy Brown.

**CHAIRPERSON MILLER-ANDERSON:** Oh. Ahman Israel's first or Bonnie?

**DEPUTY CITY CLERK BURGESS:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Ahman, are you on your way?

**AMON YISRAEL:** Thank you. Ahman Israel. First of all, congratulations to the -  
- the new council, elected councils and mayor. (Applause). Riviera Beach, we really,  
really have a lot of work to do. I hope that we're paying close attention -- I hope that we're  
paying close attention. If we pay close attention we'll see some of the people that's  
holding our city back. And we need to pay a close attention that it's no coincidence that  
we're in the condition that we're in. Any time you can move employees, any time you can  
move residents, move them to feel good about their city, that's a good thing.

It will take another city manager four years if they got the work ethic that Jonathan  
Evan has to move the city forward. We don't have another four years for another city  
manager to come in here to find out the things that he has found out about. When you  
have a person that come in and believe in perfection and move the city in that direction,  
that's good leadership. Any time you have leadership that do not -- and I didn't want to  
use this word, but look, you cannot have a work environment where females feel that  
they're less than what they are. Sexual harassment should not be permitted in no kind of  
work environment.

**UNIDENTIFIED SPEAKER:** That's right.

**AMON YISRAEL:** Anything of that nature. Anything of that nature helps to pull a  
city down. Any time you have businesses that's on standby because you have good  
leadership, we can pick and choose the businesses that we want now. We have a fire  
department that's outstanding. I'll never forget the personal survey when I went to the all  
the hospitals in the area and they said that our firefighters were the best. (Applause). I'll  
never forget when we talk about our police department, we have technology -- our police  
department has technology that's second to none in America. The only way we can  
change the city and make it better is for the community to get involved. That's what we  
have to do.

**UNIDENTIFIED SPEAKER:** That's right.

**AMON YISRAEL:** We have to take and -- and remember, now. We have one of  
the best beaches in Florida. We have the number one tourist attraction between Miami  
and Orlando. We have a port that's ranked number four out of 14. We have attributes  
that our past councils have not taken advantage of. We're number one, number two in  
the world on onshore diving. How can our city leadership not take advantage of these  
attributes? We need a council and a city manager. We have the council, thank you. But  
we have -- but now we need the right leadership, Jonathan Evans.

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

**AMON YISRAEL:** Now, I don't understand everything that -- that -- that -- that our -- the -- our off-site attorney has said, but we need to make some tough decisions now.

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

**AMON YISRAEL:** I --

**CHAIRPERSON MILLER-ANDERSON:** Your time is up, Mr. Ahman. Thank you.

**DEPUTY CITY CLERK BURGESS:** Bonnie Larson, Sammy Brown, Fane Lozman. Bonnie Larson?

**BONNIE LARSON:** A couple of things back on the item for Mr. Evans, Mr. Jonathan Evans. I'd really look into that, "I'm not reversing the resolution." I'm not so sure about that. I don't want to leave anything open here. And I also want to make sure that we don't have to re-advertise this job. It's been advertised three, four times. A lot of people applied. I read some of those applications. And I don't know how they got through Human Resources. I really, really don't. They weren't checking them. Things weren't on there properly. There was a lot of abnormalities with that. I just want to make absolutely sure that we don't have to go through all that process again before offering Mr. Evans a job.

Also, Mr. Evans is an employed individual. We don't know if he want -- we don't really know if he wants to come back to Riviera Beach. What a hornet's nest he would be coming into, wouldn't it? He's the only one I think that could do it, though, but he is employed. You -- he doesn't want to -- you wouldn't do that with your employer, say, Hey, I'm going somewhere else, if you don't even know if you're going to be hired. Some of the the question then becomes -- my question is, Do we have to advertise this again? It's such an unusual situation where he was let go for doing his job. That is the reason he was let go, for doing his job.

People didn't want to know out in the public -- they didn't want any transparency about what they were doing. And those are the people that voted against him because he found out. He was doing his job. People told him about things. He investigated it. That's a city manager's job. If he hadn't done it, he would have been not doing his job and he would have lost his job for that reason. So we want to be sure about that. But look into that thing. Ask somebody else also about that resolution that we don't have to reverse it. That's -- that's concerning me a little bit here.

Mr. Torcivia said he represented those three people as council members but not as individuals. That's a very fine line when you're talking to somebody if they're now wearing the hat of a councilperson or if they're wearing the hat of an individual. So that's a very fine line there. Plus Torcivia group did publicly defend Terence Davis in court and we paid for that. So they did defend him individually in that regard. So like I said, we're

-- we're gun shy. Well, you're shaking your head no. We're gun shy and I'll tell you why. We've had two previous attorneys who have blatantly lied to us. I'm not saying you are, but I'm just saying we have had that experience. Two of them lied to us.

So we want to be sure everything's on the up-and-up here. There was an ordinance or something passed. We couldn't have live-aboards at the marina anymore. That was to get rid of Fane Lozman. We know that. Now I read in the paper that there are live-aboards at the marina. When did that get changed and how did that resolution get changed? I don't know. Um, we have a lot of unfinished business which is not showing up on the agenda. So I'll talk to you about some of those because we have outstanding items and they don't show up on the outside items here. Okay. I guess I got one second left so that's it.

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

**BONNIE LARSON:** Oh, if you look up Mr. Jonathan Evans, this is nothing. Mr. Evans was a very humble man. You should see his degrees and what he's done in the way of education.

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

**BONNIE LARSON:** This is nothing compared to -- look it up yourself.

**CHAIRPERSON MILLER-ANDERSON:** Thank you, Miss Larson.

**BONNIE LARSON:** Have a lot of time. Have about a half an hour when you look it up.

**DEPUTY CITY CLERK BURGESS:** Sammy Brown.

**CHAIRPERSON MILLER-ANDERSON:** The acceptance of public comment cards are closed at this time.

**DEPUTY CITY CLERK BURGESS:** Sammy Brown, Fane Lozman, Willis Williams.

**SAMMIE BROWN:** Good evening, ladies and gentlemen. My name is Sammy Brown. I've lived in the city since I was born. I'm 17 years old. I go to Palm Beach Gardens High School and I do enroll at Palm Beach State College. If you look around, the only thing missing from this meeting is the youth of Riviera Beach, which you don't see much of because they honestly simply just don't care for it. Now, today I can't -- if you don't like Jonathan Evans or you do, I -- my job isn't to entice you to like him or not to. I can only state the facts about Jonathan Evans.

Jonathan Evans advocated for the youth in Riviera Beach and he catered for the senior citizens in Riviera Beach. I knew Jonathan Evans personally and only got to meet with him one time because -- one time because of the former council people that served

on the board that took him away from us. He was going to do things that council -- I mean, excuse me, people before that served before him would not have done. His open-door policy. We were able to talk to him. I remember the last time I saw him leaving his office, the most distraught look on his face.

And when he told us he was leaving that took a toll on the youth of Riviera Beach, too. For a man who actually came out and was involved in his city, who empowered the people of his city, that means a lot and speaks for itself. And for me to even want to come up here today because frankly I could be doing school homework right now. I could be doing anything else in the world besides sitting here talking to you guys today. And I've heard you guys say a lot of people -- most people do like Jonathan Evans. And well, from what I've learned, majority rules. (Applause).

**DEPUTY CITY CLERK BURGESS:** Fane Lozman, Willis Williams.

**CHAIRPERSON MILLER-ANDERSON:** Oh, was his time up? I don't know. Was it? Thank you.

**CHAIR PRO TEM BOTEL:** Sammy, were you done?

**FANE LOZMAN:** Fane -- Fane Lozman. At the end of the day I have a document in my hand filed in federal court where the Torcivia law firm said they represent the defendant, and the defendant at the top of the page includes the elected -- includes Hubbard, Davis and Pardo in their individual capacity. That's in a court file right now. You can look it up. He lied to you when he says he doesn't represent them because in the filing with the court on my phone, if you want to -- I'll give you my phone. You can look at it. He represents them. He represented them in the final dismissal.

So he lied to you tonight. Go get the document. Read it yourself. He lied to you. He represented them in the settlement agreement for the dismissal. Whatever happens to Jonathan Evans, personally it doesn't matter. This man lied to you. He's opening up a legal nightmare for you 'cause he lied. Look at the document in the court file. He said he represents them individually. It's in -- it's on my phone right here if you want to look at it, Mayor. I'm just frustrated. He comes up. He lied with the written minutes. You don't have to keep written minutes? We said you did. And then he said we didn't offer to settle a case, which said, Pay our legal fees, which were 15 grand and agree to keep written minutes. He said we never made a settlement offer to him. We did.

He wasted another couple hundred thousand dollars of the taxpayers' money on that ludicrous lawsuit. It just really pisses me off that somebody will come up here and lie. And I will -- I will FedEx you each a copy of that document, item number 23. But ask your lawyer to give you that document filed in the court file and you can see he lied to you, and that should really aggravate every one of you up there. Now, I own 51 acres, other friends of mine own dozens of acres of land in the lagoon. The lagoon on Singer Island is not a wetland preservation.

Miss Botel went to a meeting of city staff and told them to try to make it wet land preservation. Many of you I forwarded the documents. Miss Botel told city staff on Friday to try to pull a dock permit that the Department of Environmental Protection had issued to a property owner on Singer Island. This has all been memorialized. Miss Botel, no one made you king. Okay?

There was a charter amendment that said elected officials do not tell city staff what to do. Right now in the lagoon, it's not wetland preservation. She and Gagnon have pushed for tomorrow tonight at the Planning & Zoning Board an item to move the lagoon area into the wet land preservation area. If you look up the ordinance right now, only the east side of Singer Island is in the wetland preservation land development regulation, not the west side. What they're proposing is to put the west side in there. You may think it's funny. You're exposing the city to hundreds of millions of dollars in a taking action. Okay?

There was -- this is already litigated years ago. You have a vested financial interest 'cause you don't want anything else out there. You don't want anybody else to develop their own property. You just want to do what you want to do over there. And I think one of the reasons you brought Jonathan Evans back is he's going to do whatever he wants to do. He's going to see that the land isn't developed. Well, I'm not going to let that happen. This board should have a motion for censure for you breaking the charter amendment and going behind the board's back and coordinating this and going to that meeting. And the other thing --

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

**FANE LOZMAN:** One last thing. She said not only does she want to bring Jonathan Evans back, but she wants to fire the chief building official --

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

**FANE LOZMAN:** -- Ladi March.

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

**FANE LOZMAN:** I don't like your racist attitude and now you've screwed with the wrong guy.

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

**DEPUTY CITY CLERK BURGESS:** Willis Milsar [phonetic], Lloyd Brown, Doshia Newbold.

**WILLIE MILSAP:** Good evening.

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

**WILLIE MILSAP:** Willie Milsap, 562 W. Sixth Street. You know, I've listened at



everybody give their opinion about Jonathan Evans. I didn't know him personally but I had an opportunity to see him a couple times throughout the city. But 90 percent of the people now that are speaking for Jonathan Evans either live east of U.S. 1 or employed for the city. It doesn't make me any difference who you put in the position as the city manager.

But my thing of it is, in reality, we have never won a lawsuit regards to how it goes, to my understanding. If he decides to come back to work for the City of Riviera, it will be just like we're working for HUD or somebody? Or are we going to be hung over like we're in child support? When you get a child and DCF gets that child, they tell them, When you go back to that house, if they touch you, you call me. And we'll do something about it. He come here and he don't want to do something or he wants to do something, either way it go, who's going to stop him? And if you don't comply to what he wants, he's going to have us over a barrel.

You know, think about the opportunity that you can give other people to come in and fill out an application for this job. And they may be able to do a job just as good as he can or do it better. They may be able to treat the employees the same. We don't know. But I'm asking the council now, whoever you put in place, what are y'all going to do for west of the railroad tracks? 'Cause nobody in the years that I've had an opportunity to come up here and ask for some questions, only thing I see over there is Martin Luther King and Barak Obama.

Nothing else you've done for us. We have to take our money, the employees of the city have to take your money and spend it either in Pleasant City for breakfast or go to Elsie [phonetic] City to eat, to shop. You don't even have a place here in this city for the employees or other people live west of the tracks to spend their money here. Myself and so many others over here, we cannot go to Peanut Island 'cause we don't have a boat. We don't -- we don't socialize in the city, period, doing anything here.

So if y'all are going to do something, regardless of who the city council be, with y'all authority, would y'all please look into when you visit the other cities and stuff, what can you do to bring something here for the citizens of the city, not for Singer Island and everybody east of U.S. 1. So that's all they've been doing in the past. Give me something over there. And take a picture of my neighborhood and place it inside a -- the CRA or place it inside the city itself, 'cause you got two portraits in each one of those buildings and it shows Singer Island and U.S. 1. Nothing concerning the FEC railroad track which I live west of. Thank y'all.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Lloyd Brown, Doshia Newbold, Doretta Paulk.

**LLOYD BROWN:** Uh, how you doing again?

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

**LLOYD BROWN:** You know what? I heard a man say this. He said, "You know," he said, "it's a thousand people in here." I'm not talking about in here. And he say, "You know, I know it's going to be some people in here don't like me 'cause that wouldn't be right if everybody did." So I mean, I -- I think this. You're new, different so you can do what you want to do 'cause you have the opportunity. So you're sitting up there. You're not out here. But if you do what we want, then you're doing what you want. You know what I mean?

I'm saying the people -- I mean, everybody's not going to like Jonathan. That's just like everybody don't like Trump. Everybody didn't like Martin. Everybody didn't like -- you know, that's natural. That's normal. You got your prejudice. You gotta choose and pick when you want -- I mean, the only thing, you know, like, if you test a hot stove and you take your hand off of it, you ain't gonna like that. But I mean, things that you look at and do, you choose. That's being prejudice no matter who you are. It doesn't have to be a bad thing. You know, I might not like shoes he got on. You know, but that's just my personal opinion.

But I'll say this. The group that we got up here now, just do the best you can 'cause you're going to be hated by some people, but you're going to be loved by most. So don't worry about it. (Applause).

I mean, if -- what -- what -- you know, what's -- what get me now -- I'm not trying to talk about no religious facilities, but I know in these places the congregation has people in there that can do the same things that these facilities are hiring outside help to do. But they pass them plates around to the individual in the church and they hire somebody else. I'm not talking about any direct church so don't think I'm talking about God and I'm downing religion 'cause I'm not. I'm talking about the economy.

As long as you keep sending your business out of this Riviera Beach instead of these churches and every establishment here, bringing the money back, we're going to become a slum. It doesn't matter what this city does or what the council do. Everybody gotta get in on that. I mean, all these stores we got around here, they don't like me to talk about it 'cause I think I might be able to make a decision y'all -- all these stores around here -- you know they got a store over here that says you can't come in this store -- a woman, you have to leave your purse outside. You can't bring it in the store. And if you bring it in the store, you have to leave it with the counter. But they're not responsible for it.

And I'll tell you the store. Well, we call it the Stink Store. I don't know what y'all might want to call it. But I mean, if -- if -- if brothers out there, y'all are looking at me and you still going to that store, you -- you know something wrong up there. You either got a head full of rocks or a bag full of rocks, something rocks 'cause I wouldn't go there. If I can't do like I do when I go in Walmart -- if a woman can't walk in a Walmart with her purse, why would she leave it in the car? And it's right in our neighborhood. And these people still sit over there every day.

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

**DEPUTY CITY CLERK BURGESS:** Doshia Newbold, Doretta Paulk, Mary Brabham.

**DOSHA NEWBOLD:** Afternoon. Unfortunately I had to take my grandson for orientation; I couldn't be here earlier. At Suncoast, got accepted. At any rate, I'm here in reference to Jon -- Jonathan. I have no qualms with him. I met him. He's a nice PR guy. But as a taxpayer and a citizen, I feel as if we're going back instead of forward. I don't agree with the way he was fired 'cause he should have been -- we should have been given a reason. Or in Florida it's at-will state. Just you can let them go without cause.

But by the same token, he got \$190,000. We paid attorney fees. He made a statement that you all want to amend, which I think is ludicrous. That he didn't want to work for the City of Riviera Beach anymore and I think we need to hold him accountable for that document. He needs to go through the hiring process like everybody else is. The job is posted. And people send their kids to college. What makes him the guru of the City of Riviera Beach in six months? The same thing he did somebody else could.

Now, had he been here six years I would have a different opinion about that. But you have candidates, people struggling and send their kids to college. Other people have just as many accolades as he have. Let's give them the opportunity. But if you post the job and you're sitting here wasting city money and having a meeting, so the candidates that apply for the job, sounds like to me they have a lawsuit. Because you're basically saying, We want him back, so if he go and apply with 20 other people, you all are gonna just take them through an application process but know that you're fixing to hire Jonathan. And that's not fair. That is really unfair. And Miss Botel, you're sitting up here like you're the queen of Riviera Beach, but I was under the impression and told that he lived in one of your apartments. That's a conflict of interest 'cause you and him are best friends. So you're sitting up here with this carrying on and that's not fair. That doesn't make him the best candidate. We got other things like Randy Sherman that's sitting over there. All you new people. Yeah, we got reports where he did things incorrect and should be fired, where the employees didn't get their checks on time because of him. He was a part of the water situation and wrote the checks and tried to hide it from the residents. This is crazy.

Jonathan Evans is a cool guy. I met him, everything is fine. But what kind of man and what kind of morals would he have and I want him to lead my city, for him to be fired, write out a statement and sign it that he doesn't want to work for this city anymore, and then he comes back? What's his hidden agenda? Well, word on the street is he's going to bring in sheriff's department and take our police department. He's going to bring in the county fire department and take our fire department. That is gossip. Y'all can say no all y'all want to because all of y'all are advocates. But by the same token, be careful of what you're doing. You're putting the city in lawsuit contingency 'cause this is really illegal. And if I was on the jury and somebody sued this city for applying for that job and y'all gave

it to Jonathan, I'll vote in favor of that person 'cause this is a setup.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. Thank you. Doretta Paulk, Mary Brabham, J.B. Dixon.

**DORETTA PAULK:** Good evening.

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

**DORETTA PAULK:** My name is Doretta Paulk, and I want to congratulate each and every one of you for voting to bring Mr. Jonathan Evans back. Because it was -- what was done to him was totally wrong. Yes, this is an at-will state, but yet they said that they dismissed him 'cause of -- they had reasons and they did not and then they changed their mind. I think that the \$190,000 that he got, he deserved every dollar of it.

This man was unemployed for all those months and months. (Applause). And could not even do a livelihood for himself because he had no money to take care of himself and probably had to use all his little savings to take care of him and his family. This was wrong what was done to -- and I hope we make it right. In the interim when deciding -- if he decides to come back, we still need an interim city manager. And I would like to make a suggestion, Mrs. Brooks to be put in as a name on the list for consideration for this position until an appointed permanent city manager can be taking care of the city.

Another thing, as I mentioned the last time I was up at the podium, Miss Marvelous Washington mentioned about the legislature aides and where other municipalities only have one and if he or she needs another, maybe hire him but that's helping with the cost of the city that you all can consider and I hope you do consider that. And let's -- yeah. Also a young lady said that why would -- since Jonathan Evans sued the city, why would you want to bring them back?

Well, going to Miss KaShamba Miller's Citizen Leadership Academy, which is in my second year you learn a whole lot of the ins and outs and the -- of the city. And I learned from the first session, it was the city attorney, Mr. DeGraffenreidt, he said to us he has sued the city twice and you all -- we still brought him back. So when you want to say this or that, look at the whole picture. And yes, he should be -- come back. And I thank you very much. Oh, and also, Mr. Attorney, is it legal if they did not sign the official signatures to the document -- is that legal?

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

**DORETTA PAULK:** And just like if you had a -- if I was having a will and I did not sign, is that legal? Is it --

**CHAIRPERSON MILLER-ANDERSON:** All right. We'll come back at the end.

**DORETTA PAULK:** Okay? All righty. I thank you.

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

**DEPUTY CITY CLERK BURGESS:** Mary Brabham, J.B. Dixon, Marvelous Washington.

**MARY BRABHAM:** Good evening, Mary Brabham -- Brabham, Riviera Beach.

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

**MARY BRABHAM:** I was in there. Nice to see you again, Attorney Torcivia. I asked that question there, can future employment be modified with another board? I want my question answered that night. Here's my notes here. Here is the -- here is the agreement. Here's the resolution. Okay. It was stated that it can be modified with another board. It's on record there. Okay. You're so concerned about the \$190,000?

Let me just break it down to you. The gross amount of 57,000 less applicable withholding taxes payable to the employee and reported on a W2 form. The gross amount of 57,000 for -- for -- payable to the employee and reported on a 1099 form. The gross amount of 38,000 payable to Whistle, Fittikina & Kelbosi [phonetic] and reported on a W2 form. The gross amount of 38,000 payable to Bonar, Bucher & Rankin, P -- PSC and reported on a W2 form. Pardo's sued the City and she sat up there and ruled the board. DeGraffenreidt sued the City and he was elected attorney. We have a new attorney because DeGraffenreidt, he was rehired. Did we ask any of them to repay the money?

**UNIDENTIFIED SPEAKER:** No.

**UNIDENTIFIED SPEAKER:** No.

**MARY BRABHAM:** Mr. Evans was done an injustice. And in life chances are given for that injustice. We're suffering that now with the derelict leadership that that previous board have done to this city. And residents, Miss Brabham speak to you because it is terrible underlayings [phonetic] here in this city. The -- the amendments when they were passed, hands off the leader, the voters spoke, 3,707. Term limits, 3,963. City business, 3,938. Ethics rule, 4,226. That's the change there.

And yes, this city here produced a wide election. Miss Billie Brooks, yes, she is capable of sitting there until you all figure out the legalities of how you will proceed with what you have voted on today pertaining to Mr. Evans and I'm asking for that consideration. Why? You as a board should ask yourself what are the skills Miss Billie Brooks brings to this organization? She has worked in that capacity, knowing the strength and weaknesses. Chairing the city council and knowing the functionalities of your departments. They are in a critical budget mode now. Do not remove any of them. And that list there what you have, that's a setup for you, Dr. Botel. Those are recycled peoples that definitely have an unforgiving spirit.

**CHAIRPERSON MILLER-ANDERSON:** Thanks.

**MARY BRABHAM:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** J.B. Dixon, Marvelous Washington, Ernestine.

**J.B. DIXON:** I would like to comment on Councilman Lawson's comments. I'm well aware that --

**CHAIRPERSON MILLER-ANDERSON:** State your name for the record. I'm sorry. State your name.

**J.B. DIXON:** Oh, I'm sorry. J.B. Dixon from Singer Island in Riviera Beach. I'm well aware that there are -- is a small group of dissenters in the community who do not want to see Jonathan Evans brought back. They've made that very clear. You've heard many of those arguments tonight. One of the tactics that I see being put forth in addition to threats of suing and all this other stuff, is, Oh, we really must make sure that we choose the most qualified city manager for our city.

There's some sort of delusion going on that there are scores of people lining up, competing for this job, all of whom are tremendously well qualified. I think any of you who have seen the résumés of people who have applied to date in any of the previous, um, advertisements for this will find that that is so very, very far from true. Jonathan Evans was very qualified when he took this job. That's why he was hired. He has not become any less qualified. He has, in fact, become more qualified given what he is doing in Madeira Beach.

Meanwhile, if any of you -- and I know many of you have been headhunted as an executive -- and you were hunted by one of the headhunters and they said, Gee, we'd like you to apply to Riviera Beach. And you were a well-qualified candidate, would you say yes? Oh, yes, I would like to go to a city in turmoil who fired their last city manager for no reason. After six months, even though everyone loved him. Oh, yes. I would love -- I would love to -- I would -- I would just love to compete for that job.

So I think it is a false assumption that we must advertise and repost and re-interview. We have a manager who was our manager and was a good manager and is a qualified manager. And why we have to go to the expense and the time when we could bring that manager back and he could hit the ground running because he knows this city and he knows its problems and he knows what to do day one coming back, if he wants to come back. And some people say, Why would he want to come back? And I will tell you that, too. If I were Jonathan Evans, I would love having been known nationally as the person who was fired -- I would love to come back here, clean up this place. I could go anywhere.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Marvelous Washington, Ernestine, Madeleine Irving. Marvelous Washington?

**CHAIRPERSON MILLER-ANDERSON:** She's not here.

**DEPUTY CITY CLERK BURGESS:** All it says is Ernestine. And after her would be Madeleine Irving.

**ERNESTINE GORDON:** My name is Ernestine Gordon.

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

**ERNESTINE GORDON:** I think this is the best news I have heard. I was waiting for this for -- for years. I'm -- I mean, this is great news. We are so happy that he's coming back. I just keep -- I keep him in my prayer. But I know you're going to have to have an interim manager until we get Mr. Evans back. How about let's just get Miss Brooks. She's very well qualified. She have had the experience. She was on the -- councilman. And that would save us -- and we know what -- we just pray that Mr. Evans come back.

And -- and I want to emphasize that if we want him back, which we do, why should we spend the money to try to advertise when we know what we want? Just give us what we want. And we can save -- (applause) -- we can save that money. We have -- to be honest with you, they spent -- they have just spent so much, but we -- we want Mr. Evans. That's what we want. Do what the people want. That's why y'all guys up there. That is exactly why y'all up there, because please do what we want. We want Mr. Evans. Please. That's all I'm going to say. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Madeleine Irving, Kimberly Jackson, Amanda Delmonte [phonetic].

**MADELEINE IRVING:** Good afternoon, my beautiful council faces.

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

**MADELEINE IRVING:** Every time I come up here it's like a breath of fresh air. I just want to say tonight --

**CHAIRPERSON MILLER-ANDERSON:** State your name, please. State your name.

**MADELEINE IRVING:** Oh, I'm sorry. Madeleine Irving with the G, not -- no N or whatever. So the reason why I'm here is I have always been Team Jonathan Evans. I don't have to give him his accolades because he used a word, "I'm possible." And when he broke it down the word is impossible but I'm possible because I was a part of a beautiful city that our voices was heard. So I don't agree with making him go through a process. I

agree with reinstating him. I agree with bringing us back our city manager, and I ask that his contract be as sweet as the city attorney that we currently have.

As referenced to the lawsuits that have been filed, I know for sure that there is a current employee that is filing a lawsuit or has filed a lawsuit and she's still working for the city. Our city paid for her to work for our city and to get her license. And she still, even after she filed the lawsuit -- our beloved DeGraffenreidt sued the city and became our city attorney. So I don't understand when I hear people in the audience make comments about, I want to see the 197,000. Well, guess what? We're paying 100,000 because the former councilperson Terence Davis chose to not be ethical in his presenting of text messages. We took that hit. Then when we paid for Ladi March -- and I don't mean to call names, but we're paying for a lawsuit that she filed that has not been subsided. We are paying for that. I'm telling my attorney when I pay my taxes, fight for Mr. Evans. If they want a lawsuit, we're going to give it to them. (Applause).

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

**DEPUTY CITY CLERK BURGESS:** Kimberly Jackson, Amanda Delmonte, Mary Beth Coffey.

**KIMBERLY JACKSON:** Wow. Coming behind all of that?

**CHAIRPERSON MILLER-ANDERSON:** State your name, please.

**KIMBERLY JACKSON:** Kimberly Jackson. Good evening, Mayor and Council. Again, my name is Kimberly Jackson. I'm a resident in the city of Riviera Beach. I pay taxes in the city of Riviera Beach. I vote in the city of Riviera Beach. So I do have a vested interest to speak on this particular issue.

Almost two years ago a young man was unjustly and abruptly terminated by our former council. Immediately following that vote several residents, including myself, came to this podium and voiced our concerns and asked the council to reconsider their vote and to rehire Mr. Evans to no avail.

Residents were so outraged by the lack of transparency and the false claims as to the reasons he was terminated, a recall was started. There were over 200,000 residents voicing their frustration with each council person who participated in the wrongful termination of Mr. Evans. So here we are tonight asking that Mr. Evans be reinstated. Not go through a process, but be reinstated to his position as city manager. To ask him to go through a process when he has already been through a process, met all of the qualifications, it continues to belittle and disrespect his -- his ability to serve as a manager and his qualifications.

I believe we need to move forward but let's move forward making the right decisions. We cannot move forward until we undo that which was done wrong. As it has -- (applause) -- as it has already been stated, we have several people that have been



brought back to the city who have sued the city, and no one ask where was the money that they received from the city. It cost him time, effort. He was unemployed and his name was not cleared so any compensation that he received from our city, he deserved that compensation. And we need to -- (applause) -- we need to remember to treat people as we want to be treated ourselves. And none of us would have wanted to be treated in the way in which we treated Mr. Evans. We basically boo-booed on him.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Amanda Delmonte, Mary Beth Coffey, Daniel Barnett.

**AMANDA DELMONTE:** Good evening.

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

**AMANDA DELMONTE:** My -- hi. My name is Amanda Delmonte. I'm sorry. I'm a little bit nervous. So I'm going to read from my notes. Okay? I'm the property manager of Stonybrook Apartments in -- on -- in Riviera on MLK. I wanted to shed a little light on Stonybrook with discussing some positive strides we've made since I started. Between October and November I did 100 percent inspection of the property and all the units, as well inside and exterior.

I observed -- I created a game plan with my team and we've executed it effectively in the last few months. This also includes cleaning up the property. The exterior, we've lit up the property so it glows at night. All of our parking lights have been repaired, our hallway lights, things of that sort. We've increased security at the front entrance, as well as foot patrols. Stabilizing the units, we had a game plan where every week we'd go into three different buildings, do our inspections, on-the-spot repairs and do follow-ups, as well. And so all of our units are currently stabilized. And that includes over 150 units.

We've reduced the burden in the city's service departments. Since 2018, Stonybrook has experienced a 79 percent reduction in service calls from police and fire compared to the average of the last three years. Increasing community events. This is my -- my pride and joy, is building a community. So we have increased our different events and our supportive services and we've worked with our stakeholders and local sponsors. And that would include doing things such as having movie nights, having barbecues things along that -- that sort. Having holiday parties, gift-giving, working with all of our local sponsors in doing that, and we really appreciate all the help.

We've also been doing parenting classes, financial readiness, cooking classes, after-school programs, all kind of things along those lines. We've accomplished all of this without doing the substantial rehab. We're still waiting on the city's approval for the final plans, and hopefully once that gets done we'll be able to really move forward and having our new community center and all the rehab substantial and beautiful at Stonybrook.

We look forward to working with the new city members, the new mayor and the new city manager. Concerning your discussion about the interim city manager, we have been working with Miss Billie Brooks. She's been helping us previously as a stakeholder of Stonybrook for months now. Per my conversation with her, I could see she is an honest person and integrity -- of integrity and dedicated to the city of Riviera, and that's somebody I can relate to with an honest person that we can have that's on board with us. I'm grateful to be a part of Stonybrook's story, and I look forward to working with this new city manager on the substantial rehab of Stonybrook with all of you guys's support. Thank you.

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

**AMANDA DELMONTE:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Mary Beth Coffe, Daniel Barnett, Carey Lynn [phonetic].

**MARY BETH COFFER:** I'm Mary Beth Coffe. I live at 2640 Lake Shore Drive, Riviera Beach. Congratulations to all the new council members. I'm so excited. I'm so excited by the vote that you took tonight. I think this is a wonderful thing. I think the city team has been without leadership for many, many months. We've had an ineffective city -- acting city manager, and so I'm so excited that you would bring someone back or someone more qualified, if that person exists, to lead that team forward. There is much to be done. There's so many interims in the departments. Those people really need to be looked to see if they're the best qualified for those jobs and if they're not, they need to be helped to find another job. That includes the city attorney. I'm not sure why she's not here tonight but I -- I have grave concerns about the city attorney's department -- department, as well as the development department. I -- I wish you all the best of luck. I'm here to support you in any way I can and good luck and you've done the right thing.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Daniel Barnett, Carey Lynn, Bishop Thomas Masters.

**CAREY LYNN:** Good evening.

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

**CAREY LYNN:** I am Carey Lynn. Uh, I'm a resident of the city. I've been in and out of the city. I've followed all of the debacle that the city has been going through. I'm elated, ecstatic. The thing I come to the table for or to the podium to -- to state, it's frustrating when the city is not moving forward based on the youth department. What I mean youth, you have young individuals leaving, going to college, coming back and can't get a job on the port. My degree is in shipping and exports and we as a city -- you talk about a major port, yet you're not helping young people in the city understand how to get a job that pays \$75,000 a year.

We talk about how the divide between the east and the west. It's not about a divide if you unite. And what I mean by unite, you come here but you won't go to Singer Island. Singer Island is a part of Riviera Beach, and until you understand that you'll continue to do exactly what you're doing. That's dividing. The divide should have ceased a long time ago. These same buildings that are still up in existence right now with mold in them, over 20 years ago should have been tore down.

Some of the things that y'all are clapping about you should stop and understand what you're really clapping about. The job has not begun. The job has not begun because you don't realize what's ahead. And what I mean by what's ahead, prepare your youth to be successors of the city. When I was younger you had Herman McCray coming in here and would fight and would go to jail. Now we have people that are laying over in the city and allowing the city to become what it is. Hopefully you understand the weight and the measure that's on this city. Do not take it light because what's happening is you're not the only one looking at Riviera Beach. Everyone is looking at Riviera Beach.

You got a scope on you. And if you don't realize what the scope does to you, it change you good or bad. So I say to each of you, your decisions you make, you're accountable. Your decisions you make, don't make the wrong decisions and don't go sleeping in the wrong bed. What I mean by that, don't make promises you can't keep. You got voted for a reason. Respect the reason you got voted for. If not, remove yourself. Step away. Step away. Be honorable to step away than to go to jail. That's all I say.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause).

**DEPUTY CITY CLERK BURGESS:** Is Mr. Daniel Barnett here?

**CHAIRPERSON MILLER-ANDERSON:** Who? What was the name again?

**DEPUTY CITY CLERK BURGESS:** Daniel Barnett.

**CHAIRPERSON MILLER-ANDERSON:** Who's next?

**DEPUTY CITY CLERK BURGESS:** Bishop Thomas Masters. That's our last card.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**BISHOP MASTERS:** Mr. Mayor, Chairman, the Council, President Abraham Lincoln -- I'm a little hoarse from Sunday but --

**CHAIRPERSON MILLER-ANDERSON:** State your name for the record, sir.

**BISHOP MASTERS:** I'm sorry. Thomas Masters. Bishop Thomas Masters. Abraham Lincoln in his Gettysburg Address said, "Government must be by the people, for the people and of the people lest we perish from the earth." Tonight what you have seen is that, government must be by the people, for the people and of the people. I, um, talked to Jonathan Evans this morning. And I can tell you I've listened to some of the

comments tonight but this is not about a legal issue. This is a moral issue.

I've said from day one that this was an innocent man that was treated unjustly. It was an unjust firing of an innocent man. (Applause). A couple Sundays from now I'll be celebrating resurrection day and some call it Easter. And I've been thinking about Jonathan Evans in light of the Easter and the resurrection and the crucifixion. Certainly he's not even close to Jesus. None of us are. But he was crucified. He was crucified by a council ungodly and unjustly. And there was a woman -- and I thought about the woman that were involved in the crucifixion of Jonathan Evans. But there was a woman that told someone, "This is an innocent man. Don't have anything to do with the crucifixion. He's innocent."

Two women crucified him but three women tonight resurrected Jonathan Evans, gave him justice back. This story of what happened to Jonathan Evans -- people say all kinds of things. Trumped-up charges, lies. I don't know anyone who's been lied on more than Jonathan Evans. And he's never had his day in court. They said that he was going to privatize government. I never heard him say that. They said he was going to bring back the sheriff's department. He never said that to me. I talked to him every day, two or three times a day when I was the mayor. Said he was going to bring the county sheriff back. I never heard that.

But let me tell you how unjust he was treated. That man spent a hundred hours during the hurricane in the City Hall and never left the building. We left one time and that was to go rescue people at Stonybrook. A hundred hours. And then on the night that he was fired, Madam Chair, he presented an impeccable budget that was nationally acclaimed. After presenting the budget -- (applause) -- and the council accepting by a five-oh vote, they fired him.

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

**BISHOP MASTERS:** Two people -- two women fired him but three women resurrected him. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Thank you. (Applause). Okay. So Miss Hoskins is going to address some of the questions that were brought forth. Let me have -- let me just say in regards -- I know it came up a couple times about Miss Wynn's absence. She had a prior submission of time off for this week that was put in quite a while ago. So -- and as she mentioned -- she reminded us of that last week when we wanted to make the meetings for this week. So that was already scheduled for her to be off this week.

**CITY MANAGER HOSKINS:** Madam Chair, the only comment that I have related to Mrs. Felicia Wilder and her comment about Silver Beach Road and the eminent-domain issue, the work that is being completed on Silver Beach Road is completed by the -- being completed by the County. They're widening the road and installing turnabouts. So I will

reach out to the County to see if they can provide any further information as it relates to them setting eminent domain on the city's side and not on the Lake Park side. I think that's all I have at this time. Yeah. The rest of the comments were about the city manager.

**CHAIRPERSON MILLER-ANDERSON:** Mr. Torcivia, a couple of comments that came up regarding, one, Mr. Lozman about this document. Can you answer or provide us some insight on what he's talking about?

**GLEN TORCIVIA:** Or the mediation -- I think that there was no representation of the three individuals once the case was settled and the council went to approve, there had to be a joint stipulation filed with the court. Conversations was had with the city attorney at the time, is it worth it to hire someone to represent them just for that or for the stipulation purposes? We'll just go ahead and file it and that was the decision. Just go ahead and file it. Spoke to the three of them. None of them had any objection to that. None of them wanted to get their own attorney. They already had voted on it in their official capacity.

**CHAIRPERSON MILLER-ANDERSON:** Okay. And one of the comments from Miss Larson regarding the resolution that was passed for Mr. Evans that night. And I think Mr. McCoy was mentioning it, too, about the resolution continuing to stand. I know you said you didn't think we should go down that route -- that road but, um, should there not be a resolution to -- I -- I think there should be a resolution for what we did tonight. Especially now that we're --

**GLEN TORCIVIA:** You're -- you're --

**CHAIRPERSON MILLER-ANDERSON:** -- you know, we're -- we have that one on record.

**GLEN TORCIVIA:** Right. I knew you wanted to move forward quickly tonight.

**CHAIRPERSON MILLER-ANDERSON:** Right. Right.

**GLEN TORCIVIA:** And so your motion is active. You could have a resolution at your next meeting.

**CHAIRPERSON MILLER-ANDERSON:** Come back, right.

**GLEN TORCIVIA:** That simply says the same thing.

**CHAIRPERSON MILLER-ANDERSON:** Right.

**GLEN TORCIVIA:** -- as this motion.

**CHAIRPERSON MILLER-ANDERSON:** Right.

**GLEN TORCIVIA:** Again, I wouldn't want to rescind the previous one 'cause the

previous one did the settlement agreement.

**CHAIRPERSON MILLER-ANDERSON:** Uh-huh.

**GLEN TORCIVIA:** And the release. And the release is important.

**CHAIRPERSON MILLER-ANDERSON:** Right.

**GLEN TORCIVIA:** To those individuals. That would give them a claim if you were to --

**CHAIRPERSON MILLER-ANDERSON:** Right.

**GLEN TORCIVIA:** -- void the release so --

**CHAIRPERSON MILLER-ANDERSON:** But we do need to do one to reflect what was done tonight?

**GLEN TORCIVIA:** You certainly could do that.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So we'll have that --

**GLEN TORCIVIA:** For your records, right.

**CHAIRPERSON MILLER-ANDERSON:** -- for -- bring back for the next meeting for us to make sure we go ahead and ratify it, right? Okay.

**CITY MANAGER HOSKINS:** Do you want that -- that --

**CHAIRPERSON MILLER-ANDERSON:** Huh?

**CITY MANAGER HOSKINS:** Madam Chair, that item will be added on to -- will be added as an agenda item for the 17<sup>th</sup> meeting, correct?

**CHAIRPERSON MILLER-ANDERSON:** Right. Because we need to --

**CITY MANAGER HOSKINS:** Okay.

**CHAIRPERSON MILLER-ANDERSON:** -- make sure we have that resolution addressed. Are you all fine with that --

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

**CHAIRPERSON MILLER-ANDERSON:** -- Council?

**COUNCILPERSON McCOY:** (Unintelligible).

**COUNCILPERSON LANIER:** Yeah. I -- I'm trying to figure out now. What are we saying? I'm -- I'm really trying to figure out what's the next step with this process. If we

made a motion tonight, it was seconded, it was approved. That comes out of the contract. We -- on the 17<sup>th</sup>, we come with the resolution to ratify that?

**GLEN TORCIVIA:** That's what it -- that's what it sounds like, that the Chair would like a resolution so that your records, I guess, from a --

**CHAIRPERSON MILLER-ANDERSON:** Memorializing it.

**GLEN TORCIVIA:** -- record keeping standpoint.

**COUNCILPERSON LANIER:** Right. Memorialize.

**GLEN TORCIVIA:** And -- and if I could follow up on that question, uh, am I taking it that you would like the staff to go ahead -- Miss Busby and myself to send Mr. Evans a proposed amendment so he can sign it before the 17<sup>th</sup>? Or do you want to wait --

**CHAIR PRO TEM BOTEL:** Yes. Yes.

**GLEN TORCIVIA:** -- till you actually see it on the 17<sup>th</sup>?

**CHAIRPERSON MILLER-ANDERSON:** No. Go ahead.

**CHAIR PRO TEM BOTEL:** No. Go ahead.

**CHAIRPERSON MILLER-ANDERSON:** Is that -- I think that's what everyone wanted.

**CHAIR PRO TEM BOTEL:** Yeah.

**COUNCILPERSON LANIER:** Yes. Yes.

**CHAIRPERSON MILLER-ANDERSON:** For it to go ahead and move forward. Are we --

**CHAIR PRO TEM BOTEL:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** -- everybody on board with that, Mr. McCoy and, um, Mr. Lawson? What we voted on earlier, and that's -- that was what he stated for us to go -- to just do it separately. That's why we had Dr. Botel to separate it, for them to go ahead and get the settlement amendment to Mr. Evans.

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

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM BOTEL:** I have a question. So I -- I believe it is the will of the rest of this council that we move forward expeditiously. And in addition to providing Mr. Evans with the amended agreement, that we also -- if once that is signed, and as soon

as that is signed, we enter into conversations with him about his willingness to come back and to begin the contract negotiations with him.

**GLEN TORCIVIA:** Yeah. I -- I --

**CHAIR PRO TEM BOTEL:** So that -- that -- that would have to happen after he signs that. And that's what I'm -- that's what I'm understanding the process to be. Am I correct?

**GLEN TORCIVIA:** Correct. And after the -- and after you both sign it -- and so I was assuming -- maybe I'm wrong -- that on the 17<sup>th</sup> meeting you would actually pass a separate motion to do what you just said.

**CHAIR PRO TEM BOTEL:** Yes. Yes.

**CHAIRPERSON MILLER-ANDERSON:** Right. Right. Everybody clear on that?

**COUNCILPERSON LANIER:** I -- no, I'm still not clear. Why are we waiting till the 17<sup>th</sup> to move forward with the negotiations?

**GLEN TORCIVIA:** Well, the motion tonight was to rescind -- I'm sorry, to amend the agreement to take out paragraph H. So we already have a draft of that amendment provided to Miss Busby. She can get it out to Mr. Evans tomorrow and once he signs it and sends it back, then it will be for you all to sign. That only took away H which was prohibiting him from moving forward. I think the next motion which is the two steps we talked about is a follow-up motion after that's been signed that says we want to negotiate with him. And that can happen on the 17<sup>th</sup>.

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

**CHAIRPERSON MILLER-ANDERSON:** Hold on. Are you clear, Miss Lanier?

**COUNCILPERSON LANIER:** I am clear on that part. But there's also another part that needs to be added to that. And that part is from the very beginning of this, Mr. Evans' name was never cleared. He, without any of this -- if it goes down or not, his name needs to be cleared regardless. That means that there should be a resolution put forth that they clear his name. They tried to do it legally. They fired him with cause. They came back and the lawyer said, No, we didn't fire him with cause but we saw it. So it was a lie in the record which means that we need to pass a resolution to actually clear that man's name from the City of Riviera Beach. Because that was something we did wrong.

**GLEN TORCIVIA:** And -- and if I could, um -- (applause) -- that was actually discussed with Mr. Evans during that settlement conference, that mediation. And that's why the way the agreement was worded, the -- there is no requirement in the agreement for a name-clearing hearing because the agreement says that we rescinded the termination and that there was no evidence of misfeasance or malfeasance. So we -- this



document essentially will clear his name 'cause it's -- and that's what his -- he -- he wanted it that way. He wanted it so that the record was changed so that he was not terminated and --

**COUNCILPERSON LANIER:** I -- I understand that. I want to --

**GLEN TORCIVIA:** So if you want -- if you want to do it, you're still allowed to do it.

**COUNCILPERSON LANIER:** Yes. Yes. I don't -- I don't -- I want to propose so that the City itself makes amends for that. Not in a contract. Not what a lawyer says. But the City itself make -- makes amends for that mistake for how he was treated. That was not fair. We know it wasn't fair. And we should make amends for that.

So that regardless of what happens after this, that at least the man's name is cleared with the City of Riviera Beach, and at least we're known for owning up to our mistakes and being able to clear someone's name who was found legally not accountable for what they say he had done. So how do I move forward with the resolution to do that? Is it on the next agenda or how do we do that?

**GLEN TORCIVIA:** You could either do it on the next agenda or since you're probably going to authorize negotiations with him at the next meeting, maybe that's a conversation with him. He may not want that anymore because of this. I mean, he may; he may not. So it might be prudent --

**COUNCILPERSON LANIER:** This is not for him. This is for the City of Riviera Beach.

**GLEN TORCIVIA:** Understood. And you could do that. You could move forward with that.

**COUNCILPERSON LANIER:** Thank you.

**GLEN TORCIVIA:** And generally with a name-clearing hearing is the person comes before you and says things that clears his name. And I don't know whether he's gonna want to go through that process. He might; he might not. That's my only suggestion that you might want to talk to the man before you do that because maybe he wants to move beyond that.

**CHAIRPERSON MILLER-ANDERSON:** So let me -- can I --

**GLEN TORCIVIA:** And I -- I hear you.

**CHAIRPERSON MILLER-ANDERSON:** -- make a suggestion? Um, during our - - we have a meeting next week. We can put that on -- have them work on a resolution. Basically what you're asking us to do is just to provide some sort of apology, if you will, or just acknowledgment.

**COUNCILPERSON LANIER:** I just want the record to show for prosperity, for however long the city's going to be in existence, that we made a mistake that night and we have to own up to that. So for -- however that needs to be done, to be able to clear us of our mistake.

**CHAIRPERSON MILLER-ANDERSON:** So Miss Hoskins is asking can that go in that same resolution that we're going to bring back or can -- do we need to make another motion to have that done?

**GLEN TORCIVIA:** I think a separate resolution would be cleaner.

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

**GLEN TORCIVIA:** There's two separate resolutions.

**CHAIRPERSON MILLER-ANDERSON:** So you need for us to have -- for her to make a motion for that? Okay. Miss Lanier? They need a motion for that.

**COUNCILPERSON McCOY:** Point -- point of clarification.

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

**COUNCILPERSON McCOY:** We've still got -- um, I think we're going down a line -- Madam Chair, I wanted to just respond to what we're doing now because I don't really understand.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Is it not working? Tap it. Yeah, it's --

**COUNCILPERSON McCOY:** I believe I heard Mr. Torcivia say that because the mayor in his official capacity didn't sign a resolution, didn't make it not -- it wasn't unenforceable because he didn't sign. So if that's true, then what's prohibiting us from starting the conversation about negotiations here today because a signature is not binding. So I mean, we're going to wait till the 17<sup>th</sup> to get a formal item placed on the agenda just so we can sign it?

**GLEN TORCIVIA:** No, it's that Mr. Evans has to sign it, as well. And if you want to sign the proposed amendment tonight I could pass a draft out and you look at it, and if you're happy with it, you -- you can authorize the Chair to sign it right now. Mr. Evans having -- sign one first. And then if he signs it tomorrow then that provision is gone.

**COUNCILPERSON McCOY:** Right. But Mr. Torcivia, I'm just speaking of -- let's just -- agreement aside, the motion I believe was to remove the provisions out of the agreement. If we all have agreed unanimously, I don't understand why we need to come back because we don't need signatures for a resolution to be effective. We've already satisfied that we're unanimously supporting that that provision is removed from the contract. Let's move on to the next item. We can sign it at any point. Am I right?

**GLEN TORCIVIA:** But he has to sign it, as well. That's --

**COUNCILPERSON McCOY:** No, no. He doesn't have to sign the resolution that I'm speaking of.

**GLEN TORCIVIA:** No. He has to sign the amendment that removes that provision, 'cause he's the one that's bound by that so he's gotta agree to it.

**COUNCILPERSON McCOY:** And I understand that. But you're going to bring an item back with the signed new agreement?

**GLEN TORCIVIA:** No. It's just that if -- if -- we have an -- we have -- maybe I should just pass out the draft amendment and if you all like this document, you can go ahead and tell the Chair sign it tonight, and then Mr. Evans could have it tomorrow and if he signs it tomorrow, then that -- then that amendment is effective.

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

**CHAIRPERSON MILLER-ANDERSON:** Hold on one minute.

**COUNCILPERSON McCOY:** But it's -- I -- I'm -- okay.

**CHAIRPERSON MILLER-ANDERSON:** Hold on. No, no. Hold on one minute.

**COUNCILPERSON McCOY:** Go ahead. Go ahead, Doctor.

**CHAIR PRO TEM BOTEL:** I just -- my question is does the document that you have exactly resemble the original settlement agreement minus Section H?

**GLEN TORCIVIA:** No. The amendment simply says that the parties agree to amend the agreement by taking out Section H.

**CHAIR PRO TEM BOTEL:** Okay. So --

**GLEN TORCIVIA:** And -- and --

**CHAIR PRO TEM BOTEL:** -- I think that's exactly what we voted on unanimously.

**GLEN TORCIVIA:** Right.

**CHAIR PRO TEM BOTEL:** So --

**GLEN TORCIVIA:** So, again, if you want me to pass it out and then the Chair's comfortable tonight --

**CHAIR PRO TEM BOTEL:** It would just --

**GLEN TORCIVIA:** But Mr. Evans still needs to sign. That's --

**CHAIR PRO TEM BOTEL:** I know.

**GLEN TORCIVIA:** -- the issue that I think, Mr. McCoy, I'm trying to address is --

**COUNCILPERSON McCOY:** Well, no, no. Stop.

**GLEN TORCIVIA:** Okay.

**COUNCILPERSON McCOY:** What does Mr. Evans need to sign? He doesn't sign our resolutions.

**GLEN TORCIVIA:** So let me back up. The City and Mr. Evans signed an agreement together. You have a contract with him. One party can't unilaterally change a contract.

**COUNCILPERSON McCOY:** I understand that. What I'm saying right now is can we move on the resolution? If the agreement has to be signed by him, that's something that can occur at a later date. But by us signing the resolution right now that also allows us as a board to send you back with not just the agreement; we'll send you guys back to start negotiations, as well, so that we don't have to come back here and then go back again. So let's do it all in one fell swoop.

Because the reason I'm bringing that up is because I don't remember where I heard it, but there was a city manager that was fired because he was interested in the -- well, a city manager at a -- at -- at a municipality was fired because the board found out that he was applying for another position. What I don't want to do is get in the middle of a pause where we start this process and then we send him a document and it may adversely affect his current employment.

So what I'm saying is let's execute the resolution tonight, and then if a member of this board so chooses to also put a motion on the floor to direct staff to enter into negotiation with Mr. Evans, then tomorrow staff and the attorney can send both the agreement that's been amended and the directive to begin negotiation with Mr. Evans so that way there's no opportunity for it to adversely affect him in his current job. (Applause). So is that palatable?

**GLEN TORCIVIA:** Well, again, the concern that we both have is again that's why we talked about the two steps, because until he signs it, that old agreement is still in effect. And -- and if you begin taking steps, there's an argument and there's already risk. I don't want to increase the risk. Why create increased risk over a couple of days, frankly, is -- is a concern.

Until he signs it, you're both still bound by that old agreement. Until you sign it and he signs it, the old agreement is still in effect. I don't want to put him in a position where if one of you call him tonight and begin negotiating, someone could argue that he's in breach of the agreement 'cause he hasn't signed it yet. I don't want to put him in that

spot. I don't want to put you in that spot.

**COUNCILPERSON McCOY:** Well, I mean, they've already sent us a letter suggesting that it will be a breach in agreement, so I mean, that's just -- you know, I understand what you're saying, but I just thought it was a way to do it a little more efficiently.

**GLEN TORCIVIA:** I'm -- I'm just trying to protect you.

**COUNCILPERSON McCOY:** Thank you.

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

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CHAIR PRO TEM BOTEL:** I understand, Mr. Torcivia, that, um, we want to wait until Mr. Evans signs the agreement and then that agreement is no -- then the agreement that is in effect does not have Section H. Okay?

**GLEN TORCIVIA:** Yes.

**CHAIR PRO TEM BOTEL:** We're both going to sign it and that agreement will be in place. The minute we sign it and Mr. Evans signs it, at that point -- and I now make a motion that says, At that point when that agreement is signed by both parties, at that point can you begin to enter into negotiations with Mr. Evans.

**GLEN TORCIVIA:** I'm hearing loud and clear that that's what you want to do.

**CHAIR PRO TEM BOTEL:** Yes.

**GLEN TORCIVIA:** So if that's what you want to --

**CHAIR PRO TEM BOTEL:** Without -- without jeopardizing ourselves --

**GLEN TORCIVIA:** Right.

**CHAIR PRO TEM BOTEL:** -- and getting ourselves in any more risk.

**GLEN TORCIVIA:** Right. Right.

**CHAIR PRO TEM BOTEL:** I think the -- we have consensus on this board that we would like to move forward as quickly as possible. As long as Mr. Evans and the city have signed the agreement, I think we see no reason for waiting any longer to begin negotiations.

**GLEN TORCIVIA:** Again, you -- you have that ability.

**CHAIR PRO TEM BOTEL:** Okay.

**GLEN TORCIVIA:** It -- it's --

**CHAIR PRO TEM BOTEL:** So I make a --

**GLEN TORCIVIA:** You -- you're going to have a slight risk by doing it but if, you know, it's a risk that the city's willing to take that little bit of additional risk, you can go ahead and -- and make a motion that says that.

**CHAIR PRO TEM BOTEL:** Then I'm making a motion that say -- I am making a motion that as soon as the City and Mr. Evans have agreed by signing that Section H is removed from the original settlement agreement, that we are asking staff to begin conversations with him to determine if he's willing to come back and to begin contract negotiations.

**COUNCILPERSON LANIER:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Madam Clerk? Is there a concern, Mr. Torcivia?

**GLEN TORCIVIA:** Yes. And actually --

**COUNCILPERSON McCOY:** Well -- well --

**GLEN TORCIVIA:** -- we were just -- all right. Look, I think we should pass out that amendment now and let's get that done 'cause it --

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**CHAIR PRO TEM BOTEL:** Yeah.

**GLEN TORCIVIA:** -- it's going to be that quick then let's -- let's move --

**CHAIRPERSON MILLER-ANDERSON:** Okay.

**COUNCILPERSON McCOY:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON McCOY:** I appreciate the excitement and enthusiasm of our board members but, you know, let's -- from a parliamentarian standpoint you just don't throw a motion on the floor, because while you're talking about a motion, you got members that still haven't commented. So I don't want to -- you know, I don't want to preclude them from having dialogue, especially the Mayor, because, you know, I was really not understanding how this was going to work. I thought we were going down the line. So I certainly respect your motion. But I think Council Member Lawson may have had a --

**CHAIRPERSON MILLER-ANDERSON:** Well, they have an opportunity to speak

after the motion is made and then --

**COUNCILPERSON McCOY:** Right. But -- but now I -- I disagree, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Uh-huh.

**COUNCILPERSON McCOY:** Here's why. She's bringing up negotiations when it's not been resolved whether we all understand how this provision of the resolution is going to be executed. And I thought it was going down the line. But, you know, there is some other concerns that I had, and I didn't want to take up too much time.

**CHAIRPERSON MILLER-ANDERSON:** No, take your time. Whatever it is you need to say, go ahead.

**COUNCILPERSON McCOY:** Well, so I just wanted to know before you placed the motion exactly the timeline, because everything is time sensitive. So before, you know, you -- you offer that motion, let's kind of have an idea of, you know, where we are, because we got three meetings this week and, you know, I'm on a committee at the school district. I have another meeting so I don't want to start something and then we figure out later that it doesn't work with the time schedule.

So let's kind of figure out and, you know, dialogue about what exactly is the next steps and the timeline on how we execute not only the resolution, the accompanying modified or amended agreement and also the negotiations. So that will kind of make it a little more crisp and see how it works with our other schedules, 'cause we'll be back Saturday on an interview which is not a meeting. So that's kind of what I just wanted to share.

**CHAIRPERSON MILLER-ANDERSON:** All right. Anyone else have any comments? Any comments regarding -- did you -- do you -- are you satisfied where we are now or --

**COUNCILPERSON McCOY:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Mayor, anyone have any comments?

**MAYOR FELDER:** Yeah, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**MAYOR FELDER:** I just want to make sure. This is the best -- to the attorneys, this is the best way to do this right now where we won't face a backlash down the line?

**GLEN TORCIVIA:** Uh, I won't say the best. The safer way to do it is at this --

**UNIDENTIFIED SPEAKER:** We can't hear you.

**GLEN TORCIVIA:** Sorry. The safest way to do it is to sign the amendment that we're passing down that you already approved, let Mr. Evans sign it, and then after that, make this motion. But if you want to make this motion now, you recognize that you're slightly increasing the risk, you can do that. It's not -- nothing illegal about any of this. It's just a question of degree of risk.

**MAYOR FELDER:** And -- and my colleagues, is that what we want to do tonight?

**COUNCILPERSON LAWSON:** Madam Chair?

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

**COUNCILPERSON LAWSON:** I -- I understand there's a lot of excitement to get this done immediately. And I would take the recommendation if we're trying to minimize our risk and keep our risk down and go with the attorney's recommendation to just wait to bring the resolution to the next meeting, because I'm very clear that all of us seem to be for bringing back Mr. Evans. I just want it to be done fairly. And if there's going to be a risk and we're going to allow for a risk, then why are we putting ourselves and the City into this position? Mr. Evans --

**COUNCILPERSON LANIER:** Madam --

**CHAIRPERSON MILLER-ANDERSON:** Hold on.

**COUNCILPERSON LAWSON:** Mr. Evans currently has a job. There's no guarantee we'll be able to negotiate a contract with Mr. Evans. We need to do the right process for the City. For that process, if there's going to be a risk, what I would recommend is going with our attorney's recommendation versus what we see fit.

**CHAIR PRO TEM BOTEL:** Madam Chair, I'd like to amend --

**CHAIRPERSON MILLER-ANDERSON:** Hold on. Did, um, Miss Lanier have a question?

**COUNCILPERSON LANIER:** Uh, yeah. Madam Chair, we are all meeting on Saturday, which means that we're all going to be together on Saturday anyway. So what we can do in -- in the essence of time -- and then we're talking about timelines, and I do understand that this needs to be done correctly. I do not want to get off track here. I do not want to, um, mess this up. I want to be able to do this cleanly, to do this fairly, and for everybody here to know what we're doing. So what we can do is we can go over the agreement. We can have Mr. Evans and the other parties sign the agreement and then we can start negotiations. Because we will be having a meeting on Saturday, all of us. We can have a special meeting on Saturday to be able to take care of that and move forward.

**COUNCILPERSON McCOY:** No. We can't vote. It's a workshop.



**COUNCILPERSON LANIER:** We can have it after that.

**CHAIR PRO TEM BOTEL:** So what --

**CHAIRPERSON MILLER-ANDERSON:** Let me -- let me say this. So with the -- having it on Saturday, it's a public meeting -- a public workshop interview. Um, but we would need to call a special meeting, and we would need to make sure our attorneys can be here, as well, on Saturday.

**COUNCILPERSON LANIER:** The attorneys work for us.

**CHAIRPERSON MILLER-ANDERSON:** Right. But we know typically Monday through Friday is when they're expected. So we do want to make sure that someone would be available for the -- and I agree with you. And you know I do. But we just want to be mindful of that since we're coming up with this now.

**COUNCILPERSON LANIER:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** So -- yes?

**COUNCILPERSON LANIER:** I'm sorry. I just wanted to say that nothing about the last two years -- nothing about what is happening with the City now, nothing about what is going on in terms of how we need to be able to move quickly because our city -- I -- I mean, you -- people -- we're in the news every other day. We need to be able to move quickly on issues.

We cannot just keep talking and talking and talking and saying that we're going to move and we're going to -- we need to be able to sit here, work this out, be able to do this the most expeditiously way that we can. Because we really don't have time to go back and forth with this. We have a five-oh vote here. We need to move forward and put our -- put a timeline together so that we can go ahead and -- and -- and be done with this.

We have a lot of issues. A lot of issues with the city that we need to focus on. So we need to take care of this the most less risk, of course, the best way that the public knows what's happening and the best way that we can work this so that we will not be in a position five years down the road that, you know, we should have done something differently. And I agree with that. We can take our time. But we also have to understand that we -- what we signed up for when we became elected was that we knew what we were getting into.

And we knew that this was going to be something that we had to take Saturdays, come late, stay -- come early, we knew -- we knew what we were getting -- we -- what we were getting into. So I don't think that, you know -- I understand the counsel and that's very respectful and we're supposed to do that. But I also understand that we need to be able to move, and we need to be able to make sure and make decisions and not drag our feet.

**CHAIRPERSON MILLER-ANDERSON:** On Monday -- you all may -- (applause) -- want to consider this, as well. We have a Utility District meeting on Monday and Miss -- when we have our interviews on Saturday, we cannot announce our number one candidate for the interim so we have to do it on a meeting on Monday. So we can call for a special meeting right after or before the Utility District meeting to address this issue that you want to have done, that you were speaking of. So does she need to rescind that motion that she just made about going into negotiations?

**CHAIR PRO TEM BOTEL:** I -- I rescind my motion.

**CHAIRPERSON MILLER-ANDERSON:** Okay. It's being rescinded based on what he's saying on -- we'll get the contract signed. On Monday we're going to ask for a special meeting immediately -- we can do -- would you all want to do the Utility District first or do the special meeting first?

**CHAIR PRO TEM BOTEL:** Do the special -- special meeting first.

**CHAIRPERSON MILLER-ANDERSON:** Council?

**COUNCILPERSON LANIER:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Would you like to do the special meeting regarding this -- getting this information -- the negotiation moving first or do you want to -

**COUNCILPERSON LANIER:** First.

**CHAIR PRO TEM BOTEL:** First.

**COUNCILPERSON LANIER:** First.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So Lawson and, um, McCoy, what's your pleasure?

**COUNCILPERSON LAWSON:** It can go first.

**COUNCILPERSON LANIER:** I want people to be able to come to --

**CHAIRPERSON MILLER-ANDERSON:** Mr. McCoy?

**COUNCILPERSON McCOY:** I'm just looking at the calendar for Monday and I don't know what the agenda is so whatever we have -- I mean, whatever the consensus is I'll go with it.

**CHAIRPERSON MILLER-ANDERSON:** Okay. All right. So we'll --

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

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** She rescinded her motion. Is the second also rescinded?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**DEPUTY CITY CLERK BURGESS:** Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So on Monday at 6 p.m. we'll have a special -- we're going to call a special meeting to address the issue in terms of moving forward with negotiations. Correct? Is that the right thing to say? Mr. Torcivia, Miss -- Miss Busby? Yes? Okay. So, um, and then we'll have the Utility meeting set to be immediately following that meeting. So we'll just have to update that one for the Utility District.

**DEPUTY CITY CLERK BURGESS:** Okay. Can I get a, um -- a motion and a second on that and that way you -- I don't need any of the signatures.

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

**CHAIRPERSON MILLER-ANDERSON:** Do we have a second?

**COUNCILPERSON LANIER:** Second.

**CHAIRPERSON MILLER-ANDERSON:** Okay.

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

**COUNCILPERSON LAWSON:** Yes.

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

**COUNCILPERSON McCOY:** Yes.

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

**COUNCILPERSON LANIER:** Yes.

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

**CHAIR PRO TEM BOTEL:** Yes.

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

**CHAIRPERSON MILLER-ANDERSON:** Yes.

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

**CHAIRPERSON MILLER-ANDERSON:** Okay. Now, I'm not sure but Miss Lanier, your point -- did we clear her point about the -- the clearing of his name resolution that you were --

**COUNCILPERSON LANIER:** No. I -- I --

**CHAIRPERSON MILLER-ANDERSON:** -- looking for?

**COUNCILPERSON LANIER:** Yeah. I understand what the attorney was saying in terms of it being a part of the contract. But I -- I really want to -- and I'm -- I'm -- with the consensus of the board, I want to direct the attorneys to ask that question to Mr. Evans. Um, I want to be able to have that be something he would want, as well.

**CHAIRPERSON MILLER-ANDERSON:** Okay. So find out also and then let us know about that.

Okay. Do we have any discussion by the City Manager?

### **DISCUSSION BY CITY MANAGER**

**CITY MANAGER HOSKINS:** Madam Chair, tonight you wanted to, um, get an update on the interim city manager --

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**CITY MANAGER HOSKINS:** -- positions and Miss Eureka Irvin is here to talk about the interim city manager process.

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**HR ADMINISTRATOR IRVIN:** Eureka Irvin, Human Resources Department. I want to provide you an update on the -- the applications that we have -- that have been received thus far in the HR Department. So last Friday five résumés were, um, received in the department. From that five, three applicants are remaining and said that they are available should they be selected for interviews on Saturday.

Today the HR Department received 11 additional applicants from the posting on the City's website as well as the advertisement in the Florida League of Cities. You all have been forwarded all of the applications as of 5:30 p.m. today. I know the inquiry was if there were city employees, department heads or assistants, to submit a résumé for consideration. We had from that 11 -- no, we had -- yeah. From that 11 one of those was a city employee. So you all have been asked to provide Miss Hoskins and my -- and the HR Department your top three candidates from the applications that you have been supplied. From your top three, those applicants will be interviewed on Saturday. Saturday's interviews is a workshop. So at that workshop during the interview process, you will not -- the applicants will not be scored. However, you could take personal notes to help you make that decision. At a later date, you will provide the department your top

candidates from that interview. You later, from that selection as we -- as we move forward, those top three will be presented to you for consideration for the interim city manager position.

**COUNCILPERSON LANIER:** I need to ask a question. Madam Chair? So on Saturday what are we actually doing? We're going through -- we're going through the --

**HR ADMINISTRATOR IRVIN:** You have --

**COUNCILPERSON LANIER:** -- the top three? Is that what you're saying?

**HR ADMINISTRATOR IRVIN:** Saturday -- yes.

**COUNCILPERSON LANIER:** So we're not making a decision on Saturday?

**HR ADMINISTRATOR IRVIN:** No.

**COUNCILPERSON LANIER:** Why?

**COUNCILPERSON McCOY:** 'Cause it's a workshop.

**CITY MANAGER HOSKINS:** Madam Chair?

**ASSISTANT CITY ATTORNEY BUSBY:** Miss Irvin, do you want --

**HR ADMINISTRATOR IRVIN:** Yeah. It's --

**COUNCILPERSON LANIER:** Okay.

**CITY MANAGER HOSKINS:** It's a workshop.

**COUNCILPERSON LANIER:** Okay.

**ASSISTANT CITY ATTORNEY BUSBY:** Madam Chair? During a workshop -- Madam Chair?

**CHAIR PRO TEM BOTEL:** Yes.

**ASSISTANT CITY ATTORNEY BUSBY:** May I address that?

**CHAIR PRO TEM BOTEL:** Yes.

**ASSISTANT CITY ATTORNEY BUSBY:** For Councilperson Lanier, during a workshop the council will take no action. It's not a -- a noticed meeting, per se, so they're not going to be taking action. That's why you will not make a decision on that day.

**COUNCILPERSON LANIER:** Madam Chair, so what are we doing? We're going to what, give you the top one that we pick? Is that what you're saying?

**HR ADMINISTRATOR IRVIN:** Yes. You will select your top -- if we do -- I don't -- wait a minute.

**COUNCILPERSON LANIER:** Yes.

**HR ADMINISTRATOR IRVIN:** 'Cause we have not decided from -- from the five, you're going to select five or your top -- or your top three. That has not been decided yet. Normally it would be your top, um --

**UNIDENTIFIED SPEAKER:** -- three.

**HR ADMINISTRATOR IRVIN:** -- you will interview at least five. Normally that's how we do it. From that five you select your top three.

**COUNCILPERSON LANIER:** I see. I see.

**HR ADMINISTRATOR IRVIN:** Okay.

**COUNCILPERSON LANIER:** Okay. Okay. I got it now.

**HR ADMINISTRATOR IRVIN:** And then once you have selected your top three, I present to the council the remaining applicants. Once -- once I give you that list of remaining applicants, you will do your discussion and deliberation to narrow down your candidate that you want to offer the interim position.

**COUNCILPERSON LANIER:** So if I'm -- I'm sorry.

**CHAIR PRO TEM BOTEL:** Go ahead.

**COUNCILPERSON LANIER:** Madam Chair, so if I'm understanding you, I just want to be able to understand how this works. So after Saturday we have another meeting?

**HR ADMINISTRATOR IRVIN:** Yes. You're going to have another meeting.

**COUNCILPERSON LANIER:** So we have another workshop or is it --

**HR ADMINISTRATOR IRVIN:** You're going to have the workshop Saturday.

**COUNCILPERSON LANIER:** -- like a regular meeting? Okay.

**HR ADMINISTRATOR IRVIN:** By Monday you will provide your --

**COUNCILPERSON LANIER:** Okay. I got that.

**HR ADMINISTRATOR IRVIN:** -- your top one.

**COUNCILPERSON LANIER:** Uh-huh.

**HR ADMINISTRATOR IRVIN:** At your council meeting on --

**COUNCILPERSON LANIER:** At the council meeting --

**HR ADMINISTRATOR IRVIN:** Yes.

**COUNCILPERSON LANIER:** -- we do that? Okay. All right. I got it now.

**HR ADMINISTRATOR IRVIN:** Okay. All right.

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

**COUNCILPERSON LANIER:** It's not (unintelligible) --

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

**CHAIR PRO TEM BOTEL:** I have a question. Just -- just as a point of curiosity, so if I select numbers one, two and three and Councilperson McCoy selects as his top number four, five and six, Miss Lanier selects numbers seven, eight and nine and so on, how will you ever come to the -- to the three that we interview by Saturday?

**HR ADMINISTRATOR IRVIN:** If that is the -- the situation, we will ask you to select again.

**CHAIR PRO TEM BOTEL:** Okay.

**COUNCILPERSON LANIER:** See, that's why I was -- I'm sorry. Madam Chair?

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

**COUNCILPERSON LANIER:** That's why I was asking for some type of scoring or evaluative measure so that you could compare the scores from us and come up with the top three from those scores. And you're saying that there is no need for a score sheet? But given this scenario, you would need something instead of us -- 'cause I'm asking about meetings because we're going to come to a next meeting and then if that doesn't work out, we're going to come to a next meeting. I'm -- I'm --

**HR ADMINISTRATOR IRVIN:** In most cases you will have -- after the interviews, you will have a consensus of who your top applicants are. So --

**COUNCILPERSON LANIER:** How do you know that?

**HR ADMINISTRATOR IRVIN:** -- it was -- you will be there judging the applicants. You will be there hearing and seeing the applicants. It is very rarely would you have a wide spectrum of a lone candidate, you know, where everybody have one two and three and four, five and six and seven, eight and nine. That's not the -- most -- most of the time that is not the case. But if you want -- want us to provide scores, if you want to score, if you're comfortable writing scores or keeping scores that would be the direction that we

would go.

**MAYOR FELDER:** Madam Chair?

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

**MAYOR FELDER:** I think for the sake of time, 'cause (unintelligible) be out on the 18<sup>th</sup>, I think the score system is the best. That way you pick the top three scores so we - - just in case we don't run into that one, two, three; four, five, six, and -- and then we have to come back to the table.

**CHAIR PRO TEM BOTEL:** Madam Chair? I -- I devised a matrix for myself that has things like whether or not the person has city manager experience, whether or not the person has an MBA or an MPA, which is a -- a Management of -- of Public Administration. I also included the years of service in administration. And then I included a column for other characteristics that would be unique perhaps to that individual so that we could consider those if there are strengths that are not considered in the thing.

What I would really like to see would be HR assigning a -- a -- a weight to those things. Like, is it more important to us to have the person with city manager experience or with an MPA? What's -- what -- what are the important things that we're looking for, or do those other characteristics that I mentioned have unique -- a unique scoring of their own? And then you would have -- at the end of the day you'd have scores from us and you could say, Okay. Well -- at least that would give you something to look at other than just one, two and three.

**HR ADMINISTRATOR IRVIN:** You will have to tell me how to weight the -- the - - the options there.

**CHAIR PRO TEM BOTEL:** Don't -- doesn't HR usually do that?

**HR ADMINISTRATOR IRVIN:** Yes, we do do that, but I need to know what is important to -- to you, because I can't just arbitrarily go and make that decision for you.

**CHAIRPERSON MILLER-ANDERSON:** Okay. I hear -- I hear what everyone is saying and I definitely agree. But I -- I will ask that -- we have a meeting -- what is today? Wednesday? Right? Okay. So Saturday we come for the interview. I just want to take you back to when Mr. Evans was hired or when he interviewed. We did a scoring sheet and, um, I -- I -- some of -- and maybe you can provide that -- send that to them so they can see what it looks like.

And between now and Friday they can give input to the manager and -- and HR as to whether or not this is something that you want to follow. Obviously, you know, when the people are interviewing it's public. Everyone sees it. And your scoring probably needs to match what appear -- what is appearing. That did not -- in my opinion, did not happen before. But you all are different people. You know? So -- but they -- that -- they do have



something, and I think they're just being a little hesitant about leaning that way because it was a serious problem from my perspective.

**COUNCILPERSON McCOY:** Madam Chair, members.

**CHAIRPERSON MILLER-ANDERSON:** Uh-huh.

**COUNCILPERSON McCOY:** And I echo the same sentiments. I don't want to grade anybody. If we do ranking that's fine because someone can have a stellar résumé, but then when I look at their name on, uh, a past employment or a news article, that may, you know -- that may, for me, not want to really select that candidate. But if I'm bound -- and first of all, there's no -- there's very -- this is a lot of subjectivity because we come from varying backgrounds. So somebody that I think is a consummate professional may not necessarily be the same for you, Miss -- Madam Chair, since you're in education and I'm -- you know, I have an accountant background.

So I would much rather rank. And if we have five choices, I think we have to go from there because if you're going to tell me I need to grade this person based on their government experience and management of employees, you know, I mean, you manage -- and -- and I mean, I'm not funny, but you managed two custodial positions. I mean, that's not the same as managing a department. So I don't -- I mean, we're getting down in the weeds when we start to try to grade them on a specific set of criteria.

I think ranking is -- excuse me -- better but I don't want an applicant to leave from this process and now we've created a public record that city council didn't think that this person was strong in this area. And not only that, members, I think it was five minutes ago, we didn't have a ranking process or a scoring process for Mr. Evans. We just selected him. So if you rank your candidate, I think that's a safer bet than to subject us in our scoring to try to be judgmental of someone's ability. And I don't -- I want to get it done in the most expeditious process. But I don't want anybody to be mad at me if I didn't give them the grade that they believe is -- is, you know, what their strong point is. So if we do -- so -- and I understand that there could be an anomaly where nobody has something in common but five voting members -- I'm sorry, Mayor. You don't get to vote. But if we got five scores and we -- I'm sorry, if we have five candidates to choose from, there's going to be some commonality at some point. Just statistically somebody's going to match.

**CHAIR PRO TEM BOTEL:** Uh-huh.

**COUNCILPERSON McCOY:** You know, we can't all have five completely different candidates 'cause we don't have that many. So I think from there that gives HR some framework. But I -- I'm not going to put my rankings of a person's ability down 'cause I think that's not fair, and I don't want to make this a process that turns into some sort of humiliation or some -- or inadequacy.

**CHAIRPERSON MILLER-ANDERSON:** And I think once we start having the  
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conversations, we can kind of, you know, come to a consensus or -- or be able to debate and -- and meet some middle ground on a candidate or two and narrow it down just through conversation. And all of those points that you addressed, we can then say, you know, I feel like this person was stronger in this area or however you want to have the conversation to narrow it down to where we want to go. All right? Okay?

**HR ADMINISTRATOR IRVIN:** All right.

**COUNCILPERSON LAWSON:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Yes.

**COUNCILPERSON LAWSON:** How many interviews are we going to be doing on Saturday?

**HR ADMINISTRATOR IRVIN:** What was the question?

**CHAIRPERSON MILLER-ANDERSON:** How many interview -- how many people are we interviewing on Saturday?

**HR ADMINISTRATOR IRVIN:** Okay. You have been asked to select your top three. So there'll be at minimum three candidates.

**COUNCILPERSON LAWSON:** Okay. I -- from my understanding, um, you explained that we're going to be -- there would be five individuals and then from that we would be doing a top three?

**HR ADMINISTRATOR IRVIN:** Yes.

**COUNCILPERSON LAWSON:** So are we interviewing five or three?

**HR ADMINISTRATOR IRVIN:** You will be interviewing three 'cause you were asked for your top three. I thought it was five but it's your top three.

**COUNCILPERSON LAWSON:** Okay. So we're interviewing just our top three on Saturday. So today we have to issue to Miss Hoskins our top three people from the 11 résumés that we received today?

**HR ADMINISTRATOR IRVIN:** Yes.

**COUNCILPERSON LAWSON:** And the five that we received last week?

**HR ADMINISTRATOR IRVIN:** Yes.

**COUNCILPERSON LAWSON:** Yes.

**CHAIRPERSON MILLER-ANDERSON:** Yes. Okay? Um, anything else?

**CITY MANAGER HOSKINS:** Yes. Madam Chair, there will be a news conference on tomorrow, April 11<sup>th</sup>, at 10 a.m. at City Hall to discuss the fire station issues. A news conference will be held tomorrow on Thursday, April 11<sup>th</sup>, at 10 a.m. at City Hall in the city council chambers to give an update on the fire station issues.

**CHAIRPERSON MILLER-ANDERSON:** Okay. Anything else?

**COUNCILPERSON LANIER:** Madam Chair?

**CHAIRPERSON MILLER-ANDERSON:** Hold -- hold on. Actually, you -- you had a question for Miss Hoskins?

**COUNCILPERSON LANIER:** Yeah. I just wanted to ask who would -- who would be doing it.

**CITY MANAGER HOSKINS:** Chief -- Interim Chief John Curd will be doing the news conference along with myself, Rose Anne Brown, the IPO for police, and City Activities will be there.

**CHAIRPERSON MILLER-ANDERSON:** Is -- do you have anything else, Miss --

**CITY MANAGER HOSKINS:** That's all I have.

**CHAIRPERSON MILLER-ANDERSON:** All right. Discussion by City Attorney?

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

**ASSISTANT CITY ATTORNEY BUSBY:** Thank you, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** Uh-huh.

**ASSISTANT CITY ATTORNEY BUSBY:** Well, first, excuse me for not initially informing the citizens and thank you for clarifying that Miss Wynn is not available tonight physically because she is on earned time off. However, she has been responding to phone calls, e-mails and essentially been working remotely during this time.

Um, also, I wanted to bring to your attention that with respect to the interim city manager contract, this council requested at Monday's special meeting that our office provide a draft contract for the potential candidate who will -- for the candidate who will be chosen after the interview. However, we have not done that and we are advising at this time that if the candidate is not currently a city employee, that we do not offer a contract, per se, but simply negotiate the term of the salary since this council voted -- or the governing body voted not to provide any other benefits besides the salary for that candidate.

And finally, just one clarification point that was made by a resident. I believe it was Miss Larson who stated that former Councilperson Terence Davis was represented in the

public records lawsuit by Mr. Torcivia. That is actually incorrect. He had individual representation by Attorney Cleary.

**CHAIRPERSON MILLER-ANDERSON:** Okay. I had a question about what you just said about the -- if one of the, um -- one of the current employees goes into the interim position, they will continue to receive their benefit -- their medical and all of that, correct? Right?

**ASSISTANT CITY ATTORNEY BUSBY:** Well, that's why I stated that should you choose a current employee as the top -- in the top position for that position, you may want to offer a contract so that it is very clear that they would continue to obtain the benefits that they're currently receiving and may -- they may also want to return to that position after the interim position.

**CHAIRPERSON MILLER-ANDERSON:** Okay. All right. Are you finished with your comments?

**ASSISTANT CITY ATTORNEY BUSBY:** Yes. Thank you, Chair.

**CHAIRPERSON MILLER-ANDERSON:** All right. No city council committee reports. Statements by the Mayor and City Council. We'll start with Mr. Lawson and work our way down.

## **CITY COUNCIL COMMITTEE REPORTS**

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

**COUNCILPERSON LAWSON:** Thank you, Madam Chair. I just want to state that I'm very proud that we've made this decision to move forward. We're showing that we have progress now, and we just want to continue to do it the right way and continue to progress in the right direction. So as a council, as a city and as a unified front, we want to just keep doing the right thing.

After we have this settlement signed and come back to the board, we'll make the next steps as necessary to move our city in the right direction. Saturday we have interviews, and we're all very excited to move forward with the direction of the city. So City, thank you, guys, for coming out tonight. We want to keep pushing and we're pushing in the right direction.

**CHAIRPERSON MILLER-ANDERSON:** Miss Lanier?

**COUNCILPERSON LANIER:** Um, I concur with Councilman Lawson. The fact that we are making some motion towards getting some stability with the city, I am hopeful that we can move this process and hopeful that the people that we put in these positions can continue to move us forward. But also I just want to thank the citizens of Riviera Beach for coming out in the audience, voicing their opinions. And I think that the only

way that this is going to work is if the citizens of this city are involved in the process. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Mr. McCoy?

**COUNCILPERSON McCOY:** Thank you, Madam Chair. A few things. I think about three or four. First, um, I did send an e-mail while we're here at the meeting to the city manager regarding members of this council being appointed to outside boards. And I wanted to express publicly my interest in -- and I think there's several -- certainly Palm Beach Northern Chamber of Commerce. Not just because I'm a member of this board but ironically my business is in the Northern Chamber of Commerce, and I certainly have built some relationships with the Chamber over the years. So I would ask for your support. And it's my understanding from the city manager that that is likely to be presented at the next agenda. So I certainly express interest but if -- whatever the pleasure of the board. But certainly there are some board appointments that's going to be coming up and, you know, that's what I'm interested in.

Secondly, I've been forwarded an announcement to make regarding Inner City Youth Golfers, Incorporated. The Golf Skill Development and Education Camp that's going to be occurring this Saturday, April 13<sup>th</sup>, at Wells Recreation location -- I'm sorry, Wells Recreation Center this Saturday at 8:30 a.m. until I believe it's -- it starts at 8:30 a.m. And I have a phone number if information is needed. That number is 561-844-8774.

My next thing I want to bring up is I really appreciate what we just got done here but, you know, I'm kind of trying to figure out both sides of it because, you know, I heard Councilwoman Lanier say it very passionately that we need management in this city. And I was sitting here thinking the sense of urgency that was just laid out is not consistent to what I heard on April the 3<sup>rd</sup>. And I don't know if you guys had the opportunity, but I think I've already put in 40 hours in a week in just getting elected and going to the various departments.

And what I've seen that there is definitely a need for a CIO and just like we want to bring Mr. Evans in, we can't wait on the CIO. And I don't want to overburden every single department because it's always a hurry-up-and-wait. So just in that same fashion, this gentleman was well qualified, and I didn't think that it was very clear on what our role was. So let me just kind of remind -- we don't decide who gets selected for internal positions. Our role was merely to vote on approving a salary that was above the city manager's authority. We have to move forward in selecting great candidates, and this is one that when I read his résumé, I thought it was very great. And I didn't look at anybody else. You know why? Because that's not our role, members.

And it was suggested that we should look at other people. We shouldn't. If we want to have the best city, let's vote for it. Now, on that note, I was a little confused as to what the direction was. And I think our city clerk clarified it in an e-mail. The motion was that we were going to postpone the CIO position to a later date. An offer has been

extended to Mr. Dunn. And I asked the city manager to reach out to see if he was still interested.

Now, that motion was very vague so postponed to a later date could mean tomorrow, it could mean next month or next year. So with that I ask the city manager to put that item back on the agenda for Wednesday if Mr. Dunn is still interested. But as it stands right now, I just don't see how we can rush to hire a city manager, but we don't think our infrastructure for our IT perspective is not a sense of urgency when that powers our police department and our fire department. So please, members, that will be back on the next agenda and I would ask for you guys to support it 'cause I definitely will be supporting it.

Lastly, I -- I heard a few members mentioned about they ranned [sic] all on the platform of getting this city back. Well, I think with the exception of Miss

Miller-Anderson, I didn't just start running in 2018. I ran in 2016. And you know, I certainly support Mr. Evans, but me running and want to change my community is well ahead of Mr. Evans even arriving in Riviera Beach. I've started serving as a volunteer member of the Planning & Zoning Board back in 2012 and when I got sworn in they kicked me off because you can't hold two offices. But it's definitely been a passion and I'm going to want -- I want to commit to trying to be a part of that process.

But nothing here about me serving today is solely about Mr. Evans or the firing of Mr. Evans. So, you know, I've been very much committed to serving in this community, not just in Riviera Beach but over at the school district. So, yeah, I'm here to serve and it's not for one isolated reason. It's because we need better government in Riviera Beach. Thank you, Madam Chair.

**CHAIRPERSON MILLER-ANDERSON:** You're welcome. Miss Botel?

**CHAIR PRO TEM BOTEL:** Thank you, Madam Chair. A couple of items I want to mention. We having our -- we are having our quarterly Singer Island Town Hall Meeting on Thursday, April 18<sup>th</sup>, at 6:00 at the Ambassador Center. We have an interesting agenda. It's about garbage. We're going to talk about recycling and the most important way to do that and the most effective way to do that to save money. And then we're going to have a presentation from the Waste Management person and we're going to talk about litter on N. Ocean Drive. So if you're interested in those topics or any topics, we're open to any questions and -- and want to have people from the community come and share their ideas and thoughts with us. So that'll be Thursday at 6:00.

At Friday at -- in the afternoon, Miss Mary Beth Coffey right there and Miss J.B. Dixon are putting together an -- oh, excuse me, and Miss Amanda Delmonte are putting together an Easter party for the Stonybrook children. And I know people have said, Well, it's not important for kids to color eggs, but you know what? It is important for kids to color eggs and do all kinds of things that kids do at Easter time. So we're going to have baskets

and we're going to have an egg hunt and it's going to be fun. So if you're interested in volunteering, Mary Beth Coffey has agreed to lead the volunteer group. We already very volunteers from Inlet Grove High School. They make great volunteers. And even a 10-year-old from Singer Island who's home-schooled, she's going to be over there doing whatever they do at 10 years old. So if you're interested in volunteering, Mary Beth's phone number is 561-563-2050. So that's Mary Beth Coffey. Thank you, Mary Beth.

Um, two little things not so important but just to clear the record. Jonathan Evans never slept in my apartment. Honest. Ask my husband. Oh, he's gone. So that never happened. And I never directed city staff to do anything at a meeting this past week. I think perhaps Miss Hoskins can attest to that since she was at the meeting. But I won't put her on the spot. So that's all I have for this evening. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** Mayor Felder?

**MAYOR FELDER:** Yes. I just want to thank the community for coming out, being a part of this great day that we're going to bring a great man back. A couple of things I want to just talk about, 'cause I got a chance this week to meet with some department heads, and some of our citizens say what a great police department we have and fire department we have.

One thing I don't want to do is to get lost in our redevelopment and we're not redeveloping from inside. And I think we owe it to our great employees to make sure that we're not in mold, that our police department has the best department. We have the best workers, but we have to have the best department. Our fire department has to have the best fire department.

So one thing I want to do as a mayor is make sure that we are taking care of our own because they're giving us 110 percent. And so it's -- as they're giving us a 110 percent, we need to make sure that their facilities are top notch. I do agree with Councilman McCoy about our IT department. I think that needs to go back on the agenda. I think if we have a budget for it that we bring that person back. We bring that person in as soon as possible.

I think we could do two things at the same time: One is bring our city manager back and one is bring one of the top, as he has said -- a great guy that come and help change our IT department that we so desperately need. So I'm just asking the community be patient with us. We're going to move in baby steps, but I guarantee you we're going to get there. Thank you.

**CHAIRPERSON MILLER-ANDERSON:** And I just wanted to announce again for those of you that participated in the -- this year's Citizen Leadership Academy, we will have our presentation/graduation at our meeting on Wednesday, April 17<sup>th</sup>, during the presentation section.

## **ADJOURNMENT**

**SPECIAL CITY COUNCIL MEETING  
American High-Tech Transcription  
Suite 215  
Largo, FL 33771**

**April 8, 2019  
2600 East Bay Drive,  
727-535-1066**

**CHAIRPERSON MILLER-ANDERSON:** And if there's no further business we stand adjourned.

(CONCLUSION OF SPECIAL MEETING)

**APPROVED:**

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**RONNIE L. FELDER**  
MAYOR

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
CHAIRPERSON

**ATTEST:**

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

\_\_\_\_\_  
**JULIA A. BOTEL, Ed.D**  
CHAIR PRO TEM

\_\_\_\_\_  
**TRADRICK MCCOY**  
COUNCILPERSON

\_\_\_\_\_  
**SHIRLEY D. LANIER**  
COUNCILPERSON

\_\_\_\_\_  
**DOUGLAS A. LAWSON**  
COUNCILPERSON

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

**T. MCCOY** \_\_\_\_\_  
**K. MILLER-ANDERSON** \_\_\_\_\_  
**S. LANIER** \_\_\_\_\_  
**J. BOTEL** \_\_\_\_\_  
**D. LAWSON** \_\_\_\_\_

**DATE APPROVED:**   **MAY 15, 2019**  

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American High-Tech Transcription  
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